

AUTONOMY OF THE STATE-OWNED BROADCASTING MEDIA IN BANGLADESH: THE PUBLIC EXPECTATION

Thesis submitted in partial fulfillment for the Degree
of
MA in Governance and Development

By
Marzina Begum
ID No: 08272022
MAGD 3rd Batch

Under the supervision of
Professor Dr. Shaikh Abdus Salam
Department of Mass Communication and Journalism
University of Dhaka

Institute of Governance Studies (IGS)
BRAC University, Dhaka, Bangladesh
November 2009



01 Nov. 2009

Certificate

I have the pleasure to certify that the work entitled- '**Autonomy of the State-owned Broadcasting Media in Bangladesh: The Public Expectation**' has been carried out by Ms. Marzina Begum under my supervision.

This work is original. I recommend the work for her M. A. Degree in Governance and Development..

(Professor Dr. Shaikh Abdus Salam)

15 November, 2009

To
The Academic Coordinator
MAGD 3rd Batch
Institute of Governance Studies
BRAC University, Dhaka.

Subject: Submission of thesis.

Dear Sir,

Please accept the accompanying dissertation entitled "Autonomy of the State-owned Broadcasting Media in Bangladesh: The Public Expectation". The dissertation has done under the supervision of Professor Dr. Shaikh Abdus Salam, Department of Mass Communication and Journalism, University of Dhaka and it is submitted as a partial fulfillment of the requirements for the degree of Master of Arts in Governance and Development.

I here by declared me as the sole authority of this dissertation. I authorize the Institute of Governance Studies and BRAC University to lend this thesis to other Institutions or individuals for the purpose of scholarly research.

I further authorize the Institute of Governance Studies and BRAC University to reproduce this thesis by photocopying or by other means, in total or in part, at the request of other institutions for the purpose of scholarly research.

Sincerely Yours,



(Marzina Begum)
Roll # 08272022
MAGD 3rd Batch
Institute of Governance studies
University of BRAC

DEDICATED
To
My Beloved Father
Late A. K. M. Mojibar Rahman

Acknowledgement

I acknowledge my indebtedness to Dr. Shaikh Abdus Salam, Professor, Department of Mass communication and Journalism, University of Dhaka, for his supervision throughout this research work and also for his continuous guidance and valuable advice for this dissertation.

I would like to thank most sincerely Barrister Manzoor Hasan (Director, Institute of Governance Studies), Dr. Rizwan Khair (Academic Coordinator of MAGD program, Institute of Governance Studies) and Dr. M. Emdadul Haq (Professor, Institute of Governance Studies) for their all out co-operation. I would like to thank all officials and staff members of the Institute of Governance Studies, Bangladesh Public Administration Training Center and BRAC TARC, Savar for their support.

I am deeply indebted to all of my batch mates of 3rd MAGD program and all of my colleagues of Bangladesh Betar for their cooperation and inspiration.

Finally, I record my gratitude to my family members specially my mother and my husband, whose inspiration and encouragement helped me to finish this work in time.

Marzina Begum

November, 2009

TABLE OF CONTENTS

<i>Preface</i>	<i>a</i>
<i>List of Tables</i>	<i>c</i>
<i>List of Figures</i>	<i>d</i>
<i>Acronyms</i>	<i>f</i>
CHAPTER-1: INTRODUCTION	1
1.1. Introduction	1
1.2. Research Problem	2
1.3. Research Question	4
1.4. About the Study (Rationale)	4
CHAPTER-2 : METHODOLOGY	7
CHAPTER-3: LITERATURE REVIEW	9
CHAPTER-4: SOME CONCEPTS	15
4.1. Broadcasting Media	15
4.2. Public Broadcasting Media	15
4.3. State-owned Broadcasting Media	16
4.4. Autonomous Broadcasting Media	16
4.5. Autonomy	17
4.6. Public Expectation	17
4.7. Public Broadcasting Media in Bangladesh	17
CHAPTER-5: STATE-OWNED BROADCASTING MEDIA IN BANGLADESH	18
5.1. HISTORY	18
5.1.1. Bangladesh Betar	18
5.1.2. Bangladesh Television	19
5.2. Objectives of the State-owned Broadcasting Media	21
5.3. Role and Responsibility of these media	22
5.4. Beneficiaries of the State-owned Broadcasting Media	23
5.5. Area of broadcasting of these media	23
5.6. Guidelines for the State-owned Broadcasting Media	24
5.7. Strength of the State-owned Broadcasting Media	28
5.8. Problems of the State-owned Broadcasting Media	29
CHAPTER-6: AUTONOMY OF STATE-OWNED BROADCASTING MEDIA IN BANGLADESH	30
6.1. Background of autonomy	30
6.2. Legal Aspect of Autonomy	32
6.3. Present Scenario	34

CHAPTER-7: FINDINGS AND ANALYSIS 35

7.1. Expectation of General People	35
7.1.1. Respondents	35
7.1.2. Radio Listeners	37
7.1.3. Television Viewers	39
7.1.4. Level of Satisfaction From The State-owned Broadcasting Media	41
7.1.5. Freedom of The State-owned Broadcasting Media	45
7.1.5. Autonomy of The State-owned Broadcasting Media	48
7.1.6. Effectiveness of RTI Act-2009 to provide Autonomy	51
7.1.7. Necessity of Sanctioning Autonomy	54
7.2. Experts' Expectation: Some Cases	58
7.2.1. Case-One	58
7.2.2. Case-Two	59
7.2.3. Case-Three	60
7.2.4. Case-Four	61
7.2.5. Case-Five	62
7.2.6. Case-Six	63
7.2.7. Case-Seven	64
7.2.8. Case-Eight	65
7.2.9. Case-Nine	66
7.3. Argument on autonomy of BB and BTV	67

CHAPTER-8: CONCLUSION AND RECOMMENDATION 69

BIBLIOGRAPHY 70

Appendix 1: Questionnaire (Set-01).....	i
Appendix 2: Questionnaire (Set-02).....	v
Appendix 3: Bangladesh Betar Authority Act, 2001.....	viii
Appendix 4: Bangladesh Television Authority Act, 2001.....	xiii
Appendix 5: Right To Information Act (RTI)-2009.....	xviii

PREFACE

In Bangladesh the main source of information for the poor and illiterate people is the state-owned broadcasting media which consists of Bangladesh Betar (Bangladesh Radio) and Bangladesh Television (BTV). Almost one-fourth (24%) of all Bangladeshis have no access to regular media and only 10 per cent of all households and 0.6 per cent of rural households have a satellite or cable connection (A.C. Neilson 2008). The state-owned broadcasting media in Bangladesh (Bangladesh Betar and Bangladesh Television) were established for rendering public service for the transmission of news and programs with a view to inform, educate and entertain the people. But both these institutions from the very inception were devalued by political misuse, overt censorship and restraint of due process. In this study we can see that about 49 per cent of the radio listeners listen to Bangladesh Betar, whereas about 91 per cent of the radio listeners listen to private radio channels. On the other hand, among the television viewers, about 47 per cent watch Bangladesh Television, but private television channels reach to 93 per cent of the viewers. If we analyze the effectiveness of both sectors' media in Bangladesh we will see that the public broadcaster has access to all, but they have low popularity due to politicization and partisanship with the state power. On the other hand, despite limited access, private broadcasters have popularity due to their news value.

For avoiding this tendency, the civil society organizations and think tanks have been demanding autonomy of the state-owned broadcasting media for a long time. In July 2001 Bangladesh National Parliament approved two bills granting autonomy to state-run Bangladesh Television (BTV) and Bangladesh Betar (Bangladesh Radio) which are not enforced yet. In early 90's when the autonomy issue was raised for the first time, Bangladesh Betar and Bangladesh Television held the monopoly, in absence of any other competitor. At present there are four FM radio and eleven satellite TV channels are operating in the private sector and another ten private TV channels are entering into the market. Despite the presence of too many private media in the media market, about 73 per cent of the respondents think that sanctioning autonomy is necessary for the state-owned broadcasting media Bangladesh Betar and Bangladesh Television. But about

27 per cent respondents think that giving autonomy to public broadcasting is not the solution to all problems. Because freedom of expression is not ensured due to the absence of an independent regulatory body.

In this regard, the popular response is that a permanent independent commission is badly needed for regulating the state-owned broadcasting media in Bangladesh to ensure neutrality. It will create a competitive environment for broadcasting media which will facilitate the credibility and the effectiveness of the public broadcasting media in Bangladesh, and also is the reflection of public expectation for neutrality of state-owned broadcasting media Bangladesh Betar and Bangladesh Television. This study reflects the public expectation about the autonomy of state-owned broadcasting media. An analysis has been made here on the effectiveness of autonomy for ensuring credibility and playing an impartial role by the public broadcasting media in Bangladesh.

LIST OF TABLES

- Table-01: Types of respondent according to sex and profession.
- Table-02: Listener of Radio
- Table-03: Listener of different radio channels.
- Table-04: Viewer of Television.
- Table-05: Viewer of different television channels.
- Table-06: Level of satisfaction of the respondents from the programs of BB and BTV.
- Table-07: Level of satisfaction of the respondents from the news of BB and BTV.
- Table-08: Opinion about the freedom of the state-owned broadcasting media in their process of functioning and management.
- Table-09: Opinion about the freedom of the state-owned broadcasting media in their program planning, production and airing.
- Table-10: Percentage of respondents according to sex who are informed about Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001.
- Table-11: Opinion of the respondents about the effectiveness of Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001.
- Table-12: Percentage of the respondents who are informed about the RTI Act-2009.
- Table-13: Opinion of the respondents about the effectiveness of the RTI Act-2009.
- Table-14: Opinion about the necessity of sanctioning autonomy to the state-owned broadcasting media.

LIST OF FIGURES

- Figure-01 : Different types of respondent according to sex and profession.
- Figure-02 : Percentage of respondents according to their profession.
- Figure-03 : Percentage of Radio Listeners.
- Figure-04 : Percentage of Radio Listeners by sex.
- Figure-05 : Listeners of different radio channels by sex.
- Figure-06 : Viewers of television.
- Figure-07 : Viewers of different television channels.
- Figure-08 : Percentage of satisfied respondents from the programs of BB and BTV.
- Figure-09 : Level of satisfaction of the respondents from the programs of BB and BTV
- Figure-10 : Percentage of satisfied respondents from the news of BB and BTV.
- Figure-11 : Level of satisfaction of the respondents from the news of BB and BTV.
- Figure-12 : Opinion about the freedom of the state-owned broadcasting media in their process of functioning and management.
- Figure-13 : Opinion of the respondents by sex about the freedom of the state-owned broadcasting media in their process of functioning and management.
- Figure-14 : Opinion of the respondents about the freedom of the state-owned broadcasting media in their program planning, production and airing.
- Figure-15 : Opinion of the respondents according to sex about the freedom of the state-owned broadcasting media in their program planning, production and airing.
- Figure-16 : Percentage of respondents who are informed about Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001.

Figure-17 : Percentage of respondents by sex who are informed about Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001.

Figure-18 : Opinion of the respondents about the effectiveness of Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001.

Figure-19 : Percentage of respondents who are informed about the RTI Act-2009.

Figure-20 : Percentage of respondents by sex who are informed about the RTI Act-2009.

Figure-21 : Opinion of the respondents by sex about the effectiveness of the RTI Act-2009.

Figure-22 : Percentage of the respondents who made opinion about the necessity of sanctioning autonomy to the state-owned broadcasting media.

Figure-23 : Opinion of the respondents by sex about the necessity of sanctioning autonomy to the state-owned broadcasting media.

ACRONYMS

ABC	: Australian Broadcasting Corporation
AL	: Awami League
BB	: Bangladesh Betar
BBC	: British Broadcasting Corporation
BNP	: Bangladesh Nationalist Party
BTV	: Bangladesh Television
DW	: Deutsche Welle (German Radio)
NBA	: National Broadcasting Authority
NBC	: National Broadcasting Commission
RTI	: Right to Information
RTHK	: Radio Television Hong Kong
TV	: Television
UK	: United Kingdom
VOA	: Voice of America

CHAPTER-1: INTRODUCTION

1.1. Introduction:

Bangladesh is the most densely populated country in the world. Almost fifty per cent people in the country live below the poverty line. About 80 percent of the population lives in rural areas and dependent on agriculture. There is limited opportunity in the industry sector. Most of the people of this country are poor and also illiterate. The annual per capita income is US\$ 482 (Bangladesh Economic Review, 2008), which is not enough to maintain the minimum standard of living. Again there exists societal inequality prominently. But despite the apparent economic misery, the people always seem enormously interested in public affairs and willing to know what happen in the society and appears in the press or over the radio and television. Bangladesh Demographic and Media Survey, 2008 shows that only 24 per cent of people have access to print and radio reach to only 22 per cent of the people (AC Nielson 2008). At present television is available to 45 per cent of all the households of the country. Almost one-fourth (24%) of all Bangladeshis have no access to regular media and only 10 percent of all households and 0.6 percent of rural households have a satellite or cable connection. Thus the main source of information for the poor and illiterate people of the country is the state-owned Broadcasting Media: i) Bangladesh Betar and ii) Bangladesh Television. Both these broadcasting media cover the whole country from technical and transmitting facilities point of view. So the state-owned broadcasting media could play a vital role in disseminating necessary national information. And since a great majority of the people cannot read and write, the role and the scope of Bangladesh Betar and Bangladesh Television could be considered very important.

Now-a-days people are more interested in electronic media (radio, TV) and also information technology aided media (mobile phone, internet, e-mail, etc) due to their less time-consuming and fast or sharp characteristics. People want to know everything without delay. In that sense, broadcasting media have been playing a vital role in providing people with day to day information, enriching them with knowledge of their surroundings and also with knowledge beyond their boundary. In any country,

access to media is one of the key measures of good governance. In this respect, the state's responsibility is to promote the free flow of information and ideas to the public through media as well as other means of communication. Public broadcasters are vital components of the broadcasting sector in most countries. The prime responsibility of broadcasters is to ensure that qualitative programs covering a wide range of interests and responding to the needs of all sectors of the population are broadcasted. They also ensure diversity in programming and make an important contribution to satisfying the public's right to know (Kabir 2003). The question may be put if those rights and diversity could be well protected by the electronic media under government control, in an autonomous environment or in the private sector.

1.2. Research Problem

The state-owned media are national assets or public assets, which have been playing the role of bridging between the government, people and different segments of the society (Kabir 2003). Actually, the state-owned media do not belong to the government or to its party. If the state-owned media become the mouthpiece of the government or of the ruling parties, it would be bad sign for democracy. So it is very important for the state-owned media to ensure freedom of expression and accountability to people through its service delivery. But in developing countries where democracy is new and are not that matured, governments try to devise mechanisms to control over the electronic media directly or indirectly (Rahman 2006).

Bangladesh is not an exception. The State-owned Broadcasting Media in Bangladesh (Bangladesh Betar and Bangladesh Television) were established with the aim of rendering public service for the transmission of news and programs with a view to inform, educate and entertain the people. But both the media from the very inception were devalued by political misuse (censorship, restraints, etc). For avoiding the tendency of interference by the government, the civil society organizations and think tanks have been demanding the autonomy of Bangladesh Betar and Bangladesh Television for a long time.

In July 2001 the National Parliament passed two bills granting autonomy to state-owned Bangladesh Television (BTV) and Bangladesh Betar (Bangladesh Radio). We have already passed almost eight years after enactment of Bangladesh Betar Authority Act, 2001 and Bangladesh Television Authority Act, 2001, but those bills are not enforced yet. There is a prevailing belief that just enacting a law will not help these media to enjoy actual autonomy. Even with the passing of these laws, the public at large still believe that there is no real autonomy for Bangladesh Television (BTV) and Bangladesh Betar (BB). They hardly believe that any political government will give autonomy to the state-owned media.

In the year 2009 the government has enacted the Right to Information (RTI) Act and formed an Information Commission. In this changing situation, it can be expected that, the state-owned broadcasting media (Bangladesh Betar and Bangladesh Television) will be capable of performing their job independently. But again there is also ambiguity about this. Because, those broadcasting media are still owned and managed by the government. On the other hand, the people are yet to see how the Information Commission will be able to perform as an impartial and independent organization.

Therefore this study is undertaken to understand the level and status of those media and also to know the level of expectation of our people about the functioning of the state-owned media (Bangladesh Betar and Bangladesh Television); and to identify the reasons behind this. Through this study an analysis will be made on the effectiveness of autonomy in playing an impartial role and in ensuring the credibility of the state-owned broadcasting media in Bangladesh. This study also tries to focus on the expectation of people regarding the autonomy of the state-owned broadcasting media in Bangladesh.

1.3. Research Question

- Q-1: Do the State-owned Broadcasting Media in Bangladesh enjoy autonomy in their process of functioning and management ?
- Q-2: Will the enactment of Bangladesh Betar Authority Act, 2001 and Bangladesh Television Authority Act, 2001 help Bangladesh Betar and Bangladesh Television to provide autonomy in their way of functioning and management?
- Q-3: Is the autonomy of state-owned broadcasting media in Bangladesh public demand or a political issue?
- Q-4: Do the public think that sanctioning autonomy to the broadcasting media is essential now when a number of channels are operating in private sectors?

1.4. ABOUT THE STUDY (RATIONALE)

Bangladesh Betar and Bangladesh Television were established with the aim of rendering public service for the transmission of news and program in order to inform, educate and entertain mass people. But both institutions were from their very inception, devalued by political appropriation, overt censorship and restraints of due process. The public broadcasting sector in Bangladesh has been misused by the ruling party. After the independence of Bangladesh the electronic media has always been used as a propaganda machine. During the autocratic rule, the electronic media was branded as media devoted for the sole cause of the then autocrat H.M. Ershad, his wife and their close associates (Kabir 2003).

In 1986 Bangladesh Betar and Bangladesh Television came under the National Broadcasting Authority after promulgating of National Broadcasting Authority Ordinance 1986. In 1988 the National Broadcasting Authority (Amendment) Ordinance decided that the National Broadcasting Authority (NBA) will comprise of six members. The members will be the Director General of Radio Bangladesh who is a government official, Director General of Bangladesh Television who is also a

government official, member (finance) will be a government officer be appointed by the government and another three members also be appointed by the government. According to the amendment, the chairman of the NBA will be from among the six members. Since the proclamation of the National Broadcasting Authority Ordinance, 1986 and the National Broadcasting Authority (Amendment) Ordinance, 1988, no full-member National Broadcasting Authority has been set up yet. The Director General of Bangladesh Betar was working as the Chairman of the National Broadcasting Authority until 1990. In accordance with the amendment of the Ordinance 1992, the administrative and financial authority of the National Broadcasting Authority had been given to the Director General of Radio Bangladesh and the Director General of Bangladesh Television until further order.

Until 1991 the issue of 'autonomy of radio-TV' did not come to forefront as an issue of societal discourse. Sanctioning autonomy to Bangladesh Betar and Bangladesh Television was one of the main demands in the joint declaration of the three alliances announced after the fall of the autocratic Ershad Government (Kabir, 2006). Three major political alliances, popularly known as the Five, Seven and Eight party alliances announced 'Joint Declaration' to consolidate the movement against autocracy in November 1990. Section 2(d) of the Joint Declaration states, "The mass media, including the radio and television, will have to be made into independent and autonomous bodies so that they become completely neutral." (Kabir 2006). The government of two leading political parties BNP and Awami League did not uphold the commitment for granting autonomy to the state-owned Bangladesh Betar and Bangladesh Television.

In July '2001, just days before handing over power to a caretaker government, the then AL government approved two bills (Bangladesh Betar Authority Act, 2001 and Bangladesh Television Authority Act, 2001) granting autonomy to the state-run Bangladesh Television (BTV) and Bangladesh Betar (Bangladesh Radio). Since the enactment of the Bangladesh Betar Authority Act-2001 and the Bangladesh Television Authority Act-2001, almost eight years have passed. But those bills are not enforced yet. In fact in these unimplemented acts there was no use of the word 'autonomy' or any mention of 'notion' in any way. It has focused more on government control, in a coded manner.

During the AL government the first private terrestrial channel Ekushey TV began its official transmission in 14 April, 2000. However, Ekushey TV was closed down on August 29, 2002 (Holiday 2002). The BNP led four party alliance lastly tried to rationalize the matter by focusing the private satellite channels as an alternative to an autonomous Betar and TV. Both AL and BNP in their election manifestos have mentioned the matter as an urgent issue. But whenever they get into power they fail to fulfill the promise. While in power (2001-'07) they did not at all care about their commitment for granting autonomy to those media. Also the last Caretaker Government called for a free, national and democratic broadcasting system under an independent authority; but failed to implement it.

There is a prevailing belief that just enacting law will not help these media to enjoy actual autonomy. Even with the passage of these laws, the public still believe that there is no real autonomy for Bangladesh Television (BTV) and Bangladesh Betar (BB) in those bills. They have come to believe that no political government is really willing to give autonomy to the state-run media. When the party is in power, it uses the national media for its propaganda, and the opposition parties then start demanding autonomy. Again the opposition and the ruling party change their position according to their power positions. So, it becomes a common game for all sides of the political spectrum.

Recently there has been a positive sign. The present Awami League led government has enacted the 'Right to Information (RTI) Act-2009'. To implement this act the government has already formed an Information Commission. Thus it can be said that the state-owned broadcasting media (Bangladesh Television and Bangladesh Betar) will be able to disseminate information as per peoples need and expectation. But still there lies an apprehension that those media are owned by the government and the Information Commission is also appointed by this political government. Therefore the question is that, what role will the Information Commission play as an impartial independent organization? How much will it be able to ensure right to information from government-owned Bangladesh Betar and Bangladesh Television. This study will be aiming at understanding and analyzing the reality behind that question and to know the public expectation about those two organs of media in regards to their autonomy and ensuring their functioning in free and fair manner.

Chapter-2 : Methodology

In this study Content Analysis and Interview methods were used as information collection method. The study is qualitative in nature and is based on secondary information as well as primary information. Sources of secondary information include recent publications, journals and research reports. Relevant literature has also been collected through internet browsing.

Primary data have been collected through the questionnaire. Two sets of questionnaire were used to collect the necessary information. Questionnaires had been developed on the basis of research questions. After developing the questionnaires a pre-test was performed by interviewing twenty respondents from Dhaka Metropolitan city. During the pre-test, some problems were faced with some questions. So the questionnaires were modified according to the findings of pre-test and then finalised for collecting data through interviewing.

One set of the questionnaires have been used for collecting information from general people to know the level of understanding and the expectation about the autonomy of state-owned broadcasting media Bangladesh Betar and Bangladesh Television. Here the respondents include teachers, lawyers, doctors, journalists, government officials, private service holder, students, broadcasters, businessman, research worker, housewife, etc. It was tried to maintain equal portion of male and female respondents. The age limit of the respondents was from eighteen years and above.

The survey was carried out only in the capital city, Dhaka due to time limit. But it is true that Dhaka is the main information gathering centre of the country and it is the city where people of all districts live. In this survey purposive sampling had been preferred to determine the target sample. Therefore, in managerial, operational and technical point of view, the target sample size was fixed in one hundred. Respondents were different professionals who have access to media and have some knowledge about the media.

The total number of interviewed respondents was ninety seven. Among them fifty five were male and forty two were female respondents. According to profession the respondents were eleven in categories. Among the respondents nine were teachers,

six lawyers, three doctors, five journalists, twenty one government officials, thirteen from private service, twenty five students, five broadcasters, three research workers, three businessmen and four were housewives.

Another set of the questionnaires had been used to know the opinion of experts who were informed or involved or done research work on the Broadcasting Media in Bangladesh. Here nine in-depth interviews were done.

Data has been collected from Dhaka Metropolitan city in August and September 2009. From the questionnaires and interviews both qualitative and quantitative data has been found as primary data. Those data has been processed by sorting, compiling and analyzing. Bar Graphs and Pie charts have been used to analyze and present the data.

There were some limitations of this study. Here sample size was very small and sample area was only Dhaka Metropolitan city due to time and financial constraints. There were also managerial obstacles for doing a large-scale survey. Despite of those limitations the findings of this study will give direction for making a conclusion about the expectation of the whole population. And there is a scope for full-length survey in this sector to assess the public expectation about the autonomy of the state-owned broadcasting media in Bangladesh.

CHAPTER-3: LITERATURE REVIEW

Media can shape power and participation in society in negative ways by obscuring the motives and interests behind political decisions, or in positive ways by promoting the involvement of people in those decisions (Ahmed & Mazumder 2003). According to Hudock (2003) a skilled independent media can provide citizens with essential political and economic information and analysis, encourage informed dialogue between policymakers and citizens, and demand accountability from political structures. Therefore it can be said that no interference by the government can ensure the freedom of expression of the media. And free and independent media is an essential component of democracy. A free, accountable and vibrant mass media disseminates information, inform the public and policy makers alike, create space for diverse views regarding socio-economic and political processes, and increases people's scope for democratic participation (Hudock 2003; Besley et al 2002)

The freedom of media is associated with the democratic rights of the citizens, as media has been seen as a way to keep the political elites accountable to the people and to provide a device for competing interests and conflicting perspectives to be heard (Morgan 1989). Mc Quail (2000) argues that the concept of media freedom covers both the degree of freedom enjoyed by the media and the degree of freedom and access of citizens to media content.

According to Kim et al (2003), the media creates "opinion climates" which influence the public's perception of political actors and events, and their desire to voice opposition and demand change. Thus, the media acts as a catalyst for creating positive governance outcomes as people, and in turn governments, are motivated to enact changes in the institutional structure to enhance democracy. In addition, an effective media also provides policy makers and governments with information vital to addressing a nation's policy and development needs (Hudock 2003; Temin and Smith 2002). So, the type and validity of the information provided by the media regarding governance and the political process can shape people's perceptions and generate impetus for change.

In South Africa, the media is seen to be effective in strengthening democracy only when it is constructively engaged in a nuanced and helpful manner with the state, rather than merely being critical (Kuper and Kuper 2001). Kim et al. (2003), a study of North Korea, finds that people are only willing to speak out and demand better governance when the media is able to create an atmosphere that seems to support dissenting opinions.

For Price (2002), the "foundation requirement" for media freedom is that government does not have a monopoly on information. Rozumilowicz (2002:14) contends that the question of who has the control is the critical consideration as to whether media is free and independent. She argues that there must be a diffusion of control and access supported by a nation's legal, institutional, economic and socio-cultural systems. Thus, free and independent media "exist within a structure which is effectively demonopolized of the control of any concentrated social groups or forces and in which access is both equally and effectively guaranteed".

Media independence is the outcome of a process of media reform. The general assumption is that the media "should progress ever nearer to an ideal of freedom and independence and away from dependence and control" (Rozumilowicz 2002:12). In her view, a media structure that is free of "interference from government, business, or dominant social groups is better able to maintain and support the competitive and participative elements that define the concept of democracy and the related process of democratization."

Curran (1996:55) differentiates between a classical liberal perspective on media freedom and the radical democratic perspective. The former focuses on the freedom of the media to publish or broadcast. The latter focuses on how mass communications can "mediate, in an equitable way, in conflict and competition between social groups in society". Within the classical liberal perspective, according to Curran, is a "strand" arguing that the media should serve to protect the individual from the abuses of the state. Within the radical democratic perspective, he continues, is a "strand" that argues that the media should seek to redress the imbalances in society.

There are two sets of democracy in today's world, one is found in the dictionary, and indicates that the public has meaningful participation in state affairs, and means of information are open and free. The other kind of democracy is a practical one where the public is not involved in their own affairs and the means of information must be kept narrowly and rigidly controlled which may be defined as propaganda. There is a common complaint about developing countries that here media is used as propaganda tools by the government. But propaganda is an innovation of the Western World.

The first modern propaganda operation was formulated by the United States in 1916 when Woodrow Wilson was President. With the popular slogan 'Peace Without Victory' he was elected President. The American population was against World War II. So, a government propaganda commission called the 'Creel Commission' was formed to motivate pacifist population towards involvement in the war. Within six months the American population including intellectuals became a hysterical and war-mongering population against Germany. That was a major achievement of the propaganda industry. Even today that experience is a guiding model of propaganda in advanced societies.

Walter Lippmann, a major theorist of liberal democracy was a member of the 'Creel Commission' and later he recognized the achievements. He called the successes a 'revolution in the art of democracy'. So, manufacturing consent by using media is not a new phenomenon. It is still practiced in Western democracy. Patriotic journalism and embedded journalism are two clear present day examples of this. Our civil society refers to the example of Western media and shows the necessity of freedom of the media in Bangladesh sometime without considering the facts.

Rozumilowicz (2002) sees the ideal media environment as one in which there are two media sectors, a market-led media sector and a non-market-sector. Within the market sector, advertisers are free to present their goods to target audiences, programmers can use fees provided by these advertisers to draw in audiences, and audiences are informed and entertained to the extent the market allows. The non-market-sector provides balance by ensuring that the needs of non-dominant groups are met. It also creates a forum in which a common discourse emerges and allows people to function within the society.

For these two sectors, to exist there must be both legal and institutional support as well as social and cultural support. For example, the market sector can exist only if laws are in place protecting the media from government interference. Audiences also must be protected via defamation laws from media abuse. Also needed are anti-trust legislation, ownership laws limiting concentration, licensing laws, and rules on advertising. For the non-market-sector to exist, there must be legal and institutional support for the right to publish and the right of access. Citizens are guaranteed the right to information, and the various voices in society are guaranteed the right to communicate.

There are many public broadcasting media in the world who have good experiences in terms of freedom of expression, which is run by independent regulatory authority. BBC World and VOA both follow the foreign policies of the countries concerned. DW of Germany and ABC of Australia also have the same mode of operation. Many countries of the world follow the model of the British Broadcasting Corporation.

The Radio Television Hong Kong (RTHK) is the sole public service broadcaster. Although as government department under administrative hierarchy, it enjoys editorial independence, and its director is promoted from within the department. Observers note that the media's autonomy and efficacy in functioning is severely compromised by the media's ownership and direct linkages with business houses and political actors (Chowdhury 2005).

In Bangladesh the mass media enjoys a long history that pre-dates independence in 1971, the advent of democratization in 1990 saw the growth in the number and range of both print and electronic media outlets (Chowdhury 2005). The 1990s saw a media boom in the entrance of many new players into the media market. Until 1990, the electronic media was limited to the state-run terrestrially beamed Bangladesh Television, and Bangladesh Betar, often the only source of news and information for the rural population.

After the advent of democracy in 1990, the need for a private electronic media sector was obvious. The private radio channel Radio Metrowave began limited broadcasts in 1999 with the permission of Bangladesh Betar and the National Broadcasting

Authority (NBA) but has since closed down (Daily Star 2006). However, entertainment radio channel Radio Today has started broadcasting in June 2006, with news of other FM radio channels in the offing (New Age 2006). In addition, the first private terrestrial channel Ekushey TV began its official transmission in 14 April, 2000. However, it was closed down on August 29, 2002 (Holiday 2002).

The BNP led four party alliance tried to rationalize the necessity of freedom of electronic media by focusing the private satellite channels as an alternative to an autonomous Betar and TV. The mid-1990s saw the birth of ATN Bangla, Channel "i" and Ekushey TV (Chowdhury, 2005). At present twelve satellites TV channels are operating in the private sector. These channels presented a new mode of programming to their viewers that emphasized a wide-range of programs and attractive packaging. Currently, these new satellite TV channels competitively combines news, entertainment, talk shows and discussion programs in a manner that offers viewers with a wide range of viewing options, and provides an alternative space for political governance-related debate that is not unusually available in institutional political forums (Ali, I.S. 2006).

Bangladesh Media and Demographic Survey-2008 (AC Nielson 2008) shows that the people of Bangladesh are fast moving toward visible electronic media and overall listening to radio has declined from 36 percent in 1995 to 22 per cent at present. This report has mentioned that the reach of radio in the metro areas has increased to 20 per cent in 2008 from 12 per cent in 2006 due to private FM Radio Channels.

Bangladesh Television (BTV) is the most watched channel (93%) among those people who watch TV (AC Nielson 2008). The state-owned broadcast media Bangladesh Betar and Bangladesh Television which are controlled and funded by the government are responsible for broadcasting programs throughout Bangladesh. These two media were established for broadcasting news and programs order to inform, educate and entertain mass people. But both of these could not earn credibility due to political misuse by the ruling government either it is autocratic or democratic government.

Due to mass peoples dissatisfaction the issue of 'autonomy of radio-TV' raised. In 1991 after falling the autocratic Ershad Government, the three alliances committed

for sanctioning autonomy to Bangladesh Betar and Bangladesh Television the joint declaration (Kabir, 2006). But no elected government upholds their public commitment for granting autonomy to the state-owned Bangladesh Betar and Bangladesh Television from during last two decades. Also the last Caretaker Government called for a free, national and democratic broadcasting system under an independent authority; but failed to implement it.

However, in July 2001 the National Parliament of Bangladesh approved two bills (Bangladesh Betar Authority Act, 2001 and Bangladesh Television Authority Act, 2001) granting autonomy to the state-run Bangladesh Television (BTV) and Bangladesh Betar (Bangladesh Radio). Since then almost eight years have been passed but those bills are not enforced yet. In fact there was no focus on autonomy in any way in those acts. But those have focused more on remaining government control in a different format. Actually those laws are not enough for Bangladesh Television (BTV) and Bangladesh Betar (BB) to enjoy freedom in their process of functioning and management. Therefore this study was tried to understand and analyze the reality of those acts and to know the public expectation about the state-run Bangladesh Television and Bangladesh Betar in regards to their autonomy and ensuring their way of functioning and management in free and fair manner.

CHAPTER- 4: SOME CONCEPTS

4.1. Broadcasting Media:

Broadcasting Media means electronic media. There are three types of broadcasting media: public broadcasting media, private commercial broadcasting and community broadcasting system.

4.2. Public Broadcasting Media:

Public broadcasting includes radio, television and other electronic media outlets that receive some or all of their funding from the public. Public broadcasters may receive their funding from individuals through voluntary donations, a specific tax such as a television license or as direct funding by the state (Wikipedia, September 2009). There is no standard definition for public broadcasting. But the Broadcasting Research Unit lists some possible goals or characteristics of a public broadcaster like:

- **Geographic universality:** The stations broadcasters are available nationwide with no exception.
- **Catering for all interests and tastes:** Catering for minorities with racial and linguistic minorities.
- **Concern for national identity and community:** This essentially means that the stations mostly part commission programs from within the country, which may be more expensive than importing shows from abroad.
- **Detachment from vested interests and government:** In which programming is impartial and the broadcaster is not be subject to control by advertisers or government.
- **Competition in good programming rather than numbers:** Quality is the prime concern with a true public service broadcaster.

Some of these definition points may not be acceptable everywhere. An economic rationale for public broadcasting is that it exists to provide coverage of interests for

which there are missing markets. Public broadcasting can supply those topics which have social benefit that would otherwise not be broadcast due to believed unprofitability. Society is willing to pay for such programming, but markets fail to provide it (Wikipedia, September 2009).

The nature of public broadcasting media depend on the country and the station. It may be nationally and/or locally operated. In some countries, public broadcasting is dominated by a single organization like the BBC in the UK and the ABC in Australia and its radio and television services broadcast throughout the country. However, some countries have multiple public broadcasting organizations operating regionally like in Germany or in different languages. In the United States, public broadcasting stations are always locally licensed, but range from stations that mostly broadcast programming from national networks such as the Public Broadcasting Service (PBS) and National Public Radio (NPR) to stations that broadcast only locally produced content. The British Broadcasting Corporation (BBC) is a widely trusted model of public broadcaster. In a number of countries the public broadcasters are basically an application of the model used in Britain (Wikipedia, September 2009).

4.3. State-owned Broadcasting Media:

There is no specific definition of State-owned broadcasting media. But it can be said that state media or state owned broadcasting media is the media for mass communication which is ultimately controlled and/or funded by state Government.

4.4. Autonomous Broadcasting Media:

An autonomous media is a media that has a degree of autonomy or freedom from an external authority. An autonomous media works independently from dominant institutions like the state, corporations, the church, the military etc. Example: BBC (Wikipedia, September 2009).

4.5. Autonomy:

The word autonomy comes from the Greek word autonomous where auto means self and nomos means law. So, autonomy means one who give oneself his/her own law. Autonomy means self governing or independent. Autonomy is a concept found in moral, political, and bioethical philosophy. Within these contexts, it refers to the capacity of a rational individual to make an informed, un-coerced decision (Wikipedia, September 2009).

4.6. Public Expectation:

Public expectation means the desired activity from a media. The public have a different sense of standards than the media do and therefore have different expectations. But there are some common expectations of public from a media's program or news like- Truthfulness, Credibility, Trustworthy, Accuracy, Dependency etc.

The public expectations may be fulfilled by the media if the media is free from external forces and it is achievable when the media has autonomy. Once Australian Journalist Frank Devine wrote in a newspaper in 2005, *"Don't blame us, don't trust us, be glad the press is free"* (Wikipedia, October 2009).

4.7. Public Broadcasting Media in Bangladesh:

In Bangladesh, Public Broadcasting has both audio (Bangladesh Betar formerly Radio Bangladesh) as well as a visual media (Bangladesh Television) presence. Both the organizations have most of the characteristics of Public Broadcasting Media like geographic universality, catering for all interests and tastes, concern for national identity and community. But Bangladesh Betar and Bangladesh Television do not have some of the key features of public broadcasting media like detachment from vested interests and government and competition in good programming rather than numbers. On the other hand both the two broadcasters are funding by the state. So it can be said that Bangladesh Betar and Bangladesh Television are state-owned broadcasting media rather than public broadcasting media.

Chapter-5: STATE-OWNED BROADCASTING MEDIA IN BANGLADESH

5.1. HISTORY

5.1.1. Bangladesh Betar

Bangladesh Betar is the oldest electronic medium in the country. Radio broadcasting began in Bangladesh territory in 1939, when the British government set up the first radio station in Dacca (now Dhaka) as a complement to the Calcutta (now Kolkata) radio station. The listening range of the 5kW Dhaka station was 64km and it covered about eight percent of the area surrounding Dhaka (Bhuiyan & Gunaratne 2000: 54). Dhaka station of All India Radio put its programs on air from a rented house at Nazimuddin Road, old part of present Dhaka City. After the emergence of Pakistan on 14 August 1947, Pakistan Broadcasting Service, later renamed Radio Pakistan, was created with three former stations of All India Radio located at Dhaka, Lahore, and Peshawar. Later a broadcasting house was built at Shahbag, Dhaka and brought into operation from 8 January 1960.

Since 26 March 1971, the Swadhin Bangla Biplobi Betar Kendra started its irregular transmission by broadcasting the historical announcement of the declaration of independence of Bangladesh from Kalurghat of Chittagong by using a 10KW transmitter of Chittagong Radio (Belal 1978). From 3 April to 24 May 1971 the transmission had been done from the boundary area Ramgor by using a 1KW transmitter. After the formation of Mujibnagar government on 17 April 1971, it started regular broadcasting as 'Swadhin Bangla Betar Kendra' from 25 May 1971, the birth date of national poet Kazi Nazrul Islam (Kazi 2005). 'Swadhin Bangla Betar Kendra' was playing vital role in broadcasting motivational programs and supporting the cause of Liberation War. After the independence 'Swadhin Bangla Betar Kendra' ceased broadcasting and started regular broadcasting as Radio Bangladesh from 22 December 1971. Radio Bangladesh was named Bangladesh Betar in 1972. It was renamed Radio Bangladesh again in 1975 and once again it was renamed Bangladesh Betar in 1996. On 30 July, 1983 Dhaka Broadcasting House was shifted

to National Broadcasting House at Sher-e-Bangla Nagar and the former Broadcasting House at Shahbagh turned into Head Office of Bangladesh Betar.

Now Bangladesh Betar is a gigantic medium both in terms of airtime and stations. Every day it has been broadcasting 240 hours of programming in six different languages and several dialects from its 12 regional stations using 27 transmitters. Among transmitters 15 are medium wave, 10 FM and 2 shortwave. Besides its own programs it broadcasts BBC World programs. The regional stations are Dhaka, Chittagong, Rajshahi, Khulna, Sylhet, Barishal, Thakurgaon, Rangpur, Cox's Bazar, Rangamati, Bandarban, and Comilla. Bangladesh Betar has also ten specialized units such as Education unit, Transcription Service (Archives), Commercial Service, Population Health and Nutrition Cell, Farm Broadcasting, External Service, Liaison and Research, Music unit, Program Planning and Traffic Broadcasting.

5.1.2. Bangladesh Television

Bangladesh Television emerged in 1964 as a Pilot Television Project in then East Pakistan. BTV aired its first signal in black and white on 25 December, 1964. Transmission of the station initially started from DIT (presently RAJUK Bhaban) for four hours duration. BTV had been transformed into an autonomous organization from the 'Pilot Project' in 1966 (Ali 1989:194).

At that time to facilitate much more transmission a five years long project named 'Rampura TV Project' had been planned at Rampura of Dhaka city. In this connection in 1967 the foundation stone of the television centre at Rampura had been established. According to the master plan of Rampura Project during 1968-69, the construction work of the three storied sophisticated television building had been started. In those days, Pakistan Television was an autonomous transmission organization which had been controlled centrally from Rawalpindi.

In 1971 Bangladesh achieved independence from Pakistan. After the independence to reform the war-turned country the television had been considered as a special media. From this point of view, since September, 1972 the Dhaka Television had been nationalized (Ali, S.L. 1989:196). A part of this effort, the construction work

under the half-done 'Rampura TV Project' had been restarted. Finally, during February, 1995 BTV had been replaced it's those days DIT Bhaban's narrow studio to the Rampura TV Bhaban which is now known as Rampura Television Centre. Since then the production and transmission of the programs had been broadcasted from Rampura TV centre.

A smaller TV station had been established in Natore during 1974-75 as a primary step of expansion of transmission to nationwide. According to the master network plan, at the next step, the decision had been made to relay the programs produced at Dhaka TV station through microwave system by establishing television substations in four divisional head quarters of the country. Then since 1976 to 1979 the sub-centers of BTV at Chittagong, Khulna, Sylhet, Mymensing and Rangpur had been established, gradually. At that time, the programs of Dhaka station had been completely relayed by taking Natore sub-station under microwave network technology. In this way, primarily, 75 per cent locality of the country had come under the transmission of BTV.

At the secondary stage, during 1981-82 a TV sub-station at the coastal area of Begumgonj in Noakhali district and two re-broadcasting centers at Rangamati and Cox's Bazar had been established. Besides these, in April, 1984 the South-Western portion of the country had been under the television transmission by establishing a re-broadcasting centre at Satkhira. In this way, the 80 per cent locality of the country; i.e., 70 per cent of the total geographical area of the country had been under the transmission area (Ali, S.L. 1989).

In the Second Five Years Plan, the project to transform BTV programs into color transmission system had been recognized. As a part of this reorganization at the primary stage, the decision to broadcast 40 per cent of the total transmitted programs that mean news programs and news photos and the programs taken/recorded outside of the studio, had been taken. In this relation, BTV started its color transmission on 1st December, 1980. Since then this state-run media is pursuing a forward looking journey. At present BTV broadcasts its 100 per cent programs through color transmission.

Recently, BTV started a satellite channel named 'BTV World' for overseas viewers. The average transmission time of BTV daily stands at 14 hours and it is carried out through one Centre, one Sub Centre, fourteen relay stations all over the country. Till 2008, as many as 17 relay stations, located all over the country, have been established. Thus 93 percent geographical area of the country has come under transmission coverage.

5.2. Objectives of the state-owned broadcasting media

(Source: Official document of Bangladesh Betar and Bangladesh Television and the work experience of author.)

Bangladesh Betar and Bangladesh Television stepped into the arena of electronic media with four main objectives like:

- ☐ To inform.
- ☐ To Educate.
- ☐ To Motivate.
- ☐ To Entertain.

The objectives of Bangladesh Betar and Bangladesh Television are:

- i. To educate for the improvement of public life standard through airing the realistic information to the audiences and to entertain people by practicing own cultural continuity.
- ii. To inform the audiences about the government policy, activity and development planning as well as to involve people by motivating them for quickened national development project.
- iii. To develop ethical, social and religious value and to change public behavior positively by developing awareness about their responsibility.
- iv. To disseminate all national issues of public importance.
- v. To bridge between government and mass people by raising public opinion and thoughts through programs.

5.3. Role and responsibility of these media

(Source: Official document of Bangladesh Betar and Bangladesh Television and the work experience of author.)

The nature of the two media (Bangladesh Betar and Bangladesh Television) is not the same. Bangladesh Television is a profitable public organization, but Bangladesh Betar is not commercial in nature. Bangladesh Betar bears a glorious image for its courageous role in the Liberation War in 1971 and takes pride in recollecting the memories of 1971 when the organization inspired the nation during our great War of Liberation. Though these two media are different in nature, but as the state run media the role and responsibilities of Bangladesh Betar and Bangladesh Television are almost the same. The major responsibilities of Bangladesh Betar and Bangladesh Television are:

- i. The prime responsibility of Bangladesh Betar the national radio network and Bangladesh Television, the national TV network are to disseminate national information to every citizen of the country.
- ii. Bangladesh Betar and Bangladesh Television have been discharging the responsibility of disseminating information, education, and entertainment with utmost commitment, honesty, and objectivity since their establishment.
- iii. Bangladesh Betar and Bangladesh Television have been working to support nation building efforts of the Government by upholding social values and the country's rich historical and cultural heritage.
- iv. Bangladesh Betar and Bangladesh Television has been playing a central role towards developing a knowledge based information society taking advantage of its unique and distinctive capacity as the cheapest and most versatile medium to reach the grass root level.
- v. The role of Bangladesh Betar and Bangladesh Television in development and nation building is pivotal in nature.

5.4. Beneficiaries of the state-owned broadcasting media

(Source: Official document of Bangladesh Betar and Bangladesh Television and the work experience of author.)

The beneficiaries of Bangladesh Betar and Bangladesh Television are:

- i. Wide audience: there is no specification in terms of age, profession, sex, religion, literate or illiterate, rural or urban, etc.
- ii. Different types of artists (drama artist, music artist, children, youth group, presenter, announcer, newscaster, musician, etc) and performers (teacher, journalist, scientist, doctor, lawyer, poet, writer, intellectual, religious leader, political leader, professional, etc) who participate or want to participate in different programs.
- iii. All the ministries and departments of the government, semi-government organizations, autonomous body, international organizations, non-government organizations and institutions, sports organizations, cultural organizations, etc.
- iv. Different product producers, service providers, businessmen and their agents, who want to advertise their product and service through radio or television.
- v. Businessmen who supply all kinds of instruments, machineries, equipments and others things to Bangladesh Betar and Bangladesh Television.

5.5. Area of broadcasting of these media

(Source: Official document of Bangladesh Betar and Bangladesh Television and the work experience of author.)

Several issues are being covered by Bangladesh Betar and Bangladesh Television in their daily programs and news. Some of them are mentioned bellow:

- i. News, news bulletins, news commentaries.
- ii. Live broadcasting of the speech of the President and the Prime Minister, national important events.

- iii. Primary and mass education
- iv. Child and women development, youth development
- v. Health, maternal and child health, safe water and sanitation
- vi. Agriculture extension, farming, afforestation
- vii. Fighting HIV/ AIDS or Bird Flue
- viii. Pro-election campaign
- ix. Welfare of elderly people, rights of the disable
- x. Village and community development, social value-religion-custom
- xi. Sports
- xii. National and international affairs
- xiii. Observed different national and international days or events
- xiv. Different social issues (dowry, early marriage, road safety, curving corruption, etc)
- xv. Disaster preparedness
- xvi. For local audience Bangladesh Betar is broadcasting programs and news in local dialects
- xvii. For tribal people Bangladesh Betar is broadcasting programs in their own languages.

5.6. Guidelines for the State-owned Broadcasting Media

(Source: Ministry of Information, Government of Bangladesh)

The responsibilities of Radio (Bangladesh Betar) and Television (Bangladesh Television) as powerful mass media are enormous. The basic objectives of broadcasting and telecasting of those media are four-fold: dissemination of information, extension of education, motivation for development activities and entertainment. For realization of these objectives, according to Ministry of Information

Bangladesh Betar and Bangladesh Television will follow the under mentioned guidelines in formulation and broadcasting of their programs:

- Programs shall be formulated on the basis of the State policies and the Principles of the Government of Bangladesh.
- Realistic steps shall be taken to make the people of Bangladesh responsible citizens imbued with political, state, social policies and principles of the Government of Bangladesh and above all with patriotism.
- There shall be expression and development of Bangladeshi nationalism for defending the sovereignty of Bangladesh, for political stability and also for economic development.
- Efforts shall be made to reflect the country's traditional and own Muslim culture, heritage and ideologies for the development of Bangladeshi culture, establishment of intimate relationship of the people with Bangladeshi culture by inspiring various regional cultural trends with the ideals of Bangladeshi nationalism and patriotism.
- Full respect shall be shown to all religious feelings. There shall not be any humiliation, sarcasm, aspersion or criticism against any people, religion, sect or individual. Communalism must be avoided.
- As far as practicable, there shall be pictorial presentation of people's participation in development activities, especially voluntary participation and motivation of the people in such programs. To achieve this end, discussion programs with pictorial presentation shall be arranged. Efforts shall be made to imbibe the people about the dignity of labor and utility of physical labor. It should be reflected through programs that it is no disrespectful to work with own hands and no job or profession is lowly for personal and social welfare and economic development.
- Efforts shall be made for presentation of healthy entertainment to the audience according to their cultural and recreational needs. Arts and artists of the remotest corners of the country shall be found out, patronized, encouraged and presented to the people through various programs for harmonization and enrichment of Bangladeshi culture.

- Efforts shall be made to set a high standard for various programs and for correct pronunciation of Bengali words. Bengali is our State Language. Under no circumstances, the standard of pronunciation shall be lowered in news bulletins and announcements.
- The programmers of Radio Bangladesh and Bangladesh Television shall basically be broadcast in Bengali. These principles may be relaxed for news bulletins, foreign films, songs, and exchange-programs maintaining consistency with overall program guidelines.
- Regional language may be used, if required, in drama, folk programs and other items. But utmost care should be taken to avoid belittling or hurting any region or regional dialect.
- To make the country self-reliant, the peasants, the laborers and other work-force shall be motivated to increase agricultural and industrial production and they shall be inspired to play responsible and important role. Different programs must reflect the problems of common men and their hopes and aspirations.
- The people shall be made conscious of the gravity of the population explosion through different programs and they shall be encouraged to adopt effective measures in this regard. The program for population control should be broadcast with due regard to traditional decency and decorum.
- To make unlettered citizens conscious and enthusiastic, there shall be program and publicity on literacy drive.
- The people shall be motivated towards the development of industries in the country and that of indigenous technologies.
- Encouragement shall be given for utilizing the creative thinking and powers of the youth and indications should be given for solving their problems.
- Positive steps should be taken through programs to imbibe the womenfolk for equal and active participation along their counterparts in all spheres of life like

politics, economic and religious fields so that they can play a real meaningful role in nation building activities.

- Children shall be given proper training to be courteous. They shall be taught cleanliness and made interested in religion, social affairs and national life and specially the ideals of the great personalities of Islam. In the programs for the minor children a sense of respect, co-operation and goodwill towards parents and elders, family members and the neighbors shall be prominently reflected. Calumny, dispute and scene of quarrels shall be avoided in the programs for the children.
- Corruptions in all forms must be eradicated and clear remedial measures must be identified with a view to heightening the moral values and removing all forms of anti- social activities.
- No indecent utterances should be broadcast or telecast in the programs.
- No views or opinion of any political nature should be propagated directly or indirectly or through advertisements in the programs.
- The program shall be designed to reflect honesty, loyalty, discipline, and patriotism. Frugality and civic responsibilities in the individual, family and social life.
- All concerned employees and members of the public shall be made conscious of their responsibilities in the maintenance and the preservation of national properties.
- Sense of respect for law shall be imbued among the people.
- No program showing cruelty to human being or animal shall be projected. This may be relaxed in the case of dramas with due moderation.
- The role of the freedom fighters in the liberation war should be glorified in the programs.

- Vulgar scenes and kiss shall be totally avoided in all films and programs, whether national or foreign. No program of violence and terrorism or anything against our cultural values shall be projected.
- White publicizing the quality of any commodity in any advertisement no other commodity shall be undermined. The advertisement must not contain any indecent and obscene scene or utterance.

5.7. Strength of the state-owned broadcasting media

Bangladesh Betar and Bangladesh Television are the most powerful electronic medium in the country in terms of their coverage area. Now-a-days there are four private radio which are only FM band. Besides, BTV World there is twelve private satellite channels. But BTV and other satellite channels could not reach any area where electricity did not penetrate. Country wide penetration of Bangladesh Betar and BTV is quite enough to disseminate news and other issues for millions of people instantly.

In terms of air time, Bangladesh Betar is the largest public broadcasting media. It has been broadcasting 175 hours per day in six different languages and several dialects. Bangladesh Betar originally means a medium which is people centric. It gives importance to local language and culture. In its program planning it does not ignore any ethnic groups of the country. It gives importance to the tribal people by broadcasting programs in their own languages.

In this organization there is a large group of skilled manpower who are able to broadcast qualitative programs. But in BTV, professional expertise is under question. For that reason, some officials from Bangladesh Betar have to go to BTV through deputation, giving them support to ensure quality. Almost every year Betar receives prizes from different International organizations for its quality broadcasting.

Bangladesh Betar and Bangladesh Television have their own research cell which does not belong to any private broadcasting media in Bangladesh. Through the

research cell, public broadcasting media can provide suggestions to improve the program quality by accommodating public needs and public demand. Bangladesh Betar has more than three hundred and fifty listeners clubs which are very much involved in participating and providing inputs to ensure program quality.

5.8. Problems of the state-owned broadcasting media

Bangladesh Betar and BTV have been following the official policy guidelines which are stated in National Broadcasting Authority Ordinance 1986 for their news and programs. As a public broadcasting media Bangladesh Betar and Bangladesh Television have to be concerned about government policy and image. Since their inception, both media have been used as a propaganda machine by the ruling government, either it would be autocratic or democratic government. There is an inherent complaint from different sections of people that the public broadcasting media could not provide balanced coverage of news. The state-owned broadcasting media in Bangladesh is not very popular due to their lack of credibility in news presentation. This situation has mainly resulted due to the politicization of the media.

As the employees of the state-owned broadcasting media are government servant, their salary and job security are ensured by the government. So they do not suffer any competition for their performance within their organization or with private media. As a result professionalism of those state-owned media could not develop. On the other hand due to improper competition among the state-owned broadcasting media and private media, the strong professionalism is absent in these media which is the vital problem of state run broadcasting media.

Chapter-6: AUTONOMY OF STATE-OWNED BROADCASTING MEDIA IN BANGLADESH

6.1. Background of autonomy:

Bangladesh Betar and Bangladesh Television were established with the aim of rendering public service for the transmission of news and programs in order to inform, educate and entertain the mass of people. But both institutions were from their very inception, devalued by political appropriation, overt censorship and restraints of due process.

After the independence of Bangladesh the electronic media has always been used as a propaganda machine. During the autocratic rule, the electronic media was branded as media devoted for the sole cause of the then autocrat H.M. Ershad, his wife and their close associates ("Shaheb-bibi-golam").

In 1986 Bangladesh Betar and Bangladesh Television came under the National Broadcasting Authority after promulgating of National Broadcasting Authority Ordinance 1986. The main characteristics of National Broadcasting Authority Ordinance are:

- National Broadcasting Authority comprises one chairman and 3-7 members who are appointed by the government.
- National Broadcasting Authority is responsible for all kinds of activities of radio and television including control, management, direction and development.
- National Broadcasting Authority will be financed by their own fund which would be raised through license fees, revenue, record selling, etc.
- Officials of the Bangladesh Civil Service (Information) will be under the National Broadcasting Authority.

In 1988 the National Broadcasting Authority (Amendment) Ordinance fixed that the National Broadcasting Authority will comprise of six members. The members will be

Director General of Radio Bangladesh who is a government official, Director General of Bangladesh Television who is a government official, member (finance) will be a government officer appointed by government and another three members also appointed by the government. According to the amendment, the chairman will be one of the six members.

Since the proclamation of the National Broadcasting Authority Ordinance, 1986 and the National Broadcasting Authority (Amendment) Ordinance, 1988, no full-member National Broadcasting Authority has been set up yet. The Director General of Bangladesh Betar was working as the Chairman of the National Broadcasting Authority until 1990. According to the amendment of the ordinance in 1992, the administrative and financial authority of the National Broadcasting Authority had given to the Director General of Radio Bangladesh and the Director General of Bangladesh Television until the further order.

In 1990 just before the fall of autocratic Ershad government the demand for autonomy to the electronic media comes to the forefront of the societal discourse. The demand was included in the joint declaration of three major political alliances. Section 2(d) of the joint declaration states, " The mass media, including the radio and television, will have to be made into independent and autonomous bodies so that they become completely neutral" (Kabir 2006).

Two leading political parties in the country BNP and Awami League have mentioned the autonomy of Bangladesh Betar and Bangladesh Television like an urgent issue in their election manifestos. But whenever they get into power they were not sincere to their promise. Also the last Caretaker Government called for a free, national and democratic broadcasting system under an independent authority. The BNP led four party alliance lastly tried to rationalize the matter by focusing the private satellite channels as an alternative to an autonomous Betar and TV.

6.2. Legal Aspect of Autonomy

In 1991 after the restoration of parliamentary democracy the public expectation was high in regarding the sanctioning autonomy to the state-owned broadcasting media. But the Information Minister of then the BNP government publicly denounced the idea of 'neutrality of state-owned media' and argued for government's right to enjoy subjective coverage as it was voted to power. However the BNP government formed a commission to assess the matter. But the recommendations of the commission were not implement and even never published it.

In the fifth parliament during BNP's regime Left Democratic Front leader Rashed Khan Menon proposed a bill for withdrawing the state control over Bangladesh Betar and Bangladesh Television. In this bill he proposed that the parliamentary committee on Ministry of Information will be strengthened to conduct the affairs of those media. But the bill was not passed.

A writ petition which was filed in High Court by Bangladesh Environment Lawyer's Association (BELA) against Bangladesh Television for broadcasting political views of the BNP government (Dr. Mohiuddin Farooque vs. Bangladesh Television, WP No 466/1995) was the first legal challenge from the civil society. The petition complained that BTV is a public property, government manages it on behalf of the people and this media is run by the government fund which is accumulated by tax payer's money. So partisan representation by BTV is against public interest, benefit and is against the spirit of articles 11, 19(1), 20(2), 21 of the Constitution of Bangladesh (Ullah 2002). But the rule nisi was in captive under the file after the death of Mohiuddin Farooque.

In September'1996, the AL government appointed a 16-member committee headed by former civil servant Mohammad Asafuddowlah to recommend measures and authorize private TV and radio. In August 1997, the committee submitted its report. The recommendations of the Commission included:

- Formation of a National Broadcasting Commission (NBC) completely independent of the Government, accountable only to a Parliamentary Committee on Information.

- The NBC would administer both Bangladesh Betar and Bangladesh Television.
- The NBC would approve the budgets for both Bangladesh Betar and Bangladesh Television, which would function and operate from their own income.
- A Code of Conduct would be signed between NBC and the private operators.
- A Standard Committee would be formed by NBC to monitor Satellite and terrestrial programs, and take action against violation of the guidelines.
- In the area of news coverage, protocol value would replace news value.
- The President appoints one chairman and six members of the National Broadcasting Commission.

The then Awami League government did not published this report and it in secret as a classified document. On 17 August 2000 Odhiker, a leading Bangladeshi human rights NGO, filed a writ petition (WP No. 4314/2000) against the Ministry of Information and the National Broadcasting Authority for full publishing the report to public. Then, the High Court of Bangladesh issued a rule on 19 November 2000 upon the government as to why the report of the commission framing rules and regulations for granting autonomy to Bangladesh Betar and Bangladesh Television should not be considered for implementation. The rule was made returnable within four weeks from the date of issuance.

In July 2001, just days before handing over power to the caretaker government, the then AL government approved two bills granting autonomy to the state-run Bangladesh Television (BTV) and Bangladesh Betar (Bangladesh Radio). The key points of the draft law are:

- Separate authority for Radio and Bangladesh Television.
- A committee of five members would be selected by the government with a Chairman as its head.
- Telecast of news and programs in accordance with the National Broadcasting policy.
- The Government has the power to dissolve the authority.

6.3. Present Scenario

Since the enactment of the Bangladesh Betar Authority Act, 2001 and the Bangladesh Television Authority Act, 2001, almost eight years has been passed. But those bills are not enforced yet. In fact the unimplemented law does not use the word autonomy and does not put mention any notion of it in any way. It has focused more on government control, in a coded manner. There is a prevailing belief that just enacting laws will not help these media to enjoy actual autonomy. Even with the passage of these laws, the public still believes that there is no real autonomy for Bangladesh Television (BTV) and Bangladesh Betar (BB) in those bills. They believe that no political government will give autonomy to the state-run media. When the party in power uses the national media for their propaganda the majority of the voters got these as their own media. And the opposition parties start demanding autonomy. Again the opposition and the ruling party change their position according to their power positions. So, it becomes a common game for all sides of the political spectrum.

Chapter-7: Findings and Analysis

7.1. Expectation of General People

To know the public expectation about the state-owned broadcasting media primary data has been collected by interviewing general people through a structured questionnaire (Annexure-01). In this survey, effort has been made to collect information on the public expectation and satisfaction level from the state-owned broadcasting media Bangladesh Television and Bangladesh Betar. It has also been tried to collect information on the public understanding and expectation about the autonomy of the state-owned broadcasting media Bangladesh Television and Bangladesh Betar.

7.1.1. Respondents:

SL No.	Profession of Respondent	Male	Female	Total	Percentage
01	Teacher	5	4	9	9.3
02	Lawyer	4	2	6	6.2
03	Doctor	2	1	3	3.1
04	Journalist	5	0	5	5.2
05	Government Officials	14	7	21	21.6
06	Private Service	8	5	13	13.4
07	Students	10	15	25	25.8
08	Broadcaster	3	2	5	5.2
09	Research Worker	1	2	3	3.1
10	Businessman	3	0	3	3.1
11	Housewife	0	4	4	4.1
Total		55	42	97	100

Table-01: Types of respondent by sex and profession.

The total number of the respondents was ninety seven. Among them fifty five are male and forty two are female respondents. The profession of the respondents fall into eleven categories; teacher, lawyer, doctor, journalist, government officials, private service, student, broadcaster, research worker, businessman and housewives. Table-01 and Figure-01 show the types of the respondents by sex and their profession.

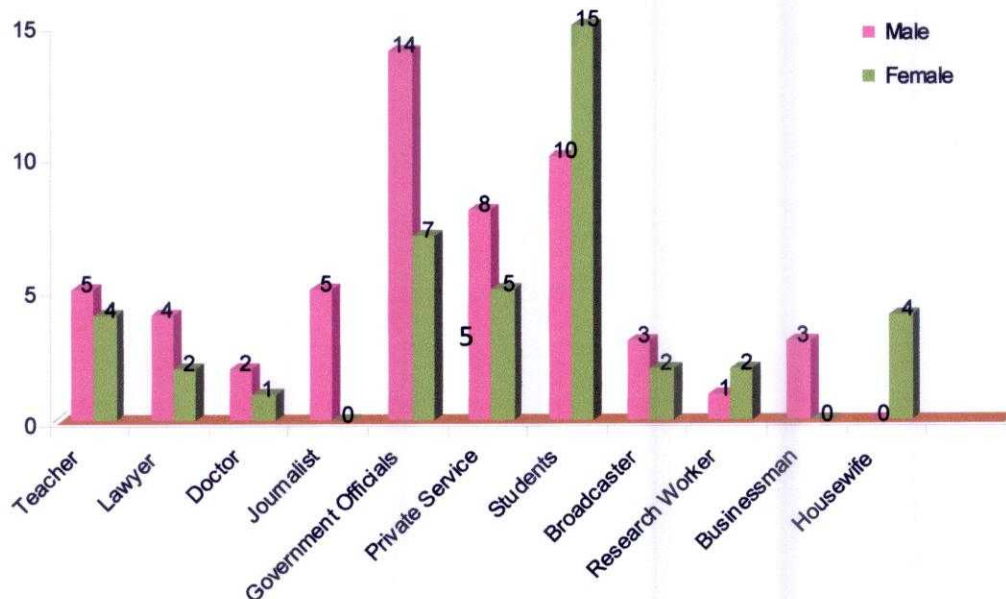


Figure-01: Different types of respondent according to sex and profession.

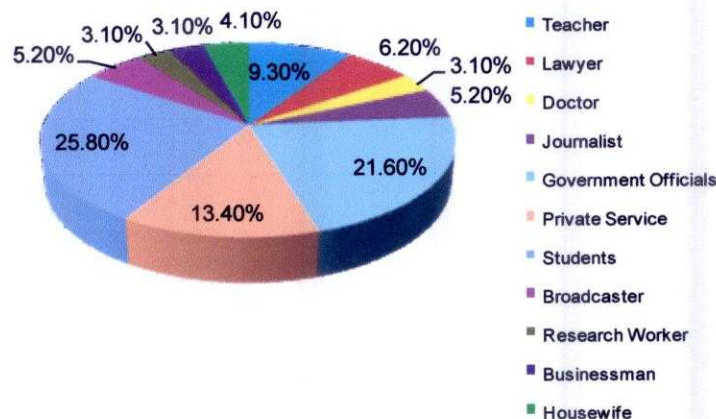


Figure-02: Percentage of respondents according to their profession.

The percentage of the different categories respondent is shown in the Figure-02. The highest percentage (25.80%) is represented by the students and the lowest percentage (3.10%) by doctor, research worker and businessman. Other categories like government officials 21.60 per cent, private service 13.40 per cent, teachers 9.30 per cent, lawyers 6.20 per cent, journalists 5.20 per cent, broadcasters 5.20 per cent and housewives 4.10 per cent.

7.1.2. Radio Listeners:

Listen to Radio	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	43	78.18	36	85.71	79	81.44
No	12	21.82	6	14.29	18	18.56
Total	55	56.70	42	43.30	97	100

Table-02: Listeners of Radio

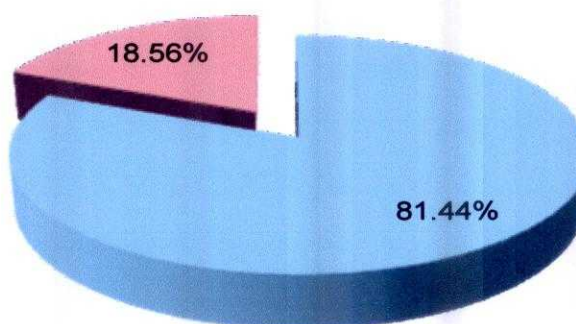


Figure-03: Percentage of Radio Listeners.

Figure-03 shows the percentage of radio listeners. In this survey, about eighty one per cent of respondents listen to radio and 18.56 per cent do not listen to radio. In Figure-04, it can be seen that among the male respondents 78.18 per cent listen to radio and among the female 85.71 per cent listen to radio.

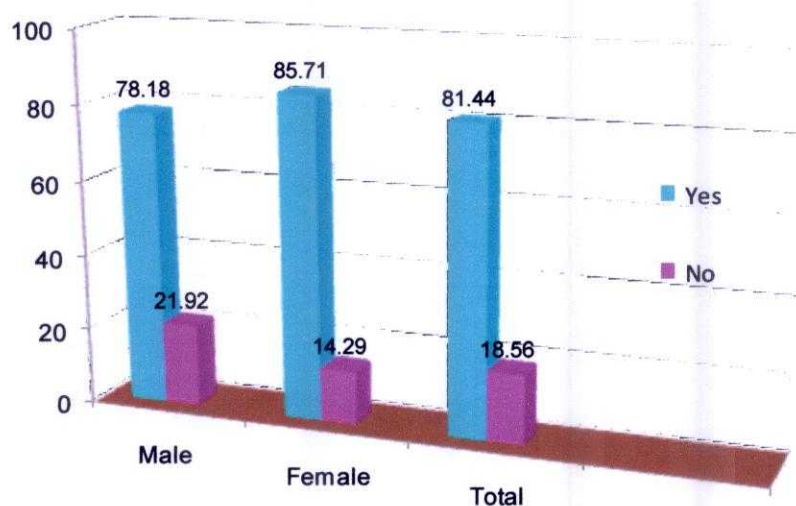


Figure-04: Percentage of Radio Listeners by sex.

Table-03 and Figure-05 show the difference between the listener of Bangladesh Betar and other private radio. Among the radio listeners about forty nine per cent listen to Bangladesh Betar and ninety nine percent listen to private radio.

Name of Radio	Male		Female		Total	
	No.	%	No.	%	No.	%
Bangladesh Betar	27	52.79	11	30.56	38	49.10
Private Radio	41	95.35	31	86.11	72	91.14

Table-03: Listeners of different radio channels.

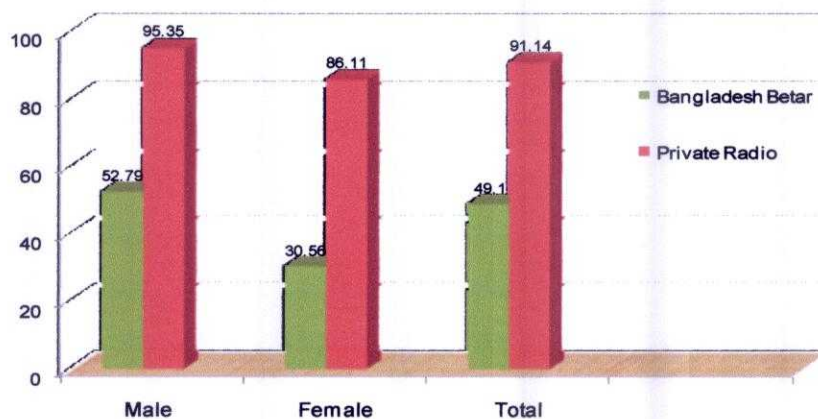


Figure-05: Listeners of different radio channels by sex.

In the Figure-05, it can be shown that the percentage of private radio listener is high in the respondent of both sexes as well as in case of total respondent. Among the male respondents 95.35 per cent listen to private radio whereas 52.79 per cent listen to state-owned radio Bangladesh Betar and the 86.11 per cent of female respondent listen to private radio but only 30.56 per cent are listen to Bangladesh Betar.

7.1.3. Television Viewers:

Viewer of Television	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	55	100	42	100	97	100
No	0	0	0	0	0	0
Total	55		42		97	

Table-04: Viewers of Television.

Table-04 and Figure-06 show the features of television viewers. In this survey, it is shown that reach to television is hundred per cent. There is no difference between male and female respondents.

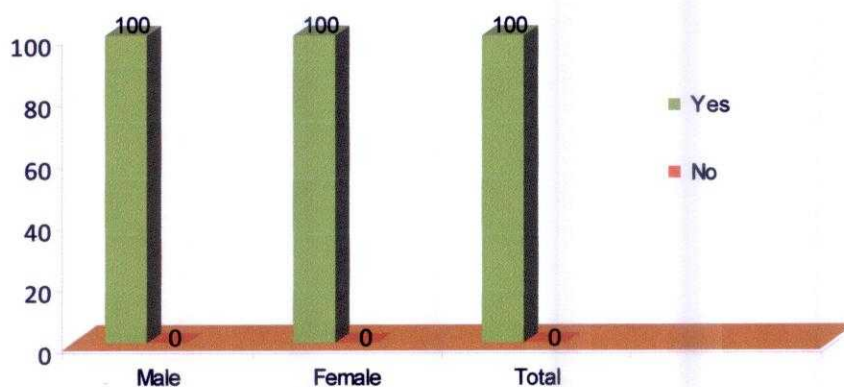


Figure-06: Viewers of television.

Table-05 and Figure-07 show the difference between the viewer of Bangladesh Television and other private TV channels. Among the viewer of television about forty seven per cent watch Bangladesh Television and private TV channels reach to ninety three per cent of the viewers.

Name of TV	Male		Female		Total	
	No.	%	No.	%	No.	%
Bangladesh Television	31	56.36	15	35.71	46	47.42
Private TV Channels	52	94.55	39	92.86	91	93.81

Table-05: Viewers of different television channels.

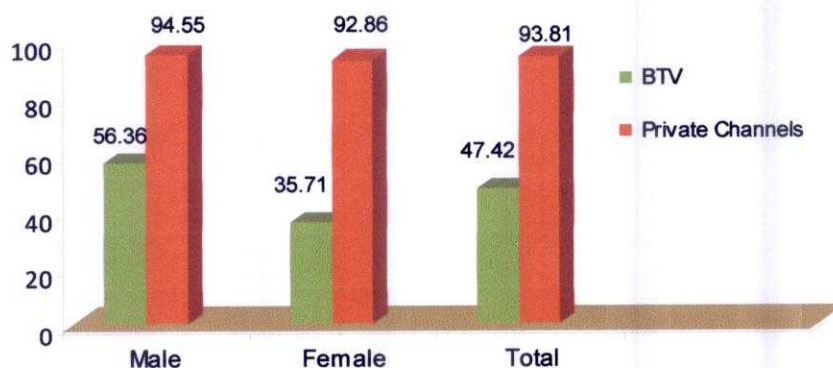


Figure-07: Viewers of different television channels.

In the Figure-07, it can be shown that the percentage of the viewer of private television channels is higher than the percentage of the viewer of Bangladesh Television among the respondent of both sexes as well as of total respondent. Among the male respondent 94.55 per cent watch private TV channels whereas 56.36 per cent watch state-owned television Bangladesh Television (BTV) and the 92.86 per cent of female respondent watch private TV channels but only 35.71 per cent watch Bangladesh Television.

7.1.4. Level of Satisfaction From The State-owned Broadcasting Media

7.1.4.1. Satisfaction From the Programs:

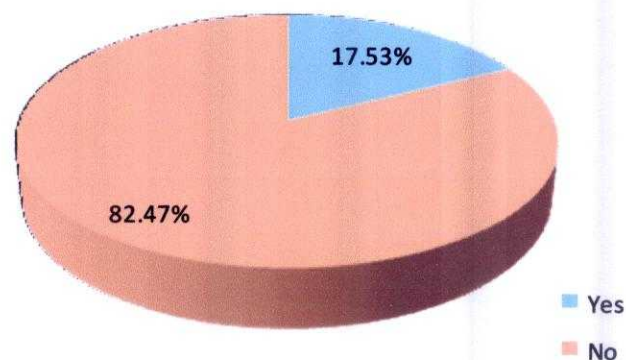


Figure-08: Percentage of satisfied respondents from the programs of BB and BTV.

Level of satisfaction of the respondents from the programs of the state-owned broadcasting media is very poor. Only 17.53 per cent of respondents think that the state-owned television (Bangladesh Television) and radio (Bangladesh Betar) broadcast program as per their expectation. About 82 per cent of the respondents are not satisfied with the programs of Bangladesh Betar and Bangladesh Television.

Comment	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	7	12.73	10	23.81	17	17.53
No	48	87.27	32	76.19	80	82.47

Table-06: Level of satisfaction of the respondents from the programs of BB and BTV.

Table-06 and Figure-09 show the level of satisfaction of the respondents from the programs of Bangladesh Betar and Bangladesh Television by sex. The percentage of respondents who are satisfied with the programs of Bangladesh Betar and Bangladesh Television is higher among female respondents (23.81%) than that of male respondents (12.73%). So, the percentage of dissatisfaction is higher among male respondents (87.27%) than the female respondents (76.19%).

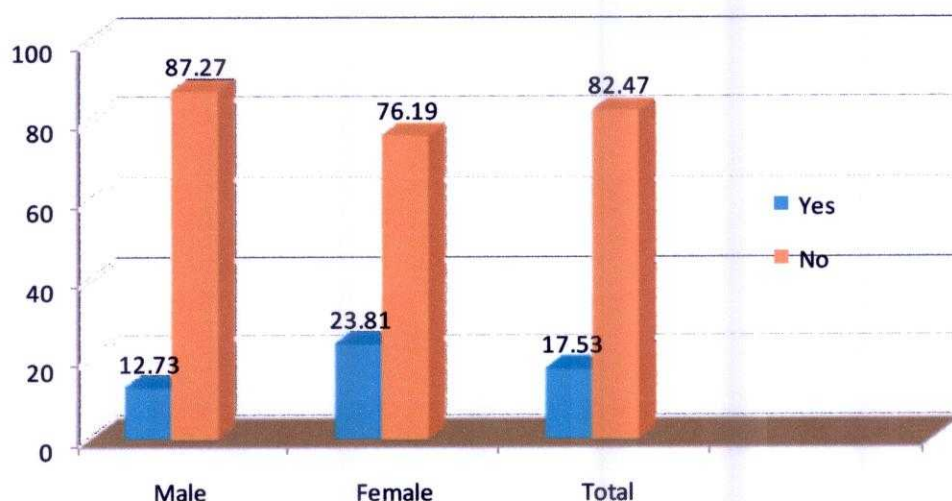


Figure-09: Level of satisfaction of the respondents from the programs of BB and BTV

Most of the respondents point to the poor quality of the programs as the cause of their dissatisfaction. They think the programs of the state-owned broadcasting media are lagging behind in quality, content and creativeness. They also mention some other reasons for their dissatisfaction like:

- These two media cannot represent mass people. These media are rather more concerned for expectations of the party in power, not to that of people.

- Due to government control they always show their bias to ruling government. For that reason people do not get impartial information from those media.
- They have programs on public issues but they do not consider public interest from public's view-point.
- Their programs are not up to the same standard as the private channels.
- Programs are monotonous, traditional, rigid and incapable to meet the demands of time.
- The programs are unplanned and un-professional.
- Reception quality is not satisfactory.
- The programs are not updated frequently enough. Sometimes they failed to response current issues in due time and manner.
- They fail to reach to that quality of a young generation media.

7.1.4.2. Satisfaction From the News:



Figure-10: Percentage of satisfied respondents from the news of BB and BTV.

Level of satisfaction of the respondents from the news of the state-owned broadcasting media is very poor. Only 17.53 per cent of the respondents are satisfied with the news which broadcast by the state-owned television (Bangladesh Television) and radio (Bangladesh Betar). Most of the respondents (82.47%) are not satisfied with the news of Bangladesh Betar and Bangladesh Television.

Comment	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	9	16.36	8	19.05	17	17.53
No	46	83.64	34	80.95	80	82.47

Table-07: Level of satisfaction of the respondents from the news of BB and BTB.

Table-07 and Figure-11 show the level of satisfaction of the respondents from the news of Bangladesh Betar and Bangladesh Television by sex. The percentage of respondents who are satisfied with the news of Bangladesh Betar and Bangladesh Television is higher among female respondents (19.05%) than the male (16.36%). So, the percentage of dissatisfaction is higher among male respondents (83.64%) than that of female (80.95%).

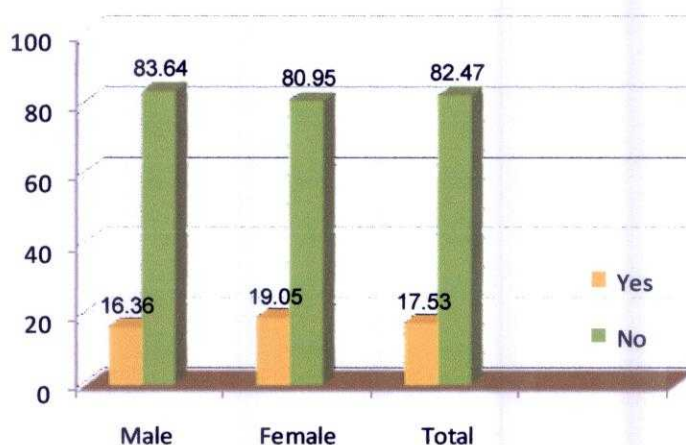


Figure-11: Level of satisfaction of the respondents from the news of BB and BTB.

Most of the respondents replied that due to government control these two media Bangladesh Betar and Bangladesh Television are always biased to the party in power and for that reason mass people do not get impartial news from those media. Their news lack objectivity and suffer from absence of credibility. Presentation of the news is not up to the mark. During the whole period of news there remain praising of ruling party, 'truth' is difficult to attain from the news. They also mention some other reasons for their dissatisfaction like:

- Propaganda of the party in power; neglecting the opposite views.
- Both media always praise government and they only follow the governmental agendas. Always try to explore the success of the government and try to hide the failure.
- News treatment is not impartial and professional. They do not have the sense of priority and editorial judgment.
- The Organizations are not enjoying liberty in selecting news items and there are also flaws in its presentation. So both the organizations can not criticize the govt. and sometimes they can not show the real picture of the society.
- News presentation and news production involve are very much traditional and monotonous.
- These media do not cover the overall spectrum of current affairs and sometimes the information is not authentic.

7.1.5. Freedom of The State-owned Broadcasting Media

7.1.5.1. Freedom in the process of functioning and management

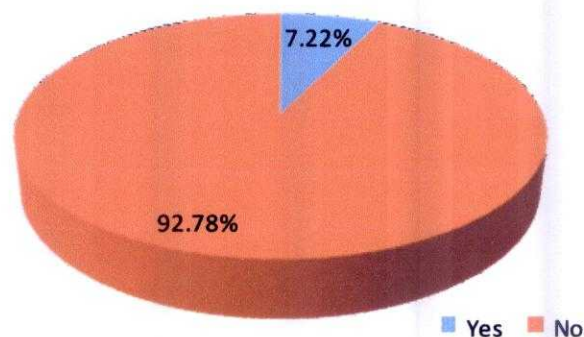


Figure-12 : Opinion about the freedom of the state-owned broadcasting media in their process of functioning and management.

Figure-12 shows the opinion of the respondents about the freedom of the state-owned broadcasting media in their process of functioning and management. Most of the respondents (92.78%) think that the state-owned broadcasting media Bangladesh Betar and Bangladesh Television do not enjoy freedom in their process of functioning and management. Only 7.22 per cent respondents think that these two media enjoy freedom in their process of functioning and management.

Comment	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	2	3.64	5	11.90	7	7.22
No	53	96.36	37	88.10	90	92.78

Table-08 : Opinion about the freedom of the state-owned broadcasting media in their process of functioning and management.

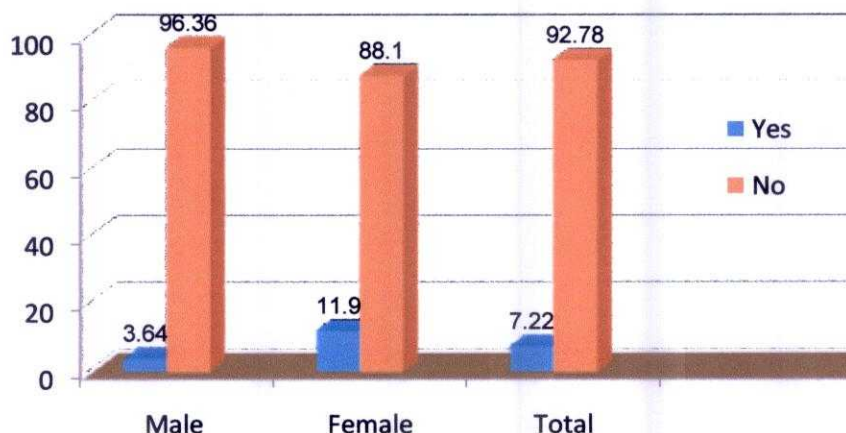


Figure-13 : Opinion of the respondents by sex about the freedom of the state-owned broadcasting media in their process of functioning and management.

Table-08 and Figure-13 show the opinion of the respondents about the freedom of the state-owned broadcasting media in their process of functioning and management by sex. Most of the male respondents (96.36%) as well as female respondents (88.10%) think that the state-owned broadcasting media Bangladesh Betar and Bangladesh Television do not enjoy freedom in their process of functioning and management. Only 3.64 per cent male respondents and 11.90 per cent female respondents think that these two media enjoy freedom in their process of functioning and management.

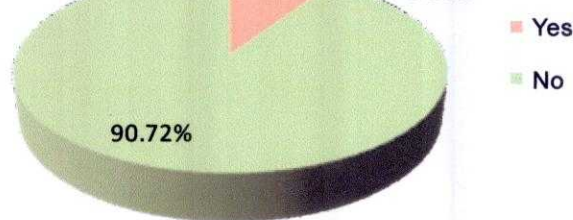


Figure-14: Opinion of the respondents about the freedom of the state-owned broadcasting media in their program planning, production and airing.

Figure-14 shows the opinion of the respondents about the freedom of the state-owned broadcasting media in their process of functioning and management. Most of the respondents (90.72%) think that the state-owned broadcasting media Bangladesh Betar and Bangladesh Television do not enjoy freedom in their process of functioning and management. Only 9.28 per cent respondents think that these two media enjoy freedom in their process of functioning and management.

Comment	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	5	9.09	4	9.52	9	9.28
No	50	90.91	38	90.48	88	90.72

Table-09 : Opinion about the freedom of the state-owned broadcasting media in their program planning, production and airing.

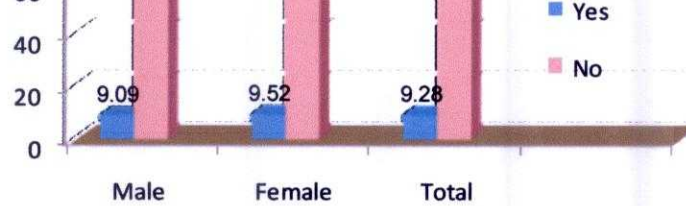


Figure-15 : Opinion of the respondents by sex about the freedom of the state-owned broadcasting media in their program planning, production and airing.

Table-09 and Figure-15 show the opinion of the respondents by sex about the freedom of the state-owned broadcasting media in their program planning, production and airing. Most of the male respondents (90.91%) as well as female respondents (90.48%) think that the state-owned broadcasting media Bangladesh Betar and Bangladesh Television do not enjoy freedom in their program planning, production and airing. Only 9.09 per cent male respondents and 9.52 per cent female respondents think that these two media enjoy freedom in their program planning, production and airing.

7.1.6. Autonomy of The State-owned Broadcasting Media

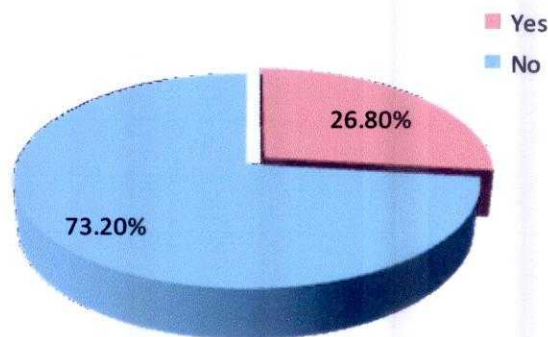


Figure-16 : Percentage of the respondents who is informed about Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001.

respondents (51%) do not know about the details of the acts. Only 26% of respondents are known about those acts and most of them do not know the details of the acts.

Comment	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	21	38.18	5	11.90	26	26.80
No	34	61.82	37	88.10	71	73.20

Table-10: Percentage of respondents by sex who are informed about Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001.

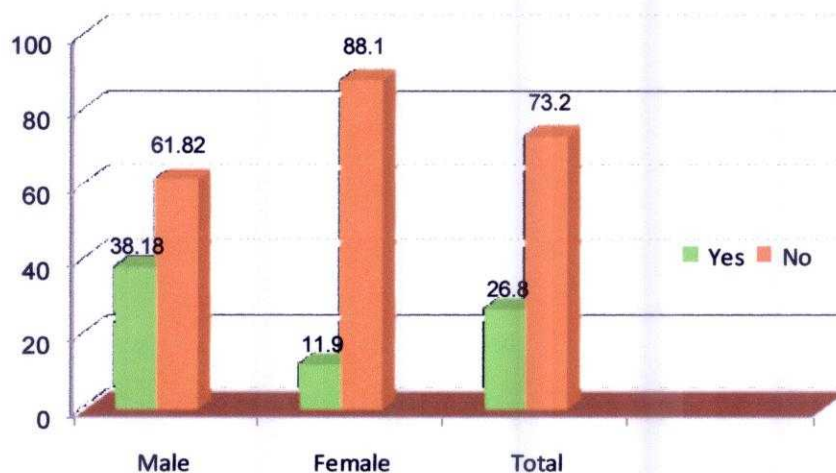


Figure-17 : Percentage of respondents by sex who are informed about Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001.

Table-10 and Figure-17 show the comparison between the percentage of male and female respondents who are informed about Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001. In this case the percentage of male respondents is higher than female respondents. They show that 38.18 percent of male respondents and only 11.90 per cent of female respondents are informed or known about Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001.

	No.	%	No.	%	No.	%
Yes	13	61.90	3	60	16	61.55
No	8	39.10	2	40	10	39.45

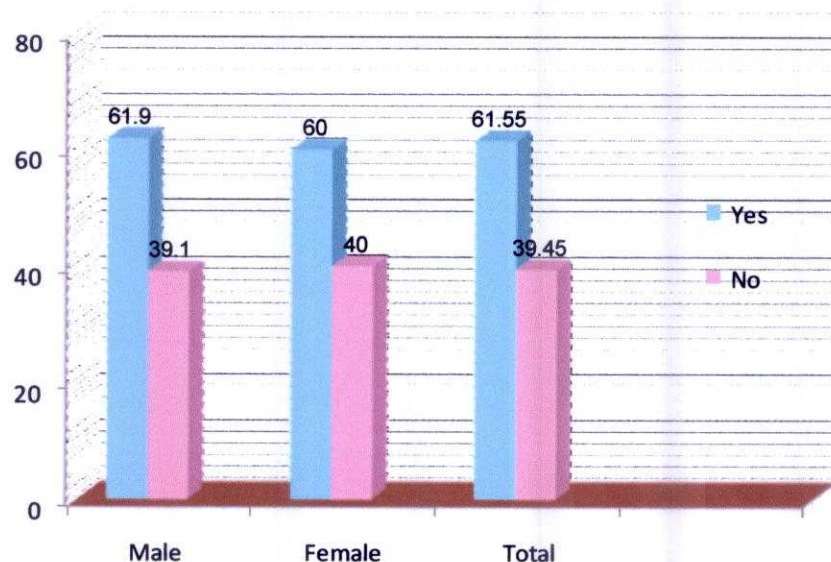


Figure-18 : Opinion of the respondents about the effectiveness of Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001.

Table-11 and Figure-18 show the comparison between the percentage of male and female respondents who made comments on the effectiveness of Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001 to provide autonomy in their way of functioning and management. In this case the percentage of male and female respondents is more or less same. 61.9 percent of male respondents and 60 per cent of female respondents who are informed or known about Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001, think that those acts will help to provide autonomy in their way of functioning and management.

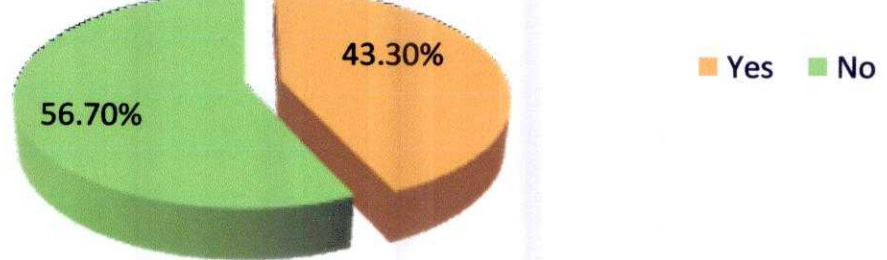


Figure-19: Percentage of respondents who are informed about the RTI Act-2009.

The Government of Bangladesh had enacted the 'Right To Information (RTI) Act-2009' and formed the Information Commission which was in line with the public expectation for the long period. But in the Figure-19 it is shown that about 57 per cent of the respondents do not know about the 'Right To Information (RTI) Act-2009'. Most of them do not know the details of the acts. Among the respondents about 43 per cent know about the 'Right To Information (RTI) Act-2009'.

Comment	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	29	52.73	13	30.95	42	43.30
No	26	47.27	29	69.05	55	56.70

Table-12: Percentage of the respondents who are informed about the RTI Act-2009.

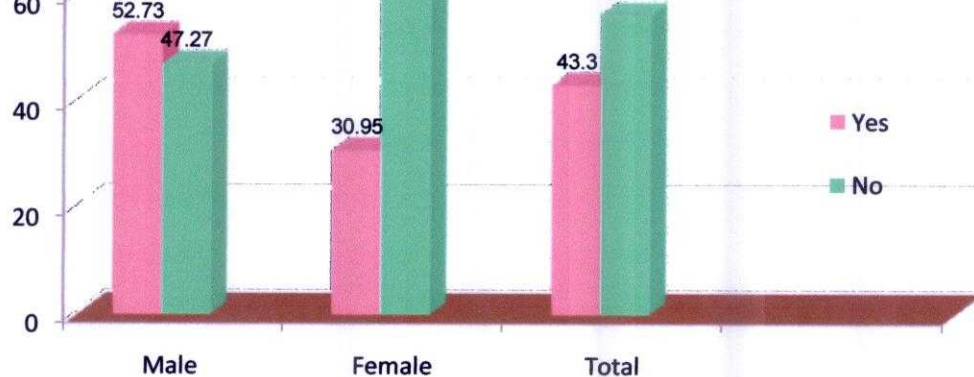


Figure-20 : Percentage of respondents by sex who are informed about the RTI Act-2009.

Table-12 and Figure-20 show the comparison between the percentage of male and female respondents who are informed about the Right To Information Act-2009. In this case the percentage of male respondents is higher than female respondents. It is shown that 52.73 per cent of male respondents and 30.95 per cent of female respondents are informed or known about the Right To Information Act-2009.

Table-13: Opinion of the respondents about the effectiveness of the RTI Act-2009.

Comment	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	13	44.93	3	23.08	16	38.10
No	16	55.17	10	76.92	26	61.90

Table-13 and Figure-21 show the comparison between the percentage of male and female respondents who made comments about the effectiveness of the 'Right To Information (RTI) Act-2009' to help the state-owned broadcasting media Bangladesh Betar and Bangladesh Television to come out with the capability to perform independently.

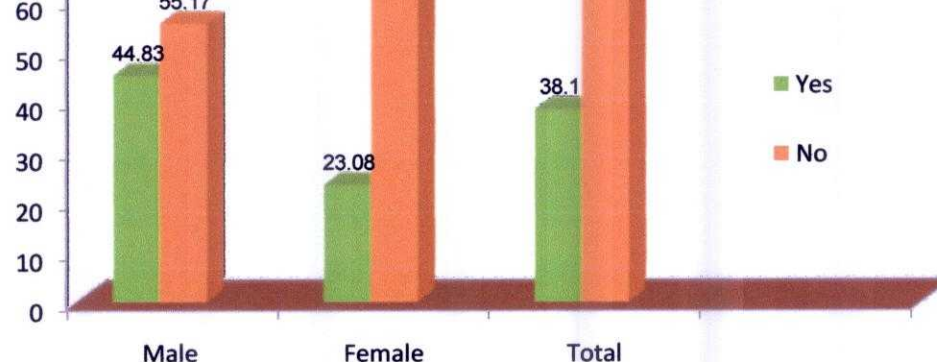


Figure-21: Opinion of the respondents by sex about the effectiveness of RTI Act-2009.

About 45 per cent of male respondents and 23 per cent of female respondents think that the 'Right To Information (RTI) Act-2009' will help the state-owned broadcasting media Bangladesh Betar and Bangladesh Television to come out with the capability to perform independently. They expect that the Right To Information Act-2009 will ensure transparency and accountability in information sector; thus this will help state-owned broadcasting media to perform independently and to survive in the competitive media market. But the government should apply no control behind the screen for getting exact effectiveness of the act. Some of them think that the Right To Information Act-2009 will protect people's access to information. Thus peoples urge to get authentic information from Bangladesh Television and Bangladesh Betar which will create the atmosphere to help them to act independently. The Right To Information Act-2009 will help the state-owned broadcasting media Bangladesh Television and Bangladesh Betar to speed up the decision making process which will bring a positive change and can play a vital role to fulfill people's expectation.

About 55 per cent of male respondents and 77 per cent of female respondents reported that the 'Right To Information (RTI) Act-2009' will not help the state-owned broadcasting media Bangladesh Betar and Bangladesh Television to come out with the capability to perform independently.

'Right To Information (RTI) Act-2009' does not incorporate any element that would allow state-owned media to come out with the capacity to perform independently.

One respondent noticed that the 'Right To Information (RTI) Act-2009' does not include BB & BTV as information providing units. This act does not provide any measures that a civilian can seek information from these broadcasting organizations. However they are state-owned but not recognized as sources of information.

Another respondent mention that the 'Right To Information (RTI) Act-2009' has been passed while the previous acts like Secrecy Act 1921, rules of Business etc. are still prevailing. So only 'Right To Information (RTI) Act-2009' cannot ensure the right to information of public.

7.1.8. Necessity of Sanctioning Autonomy

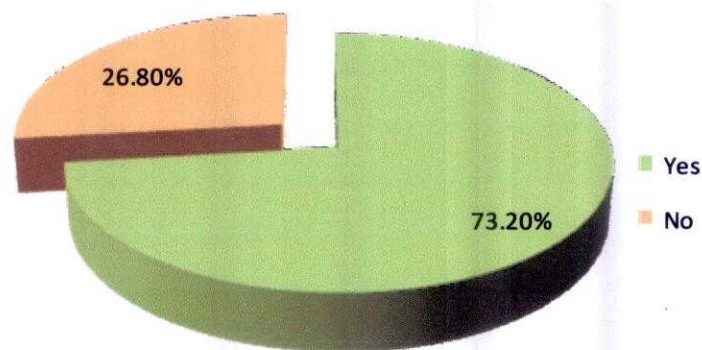


Figure-22 : Percentage of the respondents who made opinion about the necessity of sanctioning autonomy to the state-owned broadcasting media.

At present a number of FM radio and satellite television channels are operating in the private sector. So, is there any necessity to sanction autonomy to the state-owned

that there is no need to sanction autonomy to the state-owned broadcasting media in the presence of a number of private radio and television.

Table-14: Opinion about the necessity of sanctioning autonomy to the state-owned broadcasting media.

Viewer of Television	Male		Female		Total	
	No.	%	No.	%	No.	%
Yes	40	72.73	31	73.81	71	73.20
No	15	27.27	11	26.19	26	26.80

Table-14 and Figure-23 show the comparison between the percentage of male and female respondents who made comments about the necessity of sanctioning autonomy to the state-owned broadcasting media Bangladesh Betar and Bangladesh Television. Here the percentage of male and female respondents is very closer. They show that 72.73 per cent of male respondents and 73.81 per cent of female respondents think that sanctioning autonomy to the state-owned broadcasting media is necessary.

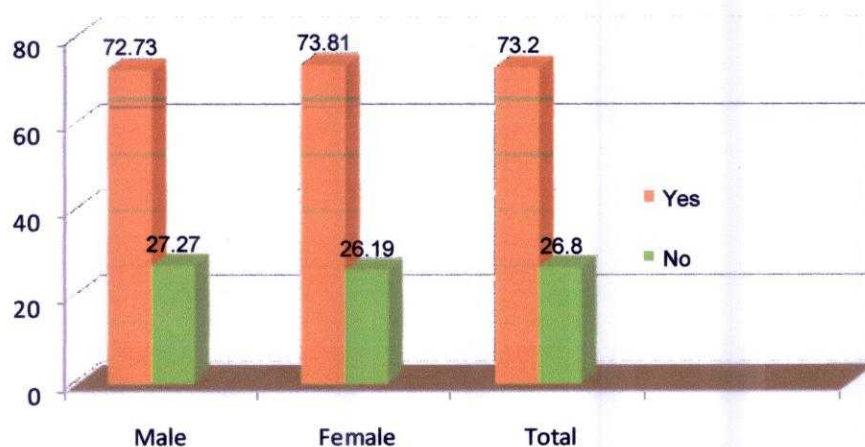


Figure-23: Opinion of the respondents by sex about the necessity of sanctioning autonomy to the state-owned broadcasting media.

news served, to improve the quality of programs and to ensure the participation of these media in the competitive environment of the media world. They also think that private channels have the freedom to broadcast the news and programs as according to the general people's choice. So the state-owned broadcasting media Bangladesh Betar and Bangladesh Television will not be able to persist in the long-run if they are unable to response to the people's demands.

Other respondents also mentioned other reasons in favor of sanctioning autonomy like:

- Without the freedom of decision making, without the freedom of working- no media can run independently. Autonomy always helps to take any decision independently. Therefore autonomy is a must for state-owned broadcasting media.
- Though the number of channels has increased, but sometimes the information of these channels are biased by the authority for their own purpose. Therefore if the autonomy is sanctioned to the state-owned broadcasting media they may be neutral in responding both public and government need.
- When the government gives autonomy to these media organizations then government could not interfere their function. So these broadcasting media will perform independently and professionally.
- We should know what we mean by autonomy and to what extent. In any point, government should monitor and check the broadcasting capacity. Because government has every right and responsibility to protect national values, culture and ethics.
- Freedom of media ensures freedom of expression, practice of democracy, but freedom should not be limitless. The autonomy when given to those media has to be monitored to ensure state's security and sovereignty.

- Autonomy to the state-owned broadcasting media is necessary to serve them as a fifth column, to contribute in nation building and to bring change. But no autonomy will act properly, so far the state-owned media have to rely on government for their operational budget.

On the other hand, 27.27 per cent of male respondents and 26.19 per cent of female respondents think that sanctioning autonomy is not necessary to the state-owned broadcasting media Bangladesh Betar and Bangladesh Television. About 31 per cent of the respondents did not explain why they think autonomy is not necessary for the state-owned broadcasting media.

Here most of the respondents think that government must have its own media, but they should be kept out from government control and should be accountable, responsible, sensitive and able to compete in open media market. Some of them also mentioned that many private radio and private TV channels are now broadcasting in Bangladesh but in commercial basis. While the state-owned media Bangladesh Betar and Bangladesh Television should not be commercial in nature and should broadcast program for public interest like health, education, etc. Some of the respondents comment that autonomy is essential at the same time some sort of restriction is needed to project and protect our own culture and ethics and to ensure security and sovereignty of the state. The main thing is that an independent authority is needed to regulate the state-owned media but not to control it.

questionnaire (Annexure-02) to know the opinion of the experts who is informed or involved or has done research work on the Broadcasting Media in Bangladesh. Efforts were made to collect information on the public satisfaction from the state-owned broadcasting media Bangladesh Television and Bangladesh Betar and also to collect information on about the autonomy of the state-owned broadcasting media. In this section those case-studies are presented to explore information from those interviews.

7.2.1. Case-One

Mohammad Asafuddowlah

Former Secretary to the Government of Bangladesh and

Former Chairman of 'Bangladesh Betar and Bangladesh Television Autonomy Commission'

Former Chairman of 'Bangladesh Betar and Bangladesh Television Autonomy Commission' Mr. Mohammad Asafuddowlah think that the state-owned broadcasting media Bangladesh Betar and Bangladesh Television could not satisfy the public demand, because of their poor contents and low quality of program and they use to do over propaganda of government activities.

He said that the state-owned broadcasting media Bangladesh Betar and Bangladesh Television could not enjoy any kind of freedom in their process of functioning and management as well as their program planning, production and airing.

About the Right to Information Act-2009, he comments that unless those media are made completely independent mere enactment of this act will not help Bangladesh Betar and Bangladesh Television to come out with the capability to perform independently.

He also criticized the Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001. He said that those acts will not help Bangladesh Betar and Bangladesh Television to provide autonomy in their way of functioning and

Though a number of radio and TV channels are now operating in private sectors, even then there is no alternative of sanctioning autonomy to the state-owned broadcasting media Bangladesh Betar and Bangladesh Television. Because they must be free from sole control of government to ensure neutrality of their program and news by facing the open competition.

7.2.2. Case-Two

Dr. Salahuddin M. Aminuzzaman

Professor

Department of Public Administration, University of Dhaka.

Dr. Salahuddin M. Aminuzzaman think neither Bangladesh Betar nor Bangladesh Television can satisfy public expectation, because of their monotonous program, lack of innovativeness and is being used as a 'propaganda' machine of the ruling party. The news of Bangladesh Betar and Bangladesh Television lacks objectivity, variety and proper analysis.

He does not think the state-owned broadcasting media Bangladesh Betar and Bangladesh Television at all enjoy any freedom in their process of functioning and management as well as their programs planning, production and airing. He has no idea about the Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001. So he has no idea how those acts will help Bangladesh Betar and Bangladesh Television to provide autonomy.

He thinks the Right to Information Act-2009, will not help Bangladesh Betar and Bangladesh Television to come out with the capability to perform their job independently. Because the ruling parties or political regimes will always try to keep the electronic media under their "political grip" and thus none of the political regimes is likely to implement the above acts fully.

conducive environment for the media to play a constructive role in the political modernization process and sustainable democracy.

7.2.3. Case-Three

Dr. Abul Mansur Ahmed

Assistant Professor

Department of Mass Communication and Journalism

University of Dhaka.

Dr. Abul Mansur Ahmed thinks the programs of Bangladesh Betar nor Bangladesh Television can satisfy public expectation to some extent. He feels that the programmes are relatively better than ever before. As the competition is very intense since the emergence of private radio and television channels, Bangladesh Betar and Bangladesh Television have some efforts to satisfy the needs of the audience or viewers. But the political parallelism or the control of the ruling party still help diminishes the quality of the programs. The autonomy could help in producing quality-driven programmes for the public.

He thinks the news of Bangladesh Betar and Bangladesh Television is unable to satisfy public expectation. Still both of these media work as mouthpiece of the ruling party. In many cases, they skip important events to perpetuate the vested interests of the government. They could not able to demonstrate their social responsibility to serve the public interest and tastes. The bottomline of that problem is that the staff of those media are not in position to work independently. Serving the public interest and values requires the freedom of the staff. Once they have such freedom, they could bring up pluralism in news treatment and presentation.

He thinks the Right to Information Act-2009, will help Bangladesh Betar and Bangladesh Television to come out with the capability to perform their job independently. Although RTI has been enacted, still it is under construction. Because the Information Commission has just started working in the process of implementing RTI and finding the ways to make the services available to the public and other agencies in the

He thinks Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001 will help Bangladesh Betar and Bangladesh Television to provide autonomy in their way of functioning and management. Even though as a number of radio and TV channels are now operating in private sectors, it is dire need to provide autonomy with the broadcasting media. Otherwise it can not survive in the long run. The parties, those who come to power by rotation, must have the realization that the whole world is more interconnected than ever before. The flow of information is gaining momentum in Bangladesh and around the world due to globalization and the advancement of technology. So, the autonomy is only way for satisfying the greater needs of the public.

7.2.4. Case-Four

Md. Sahid Ullah

Chairman

Department of Mass Communication and Journalism

Daffodil International University, Dhaka.

Mr. Md. Sahid Ullah think Bangladesh Betar and Bangladesh Television can not satisfy public expectation. Because these media are urban biased. There is no feedback yet from audience and no research on public expectation. The news of Bangladesh Betar and Bangladesh Television is very much controlled by political vision of the ruling government.

He thinks the state-owned broadcasting media Bangladesh Betar and Bangladesh Television do not enjoy any freedom in their process of functioning and management as well as their programs planning, production and airing. He does not expect either Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001 or the Right to Information Act-2009 will help Bangladesh Betar and Bangladesh Television to provide autonomy. Because there is no provision for autonomy to the state-owned broadcasting media in those acts.

commercial broadcasting service but state-owned broadcasting media is the public broadcasting service.

7.2.5. Case-Five

AKM Shamim Chowdhury

Principle Information Officer

Department of Information, Ministry of Information

Peoples Republic of Bangladesh.

Principle Information Officer, AKM Shamim Chowdhury thinks the state-owned broadcasting media Bangladesh Betar and Bangladesh Television can not satisfy public expectation. Because the program of these media are stereo type. These programs do not fulfill the changing demand of the audience. The news of Bangladesh Betar and Bangladesh Television only speaks about the government but nothing about the opposition. They always highlight the government activities and do not bother about peoples interest. Because the state-owned broadcasting media Bangladesh Betar and Bangladesh Television do not enjoy freedom in their process of functioning and management as well as their programs planning, production and airing.

He expects Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001 will partially help Bangladesh Betar and Bangladesh Television to provide autonomy in their way of functioning and management. But the Right to Information Act-2009 will not help the state-owned broadcasting media Bangladesh Betar and Bangladesh Television to come out with the capability to perform independently. Because there is no provision for autonomy to the state-owned broadcasting media in this act.

Though as a number of radio and TV channels are now operating in private sector, he thinks that sanctioning autonomy to the state-owned broadcasting media is essential at present in Bangladesh. There will be a government media but it will be an autonomous body.

Media Facilitator of the Department of Local Government and Engineering, Alfazuddin Ahmed Tarafder think the state-owned broadcasting media Bangladesh Betar and Bangladesh Television satisfy public expectation. Bangladesh Betar and Bangladesh Television cater information, education and entertainment to the people with their long tradition of professionalism and trustworthiness. The more affluent they will be technologically, the better services they will offer.

He said that, the news of Bangladesh Betar and Bangladesh Television tend to be free from antagonistic attitude of the so-called free media. News from Bangladesh Betar and Bangladesh Television are prepared on the ethics of calling spade a spade. Ethics and spirit of modern journalism are followed as far as possible.

He thinks the state-owned broadcasting media Bangladesh Betar and Bangladesh Television enjoy partial freedom in their process of functioning and management as well as their programs planning, production and airing. He has no idea about the Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001. So he has no idea how those acts will help Bangladesh Betar and Bangladesh Television to provide autonomy in their way of functioning and management.

He expects the Right to Information Act-2009 will help the state-owned broadcasting media Bangladesh Betar and Bangladesh Television to come out with the capability to perform independently. Because it is a proven fact that state-owned broadcasting media are to some extent leaned towards satisfying the state rulers without of course breaking the norms of broadcast journalism. If the Right to Information Act-2009 implemented properly, will help Bangladesh Betar and Bangladesh Television to ensure the peoples' right to information further.

across the borders. Competing with private channels is itself a vital component of enjoying autonomy. Bangladesh Betar and Bangladesh Television are now enjoying autonomy in the garb of public management.

7.2.7. Case-Seven

Monjurul Ahsan Bulbul

Head, News and Current Affairs-NCA

ATN Bangla Limited

Mr. Monjurul Ahsan Bulbul thinks the program of Bangladesh Betar partially satisfies public expectation but the program of Bangladesh Television does not satisfy public expectation. Because Bangladesh Betar address different target groups through its program. On the other hand Bangladesh Television has no target; it gives priority on the demand of government rather than audience. He thinks the news of Bangladesh Betar and Bangladesh Television can not satisfy people's expectation. Because they give importance on protocol value rather than news value. So people are always deprived from the neutral news about the government.

He does not think the state-owned broadcasting media Bangladesh Betar and Bangladesh Television enjoy any freedom in their process of functioning and management as well as their programs planning, production and airing. He has no idea about the Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001. So he has no idea how those acts will help Bangladesh Betar and Bangladesh Television to provide autonomy in their way of functioning and management. He expects the Right to Information Act-2009 will help the state-owned broadcasting media Bangladesh Betar and Bangladesh Television to come out with the capability to perform independently. But it will depend on the execution of the act.

while the state-owned broadcasting media are responsible for uplift our cultural and ethical values. The state-owned broadcasting media is essential for serving the public but it would be better if there is less control of government.

7.2.8. Case-Eight

Shyamal Dutta

Editor, Dainik Bhorer Kagoj

Mr. Shyamal Dutta thinks Bangladesh Betar and Bangladesh Television can not satisfy public expectation. They broadcast monotonous program and the quality of programs are not good. The news of Bangladesh Betar and Bangladesh Television is nothing but the propaganda of the government. Because the state-owned broadcasting media Bangladesh Betar and Bangladesh Television do not enjoy any freedom in their process of function and management as well as their programs planning, production and airing.

He does not expect either Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001 or the Right to Information Act-2009 will help Bangladesh Betar and Bangladesh Television to provide autonomy in their way of functioning and management. If the government has no willingness to implement those acts people will not be allowed even to use the Right to Information Act-2009.

Though as a number of radio and TV channels are now operating in private sector, he thinks that sanctioning autonomy to the state-owned broadcasting media is essential at present in Bangladesh.

Mr. Shawkat Hossain thinks Bangladesh Betar and Bangladesh Television can not satisfy public expectation. The quality of programs of these media is not good and smart. The news of Bangladesh Betar and Bangladesh Television is only government oriented. Because the state-owned broadcasting media Bangladesh Betar and Bangladesh Television do not enjoy any freedom in their process of functioning and management as well as their programs planning, production and airing.

He has no idea about the Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act-2001. He showed reluctance to make comments how those acts will help Bangladesh Betar and Bangladesh Television to provide autonomy in their way of functioning and management. He expects the Right to Information Act-2009 will help the state-owned broadcasting media Bangladesh Betar and Bangladesh Television to come out with the capability to perform independently. But without government will, it will not possible.

Though as a number of radio and TV channels are now operating in private sector, he thinks that sanctioning autonomy to the state-owned broadcasting media is essential at present in Bangladesh. Because in open media market the existence and acceptance of any media will be determined by the market.

Bangladesh Betar and Bangladesh Television failed to play that deserving role. On the other hand there is a view that community development, green revolution, women's empowerment, and so many other issues were well covered by these media. Considering the objectives of Bangladesh Betar and Bangladesh Television it is difficult to expect them to generate profits. These media create social capital which is very important for national development.

By definition the public broadcasting media have to maintain equality in providing information or service delivery. They do not care about cost effectiveness in terms of economic value. But private media are always concerned about economic viability of service delivery. In that sense, the public broadcasting media is necessary for Bangladesh, where the private media are not capable of reaching every corner of the country. So before sanctioning autonomy to these two media we should think about the nature of these media. In the name of autonomy it is not wise to change the characteristics of these media of public service by transforming them to commercial media.

The main problems with the public broadcasting media in Bangladesh is lack of their credibility. In this study we can see that about 49 per cent of the radio listeners listen to Bangladesh Betar, whereas about 91 per cent of the radio listener listens to private radio channels. On the other hand among television viewers about 47 per cent watch Bangladesh Television, but private television channels reach out to 93 per cent of the viewers. If we analyze the effectiveness of both sectors of the media in Bangladesh we will see that the public broadcaster has access to all, but they have low popularity due to politicization. On the other hand, despite limited access, private broadcasters have popularity due to their news value.

Neutrality and credibility of the public broadcasting media is the main thrust of people of the country. Most of the respondents complain about the political biasness of these two media. For that reason the autonomy issue is raised in the society. In early 90's

the market. Despite the presence of too many private media in media market, about 73 per cent of the respondents think that sanctioning autonomy is necessary for the state-owned broadcasting media Bangladesh Betar and Bangladesh Television. But about 27 per cent respondents think that giving autonomy to public broadcasting is not the solution to all problems; because freedom of expression is not ensured due to the absence of an independent regulatory body.

If we consider other public broadcasting media in the world it can be said that regulation is the key factor to ensure independent role of the responsible media. For example BBC World, VOA, DW of Germany and ABC of Australia are public broadcasting media who have good experiences in terms of freedom of expression which resulted from the formation of a neutral and independent regulatory authority. The Radio Television Hong Kong (RTHK) is the sole public service broadcaster. Although it is a government department under administrative hierarchy, it enjoys editorial independence, and its director is promoted from within the department.

From the economic point of view, true autonomy would be enjoyed if the organization is self-funded. When this is brought about, it should think what the public need is or what the public demands are. In this study it has been showed that general people has no clear conception about autonomy, they basically want to know the real facts about the government control. So it seems that autonomy is the issue for politicians and intellectuals but people are concerned about the independence of responsible public broadcasters which will be free from control. In this situation a permanent independent commission to regulate state-owned broadcasting media in Bangladesh is essential to have neutral and responsible media by ensuring depoliticization.

After analyzing the findings of the study it can be said that, political will is the first thing to ensure the neutral and responsible role of Bangladesh Betar and Bangladesh Television as public broadcasting media, by stopping the political and intellectual game in the name of giving autonomy to those media. For public broadcasting media three factors are very important: i. The public interest is the prime concern for any change. ii. The structure and objectives should be upgraded with present needs. iii. Public broadcasting media should be run in line with a reasonable broadcasting policy, editorial policy and code of ethics. Without ensuring these three factors one cannot ask for a true sense of responsibility. The Right to Information law is also another area of concentration to operate effective public service media in the country.

A National Broadcasting Commission (NBC) is necessary to regulate the public broadcasting media in Bangladesh. The National Broadcasting Commission should be an independent body free from sole state-control. The National Broadcasting Commission will supervise and implement regulations formulated for transmitting authentic information and maintaining objectivity in order to promote the image of Bangladesh Betar and Bangladesh Television. The Commission will take measures to develop the necessary physical infrastructure to ensure technical standards of programs.

Freedom of media is one of the key factors for ensuring good governance. There is no doubt the public broadcasting media should be citizen centric by performing some responsibilities through informing, educating and entertaining the people on a variety of issues. It is possible only when the independence of public broadcasters is guaranteed by law and in practice. As a result, public broadcasters can truly operate for the public interest if they are kept away from politicization. In conclusion, it could be said that a strong and independent commission is needed for ensuring autonomy of Bangladesh Betar and Bangladesh Television. It will create a competitive environment for news and entertainment which will facilitate the credibility and effectiveness of the public broadcasting media in Bangladesh, and will also be the mirror of societal demands for neutrality of programs aired on Bangladesh Betar and Bangladesh Television.

- Ali, I. S. 2006, 'Governance and the Media', *Centre for Governance Studies Working Paper-3*, Retrieved 10 February 2009 from <http://www.bracresearch.org>.
- Ali, S. L. 1989, 'Bangladesh Television Somprochar-er Ponchish Bachar', in *Bangladesh Television-er 25 Bachar*, Bangladesh Television, pp194-203.
- Bangladesh Betar Authority Act-2001.
- Bangladesh Economic Review 2008, *Ministry of Finance*, Government of Bangladesh.
- Bangladesh Media and Demographic Survey 2008, *ACNeilson Co.* Bangladesh.
- Bangladesh Television Authority Act-2001.
- Belal, M. 1978, 'Betar-Mukti Sangrame', *Betar Bangla*, December 1978.
- Besley, 2002, 'Mass Media and Political Accountability' in *The Right to Tell: The Role of Mass Media in Economic Development*, World Bank Institute Development Series, Washington D.C., World Bank Institute.
- Bruun, M. (eds) 1996, *Media and democracy*, Oslo: University of Oslo, pp. 53-76.
- Buiyan, S.I. & Gunaratne, S.A. 2000, 'Bangladesh', in *Handbook of the Media in Asia*, eds S. A. Gunaratne, Sage, Delhi.
- Chowdhury, A. 2005, 'Critical overview of the growth of the media in Bangladesh', presented at the launch of 'Governance and social trends project, media in Bangladesh: Sectoral evolution and actor profiles', Power and Participation Research Centre (PPRC), Dhaka: 22 December.

- 'ETVs Journey Halted', *Holiday*, 30 August 2002.
- 'Going Back to the Radio Days', *Star Weekend Magazine: Daily Star*, Dhaka, 30 June 2006.
- Gunaratne, S.A. (eds) 2000, *Handbook of the Media in Asia*, Sage Publications, Delhi.
- http://en.Wikipedia.org/wiki/File:Ambox_scales.svg
- <http://www.moi.gov.bd>
- Hudock, A. 2003, *Hearing the Voice of the Poor: Encouraging Good Governance and Poverty Reduction Through Media Sector Support*. Washington, DC: World Learning for International Development.
- Kabir, N. 2003, 'Media Regime in Bangladesh: Rule of Obstructive Law', paper presented at *Odhikar's Workshop on Media, Democracy and Human Rights*, Dhaka: Odhikar.
- Kabir A. H. Monjurul. 2006, 'Autonomy of Public Broadcasting', *Bangladesh Human Rights Network*.
- Kazi, M. R. 2005, *Betar Katha*, Mallik Brothers, Dhaka.
- Kim, S et al, 2003, 'Talking on "Sunshine North Korea": A Test of the Spiral of Silence as a Theory of Powerful Mass Media', *International Journal of Public Opinion Research*, Vol. 16, No. 1, pp. 40-62.

- Mazumder, S.H. 2007, 'Ensuring the people's right to know', *Daily Star: Monthly Publication*, vol-2, Issue-4.
- McQuail, D. 2000, *McQuail's mass communication theory*, 4th edn, Sage Publications, London.
- 'Media's role and impact in Bangladesh', *Holiday Anniversary*, vol. 44.
- National Broadcasting Authority Ordinance-1986.
- National Broadcasting Authority (Amendment) Ordinance-1988.
- 'No Autonomy, Private Broadcast Media (Radio and Television) Bill-2004 is on table', *Independent*, 05 October 2004, Dhaka, Bangladesh.
- Price, M. 2002, *Media and sovereignty*, MIT Press, Cambridge.
- Price, M.E., Rozumilowicz, B. & Verhulst, S.G. 2002, *Media reform*, eds, Routledge, London, pp. 9-26.
- 'Radio Today Gets Final Order', *New Age*, 23 June 2006.
- Rahman, M.G. 2006, 'Mass Media in Bangladesh: an overview' in *Communication in Bangladesh: Media Response and Campaign Strategy*, eds M. G. Rahman, Shrabon, Dhaka.
- Rahman, M.G. (eds) 2006, *Communication in Bangladesh: Media Response and Campaign Strategy*, Shrabon, Dhaka.
- Rozumilowicz, B. 2002, 'Democratic change: A theoretical approach', in *Media reform*, eds M.E. Price, B. Rozumilowicz, & S.G. Verhulst, Routledge, London, pp. 9-26.

as citizens' media', Submitted to: *Convergence, Citizens Journalism and Social Change: Building Capacity*, Brisbane, Australia.

- Ullah, M. S. 2002,' Autonomy of the Broadcast Media and Neutral Coverage: Study on through Parliament Election in Bangladesh', Paper presented to *the Annual Conference of Union for Democratic Communal Congress-2001*, Carlton University, Autoa, Canada.
- USAID (1999), *The Role of Media in Democracy: A Strategic Approach*. Washington: Center for Democracy and Governance, Bureau for Global Programs, Field Support and Research, Technical Publication Series.

Questionnaire for the study

ON

**Autonomy of the State-owned Broadcasting Media
in Bangladesh : The Public Expectation**

Set-01

The Questionnaire is offered

By

Marzina Begum

ID no: 08272022

Third Batch

Masters in Governance and Development

Institute of Governance Studies

University of BRAC

N.B. The information of this questionnaire will be used only for academic purpose.

2. ☐ Male ☐ Female

3. Educational Qualification:

4. Profession:

☐ Teacher

☐ Lawyer

☐ Doctor

☐ Businessman

☐ Journalist

☐ Broadcaster

☐ Student

☐ Government official

☐ Politicians

☐ Others(.....)

B. Information Related to the study:

1. Do you listen to radio?

☐ Yes

☐ No

2. If yes, generally which radio do you listen?

☐ Bangladesh Betar

☐ Radio Today

☐ Radio Foorti

☐ Radio Amar

☐ Radio ABC

3. If you listen to Bangladesh Betar, what types of programs of Bangladesh Betar do you listen?

☐ News

☐ Music

☐ Drama

☐ Others

4. Do you watch television?

☐ Yes

☐ No

5. If yes, generally which channel do you watch?

☐ BTV

☐ BTV World

☐ ETV

☐ ATN Bangla

☐ Channel-I

☐ Channel-1

☐ Baishakhi TV

☐ Islamic TV

☐ NTV

☐ RTV

☐ Desh TV

☐ My TV

☐ Bangla Vision

☐ Diganta

7. Do the programmes of Bangladesh Betar and Bangladesh Television satisfy your expectation?

☐Yes

☐No

8. If no, why?

.....

.....

.....

9. Does the news of Bangladesh Betar and Bangladesh Television satisfy your expectation?

☐Yes

☐No

10. If no, why?

.....

.....

.....

11. Do you think the State-owned Broadcasting Media (Bangladesh Betar and Bangladesh Television) in Bangladesh enjoy freedom in their process of function and management ?

☐Yes

☐No

12. Do you think Bangladesh Betar and Bangladesh Television enjoy freedom in their programme planning, production and airing ?

☐Yes

☐No

13. Do you know about Bangladesh Betar Authority Act-2001 and Bangladesh Television Authority Act- 2001?

☐Yes

☐No

15. Do you know about the Right to Information (RTI) Act-2009?

☐Yes

☐No

16. If yes, then answer the following question.

In the mean time the government enacted the 'Right To Information (RTI) Act-2009' and formed the Information Commission. In this changing situation, do you think this act will help the state-owned broadcasting media(Bangladesh Betar and Bangladesh Television) to come out with the capability to perform independently?

☐Yes

☐No

17. Please explain why do you think so?

.....
.....
.....

18. As a number of channels are now operating in private sector, do you think at present sanctioning autonomy to the broadcasting media is essential in Bangladesh?

☐Yes

☐No

19. Please explain why do you think so?

.....
.....
.....
.....

Thanks for your kind cooperation.

Questionnaire for the study

ON

**Autonomy of the State-owned Broadcasting Media
in Bangladesh : The Public Expectation**

Set-02

The Questionnaire is offered

By

Marzina Begum

ID no: 08272022

Third Batch

Masters in Governance and Development

Institute of Governance Studies

University of BRAC

N.B. The information of this questionnaire will be used only for academic purpose.

1. Do you think, the program of Bangladesh Betar and Bangladesh Television satisfy public expectation?
☐Yes ☐No
2. Why?
.....
.....
.....
.....
.....
3. Do you think, the news of Bangladesh Betar and Bangladesh Television satisfy public expectation?
☐Yes ☐No
4. Why?
.....
.....
.....
.....
.....
5. Do you think the State-owned Broadcasting Media (Bangladesh Betar and Bangladesh Television) in Bangladesh enjoy freedom in their process of function and management ?
☐Yes ☐No
6. Do you think Bangladesh Betar and Bangladesh Television enjoy freedom in their programmes, planning, production and airing ?
☐Yes ☐No
7. Do you know about Bangladesh Betar Authority Act- 2001 and Bangladesh Television Authority Act- 2001?
☐Yes ☐No
8. If yes, do you think those acts will help Bangladesh Betar and Bangladesh Television to provide autonomy in their way of functioning and management?
☐Yes ☐No

10. Please explain.

.....
.....
.....
.....
.....

11. As a number of channels are now operating in private sectors, do you think that sanctioning autonomy to the broadcasting media is essential at present in Bangladesh?

☐Yes

☐No

12. Please write your comments briefly.

.....
.....
.....
.....
.....

Thanks for your kind cooperation.

সংসদ কর্তৃক গৃহীত নিম্নলিখিত আইনটি ১৭ই জুলাই, ২০০১ (২রা শ্রাবণ, ১৪০৮) তারিখে রাষ্ট্রপতির সম্মতি লাভ করিয়াছে এবং এতদ্বারা এই আইনটি সর্বসাধারণের অবগতির জন্য প্রকাশ করা যাইতেছে :—

২০০১ সনের ৫৪নং আইন

বাংলাদেশ বেতার কর্তৃপক্ষ প্রতিষ্ঠাকল্পে প্রণীত আইন

যেহেতু দেশের সম্প্রচার মাধ্যমের সুষ্ঠু ব্যবস্থাপনা নিশ্চিতকরণকল্পে একটি বেতার কর্তৃপক্ষ প্রতিষ্ঠা এবং তৎসম্পর্কিত বিধান করা সমীচীন ও প্রয়োজনীয়; সেহেতু এতদ্বারা নিম্নরূপ আইন করা হইল :—

সংক্ষিপ্ত শিরোনাম ও প্রবর্তন :

- (১) এই আইন বাংলাদেশ বেতার কর্তৃপক্ষ আইন, ২০০১ নামে অভিহিত হইবে।
- (২) সরকার, সরকারী গেজেটে প্রজ্ঞাপন দ্বারা, যে তারিখ নির্ধারণ করিবে সেই তারিখে এই আইন বলবৎ হইবে।

সংজ্ঞা।— বিষয় বা প্রসংগের পরিপন্থী কোন কিছু না থাকিলে, এই আইনে—

- (ক) “কর্তৃপক্ষ” অর্থ ধারা ৩ এর অধীন প্রতিষ্ঠিত বাংলাদেশ বেতার কর্তৃপক্ষ;
- (খ) “চেয়ারম্যান” অর্থ কর্তৃপক্ষের চেয়ারম্যান;
- (গ) “প্রবিধান” অর্থ এই আইনের অধীন প্রণীত প্রবিধান;
- (ঘ) “বিধি” অর্থ এই আইনের অধীন প্রণীত বিধি;
- (ঙ) “বেতার” অর্থ বাংলাদেশ বেতার;
- (চ) “মহাপরিচালক” অর্থ কর্তৃপক্ষের মহাপরিচালক;
- (ছ) “সদস্য” অর্থ কর্তৃপক্ষের কোন সদস্য এবং চেয়ারম্যানও এই সংজ্ঞার অন্তর্ভুক্ত হইবে।

৩। কর্তৃপক্ষ প্রতিষ্ঠা।—(১) এই আইন বলবৎ হইবার পর সরকার, যতশীঘ্র সম্ভব, এই আইনের উদ্দেশ্য পূরণকল্পে, সরকার গেজেটে প্রজ্ঞাপন দ্বারা, বাংলাদেশ বেতার কর্তৃপক্ষ নামে একটি কর্তৃপক্ষ প্রতিষ্ঠা করিবে।

(২) কর্তৃপক্ষ একটি সংবিধিবদ্ধ সংস্থা হইবে এবং ইহার স্হায়ী ধারাবাহিকতা ও একটি সাধারণ সীলমোহর থাকিবে এবং, এই আইনের বিধানাবলী সাপেক্ষে, ইহার স্হাবর ও অস্হাবর উভয় প্রকার সম্পত্তি অর্জন করিবার, অধিকারে রাখিবার ও হস্তান্তর করিবার ক্ষমতা থাকিবে এবং কর্তৃপক্ষ ইহার নামে মামলা দায়ের করিতে পারিবে এবং উক্ত নামে ইহার বিরুদ্ধেও মামলা দায়ের করা যাইবে।

৪। প্রধান কার্যালয়, ইত্যাদি।—কর্তৃপক্ষের প্রধান কার্যালয় ঢাকায় এবং ইহা প্রয়োজনবোধে, সরকারের পূর্বানুমোদনক্রমে, বাংলাদেশের অন্য যে কোন স্হানে শাখা কার্যালয় এবং ঢাকাসহ যে কোন স্হানে প্রয়োজনীয় সংখ্যক বেতার কেন্দ্র স্হাপন করিতে পারিবে।

৬। চেয়ারম্যান ও সদস্যগণের নিয়োগ, পদত্যাগ, অব্যাহতি ইত্যাদি।—(১) শিক্ষা, সংস্কৃতি, সাংবাদিকতা, প্রশাসন, বেতার সম্প্রচার বা ব্যবস্থাপনায় অভিজ্ঞ ব্যক্তিগণের মধ্য হতে চেয়ারম্যান এবং ধারা ৫ (খ)-তে উল্লিখিত সদস্যগণ সরকার কর্তৃক নিযুক্ত হইবেন।

(২) কর্তৃপক্ষের চেয়ারম্যানসহ অন্যান্য সদস্য, তবে মহাপরিচালক ব্যতীত, নিম্নবর্ণিত শর্তে কর্মরত থাকিবেনঃ—

(ক) চেয়ারম্যান ও উক্ত অন্যান্য সদস্য খণ্ডকালীন ভিত্তিতে দায়িত্ব পালন করিবেন ;

(খ) চেয়ারম্যান এবং উক্ত অন্যান্য সদস্যের প্রাপ্য সম্মানী, ভাতা এবং নিয়োগের অন্যান্য শর্তাবলী, এই আইনের বিধান সাপেক্ষে সরকার কর্তৃক স্থিহীকৃত হইবে।

(৩) চেয়ারম্যান এবং অন্যান্য প্রত্যেক সদস্য, তবে মহাপরিচালক ব্যতীত, তাঁহার নিয়োগের তারিখ হইতে ৩(তিন) বৎসরের মেয়াদে স্থায়ী পদে বহাল থাকিবেন এবং পুনরায় নিয়োগের যোগ্য হইবেনঃ

তবে শর্ত থাকে যে, কোন সদস্যের মেয়াদ শেষ হইবার পূর্বেও সরকার, যে কোন সময় তাঁহাকে তাঁহার দায়িত্ব হইতে অব্যাহতি প্রদান করিতে পারিবে।

(৪) সরকারের উদ্দেশ্যে স্বাক্ষরযুক্ত পত্রযোগে চেয়ারম্যান বা অন্য যে কোন সদস্য স্থায়ী পদত্যাগ করিতে পারিবেন, কিন্তু সরকার কর্তৃক গৃহীত না হওয়া পর্যন্ত উক্ত পদত্যাগ কার্যকর হইবে না।

(৫) চেয়ারম্যানের পদ শূন্য হইলে কিংবা অনুপস্থিতি, অসুস্থতা বা অন্য কোন কারণে তিনি তাঁহার দায়িত্ব পালনে অসমর্থ হইলে, শূন্য পদে নবনিযুক্ত চেয়ারম্যান কার্যভার গ্রহণ না করা পর্যন্ত কিংবা চেয়ারম্যান পুনরায় স্থায়ী দায়িত্ব পালনে সমর্থ না হওয়া পর্যন্ত সরকার কর্তৃক মনোনীত কোন সদস্য চেয়ারম্যানের দায়িত্ব পালন করিবেন।

৭। কমিটি।—কর্তৃপক্ষ উহার কাজে সহায়তার জন্য, প্রয়োজনবোধে, এক বা একাধিক কমিটি নিয়োগ করিতে পারিবে এবং উক্তরূপ কমিটির সদস্য সংখ্যা, দায়িত্ব এবং কার্যধারা নির্ধারণ করিতে পারিবে।

৮। কর্তৃপক্ষের কার্যাবলী।—কর্তৃপক্ষের কার্যাবলী হইবে নিম্নরূপ, যথাঃ—

(ক) বাংলাদেশ বেতারের কার্যাবলী সুষ্ঠুভাবে পরিচালনা, উহার কার্যক্রম পরিবীক্ষণ ও মূল্যায়ন;

(খ) বেতার মাধ্যমে সংবাদ প্রচার ও অন্যান্য অনুষ্ঠান সম্প্রচারে মান উন্নয়ন ;

(গ) বেতার মাধ্যমে সংবাদ প্রচার ও অন্যান্য অনুষ্ঠান সম্প্রচারে সরকার কর্তৃক অনুমোদিত জাতীয় সম্প্রচার নীতিমালা অনুসরণ ও বাস্তবায়ন ;

(ঘ) সংবাদ প্রচার ও অন্যান্য অনুষ্ঠান সম্প্রচারের ক্ষেত্রে নীতি নির্ধারণে সরকারকে সহায়তা প্রদান ;

(ঙ) বেতার অনুষ্ঠানের মান উন্নয়ন ও শৈল্পিক উৎকর্ষ সাধনের স্বার্থে বিদেশী ও আন্তর্জাতিক গবেষণা, শিক্ষা ও প্রশিক্ষণ প্রতিষ্ঠানের সাথে যৌথ কর্মসূচি গ্রহণ করা ;

(চ) অনুষ্ঠানের কারিগরি ও গুণগত মান নিশ্চিতকরণের জন্য প্রয়োজনীয় ভৌত কাঠামো নির্মাণ ও উন্নয়ন ;

(ছ) সরকারের পূর্বানুমোদনক্রমে, বেতার গ্রাহক যন্ত্রের লাইসেন্স ফি নির্ধারণ ও আদায়ের ব্যবস্থাকরণ ;

- ৯। **কর্তৃপক্ষের কার্যাবলী পরিচালনা ও ব্যবস্থাপনা।**—(১) ধারা ৮-এ উল্লিখিত কার্যাবলী সম্পাদন, পরিচালনা ও ব্যবস্থাপনা, এই আইনের বিধান সাপেক্ষে, কর্তৃপক্ষের উপর ন্যস্ত থাকিবে।
- (২) উক্ত কার্যাবলী সম্পাদন, পরিচালনা ও ব্যবস্থাপনার ক্ষেত্রে কর্তৃপক্ষ জনস্বার্থে, সময় সময় সরকার কর্তৃক, এই আইনের বিধানাবলী সাপেক্ষে, প্রদত্ত সাধারণ নির্দেশ ও নির্দেশনা অনুসরণ করিতে বাধ্য থাকিবে।
- (৩) কর্তৃপক্ষের উক্ত কার্যাবলী সুষ্ঠুভাবে সম্পাদনের নিমিত্তে চেয়ারম্যান ও মহাপরিচালক কর্তৃক পালনীয় দায়িত্বসমূহ সরকার সুনির্দিষ্টভাবে নির্ধারণ করিয়া দিতে পারিবে।
- ১০। **কর্তৃপক্ষের সভা।**—(১) এই ধারার অন্যান্য বিধানাবলী সাপেক্ষে, কর্তৃপক্ষ উহার সভার কার্যপদ্ধতি নির্ধারণ করিতে পারিবে।
- (২) চেয়ারম্যান কর্তৃক নির্ধারিত স্থান ও সময়ে সভা অনুষ্ঠিত হইবে এবং চেয়ারম্যানের সম্মতিক্রমে মহাপরিচালক এইরূপ সভা আহ্বান করিবেন :
- তবে শর্ত থাকে যে, প্রতি দুই মাসে কর্তৃপক্ষের অন্ততঃ একটি সভা অনুষ্ঠিত হইবে।
- (৩) চেয়ারম্যান বা তাঁহার অনুপস্থিতির ক্ষেত্রে ধারা ৬(৫) এ উল্লিখিত সদস্য, এবং অপর ২(দুই) জন সদস্যের উপস্থিতিতে সভার কোরাম গঠিত হইবে।
- (৪) চেয়ারম্যানের অনুপস্থিতিতে ধারা ৬(৫) এ উল্লিখিত সদস্য কর্তৃপক্ষের সভার সভাপতিত্ব করিবেন।
- (৫) উপস্থিত সদস্যগণের সংখ্যাগরিষ্ঠ ভোটে সভার সিদ্ধান্ত গৃহীত হইবে এবং ভোটে সমতার ক্ষেত্রে চেয়ারম্যানের দ্বিতীয় বা নির্ণায়ক ভোট প্রদানের ক্ষমতা থাকিবে।
- (৬) শুধুমাত্র কোন সদস্যপদে শূন্যতা বা কর্তৃপক্ষ গঠনে ত্রুটি থাকিবার কারণে কর্তৃপক্ষের কোন কার্য বা কার্যধারা অবৈধ হইবে না এবং তৎসম্পর্কে কোন প্রশ্নও উত্থাপন করা যাইবে না।
- (৭) কর্তৃপক্ষের প্রতিটি সভার কার্যবিবরণী ও গৃহীত সিদ্ধান্তের অনুলিপি সরকারের নিকট প্রেরণ করিতে হইবে, এবং উক্ত সিদ্ধান্ত এই আইন বা জাতীয় সম্প্রচার নীতিমালার পরিপন্থী হইলে উহা বাতিল বা সংশোধন করার জন্য বা কার্যকর না করার জন্য সরকার নির্দেশ প্রদান করিতে পারিবে এবং তদনুসারে কর্তৃপক্ষ প্রয়োজনীয় ব্যবস্থা গ্রহণ করিবে।

১১। **মহাপরিচালক।**—

- (১) কর্তৃপক্ষের একজন মহাপরিচালক থাকিবেন।
- (২) মহাপরিচালক সরকার কর্তৃক নিযুক্ত হইবেন এবং তাঁহার চাকুরীর শর্তাদি সরকার কর্তৃক স্থিরীকৃত হইবে।
- (৩) মহাপরিচালকের পদ শূন্য হইলে, কিংবা অনুপস্থিতি, অসুস্থতা বা অন্য কোন কারণে মহাপরিচালক তাঁহার দায়িত্ব পালনে অসমর্থ হইলে শূন্য পদে নবনিযুক্ত মহাপরিচালক কার্যভার গ্রহণ না করা পর্যন্ত কিংবা মহাপরিচালক পুনরায় স্থায়ী দায়িত্ব পালনে সমর্থ না হওয়া পর্যন্ত সরকার কর্তৃক মনোনীত কোন ব্যক্তি মহাপরিচালকরূপে দায়িত্ব পালন করিবে।
- (৪) মহাপরিচালক কর্তৃপক্ষের সার্বক্ষণিক মুখ্য নির্বাহী কর্মকর্তা হইবেন; এবং এই আইনের বিধানাবলী সাপেক্ষে, সরকার কর্তৃক নির্দেশিত কার্যাবলী সম্পাদন, ক্ষমতা প্রয়োগ ও দায়িত্ব সম্পাদন করিবেন।

১৪। চুক্তি।—কর্তৃপক্ষ উহার কার্যাবলী সম্পাদনের প্রয়োজনে চুক্তি সম্পাদন করিতে পারিবেঃ

তবে শর্ত থাকে যে, কোন বিদেশী সরকার বা আন্তর্জাতিক সংস্থার সহিত চুক্তির ক্ষেত্রে সরকারের পূর্বঅনুমোদন গ্রহণ করিতে হইবে।

১৫। কর্তৃপক্ষের তহবিল।—(১) কর্তৃপক্ষের একটি তহবিল থাকিবে এবং উহাতে নিম্নবর্ণিত অর্থ জমা হইবে, যথাঃ—

- (ক) সরকার কর্তৃক প্রদত্ত অনুদান ;
- (খ) কর্তৃপক্ষ কর্তৃক গৃহীত ঋণ ;
- (গ) কর্তৃপক্ষের নিজস্ব আয় ;
- (ঘ) কোন স্থানীয় কর্তৃপক্ষ বা অন্য কোন ব্যক্তি বা প্রতিষ্ঠান কর্তৃক প্রদত্ত অনুদান ;
- (ঙ) কোন বিদেশী সরকার, সংস্থা বা কোন আন্তর্জাতিক সংস্থা হইতে প্রাপ্ত অনুদান ;
- (চ) অন্য কোন উৎস হইতে প্রাপ্ত অর্থ ।

(২) এই তহবিলে জমাকৃত অর্থ কোন তফসিলি ব্যাংকে জমা রাখা হইবে এবং প্রবিধান দ্বারা নির্ধারিত পদ্ধতিতে উক্ত অর্থ উঠানো যাইবে ।

(৩) এই তহবিল হইতে কর্তৃপক্ষের প্রয়োজনীয় ব্যয় নির্বাহ করা হইবে ।

(৪) কর্তৃপক্ষের তহবিল বা উহার অংশবিশেষ সরকার কর্তৃক অনুমোদিত খাতে বিনিয়োগ করা যাইবে ।

(৫) সংশ্লিষ্ট অর্থবৎসরে কর্তৃপক্ষের ব্যয় নির্বাহের পর কর্তৃপক্ষের তহবিলে উদ্বৃত্ত থাকিলে, সরকারের নির্দেশ অনুসারে উহার সম্পূর্ণ বা অংশবিশেষ সরকারের কোষাগারে জমা করিতে হইবে ।

১৬। বাজেট।—(১) মহাপরিচালক প্রতি বৎসর সরকার কর্তৃক নির্ধারিত সময়ের মধ্যে পরবর্তী অর্থ বৎসরের বার্ষিক বাজেট বিবরণী সরকারের নিকট পেশ করিবেন এবং উহাতে উক্ত অর্থবৎসরে সরকারের নিকট হইতে কর্তৃপক্ষের কি পরিমাণ অর্থের প্রয়োজন উহার উল্লেখ থাকিবে ।

(২) উক্তরূপ বাজেট প্রণয়নের ক্ষেত্রে সরকার কর্তৃক নির্ধারিত পদ্ধতি অনুসরণ করিতে হইবে এবং প্রস্তাবিত বাজেটে কর্তৃপক্ষের অনুমোদন থাকিতে হইবে ।

১৭। হিসাবরক্ষণ ও নিরীক্ষা।—(১) কর্তৃপক্ষ যথাযথভাবে উহার হিসাবরক্ষণ করিবে এবং হিসাবের বার্ষিক বিবরণী প্রস্তুত করিবে ।

(২) মহাহিসাব-নিরীক্ষক ও নিয়ন্ত্রক, অতঃপর মহাহিসাব-নিরীক্ষক নামে অভিহিত, প্রতি বৎসর কর্তৃপক্ষের হিসাব নিরীক্ষা করিবেন এবং নিরীক্ষা প্রতিবেদনের একটি করিয়া অনুলিপি সরকার ও কর্তৃপক্ষের নিকট প্রেরণ করিবেন ।

(৩) উপ-ধারা (২) মোতাবেক হিসাব নিরীক্ষার উদ্দেশ্যে মহাহিসাব-নিরীক্ষক কিংবা তাহার নিকট হইতে ক্ষমতাপ্রাপ্ত কোন ব্যক্তি কর্তৃপক্ষের সকল রেকর্ড, দলিল-দস্তাবেজ, নগদ বা ব্যাংকে গচ্ছিত অর্থ, জামানত, ভান্ডার এবং অন্যবিধ সম্পত্তি পরীক্ষা করিয়া দেখিতে পারিবেন এবং কর্তৃপক্ষের চেয়ারম্যানসহ যে কোন সদস্য, কর্মকর্তা ও কর্মচারীকে জিজ্ঞাসাবাদ করিতে পারিবেন ।

- ১৯। **বিধি প্রণয়নের ক্ষমতা।**— সরকার, এই আইনের উদ্দেশ্য পূরণকল্পে, সরকারী গেজেটে প্রজ্ঞাপন দ্বারা, বিধি প্রণয়ন করিতে পারিবে।
- ২০। **প্রবিধান প্রণয়নের ক্ষমতা।**— কর্তৃপক্ষ, এই আইনের উদ্দেশ্য পূরণকল্পে, সরকারের পূর্বানুমোদনক্রমে এবং সরকারী গেজেটে প্রজ্ঞাপন দ্বারা, এই আইন বা বিধির সহিত অসংগতিপূর্ণ নহে এইরূপ প্রবিধান প্রণয়ন করিতে পারিবে।
- ২১। **National Broadcasting Authority ও বিদ্যমান বাংলাদেশ বেতার সম্পর্কিত বিধান।**—(১) এই আইন কার্যকর হইবার সংগে সংগে—
- (ক) National Broadcasting Authority Ordinance, ১৯৮৬ (Ord. No. XXXII of ১৯৮৬), অতঃপর উক্ত অধ্যাদেশ বলিয়া উল্লিখিত, এতদ্বারা রহিত করা হইল এবং উক্ত অধ্যাদেশের অধীন গঠিত জাতীয় সম্প্রচার কর্তৃপক্ষ, যদি থাকে, অতঃপর বিলুপ্ত কর্তৃপক্ষ বলিয়া উল্লিখিত, বিলুপ্ত হইবে;
- (খ) বিদ্যমান বাংলাদেশ বেতার সংগঠন, অতঃপর বিলুপ্ত সংগঠন বলিয়া উল্লিখিত, বিলুপ্ত হইবে;
- (গ) বিলুপ্ত কর্তৃপক্ষ ও বিলুপ্ত সংগঠন, অতঃপর একত্রিতভাবে বিলুপ্ত সংগঠন বলিয়া উল্লিখিত, এর স্থাবর ও অস্থাবর সকল সম্পত্তি এবং নগদ ও ব্যাংকে গচ্ছিত অর্থ কর্তৃপক্ষের নিকট হস্তান্তরিত হইবে এবং উক্ত সম্পত্তি ও অর্থ কর্তৃপক্ষের সম্পত্তি ও অর্থ হইবে;
- (ঘ) বিলুপ্ত সংগঠনের সকল ঋণ, দায়-দায়িত্ব, উন্ময়ন প্রকল্প, যদি থাকে, কর্তৃপক্ষের ঋণ, দায়-দায়িত্ব এবং প্রকল্প হইবে;
- (ঙ) বিলুপ্ত সংগঠন কর্তৃক অথবা উহার বিরুদ্ধে দায়েরকৃত সকল মামলা-মোকদ্দমা কর্তৃপক্ষ কর্তৃক অথবা কর্তৃপক্ষের বিরুদ্ধে দায়েরকৃত বলিয়া গণ্য হইবে এবং সেইভাবে সকল মামলা-মোকদ্দমা পরিচালিত হইবে ;
- (চ) বিলুপ্ত সংগঠনে, এই আইন প্রবর্তনের অব্যবহিত পূর্বে, যে সকল কর্মকর্তা ও কর্মচারী কর্মরত ছিলেন তাহারা সরকারী কর্মকর্তা ও কর্মচারী হিসাবে কর্তৃপক্ষের নিয়ন্ত্রণাধীনে কর্মরত কর্মকর্তা ও কর্মচারী বলিয়া গণ্য হইবেন এবং সরকার বা সংশ্লিষ্ট আইন প্রণয়নকারী কর্তৃপক্ষ কর্তৃক তাহাদের ক্ষেত্রে প্রযোজ্য আইন-কানুন পরিবর্তিত না হওয়া পর্যন্ত তাহাদের পদোন্নতিসহ চাকুরীর অন্যান্য শর্তাবলী পূর্ববৎ বহাল থাকিবে।
- (২) উপ-ধারা (১) (চ)-তে উল্লিখিত কোন কর্মকর্তা, Bangladesh Civil Service (Information) Cadre এর কর্মকর্তা হইলে তিনি, নিয়োগকারী কর্তৃপক্ষ কর্তৃক ভিন্নরূপ সিদ্ধান্ত গৃহীত না হওয়া পর্যন্ত, সরকারের নিয়ন্ত্রণাধীনে চাকুরীরত থাকিবেন।

২০০১ সনের ৫৫নং আইন

বাংলাদেশ টেলিভিশন কর্তৃপক্ষ প্রতিষ্ঠাকল্পে প্রণীত আইন

যেহেতু দেশের সম্প্রচার মাধ্যমের সুষ্ঠু ব্যবস্থাপনা নিশ্চিতকরণকল্পে একটি টেলিভিশন কর্তৃপক্ষ প্রতিষ্ঠা এবং তৎসম্পর্কিত বিধান করা সমীচীন ও প্রয়োজন; সেহেতু এতদ্বারা নিম্নরূপ আইন করা হইল :

১। সংক্ষিপ্ত শিরোনাম ও প্রবর্তন :

- (১) এই আইন বাংলাদেশ টেলিভিশন কর্তৃপক্ষ আইন, ২০০১ নামে অভিহিত হইবে।
- (২) সরকার, সরকারি গেজেটে প্রজ্ঞাপন দ্বারা, যে তারিখ নির্ধারণ করিবে সেই তারিখে এই আইন বলবৎ হইবে।

২। সংজ্ঞা :

বিষয় বা প্রসংগের পরিপন্থী কোন কিছু না থাকিলে, এই আইনে -

- (ক) “কর্তৃপক্ষ” অর্থ ধারা ৩ এর অধীন প্রতিষ্ঠিত বাংলাদেশ টেলিভিশন কর্তৃপক্ষ ;
- (খ) “চেয়ারম্যান” অর্থ কর্তৃপক্ষের চেয়ারম্যান ;
- (গ) “টেলিভিশন” অর্থ বাংলাদেশ টেলিভিশন ;
- (ঘ) “প্রবিধান” অর্থ এই আইনের অধীন প্রণীত প্রবিধান ;
- (ঙ) “বিধি” অর্থ এই আইনের অধীন প্রণীত বিধি ;
- (চ) “মহাপরিচালক” অর্থ কর্তৃপক্ষের মহাপরিচালক ;
- (ছ) “সদস্য” অর্থ কর্তৃপক্ষের কোন সদস্য এবং চেয়ারম্যানও এই সংজ্ঞার অন্তর্ভুক্ত হইবে।

৩। কর্তৃপক্ষ প্রতিষ্ঠা :

- (১) এই আইন বলবৎ হইবার পর সরকার, যতশীঘ্র সম্ভব, এই আইনের উদ্দেশ্য পূরণকল্পে, সরকারি গেজেটে প্রজ্ঞাপন দ্বারা, বাংলাদেশ টেলিভিশন কর্তৃপক্ষ নামে একটি কর্তৃপক্ষ প্রতিষ্ঠা করিবে।
- (২) কর্তৃপক্ষ একটি সংবিধিবদ্ধ সংস্থা হইবে এবং ইহার স্থায়ী ধারাবাহিকতা ও একটি সাধারণ সীলমোহর থাকিবে এবং এই আইনের বিধানাবলী সাপেক্ষে, ইহার স্থাবর ও অস্থাবর উভয় প্রকার সম্পত্তি অর্জন করিবার, অধিকারে রাখিবার ও হস্তান্তর করিবার ক্ষমতা থাকিবে এবং কর্তৃপক্ষ ইহার নামে মামলা দায়ের করিতে পারিবে এবং উক্ত নামে ইহার বিরুদ্ধেও মামলা দায়ের করা যাইবে।

৪। প্রধান কার্যালয়, ইত্যাদি :

কর্তৃপক্ষের প্রধান কার্যালয় ঢাকায় থাকিবে এবং ইহা, প্রয়োজনবোধে, সরকারের পূর্বানুমোদনক্রমে, বাংলাদেশের অন্য যে কোন স্থানে শাখা কার্যালয়, এবং ঢাকাসহ যে কোন স্থানে প্রয়োজনীয় সংখ্যক টেলিভিশন কেন্দ্র স্থাপন করিতে পারিবে।

(গ) মহাপরিচালক, পদাধিকারবলে।

৬। চেয়ারম্যান ও সদস্যগণের নিয়োগ, পদত্যাগ, অব্যাহতি ইত্যাদি :

- (১) শিক্ষা, সংস্কৃতি, সাংবাদিকতা, প্রশাসন, টেলিভিশন সম্প্রচার বা ব্যবস্থাপনায় অভিজ্ঞ ব্যক্তিগণের মধ্য হইতে চেয়ারম্যান এবং ধারা ৫(খ) তে উল্লিখিত সদস্যগণ সরকার কর্তৃক নিযুক্ত হইবেন।
- (২) কর্তৃপক্ষের চেয়ারম্যানসহ অন্যান্য সদস্য, তবে মহাপরিচালক ব্যতীত, নিম্নবর্ণিত শর্তে কর্মরত থাকিবেন :
 - (ক) চেয়ারম্যান ও উক্ত অন্যান্য সদস্য খন্ডকালীন ভিত্তিতে দায়িত্ব পালন করিবেন ;
 - (খ) চেয়ারম্যান এবং উক্ত অন্যান্য সদস্যের প্রাপ্য সম্মানী, ভাতা এবং নিয়োগের অন্যান্য শর্তাবলী, এই আইনের বিধান সাপেক্ষে সরকার কর্তৃক স্থিরীকৃত হইবে।
- (৩) চেয়ারম্যান এবং অন্যান্য প্রত্যেক সদস্য, তবে মহাপরিচালক ব্যতীত, তাঁহার নিয়োগের তারিখ হইতে ৩ (তিন) বৎসরের মেয়াদে স্থায়ী পদে বহাল থাকিবেন এবং পুনরায় নিয়োগের যোগ্য হইবেনঃ
তবে শর্ত থাকে যে, কোন সদস্যের মেয়াদ শেষ হইবার পূর্বেও সরকার, যে কোন সময় তাঁহাকে তাঁহার দায়িত্ব হইতে অব্যাহতি প্রদান করিতে পারিবে।
- (৪) সরকারের উদ্দেশ্যে স্বাক্ষরযুক্ত পত্রযোগে চেয়ারম্যান বা অন্য যে কোন সদস্য স্থায়ী পদ ত্যাগ করিতে পারিবেন, কিন্তু সরকার কর্তৃক গৃহীত না হওয়া পর্যন্ত উক্ত পদত্যাগ কার্যকর হইবে না।
- (৫) চেয়ারম্যানের পদ শূন্য হইলে কিংবা অনুপস্থিতি, অসুস্থতা বা অন্য কোন কারণে তিনি তাঁহার দায়িত্ব পালনে অসমর্থ হইলে, শূন্য পদে নবনিযুক্ত চেয়ারম্যান কার্যভার গ্রহণ না করা পর্যন্ত কিংবা চেয়ারম্যান পুনরায় স্থায়ী দায়িত্ব পালনে সমর্থ না হওয়া পর্যন্ত সরকার কর্তৃক মনোনীত কোন সদস্য চেয়ারম্যানের দায়িত্ব পালন করিবেন।

৭। কমিটি :

কর্তৃপক্ষ উহার কাজে সহায়তার জন্য, প্রয়োজনবোধে, এক বা একাধিক কমিটি নিয়োগ করিতে পারিবে এবং উক্তরূপ কমিটির সদস্য সংখ্যা, দায়িত্ব এবং কার্যধারা নির্ধারণ করিতে পারিবে।

৮। কর্তৃপক্ষের কার্যাবলী :

কর্তৃপক্ষের কার্যাবলী হইবে নিম্নরূপ, যথা :

- (ক) বাংলাদেশ টেলিভিশনের কার্যাবলী সুষ্ঠুভাবে পরিচালনা, উহার কার্যক্রম পরিবীক্ষণ ও মূল্যায়ন ;
- (খ) টেলিভিশন মাধ্যমে সংবাদ প্রচার ও অন্যান্য অনুষ্ঠান সম্প্রচারের মান উন্নয়ন ;
- (গ) টেলিভিশন মাধ্যমে সংবাদ প্রচার ও অন্যান্য অনুষ্ঠান সম্প্রচারে সরকার কর্তৃক অনুমোদিত জাতীয় সম্প্রচার নীতিমালা অনুসরণ ও বাস্তবায়ন ;
- (ঘ) সংবাদ প্রচার ও অন্যান্য অনুষ্ঠান সম্প্রচারের ক্ষেত্রে নীতি নির্ধারণে সরকারকে সহায়তা প্রদান ;
- (ঙ) টেলিভিশন অনুষ্ঠানের মান উন্নয়ন ও শৈল্পিক উৎকর্ষ সাধনের স্বার্থে বিদেশী ও আন্তর্জাতিক গবেষণা, শিক্ষা ও প্রশিক্ষণ প্রতিষ্ঠানের সাথে যৌথ কর্মসূচী গ্রহণ করা ;

(ঝ) উপরি-উল্লিখিত কার্যাদির সম্পূরক ও প্রাসঙ্গিক অন্যান্য কার্য সম্পাদন।

৯। কর্তৃপক্ষের কার্যাবলী পরিচালনা ও ব্যবস্থাপনা :

- (১) ধারা ৮ এ উল্লিখিত কার্যাবলী সম্পাদন, পরিচালনা ও ব্যবস্থাপনা, এই আইনের বিধান সাপেক্ষে কর্তৃপক্ষের উপর ন্যস্ত থাকিবে।
- (২) উক্ত কার্যাবলী সম্পাদন, পরিচালনা ও ব্যবস্থাপনার ক্ষেত্রে কর্তৃপক্ষ জনস্বার্থে, সময় সময় সরকার কর্তৃক, এই আইনের বিধান সাপেক্ষে, প্রদত্ত সাধারণ নির্দেশ ও নির্দেশনা অনুসরণ করিতে বাধ্য থাকিবে।
- (৩) কর্তৃপক্ষের উক্ত কার্যাবলী সুষ্ঠুভাবে সম্পাদনের নিমিত্তে চেয়ারম্যান ও মহাপরিচালক কর্তৃক পালনীয় দায়িত্বসমূহ সরকার সুনির্দিষ্টভাবে নির্ধারণ করিয়া দিতে পারিবে।

১০। কর্তৃপক্ষের সভা :

- (১) এই ধারার অন্যান্য বিধানাবলী সাপেক্ষে, কর্তৃপক্ষ উহার সভার কার্যপদ্ধতি নির্ধারণ করিতে পারিবে।
- (২) চেয়ারম্যান কর্তৃক নির্ধারিত স্থান ও সময়ে সভা অনুষ্ঠিত হইবে এবং চেয়ারম্যানের সম্মতিক্রমে মহাপরিচালক এইরূপ সভা আহ্বান করিবেন :
তবে শর্ত থাকে যে, প্রতি দুই মাসে কর্তৃপক্ষের অন্ততঃ একটি সভা অনুষ্ঠিত হইবে।
- (৩) চেয়ারম্যান বা তাঁহার অনুপস্থিতির ক্ষেত্রে ধারা ৬ (৫) এ উল্লিখিত সদস্য, এবং অপর ২ (দুই) জন সদস্যের উপস্থিতিতে সভার কোরাম গঠিত হইবে।
- (৪) চেয়ারম্যানের অনুপস্থিতিতে ধারা ৬ (৫) এ উল্লিখিত সদস্য কর্তৃপক্ষের সভার সভাপতিত্ব করিবেন।
- (৫) উপস্থিত সদস্যগণের সংখ্যাগরিষ্ঠ ভোটে সভার সিদ্ধান্ত গৃহীত হইবে এবং ভোটে সমতার ক্ষেত্রে চেয়ারম্যানের দ্বিতীয় বা নির্ণায়ক ভোট প্রদানের ক্ষমতা থাকিবে।
- (৬) শুধুমাত্র কোন সদস্যপদে শূন্যতা বা কর্তৃপক্ষ গঠনে ত্রুটি থাকিবার কারণে কর্তৃপক্ষের কোন কার্য বা কার্যধারা অবৈধ হইবে না এবং তৎসম্পর্কে কোন প্রশ্নও উত্থাপন করা যাইবে না।
- (৭) কর্তৃপক্ষের প্রতিটি সভার কার্যবিবরণী ও গৃহীত সিদ্ধান্তের অনুলিপি সরকারের নিকট প্রেরণ করিতে হইবে, এবং উক্ত সিদ্ধান্ত এই আইন বা জাতীয় সম্প্রচার নীতিমালার পরিপন্থী হইলে উহা বাতিল বা সংশোধন করার জন্য বা কার্যকর না করার জন্য সরকার নির্দেশ প্রদান করিতে পারিবে এবং তদানুসারে কর্তৃপক্ষ প্রয়োজনীয় ব্যবস্থা গ্রহণ করিবে।

১১। মহাপরিচালক :

- (১) কর্তৃপক্ষের একজন মহাপরিচালক থাকিবেন।
- (২) মহাপরিচালক সরকার কর্তৃক নিযুক্ত হইবেন এবং তাঁহার চাকুরীর শর্তাদি সরকার কর্তৃক স্থিরীকৃত হইবে।
- (৩) মহাপরিচালকের পদ শূন্য হইলে, কিংবা অনুপস্থিতি, অসুস্থতা বা অন্য কোন কারণে মহাপরিচালক তাঁহার দায়িত্ব পালনে অসমর্থ হইলে শূন্য পদে নবনিযুক্ত মহাপরিচালক কার্যভার গ্রহণ না করা পর্যন্ত কিংবা

১২। কর্মকর্তা ও কর্মচারী নিয়োগ :

ধারা ২১(৬) এর বিধান সাপেক্ষে, কর্তৃপক্ষ উহার দায়িত্ব সুষ্ঠুভাবে পালনের জন্য প্রয়োজনীয় সংখ্যক কর্মকর্তা ও কর্মচারী নিয়োগ করিতে পারিবে এবং তাঁহাদের চাকুরীর শর্তাবলী প্রবিধান দ্বারা নির্ধারিত হইবে।

১৩। ঋণ গ্রহণ :

এই আইনের উদ্দেশ্য পূরণকল্পে কর্তৃপক্ষ, সরকারের পূর্বানুমোদনক্রমে, ঋণ গ্রহণ করিতে পারিবে।

১৪। চুক্তি :

কর্তৃপক্ষ উহার কার্যাবলী সম্পাদনে প্রয়োজনে চুক্তি সম্পাদন করিতে পারিবেঃ

তবে শর্ত থাকে যে, কোন বিদেশী সরকার বা আন্তর্জাতিক সংস্থার সহিত চুক্তির ক্ষেত্রে সরকারের পূর্ব অনুমোদন গ্রহণ করিতে হইবে।

১৫। কর্তৃপক্ষের তহবিল :

- (১) কর্তৃপক্ষের একটি তহবিল থাকিবে এবং উহাতে নিম্নবর্ণিত অর্থ জমা হইবে, যথাঃ সরকার কর্তৃক প্রদত্ত অনুদান ;
(ক) কর্তৃপক্ষ কর্তৃক গৃহীত ঋণ ;
(খ) কর্তৃপক্ষের নিজস্ব আয় ;
(গ) কোন স্থানীয় কর্তৃপক্ষ বা অন্য কোন ব্যক্তি বা প্রতিষ্ঠান কর্তৃক প্রদত্ত অনুদান ;
(ঘ) কোন বিদেশী সরকার, সংস্থা বা কোন আন্তর্জাতিক সংস্থা হইতে প্রাপ্ত অনুদান ;
(ঙ) অন্য কোন উৎস হইতে প্রাপ্ত অর্থ।
- (২) এই তহবিলে জমাকৃত অর্থ কোন তফসিলি ব্যাংকে জমা রাখা হইবে এবং প্রবিধান দ্বারা নির্ধারিত পদ্ধতিতে উক্ত অর্থ উঠানো যাইবে।
- (৩) এই তহবিল হইতে কর্তৃপক্ষের প্রয়োজনীয় ব্যয় নির্বাহ করা হইবে।
- (৪) কর্তৃপক্ষের তহবিল বা উহার অংশবিশেষ সরকার কর্তৃক অনুমোদিত খাতে বিনিয়োগ করা যাইবে।
- (৫) সংশ্লিষ্ট অর্থ বৎসরে কর্তৃপক্ষের ব্যয় নির্বাহের পর কর্তৃপক্ষের তহবিলে উদ্ধৃত থাকিলে, সরকারের নির্দেশ অনুসারে উহার সম্পূর্ণ বা অংশবিশেষ সরকারের কোষাগারে জমা করিতে হইবে।

১৬। বাজেট :

- (১) মহাপরিচালক প্রতি বৎসর সরকার কর্তৃক নির্ধারিত সময়ের মধ্যে পরবর্তী অর্থ বৎসরের বার্ষিক বাজেট বিবরণী সরকারের নিকট পেশ করিবেন এবং উহাতে উক্ত অর্থ বৎসরে সরকারের নিকট হইতে কর্তৃপক্ষের কি পরিমাণ অর্থের প্রয়োজন উহার উল্লেখ থাকিবে।
- (২) উক্তরূপ বাজেট প্রণয়নের ক্ষেত্রে সরকার কর্তৃক নির্ধারিত পদ্ধতি অনুসরণ করিতে হইবে এবং প্রস্তাবিত বাজেটে কর্তৃপক্ষের অনুমোদন থাকিতে হইবে।

১৭। হিসাব রক্ষণ ও নিরীক্ষা :

- (১) কর্তৃপক্ষ যথাযথভাবে উহার হিসাব রক্ষণ করিবে এবং হিসাবের বার্ষিক বিবরণী প্রস্তুত করিবে।

কর্মত প্রাপ্তি কোন ব্যক্তি কর্তৃপক্ষের সকল স্বেচ্ছা, দায়বদ্ধতা এবং, নগদ বা ব্যাংক চাঙ্কে এবং প্রাপ্তি, ভান্ডার এবং অন্যবিধ সম্পত্তি পরীক্ষা করিয়া দেখিতে পারিবেন এবং কর্তৃপক্ষের চেয়ারম্যানসহ যে কোন সদস্য, কর্মকর্তা ও কর্মচারীকে জিজ্ঞাসাবাদ করিতে পারিবেন।

১৮। প্রতিবেদন :

- (১) প্রতি আর্থিক বৎসর শেষ হইবার সঙ্গে সঙ্গে কর্তৃপক্ষ উক্ত বৎসরে সম্পাদিত কার্যাবলীর বিবরণসম্বলিত একটি বার্ষিক প্রতিবেদন সরকারের নিকট পেশ করিবে।
- (২) সরকার প্রয়োজনমত কর্তৃপক্ষের নিকট হইতে যে কোন সময়ে উহার যে কোন কাজের প্রতিবেদন বা বিবরণী আহ্বান করিতে পারিবে এবং কর্তৃপক্ষ উহা সরকারের নিকট প্রেরণ করিতে বাধ্য থাকিবে।

১৯। বিধি প্রণয়নের ক্ষমতা :

সরকার, এই আইনের উদ্দেশ্য পূরণকল্পে, সরকারি গেজেটে প্রজ্ঞাপন দ্বারা, বিধি প্রণয়ন করিতে পারিবে।

২০। প্রবিধান প্রণয়নের ক্ষমতা :

কর্তৃপক্ষ, এই আইনের উদ্দেশ্য পূরণকল্পে, সরকারের পূর্বানুমোদনক্রমে এবং সরকারি গেজেটে প্রজ্ঞাপন দ্বারা, এই আইন বা বিধির সহিত অসংগতিপূর্ণ নহে এইরূপ প্রবিধান প্রণয়ন করিতে পারিবে।

২১। বিদ্যমান বাংলাদেশ টেলিভিশন সম্পর্কিত বিধান :

এই আইন কার্যকর হইবার সংগে সংগে :—

- (ক) বিদ্যমান বাংলাদেশ টেলিভিশন সংগঠন, অতঃপর বিলুপ্ত সংগঠন বলিয়া উল্লিখিত, বিলুপ্ত হইবে ;
- (খ) বিলুপ্ত সংগঠনের স্থাবর ও অস্থাবর সকল সম্পত্তি এবং নগদ ও ব্যাংকে গচ্ছিত অর্থ কর্তৃপক্ষের নিকট হস্তান্তরিত হইবে এবং উক্ত সম্পত্তি ও অর্থ কর্তৃপক্ষের সম্পত্তি ও অর্থ হইবে ;
- (গ) বিলুপ্ত সংগঠনের সকল ঋণ, দায়-দায়িত্ব, উন্ময়ন প্রকল্প, যদি থাকে, কর্তৃপক্ষের ঋণ, দায়-দায়িত্ব এবং প্রকল্প হইবে ;
- (ঘ) বিলুপ্ত সংগঠন কর্তৃক অথবা উহার বিরুদ্ধে দায়েরকৃত সকল মামলা-মোকদ্দমা কর্তৃপক্ষ কর্তৃক অথবা কর্তৃপক্ষের বিরুদ্ধে দায়েরকৃত বলিয়া গণ্য হইবে এবং সেইভাবে সকল মামলা-মোকদ্দমা পরিচালিত হইবে ;
- (ঙ) বিলুপ্ত সংগঠনে, এই আইন প্রবর্তনের অব্যবহিত পূর্বে, যে সকল কর্মকর্তা ও কর্মচারী কর্মরত ছিলেন তাহারা সরকারি কর্মকর্তা ও কর্মচারী হিসাবে কর্তৃপক্ষের নিয়ন্ত্রাধীনে কর্মরত কর্মকর্তা ও কর্মচারী বলিয়া গণ্য হইবেন এবং সরকার বা সংশ্লিষ্ট আইন প্রণয়নকারী কর্তৃপক্ষ কর্তৃক তাহাদের ক্ষেত্রে প্রযোজ্য আইন কানুন পরিবর্তিত না হওয়া পর্যন্ত তাহাদের পদোন্নতিসহ চাকুরীর অন্যান্য শর্তাবলী পূর্ববৎ বহাল থাকিবে।

[বাংলাদেশ জাতীয় সংসদ, তারিখ: ১৭ই জুলাই, ২০০১/২রা শ্রাবণ, ১৪০৮]

রেজিস্টার্ড নং ডি এ-১

Unofficial English version of RTI Law 2009

Following Law adopted by the Parliament was consented by the President on 5th April 2009 (22 Chaitra, 1415 BS) and it is therefore being published for information of general public **20 no. law of 2009**

The law to make provisions for ensuring free flow of information and people's right to information.

Whereas freedom of thought , conscience and speech is recognized in the Constitution of the People's Republic of Bangladesh as one of the fundamental rights and right to information is an inalienable part of freedom of thought, conscience and speech; and

Whereas all powers of the Republic belong to the people, and it is necessary to ensure right to information for the empowerment of the people; and

Whereas, if the right to information of the people is ensured, transparency and accountability in all public, autonomous and statutory organizations and in other private institutions run on government or foreign funding shall increase, corruption of the same shall decrease and good governance of the same shall be established; and

Whereas it is expedient and necessary to make provisions for ensuring transparency and accountability in all public, autonomous and statutory organizations and in other private institutions run on government or foreign funding;

Therefore following law has been promulgated

Chapter 1

Introductory

1. Short title and commencement.- (1) This law may be called the Right to Information law, 2009.

(2) Of this law,

- (a), all the sections except sections 8, 24 and 25 shall come into force immediately; and
- (b) sections 8, 24 and 25 shall come into force on the 90th (ninetieth) working day from the date of commencement of this law and

2. Definition. - Unless there is anything repugnant to the subject or context, in this Law-

(a) " Appellate Authority" means-

- (i) in case of a information providing unit, the administrative head of its immediate superior office; or
- (ii) if there be no superior office of such unit , the administrative head of that unit ;

- (iv) any private organization or institution runs on government funding or with help from the government exchequer;
- (v) any private organization or institution runs on foreign funding;
- (vi) any organization or institution that undertakes public functions in accordance with any contract made on behalf of the Government or made with any public organization or institution; or
- (vii) any organization or institution as may be notified in the official gazette from time to time by the Government ;
- (c) “officer” means an employee also;
- (d) “information providing unit” means-
 - (i) head office, divisional office, regional office, district office or sub district (*upazila*) office of any department, directorate or office attached to or under any ministry, division or office of the government;
 - (ii) head office, divisional office, regional office, district office or sub district (*upazila*) office of an authority;
- (e) “Information Commission” means the Information Commission established under section 11;
- (f) “Information” includes any memo, book, design, map, contract, data, log book, order, notification, document, sample, letter, report, accounts, project proposal, photograph, audio, video, drawing, painting, film, any instrument done through electronic process, machine readable record, and any other documentary material regardless of its physical form or characteristics, and any copy thereof in relation to the constitution, structure and official activities of any authority: provided that note-sheets or copies of note-sheets shall not be included in it;
- (g) “right to information” means the right to obtain information from any authority;
- (h) Schedule means Schedule of this law
- (i) “third party” means any other party associated with information, other than that applying for information or any authority providing such information;
- (j) “officer in charge” means any officer employed under section 10;
- (k) “prescribed” means prescribed by the Rules;
- (l) “regulation” means any regulation made under section 34;
- (m) “selection Committee” means the selection committee constituted under section 14;
- (n) “rules” mean any rule made under section 33.

3. Overriding effect of this law: Of any existing law-

- (a) provisions relating to providing information shall not be affected by the provisions of this law; and
- (b) provisions creating impediment in providing information, if they become conflicting with the provisions of this law shall be superseded by the provisions of the law.

Chapter 2

Right to, Preservation of, Publication of and Access to Information

- 4. Right to information.** – Subject to the provisions of this law, every citizen shall have the right to information from the authority, and the authority shall, on demand from a citizen, be bound to provide him information.

- (3) The Information Commission shall, by regulations, frame instructions to be followed by every authority for the preservation and management of information, and all authority shall follow the instructions.
- 6. Publication of Information .-** (1) Every authority shall publish and publicize all information pertaining to any decision taken, proceeding or activity executed or proposed by indexing them in such a manner as may easily be accessible to the citizens.
- (2) In publishing and publicizing information under sub-section (1), no authority shall conceal any information or limit its easy access.
- (3) Every authority shall publish a report every year which shall contain the following information, namely:-
- (a) particulars of its organizational structure, activities, responsibility of the officers and employees, and description and process of decision making;
 - (b) lists of all laws, acts, law, rules, regulations, notifications, directives, manuals etc of and classification of all information lying with the authority;
 - (c) description of the terms and conditions under which a citizen may get services from the authorities in obtaining any license, permit, grant, consent, approval or other benefits and of such conditions, that require the authority to make transactions or enter into agreements with him;
 - (d) particulars of the facilities ensuring right to information of the citizens, and the full name, designation, address, and, in cases where applicable, fax number and e-mail address of the assigned officer.
- (4) If the authority frames any policies or takes any decisions important , it shall publish all such policies and decisions and shall, if necessary, explain the reasons and causes in support of such policies and decisions.
- (5) The report prepared by authority under this section shall, free of charge, be made easily available for public information and its copies shall be stocked for sale at nominal price.
- (6) All publications made by the authority shall be made easily available to the public at reasonable price.
- (7) The authority shall publish and publicize matters of public interest through press note or through any other means.
- (8) The Information Commission shall, by regulations, frame instructions to be followed by the authority for publishing, publicizing and obtaining information.
- 7. Publication of or providing certain types of information not mandatory. –**
Notwithstanding anything contained in any other provisions of this law, no authority shall be bound to provide following information, namely-
- (a) any such information that may, if disclosed, pose to be a threat to the security, integrity and sovereignty of Bangladesh;
 - (b) any such information relating to any foreign policy that may offend the existing relationship with any foreign country or international organization or any regional bloc or organization;
 - (c) any secret information received from a foreign government;
 - (d) any information relating to inherent secrets of commercial or business nature, copyright or intellectual property that may, if published, harm the intellectual property right of a third party.

- institutions including banks;
- (f) any such information that may, if disclosed, obstructs the enforcement of law or incites any offence;
- (g) any information that might, if disclosed, endangers the security of public or impedes the due judicial process of a pending case;
- (h) any information that might, if disclosed, offends the privacy of the personal life of an individual;
- (i) any information that might, if disclosed, endangers the life or physical safety of any person;
- (j) any information given in confidence to any law enforcement organization by a person;
- (k) any matter pending in any court of law and which has been expressly forbidden to be published by any court of law or tribunal or the disclosure of which may constitute contempt of court;
- (l) any information that may, if disclosed, impedes the process of investigation;
- (m) any information that may, if disclosed, affects any criminal investigation process and arrest or prosecution of offenders;
- (n) any such information which is, according to law, liable to be published only for a certain period of time;
- (o) any information that is generated through technical or scientific experiment, and is expedient to keep secret for strategic or commercial reasons;
- (p) any information pertaining to a purchase process before it is complete or a decision has been taken about it;
- (q) any information that may be prejudicial to the special rights of the National Parliament;
- (r) any secret information of a person which is protected by law;
- (s) any advance information relating to question papers of an examination or marks obtained;
- (t) any document including summaries to be placed before the Cabinet, or as the case may be,

Council of Advisers and information relating to discussions and decisions of such meetings: Provided that the decisions of Cabinet or as the case may be, Council of Advisors, , reasons thereof, and the basis upon which the decisions are taken, may be made public.

Further provided that the relevant authority shall take prior approval from Information Commission for withholding information under this section.

- 8. Request for Information.-** (1) Under this law a person may apply to the officer-in-charge requesting for information either in writing or through electronic media or through email.
- (2) The request made under sub-section (1), shall include the following information, namely:-
- (i) name, address of the person making request, in applicable cases, his fax number and email address;
 - (ii) correct and clear description of the information sought for;
 - (iii) other related information so that the location of the information sought for may be easily found out;
 - (iv) description of the modes how he wants to have the information, namely making inspection, having copy, taking note or any other approved method.
- (3) The request for information under this section shall be made in a form printed by the authority, or as the case may be, in prescribed format:
- Provided that if the form is not printed or is not easily available or if the format has not yet been prescribed, request may be made for information by inserting information mentioned in sub-section (2) on a piece of white paper, or in electronic media or through email.

- (6) Every authority shall prepare and publicize a list of information to be supplied free of cost upon an instruction of the Information Commission.

- 9. Procedure for providing information.-** (1) The designated officer shall, on receipt of a request under sub-section (1) of section 8, provide the information to the applicant within 20 (twenty) working days from the date of receiving the request.
- (2) Despite anything contained in sub-section (1), if more than one unit or authority is involved with the information sought for, such information may be provided within 30 (thirty) working days.
- (3) Despite anything contained in sub-section (1) and (2), if the officer-in charge fails to provide the information sought for due to any reason, he shall inform the applicant the reasons thereof in writing within 10(ten) working days.
- (4) Despite anything contained in sub-section (1) and (2), if a request made under sub-section (1) of section 8 is relating to the life and death, arrest and release from jail of any person, the officer-in-charge shall provide preliminary information thereof within 24 (twenty-four) hours.
- (5) Where the officer-in-charge fails to provide information within the timeframe as mentioned in sub-section (1), (2) and (4), it shall be presumed that the request for information has been rejected.
- (6) When any information sought for is available with the officer-in-charge, he shall fix a reasonable price of that information and shall request the applicant to pay the price within 5(five) working days.
- (7) For determining the price under sub-section (6), the price shall not exceed the actual expense of printing, electronic format or photocopying or print-out..
- (8) Where an officer-in-charge thinks that the request made for information under sub-section (1) section 8, is appropriate, and such information is supplied by a third party or a third party's interest is involved in it and the third party is considering it as secret information; the officer-in-charge shall cause a notice to be served upon the third party within 5(five) working days for written or oral opinion, and if the third party gives any opinion in response to such notice, the officer in charge shall take into consideration such opinion and make a decision in respect of providing information to the applicant.
- (9) Despite anything contained in section 7, no request for information may be totally rejected on the ground that part of it is associated with information that is not mandatory for publication, and the portion of the information that is not prohibited and is reasonably separable from the portion that is not mandatory for publication shall be provided to the applicant.
- (10)Where access to the record or a part thereof is required to be provided to a perceptual handicapped, the Officer in charge shall provide assistance to him to enable him to access such information, including such assistance as may be appropriate for any inspection.

Chapter 3

Designated Officer

- 10. Designated Officer.-**(1) Within 60 (sixty) days of the commencement of this law, all authorities existing prior to such commencement shall nominate a designated officer for each of the units for providing information according to the provisions of this law.

- (4) All authorities shall inform the Information Commission the names, designation, address and, in cases where applicable, fax number and email addresses of the designated officer appointed under sub-section (1), (2) and (3) within 15(fifteen) working days from the date such appointments.
- (5) A designated officer discharging his duty under this law may seek the support from other officer and the officer whose support is sought shall be bound to extend necessary help to the officer-in-charge.
- (6) Where a designated officer seeks support from other officer under subsection (5) and due to failure to extent support by such other officer, any provision of the law is contravened, such other officer shall be deemed to the officer-in-charge for determining the liability under this law.

Chapter 4

Establishment of Information Commission, etc.

- 11. Establishment of Information Commission** (1) After the commencement of this law, as soon as possible, a commission under the name the Information Commission shall, for carrying out the purposes of this Law and in accordance with the provisions of this law, is established.
 - (2) The Commission shall be an independent statutory body and shall have perpetual succession and a common seal and subject to the provisions of this law, shall have powers to acquire both movable and immovable properties, own and alienate such properties and shall have the right to sue and be sued by its own name.
 - (3) The Information Commission shall have its headquarters in Dhaka and in case of necessity may establish branch offices anywhere in Bangladesh.
- 12. Composition of the Commission:** (1) The Commission shall consist of the Chief Information Commissioner and 2 (two) other Commissioners, at least 1 (one) of whom shall be a woman.
 - (2) The Chief Information Commissioner shall be the Chief Executive of the Commission.
 - (3) No action and proceeding of the Commission shall be rendered unlawful or no question shall be raised about those because of any vacancy in any membership or flaw in the composition of the Commission.
- 13. Powers and functions of the Information Commission:** (1) If any person files a complaint and of he reasons of the following, the Information Commission shall, subject to the provisions of this law, receive, inquire into and dispose of such complaint, namely-
 - (a) non-appointment of an Officer- in -charge by any authority, or its refusal to accept a request for information;
 - (b) refusal upon request for information;
 - (c) a request for information has been left unattended or no information received within the time limit specified under this Law;
 - (d) if the applicant is asked for a fee or compelled to pay an amount of fee which he considers to be unreasonable;
 - (e) if the applicant is supplied with incomplete information or such information that appears to be misleading or false; and
 - (f) any other matter relating to requesting or obtaining information under this law.

- (c) evidence on oath and to produce the documents or things;
 - (b) examine and inspect information;
 - (c) receive evidence on affidavit;
 - (d) produce any information from any office;
 - (e) issue summons for witnesses or documents; and
 - (f) any other matter which may be prescribed to carry out the purposes of this law.
- (4) Notwithstanding anything contained contrary in other laws, while inquiring a complaint under this law, the Information Commission, or as the case may be, the Chief Information Commissioner or Information Commissioners, may examine on spot any information relating to the complaint kept in the custody of any authority.
- (5) The Information Commission shall have the following functions, namely:-
- (a) issue directives for the preservation, management, publication, publicity of and access to information by the authority;
 - (b) prescribe the procedure for applying for information from the authority and as the case may be, fix appropriate price of information;
 - (c) formulate guidelines and directives as to the preservation and implementation of the right to information of the citizens;
 - (d) in order to preserve the right to information, consider the provisions recognized under the Constitution of the People's Republic of Bangladesh or any other law for the time being in force and recommend to the Government for their effective implementation by indicating the impediments;
 - (e) identify the impediments against the preservation and implementation of right to information of the citizens and recommend to the Government the appropriate solution;
 - (f) conduct research on the agreements related to the right to information and other international instruments and recommend to the Government for their implementation;
 - (g) examine the similarities of the prevailing law related to the maintenance and implementation of the right to information of the citizens and make necessary recommendation to the government, or as the case may be to the appropriate authority in order to ensure their harmonization with the international instruments;
 - (h) advise Government to ratify or sign any international instrument on right to information;
 - (i) conduct research on preservation and implementation of the right to information and contribute in the educational and professional institution for their implementation;
 - (j) work in order to increase awareness about the right to information by publishing, disseminating or any other means the issues related to the preservation and implementation of the right to information among different classes of citizens of the society;
 - (k) advise and provide assistance to the Government in order to make necessary laws and administrative directives for preservation and implementation of right to information;
 - (l) advise and provide assistance to the organizations or institutions who are working for the preservation and implementation of the right to information and to citizens in general;
 - (m) increase public awareness on right to information by conducting research, seminars, symposiums, workshops and similar other measures and disseminates the result obtained from the research;
 - (n) give the authority technical and other assistance with the aim to ensuring right to information;
 - (o) establish a web portal for Bangladesh to ensure right to information;

- (a) a judge of the Appellate Division, nominated by the Chief Justice, who shall be the Chairperson of the Committee;
 - (b) the Cabinet Secretary to the Government of the People's Republic of Bangladesh;
 - (c) one member each from the ruling party and the opposition, nominated by the Speaker while the Parliament is in session;
 - (d) A government nominated representative involved in Journalism profession equivalent to editor or prominent member of the society related to mass communication
- (2) The Ministry of Information shall constitute the selection committee under sub-section (1) and shall provide necessary secretarial assistance to the committee.
 - (3) Presence of at least 3 (three) members shall constitute quorum of the Selection Committee meetings.
 - (4) The Selection Committee shall, in order to appoint the Chief Information Commissioner and Information Commissioners, on the basis of the majority decision of the members present at the meeting, recommend 2 (two) names against each vacant post.
 - (5) In the case of a tie in the Selection Committee, the Chairperson shall have the right to a casting vote.
 - (6) The Selection Committee shall prescribe the procedure of its meetings.
 - (7) No question shall be raised and no actions and proceedings of the Selection Committee shall be rendered unlawful only because of any vacancy in the post of any member or any flaw in the composition of the Committee.

15. Appointment, tenure and resignation etc. of the Chief Information Commissioner and other Commissioners.- (1) The President shall, on the recommendation of the selection committee, appoint the Chief Information Commissioner and other Information Commissioners:

- (2) No Chief Information Commissioner or other Information Commissioner shall be eligible to get appointment or hold office after he has attained the age of 67 (sixty-seven) years.
- (3) The Chief Information Commissioner and other Information Commissioner shall hold office for a term of 5 (five) years from the date of appointment or till he attains the age of 67 (sixty-seven) years, whichever is earlier.
- (4) The Chief Information Commissioner or other Information Commissioner shall not be eligible for reappointment for the same post, but an Information Commissioner shall not be ineligible for appointment to the post of Chief Information Commissioner.
- (5) Subject to the provisions of this section, the Chief Information Commissioner and Information Commissioners shall be appointed from amongst persons with broad knowledge and experience in law, justice, journalism, education, science, technology, information, social service, management, or public administration.
- (6) The Chief Information Commissioner or an Information Commissioners may, at any time, by a letter signed by him and addressed to the President, resign from his office.
- (7) In the case of vacancy in the post of the Chief Information Commissioner or in the case of his absence, illness or, if the Chief Information Commissioner is unable to perform his duties for any other reason, the senior-most Information Commissioner shall temporarily perform the duties of the Chief Information Commissioner until a newly appointed Chief Information Commissioner joins the post or until the Chief Information Commissioner is able to resume his own duties.

- (a) is adjudged insolvent by any appropriate court of law;
- (b) engages during his term of office in any paid employment outside the duties of his office;
- (c) is adjudged a lunatic by any appropriate court of law;
- (d) is convicted of an offence which involves moral turpitude.

17. Salaries, Allowances and other facilities of the members: The rank, remuneration, allowances and other facilities of the Chief Information Commissioner and Information Commissioners shall be determined by the government.

18. Meetings of the Commission: (1) Subject to the provisions of this law, the Commission shall determine the procedure of its meetings.

- (2) The Chief Information Commissioner shall preside over all the meetings of the Commission and in the case of his absence, any other Information Commissioner selected by him, shall preside over the meeting.
- (3) Presence of any one (1) from among the Information Commissioner and the Chief Information Commissioners shall constitute quorum in commission meetings.
- (4) Every member shall have one vote each in taking any decision in meetings of the commission and in the case of a tie, the President of the meeting shall have the right to a casting vote.

Chapter 5

Financial issues of the Information Commission

19. Information Commission Fund.- (1) To carry out the purposes of this law a fund, called the Information Commission Fund, shall be constituted.

- (2) Subject to this Section and the provisions of the rules, the management and administration of the Information Commission Fund (hereinafter referred to as 'the fund') shall be vested in the Commission.
- (3) The salaries and allowances of the members, officers and employees of the Commission shall be borne from the fund in accordance with the terms and conditions of their service and other expenses of the Commission shall also be borne from this fund.
- (4) The following money shall be deposited in the fund, namely-
 - (a) annual grant given by the Government;
 - (b) grant given by any institution with the approval of the Government.

20. Budget.- The Information Commission shall, within the time determined by the Government, submit the coming year's budget in appropriate form specified by the government for approval of the government and shall mention therein how much money it may require from the government.

21. Financial independence of the Information Commission.-(1) The Government shall, after due consideration of the commissions requisition, allocate specified amount of money to defray its expenses and the Information Commission need not to take government approval to spend the allocated money against the approved and prescribed heads.

- (2) It shall not be interpreted that the rights of the Comptroller and Auditor General as mentioned in Article 128 of the Constitution of the People's Republic of Bangladesh is curtailed by this section.

(3) person empowered by him on this behalf mayl examine all records, documents and papers, cash or money kept in the bank, undertakings, treasury and other properties and may ask any member or any officer or employee of the Commission.

Chapter 6

Officers and Employees of Information Commission

- 23. Officers and Employees of the Information Commission:** (1) There shall be a Secretary of the Commission.
- (2) The Commission may, subject to the prior approval of the Government in respect of the organizational organogram, appoint such number of officers and employees as may be necessary for the efficient performance of its functions under this law.
- (3) The salaries, allowances and other terms and conditions of service of the Secretary and other officers and employees shall be prescribed by the rules.
- (4) The Government may, upon request from the commission, appoint on deputation to the commission from among the officer or employee of the Republic.

Chapter 7

Appeal, Complaint etc.

- 24. Appeal, Disposal etc.-** (1) Any person who receives no decision within the time specified in sub-section (1), (2) and (4) of section 9, or is aggrieved by a decision of the Officer in Charge, may, within 30 (thirty) days from the expiry of such period or as the case may be from the receipt of such a decision, prefer an appeal to the Head of the office of the concerned authority.
- (2) If the appellate authority is satisfied that the appellant for any reasonable cause fails lodge an appeal within time frame as mentioned in sub-section (1), it may accept the appeal even after the expiry of that time.
- (3) The appellate authority shall within 15 (fifteen) days of the receipt of the appeal under sub-section (1) or (2) –
- (a) direct the concerned officer-in-charge to supply requested information; and
- (b) dispose the appeal if it is not considered fit for acceptance.
- (4) The officer-in-charge on being directed to supply information under subsection(3) shall, within the time specified in section 9, and as the case may be under sub-section (1), (2) or (4), provide the appellant the requested information.
- 25. Complaint, Disposal etc.-** (1) A person may lodge a complain with the Information Commission for any of the following reasons, namely:-
- (a) if he gets no information under sub-section (1) of section 13;
- (b) if he is aggrieved by the decision on his appeal under section 24;
- (c) if he gets no information within the time-frame mentioned in section 24 or, as the case may be, no decision regarding getting information.
- (2) A complaint may be lodged with the Information Commission at any time in respect of any matter mentioned in sub-section (1) (a), and within 30(thirty) days from the date of such

- or as the case may be, any officer-in-charge has failed to do an act or has done an act that was not necessary to do in accordance with the provisions of this Law; it may take action against such authority or as the case may be, such officer-in-charge under this section..
- (5) On receipt of a complaint under sub-section (1) or taking an action under sub-section (4) becomes necessary, the Chief Information Commissioner himself shall enquire into the complaint or delegate the duty to any other Information Commissioner to enquire into the same.
- (6) Within 30 (thirty) days from the date of taking duty under sub-section (5), the Chief Information Commission or as case may be, the Information Commissioner shall, after completing the enquiry into the complaint, prepare a decision-paper for the Information Commission.]
- (7) The decision-paper mentioned in sub-section (6) shall be presented in the next meeting of the Commission, and it shall, on discussion in the meeting, decide the matter.
- (8) During the enquiry into any complaint under this section, the authority or as the case may be, the officer-in-charge against whom the complaint is lodged shall be given an opportunity to present arguments in support of his decision.
- (9) If a third party is involved in the complaint, the Commission shall also give such third party an opportunity to present his statements.
- (10) The Information Commission shall, in general, dispose any complaint made under sub-section (1) within 45 (forty five) days of receiving such complaint, but in special cases if it requires extended time to complete the enquiry and depositions of the witnesses, the complaint may be disposed of within such extended time:
Provide that the time limits of disposing a complaint shall not, in any way, exceed more than 75 (seventy five) days inclusive of extended time.
- (11) The Information Commission shall have the following powers at the time of taking decision under this section, namely-
- (a) to direct the authority or as the case may be, officer-in-charge to take following steps that are necessary to take under the provisions of this law,
 - (i) to provide the requested information in a specific particular manner;
 - (ii) to appoint an officer-in-charge;
 - (iii) to publish any special information or special class of information;
 - (iv) to bring changes in the procedures to be followed by the authority in respect of preservation, management or publication of information;
 - (v) to impart better training on right to information to the officers of the authority;
 - (vi) to give compensation for any loss or damage;
 - (b) to impose fines under this law;
 - (c) to keep the decision of the authority in force;
 - (d) to reject any complaint;
 - (e) to classify the information newly by the authority;
 - (f) to interpret any matters relating to nature, classification, preservation, publication, supply of information in the light of this law.
- (12) Any decision passed under this section by the Information Commission shall be binding upon all concerned.
- (13) The Information Commission shall inform its decision to all concerned in writing.
- (14) The Information Commission shall, in a procedure prescribed by regulations, take other steps in disposing a complaint.

- (b) fails to provide information to the applicant or make decision within the time limits determined by this law;
 - (c) refuses to receive a request or an appeal with mala fide intention;
 - (d) provides wrong, incomplete, confusing and distorted information in place of the information that is sought for;
 - (e) creates impediments in proving information; then, it may impose 50 (fifty) taka per day as compensation for the period from the date of doing such action by the officer-in-charge to the date of providing information, and such compensation shall not, in any way, exceed more than 5000 (five thousand) taka.
- (2) The Information Commission shall, before imposing any compensation under sub-section (1), give the officer-in-charge an opportunity to place his arguments.
- (3) If the Information Commission is satisfied that the officer-in-charge creates impediments in getting information by any citizen by the an act under subsection (1), then, it may, in addition to imposing compensation under sub-section (2), recommend the concerned authority to take departmental action treating such an act of such officer to be a misconduct, and may request to keep the Information Commission informed in respect of the action taken last.
- (4) If any compensation or fine payable under this law is not paid, it may be recoverable from the concerned officer through such procedures as are applicable for the recovery of a land revenue in accordance with the provisions of Public Demand Recovery Act, 1908 (Act IX of 1908).
- 28. Application of the Limitation Act of 1908.-** Subject to the provisions of this law, the provisions of the Limitation Act, 1908 (Act IX of 1908) shall, as far as possible, apply in the case of filing an appeal or lodging a complaint under this law.
- 29. Bar against filing suit.-** Other than filing an appeal before an appellate authority or as the case may be, lodging a complaint before the Information Commission under this law, no person shall, raise any question before any court in respect of any action taken or deemed to be taken, anything done or any order passed, or in respect of legality of any instruction made under this law.
- 30. Annual Report of the Information Commission.-** (1) The Commission shall, by 31 March of every year, submit an annual report to the President about its activities of the previous year.
- (2) In the report mentioned in sub-section (1), the following information shall be included:
- (a) the number of requests made to each authority;
 - (b) the number of decisions refusing requests for information to the applicants, and description of the provisions of this law under which these decisions were made;
 - (c) the number of appeals filed against the decisions of the officer-incharge, and the result thereof;
 - (d) particulars of any disciplinary action taken against any officer by any authority;
 - (e) the amount of money collected by each authority under this law;
 - (f) description of different activities taken by the authorities to implement the provisions of this law;
 - (g) reform proposal received from different authorities relating to ensuring right to information of the citizen;
 - (h) number of complaints received by the Information Commission;
 - (i) description of the actions taken by the Information Commission in respect of the complaint received;

- (n) any other related matters that the Information Commission thinks proper;
 - (o) recommendations to take actions against those authorities that appear to be unwilling to follow the provisions of this law.
- (3) After receiving the report under sub-section (1), the President shall cause the report to be laid before the National Parliament.
- (4) The Information Commission shall publish and publicize its annual report made under sub-section (1) and submitted to the President on the mass media and website.
- (5) For the sake of preparing the report under this section, every authority shall help the Information Commission providing necessary information and render other necessary assistance..
- 31. Indemnity for acts done in good faith:** No prosecution, suit, or other legal proceedings shall be initiated against the Commission, the Chief Information Commissioner or any Commissioner, officers or employees thereof or Officer in Charge of any authority or any other officer or employee thereof in respect of any information made public or deemed to be made public in good faith under this law or rules or regulations made thereunder.
- 32. Inapplicability of this Law in case of certain organisations and institutions.- (1)** Notwithstanding anything contained in any provisions of this law, this law shall not be applicable for the organisations and institutions involved in state security and intelligence mentioned in the schedule.
- (2) Despite anything contained in sub-section (1), this section shall not apply to such information that are pertaining to corruption and violation of human rights in the above-mentioned organisations and institutions,.
- (3) On receipt of any request for information under sub-section (2), the concerned organisation or institution shall, subject to the approval from the Information Commission, provide the applicant the requested information within 30 (thirty) days from the date receipt of such request.
- (4) The government if necessary may, in consultation with the Information Commission, amend the schedule increasing or decreasing the number of organisations and institutions in the schedule by notification published in the official gazette from time to time..
- 33. Power to make rules.-** The Government may, by notification in the official gazette, make rules to carry out the purposes of this law.
- 34. Power to make regulations:** The Information Commission may, to carry out the purposes of this Law and with the prior approval of the Government and by notification in the official gazette, make regulations.
- 35. Removal of ambiguity:** If any ambiguity arises in implementing any provisions of this law, the Government may, by notification in the official gazette and subject to consistency with the provisions of this law, remove such ambiguity.
- 36. Original version and English version:** Original version of the law will be in Bengali and there will be reliable translated version in English. In the case of any conflict between the Bengali and English versions, the Bengali version shall prevail. RTI 2009-english

37. Repealing and preservation 1) henceforth the RTI Ordinance, 2008 (number 50 law 2008) has been repealed (2) Although, the above Ordinance is repealed, any act or any arrangement taken up under the Ordinance will be treated as having been done or taken under this law.

SCHEDULE

(Article 32)

State security and intelligence agencies established by the government.

Serial No. Organisations or Institutions

(1)(2)

1. National Security Intelligence (NSI)
2. Directorate General of Forces Intelligence (DGFI)
3. Defence Intelligence Units
4. Criminal Investigation Department (CID), Bangladesh Police
5. Special Security Force (SSF)
6. Intelligence Cell of the National Board of Revenue
7. Special Branch, Bangladesh Police
8. Intelligence Cell of Rapid Action Battalion (RAB).