

**Analysis of Questionnaire for NGO'S on
Legal and regulatory environment for NGO's in Bangladesh**

**Prepared by
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on behalf of the Consultants¹

At the Bangladesh Development Forum meeting in May 2004, the Govt. of Bangladesh agreed to a proposal of the Donors to conduct a study and evaluation of the laws and regulation affecting NGOs in Bangladesh. That has been prepared by Prof. Leon Irish and Prof. Karla Simon, independent international consultants and Fawzia Karim Firoze a local consultant. The purpose of the questionnaire is to gather information and opinion from NGOs about current laws and regulation affecting NGOs and change that might be made to them.

The Questionnaire on the above matter was given to 150 NGO's, and 83 NGO's replied. An analysis has been made on this questionnaire and the analysis is as below according to the order of the questions (this is prepared by Rebeka Khan and has not been discussed further with the Consultant; further analysis and substantive discussion is needed before the results can be finalized, but that will need to be done in Bangladesh).

1. **Establishment** : Most of the NGO's and other organizations of Bangladesh are registered under the following Laws and the Percentages are as below.

No.	Name of the Act/Law	%
1	The societies Registration Act 1860	80 %
2	The Trust Act	0.50%
3.	The Comparative Societies Act 1925	0.50%
4.	The companies Act 1913	
5.	Others	19%
	Sub Total	100%

19% NGO's and organizations who are mention others are Registered under different Laws and Act such as – NGO Affairs Bureau Act 46 1978 social service department Act 46,1061 the Foreign Donations Regulation Rules 1978 and the Foreign Contribution (Regulation) rules 1978 and the Foreign Contribution (Regulation) Ordinance 1982. The social welfare Act directorate youth development etc.

¹ The Consultants and Ms Khan are grateful to Proshika for assistance in compiling and presenting the figures.

1.f. Change addition which the organization were required for registration with respect to documents or other

For the registration of the organization about 80% organization explain that they need not to change or addition any thing with respect to the documents they had to file for registration but 10% organization explain that they had to change or addition some documents such as constitution clause relating to objectives responsibilities and exercise of power of executive committee(increasing or decreasing) and Board of Directors, Resolutions of the organization etc, some constitution where the objectives of he organization is to make savings or to give credit those objectives were required to be changed. Matters regarding o the name of the organization was also required to change i.e. to add the word of society or foundation prior or later the name of the organization some organization state explain that there were nothing required to be change but they state that the process of registration should be more transparent and time bound. To avoid bureaucratic procrastination one stop service should be started. A guideline format may be introduced for registration.

1.f Whether the NGOs faced any unwarranted delay or difficulties for establishing the NGOs

Unnecessary or unwarranted delay or difficulty that the organization faced in establishing their organizations: About 80% organizations explain that they had to face unnecessary or unwarranted delay or difficulty for registration. About 15% organizations explain that they had to wait near about 2 years for registration. Some explain that the process of registration is too lengthy because of scrutiny inspection etc by the NSI & DSB. Somewhere they had to pay bribe to every body, every section because they expect it otherwise they took more time and created unnecessary harassment and finally they authority did not provide registration without bribe. There are the reason of unnecessary or unwarranted delay that is the NSI & DSB make unnecessary delay to send report or to give unexpected documents and information to Govt. Department and add various addition in same matter. About 5% NGOs state that they did not face this kind of delay for registration.

1.h Were the organization required to pay anything other than the regular fee and why it was required ?

About 85% organization explain that they had to pay more money other than the regular registration fee to the NSI & DSB for getting investigation report and to the clerk of the registration section of the NGOAB. In their opinion they actually ask 15/20 thousand Tk. more for giving registration otherwise they make the processing delayed. To avoid the unwarranted delay almost every organization has to pay more money other than the actual fee. About 15% state that they need not to pay extra money.

2. Registration:- Which of the following laws is your organization registered under.

About 24% NGO's are registered by the voluntary Welfare Agencies (regulation and control) 1961 (VSW) and about 76% are registered under the Foreign Contributions Regulation ordinance. 1978 (FCR Ordinance).Some NGOs about 35% are registered under both the Acts

Type	NGO	%	Type	NGO	%
VSW	25	23.58	FCR	81	76.42

2.c. If the organization registered under VSW ordinance-then whether

(1 the organization encountered any unreasonable or unnecessary delay or difficulties in being registered

About 80% NGO's have encounter unnecessary delay and difficulties in being registered. The authority demand unnecessary information and paper which are not relevant. Then, due to bureaucratic process i.e., NSI. DSB took bribe form them, mostly person of concern authority demand money for registration.

2.c.ii. Has the Department of social welfare at any time sought to suspend the Governing Body of the organization to dissolve it.

Yes	%	No	%
8	7.55	98	92.45

About some NGO's governing body was sought to suspend by the Department of Social Welfare for the reason of direct involvement with politics. One G.B. was suspended and later on the governing body filed a case against the suspension and still it is remain undecided. Few G.B were suspended and some where the social welfare department demanded many papers, document, financial report bank statement of the NGO's. They have broken the G.B and changed the constitution of the NGO's but later on it was dissolved by giving bribe to the concerned authority .The Social Welfare Dept. visited 1 NGOs in the field where the project of hospital going on and they gave a positive report on it later on.

2.d.I If your organization sought registration under the FCR ordinance was registration denied

(i) About 98 % NGO's registration was not denied but it was delayed. In 1 case they only refused for changing the name of the NGO's; 2 NGOs were denied for not submitting the certificate from District Commissioner.

Yes	%	No	%

3	2.83	103	97.17
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- 2.d. ii. If registration under the FCR ordinance was permitted only after changes were made then what are these changes and why?

Sometimes the authority delayed for registration for some changes in the constitution i.e. the objectives, the program and projects area, etc.

- 2.e.i. If the organization was registered under the FCR ordinance, did it find any of the following requirements unnecessary, inappropriate, unduly costly and burdensome?

I. Approval of the Home Ministry

Yes	%	No	%
92	86.36	14	13.21

The approval of the home ministry is necessary requirement for registration though it is burdensome

(II) Submission of a five year plan

Yes	%	No	%
72	67.92	34	32.08

(III) submission of individual project proposal

Yes	%	No	%
94	88.68	12	11.32

IV. A pledge of external financial from a foreign donor

Yes	%	No	%
102	96.23	4	3.77

With a pledge of external financing from a foreign donor the form of NGO is taken for registration.

- 2.F.I. Has your organization ever been denied renewed registration under the FCR ordinance at the end of any five year period

About 99% NGO's states it was not denied but the program was delayed. 1 state that they were denied for not submitting the certificate of TNO and District Commissioner

Yes	%	No	%
1	0.94	105	99.06

2.F.II. If your organization was required to make changes in order to obtain renewed registration then what are the changes and why

About 99% NGO's need not change any thing for obtaining renewed registration.2 NGOs had to change the term of profit in place of saving

2.g.i.A. Foreign Grants Has the NGOAB ever refused to approve a foreign grant for your organization and why :

About 98% NGO's had not to be refused to approve a foreign grant, but few were refused. One of them was refused for the reason as below:

- ❖ As it works on the approach of establishment of rights
- ❖ As it worked for voter education program
- ❖ As the program director on that time wanted to compete in the national parliamentary election.

2.I(B) If the NGOAB required to change the nature or terms of the foreign grant in order to obtain approval what were the changes and why ?

Yes		No	
41	38.68	65	61.32

About 39% NGO's was required to change the nature or terms of the foreign grant to obtain approval. They were required to change the project proposal regarding program, financial budget, project area, power of Executive Director and Governing Body etc.

2.g.i. Has the NGOAB ever refused to approve certain foreign consultants to work on one of the organization's project or denied permission to one of the staff to travel abroad and why

About 99% NGO's was not refused to approved certain foreign consultant to work or one of to the NGO's project or denied permission to one of the staff to travel abroad but 1 NGO's was refused to approve but later on it was approved.

2.g.III. Has the NGOAB ever refused to let the organization spend foreign grant.

About 95% NGO's had not to be refused to spent the foreign grant but 5%cases the NGOAB give notice to the NGO's to give information document regarding spending of foreign grant.

2.h Has NGOAB, any ministry or any registrar ever visited the organization to asses its compliance with Laws or regulation.

About 25% organization stated that as some organization as a part of regular monitoring NGOAB and ministry of LGRD visited some program of the NGO and NSI visited to know the staff status. 2NGOs state that the social welfare ministry has inspected in the name of so-called allegation which create panic among field staff and it also created some negative effects on the image of the organization but later on it was proved false some where NGOAB give the positive statement after inspection. 3%NGOs were inspected by the Health Ministry and they give positive statement.

2.i. Should the NGO's have a right to appeal any adverse decision the NGO's or other agency or Ministry of Govt. to an independent court :-

About 99% organization states that NGO's should have the right of appeal to an independent court. They work for making the Govt. transparent and accountable. But NGOAB always serve the purpose of the ruling party as it is controlled under the supervision of the ruling party as it is controlled under the supervision of the Prime Minister office. As a result right based organization have to face different types of odd situation that's why to establish human rights, to make correct the wrong decision of the authority and NGOAB and to give honor to democracy. Every NGO's should have right to appeal in an independent court which follow the existing laws and constitution of the country because some times the NGO's become the victims of exploitation by certain corrupt individuals of the Govt. offices. Some NGO stated that NGOAB is rude, curie and prosecutor and no fairness can be expected from them that's why every NGO should have right to appeal in a independent court. They also suggest that one member of NGOAB can be the member of independent court. Some NGO suggest that the proceeding of the independent court is lengthy so appeal can be filed to a self regulating independent apex body.

3.a Governance structure: The governing structure of the organization are as follows

In 78% NGO's meetings of the members held at least 1 time a year

In 1 Year Meeting

1 times	%	2-10 times	%	Above 10 times	%
82	77.36	20	18.87	4	3.77

Member of the Governing Body elected by the member and Executive Committee are as follows

Type of member	5-10 person	%	10-15 person	%
Executive Body	100	94.34	6	5.66

Type of member	5-15		15-30	
Member	82	77.36	24	22.64

Individual				
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Duration of the elected governing body

1-3 Year	%	3-5	%
92	86.73	14	13.21

3.b Decision of the organization on the following matters are principally made by the following person

Decision on	Member		Govt. Board		E.D	
Policies	94	88.68	13	12.26	18	10.38
Program	84	79.25	21	19.81	11	16.04
Budgets	14	13.21	88	86.02	17	83.96
Financial	7	6.60	101	95.28	102	96.23
Rules Proc.	20	18.87	88	83.02	96	90.57
Exec Director	99	93.40	4	3.77	0	0.00
Other Staff	0	0.00	98	92.45	100	94.34
Amend of Govt. Does	8	7.55	79	74.53	84	79..23
Day to day management	0	0.00	02	1.89	104	98.11
oversight	0	0.00	.56	52.83	91	85.85

Decisions on policies, program and Executive Director are mostly taken by the members. Decision on budget financial, statement, rules and regulation amended of Govt. document day to day management & oversight others are mostly taken by the G.B & E.D.

3.c. How and to what extent do the NGO's include beneficiary in decision making about adoption and implementation of programs.

About 98% cases the NGO's include beneficiaries in decision making about adoption and implementation of program on savings program beneficiaries take decision independently. In micro credit program the management assist beneficiary to select the income generating activities, sub sector of micro credit through PRA and EDG system meeting workshop demand indicating questionnaire, field meeting, RPA the beneficiary participate to implement program. But the program of the Govt. like post literacy for continuing education for human development (PLCHED) the beneficiary have no opportunity to take part in the decision making process. They also receive opinion from Beneficiaries by surveying and monitoring then they evaluate the data and make report on them after that they tried to implement that in their programme. They protect the interest of the beneficiaries by implementing the project according to the demand of the "Community Approach"

4.a .Does the organization have Rules prohibiting conflicts on interest and undue personal benefits

To Prohibit the conflicts of interest and undue personal benefits about 80% NGO's have their rules and regulation such as rule of service, Constitution Human Resources Manual, Administrative, Financial Manual Code of conduct which is made according to the existing laws of the country. About 20% NGO's says about the rule to prohibit these activities the decision of the Executive Director is final

Type	NGO	%	Type	NGO	%
Yes	85	80.19	No	21	19.81

4.b. Does the organization have procedures for dealing with these issues.

About 73% NGO's have procedures to deal with these issues. The procedure is made by following the human resource manual, financial, manual administrative five year plan. Gender policy, rehabilitation policy monitoring policy, employee welfare policy, environment policy and after getting the approval of the Executive Committee the procedure implemented about 27% NGO's have no such procedure. The decision of the E.D is final on these regard.

Type	NGO	%	Type	NGO's	%
Yes	77	72.64	NO	29	27.36

4.c. Does any member of the organization s governing body or any member of his or her immediate family hold a responsible position in any beneficiary organization served or funded by your organization?

About 95% NGO's have no member in this post but in 6 NGO's the General Secretary, director, treasurer hold this position

Type	NGO	%	Type	NGO's	%
Yes	6	5.66	No	100	94.34

4.d. Is Executive Director related by blood or marriage or by any after unusually also relation with any member of the NGO's governing body.

Type	NGO	%	Type	NGO's	%
Yes	6	5.66	No	100	94.34

5.a. The procedures and standards used by the organization to decide upon compensation scales and individual levels of compensation:-

About 85% organization explains that they have specific rules, regulation, procedure and standard to decide compensation scales. It is decided by job rule and job description, Organizations Management Principle, Accounts Management Manual, Human Resources Manual, Administrative Policies. Some where it is decided according to the decision of the Executive Committee and by the Governing body. In some cases it is decided upon the skill, experience of the individual gratuity and by the provident fund also. Some organization followed the National Standard and labor law some cases it is decided by the consent of all the employees. About 10% organization have no procedures and standard to decide this matter. They do it by the decision of all the members of the E.C

5.b Ratio of compensation of the Highest Paid fulltime employee to the lowest paid

Ratio	NGO	%
3:1-5:1	11	10.38
5:2-8:1	1013	31.13
8:2-10:1	36	34.91
Above 10:1	3	2.83
No comment	22	20.75
Total	106	100

6.a. Reports :- Does the organization provide detail financial and activity reports to the following :-

About 100% NGO gives their Activity reports to the member and beneficiary financial report are given by 98% NGO's to the governing body. Donors and to the NGOAB, but it is not given to member. About 99% NGO's did not give their financial report and activity report to the registrar, ministry of social affair, relevant line ministry NBR and to the public.

Authority	Financial report		Activity report	
Member	5	4.72	105	99.06
Governing body	104	98.11	4	98.11
Donor	106	100.00	106	100.00
Beneficiary	0	0.00	88	83.02
Registrar	0	0.00	0	0.00
NGOAB	102	96.23	102	96.23
Ministry of Social welfare	12	11.32	3	2.83
Relevant line ministry	4	3.77	0	0.00

NBR	0	0.00	0	0.00
Public	0	0	51	48.11

- 6.b.** Around the above answer that relates to reports that the organization is required to file by its governing documents or a standing resolution of the G.B. Board list them.

About 99% NGO's state that the report related to finance and activity should be given to general council, executive committee, donors NGOAB Commissioner social welfare department, joint stock companies firm, National Board of revenue members relevant line ministry and to the public in general.

- 6.b.i.** Financial Accounting standards that the organization use to prepare and report on its finance.

Standard	NGO	%
GAAP	21	19.81
IAS	68	64.15
MRRU	3	2.83
No one	14	13.21
Sub Total	62	

Organizations who do not follow any of the above mentioned standards -- they usually follow the existing standard of Bangladeshi reputed & General Audit standard. Some cases they have to follow the standard of reputed international audit firms standard and some cases they have to follow the standard given/ imposed by the donor in case of their project.

- 6.b.ii.** Is it required to use this standard

Yes	92	86.79
No	0	0

It is required to follow the central financial policy and by an accountant certified and approved by a Chartered Accountant firm. About 8% have no comment about it.

- 7.a.** Does the organization follow standard of self regulation

Type	NGO	%	Type	NGO	%	Total
Yes	79	74.53	No.	27	25.47	106

7.b. Are the standards imposed by an apex body or simply standard that the governing board has adopted ?

About 75% NGO's opinion is that the governing body adopted and follow the simply standard. In some cases it has been imposed by the Donor and NGOAB

7.c. Are these standards enforced how and how effective?

About 95% NGO's states that yes these standards are followed by them. It is done by internal and external audit regularly, through effective planing policies, cheek list, field monitoring, service rule, financial guideline and by clause and sub clause of gender policy. Some cases Executive Body is giving decision and ED is implementing the decision.

7.d. The standards that are followed and how are they enforced?:-

About 99% NGO'S state that the standards are Fair trade standard, management manual, financial manual, service rule, regular meeting of governing body, regular audit of Accounts Activity reports and Financial Reports, monitoring , supervision evaluation, field monitoring, Govt. board approved personnel manual laws and by laws of NGO's sphere standard etc.

8. Contributions: Does the organization receive any contribution from Bangladeshi citizen or business?

Type	NGO	%	Type	NGO	%
Yes	7	6.60	No	99	93.40

About 7% NGO's states that they only receive the memberships fee from the general member, some of them states that they receive some contribution from the social worker for rehabilitation program and some cases they get land from some social worker in kind sense. But the contribution is not that much significant.

9.a. Financial reserves or Endowment: what does the organization do with funds, which does not have to use in right away?

About 99% NGO's stated that they deposited the fund in the Bank account i.e. FDR, some times they use it for moving the micro credit program.

9.b. Does the organization have any investments other than bank accounts.

About 85% of NGO's state that they do not have any investments. About 15% states that they invest the account for buying real-estate and somewhere they invest the money for moving income generating program (mainly agriculture-based)

- 9.c.** Does the organization have a fund that can not be spent but the income from which may be used for program?

Type	NGO	%	Type	NGO	%
Yes	12	11.32	No.	94	88.68

Some NGO used the income for moving micro-credit program and income generating program.

- 9.d.** Is your organization taxed on income it earns on these funds. About 95 % of NGOs state that they had not to pay tax on these kind of income but for the income form micro credit program they had to pay tax.

- 10.a** Income generating Activities : Describe any income generating activities that the organization engages .

About 70% NGO's are engaged in different income generating activities the main programs of the organization are saving, micro credit to the member in various income generating activities like fisheries, home stead gardening, poultry, housing ,small trading shop keeping , rickshaw pulling, van pulling, sanitation , handcrafts etc, some are engaged with sell of goods and service i.e., some NGO's engaged in providing medical check-ups and for the treatment. About 30% of NGO's did not engage in any income generating activities,

- 10.b.** Does this program do directly or through a subsidiary

About 80% NGO's do this program directly and about 20% NGO's are doing these through subsidiary such as beneficiaries, NGO Forum etc.

- 10.c** What does the organization do with any surplus from those

About 65% NGO's utilized these surplus for welfare development activities and for the bonus salary of the complies about 25% NGO's utilize their surplus for investment again into its income generating program some where they utilize these surplus for the beneficiary excessively.10% of NGO's don't have any surplus

10.d Are those surplus taxed?

About 90% NGO's are exempted from taxation in accordance with the provision of the existing financial laws of the country but on the surplus which come from the program of micro credit, they have to pay tax.

(11.a) Public Policy and political activities

In which activities the organization engaged?

Activities						
Public Education	29	27.36	23	21.70	54	50.94
Issue Advocacy	35	33.02	53	50.00	18	16.98
Voter registration	0	0.00	02	1.89	104	98.11
Direct lobbying	18	16.98	49	46.23	39	36.76
9	9	8.49	3	2.83	94	88.68
Supporting or opposite candidates for -----	0	0.00	0	0.00	106	100.00
Financial support for Political Parties	0	0.00	0	0.00	106	100.00

11.b. Which of the following activities are prohibited for NGO's and what should be prohibited?

Activities	Is prohibited	%	Should be Prohibited	%
Public education	0	00.00	0	00.00
Issue Advocacy	0	00.00	2	1.89
Voter registration	1	0.94	0	00.00
Direct lobbying	0	00.00	0	00.00
Grass roots lobbying	0	00.00	0	00.00
Supporting or opposing any candidates for office	95	89.62	95	89.62
Financial support for Political Parties	105	99.06	106	100.00

Almost 99% NGO's states that supporting or opposing any candidate and financial support for political parties should be prohibited and in some issue NGO's should not be involved with issue-advocacy by relating to the common public.

11.c Basis of opinion who believe some of these activities are correctly illegal if conducted by NGO's

Most of the NGO's show the basis for their opinion in such way that if the NGO's take part into these illegal activities they will be able to interfere into politics change of Govt. which will ultimately hamper the interest of the NGO's. On the other hand it will disturb the flow of the activities of the office. As NGO's objection is to establish rights of poor people, so being supportive with a political party, NGO's will contradict with its vision and mission. Neglecting their own wins, NGO's may serve the agenda of the political parties besides NGO's activities are not a parallel system. So it should not do any thing beyond its jurisdiction and the objections and activities of the NGO's are centered around poverty alleviation and empowerment of the marginalized people and disadvantaged women where NGO's are last 3 decades have made a massive contribution. In developing the nation the NGO should be further concentrate for making a poverty-free nation.

But every few of the NGO's gave their opinion that every person has right of freedom of thought and speech and no person of NGO's are beyond this fundamental rights. So these activities should not be prohibited. Some NGO's says they give support for the candidates in grass root levels office who are poor and distress but only to inspire him/her we give support some NGO says canvassing for casting vote to a good candidate and create opposition to cast vote for a bad smuggler candidate should not be prohibited. It may be included as a awareness program.

12.a. What tax does your organization pay

Nature of tax	NGO's	%
Income tax	87	82.08
VAT + Income tax	41	38.68
Real property tax	12	11.32
Does not pay any tax	6	5.66

6 NGOs does not give any comment

12.b. Percentage of tax that the NGO's has to pay?

Most of the NGO's does not state anything about the percentage of tax they had to pay but some NGO states that they had to pay 1½ % -2½ % tax some cases it is extended 5 % and in most case they pay it according to the existing national law.

12.c. What changes should be made in tax laws so far as they affect NGO's

About 80% NGO states that as a charitable organization no tax should be imposed on NGO's. The income generating activities such as micro credit, activities or any predicting activities by which the NGO's get money and business relating activities of NGO's should pay tax but as long as the scheme is used for the development of poor and distressed people that should be exempted

from tax. Some activities relating to poverty alleviation women empowerment, environment relate program, health and sanitation scheme should pay tax. At present the Govt. impose tax on these program one case has filed on the court.

13.a Government: Do the Government agencies and ministries that your organization deals with understand the nature, role, and importance of NGOs are they supportive in the interests of NGO's?

About 98% NGOS are agreed with the view that Govt. agencies and ministries are not supportive of the interests of NGOs they did not want to understand the nature role and importance of NGOs. They treated NGOs' growth as threat to their leadership for being effective at the performance level and they treat NGOs as their competitor. Govt. is given the support after getting money (fund for its proper utilization not prior approval by the NGOAB neither Ministry of Bangladesh Govt.

13.b Are Govt. agencies and ministers generally fair and reasonable in dealing with NGOs?

About 99% of NGOs are agreed with the view that Govt. agencies and ministries are not fair and reasonable in dealing with NGOS. The govt. bodies often acts to serve the interest of the big NGOS and who are some how politically involve with them as a result the small but competent NGOS are bring deprived of having fund from the donor agencies.

Yes	%	No%	%
2	1.89	95	89.62

9 NGOs don't give any comment.

13.c What changes would do the most to improve the Govt. understanding of NGOs or relation between the govt. and NGOs?

NGOs have given many recommendations to improve the relation between them such as frequent meeting, dialogues and exchange of information, exchange visits, activities by partnership with GO and NGO's. NGOS can make the govt. understand that NGO's are supportive about development to Govt. NGO's can try to remove bad, competitive mentality about NGO's form the mind of Govt. ADAB, FNB can meet frequently with the Govt. agencies and ministries and can represent NGOS as a supportive agencies of Govt. For doing development program NGO can give their activity report to different Govt. agencies and

ministry to make them understand about the role and importance of NGO in development works. There should be regular workshop and seminars on Govt-NGO's cooperation. NGOS can be given some took of the national development plan of the Govt. NGO AB/ Govt. agencies need to understand that the program work of NGOS are in fact Govt. work as Govt. has limitation of money, recourse, so they should provide full support and hold regular meeting with NGO. On the other hand attitudes of Govt. bureaucrats and political parties towards NGOS should be positive. Lot more interaction is necessary in this regard. A neutral trust among all sides should be developed. Besides the Govt . Should pass an Act in the National Parliament regulating NGO's activities in Bangladesh incorporating the Provisions for that there will be only one Apex forum of NGO's and the regulatory provision for them. Some NGOS face trouble when they come across with the corruption of some Govt. official. In Govt. Agencies there are some pro poor people who are supportive with NGOS for a noble cause. In some cases they are supportive which depends on the individual govt. Officials. The system of the govt. is very slow and bureaucratic about NGO's.

14.a. Donors : Do donors understand the importance of NGOs. Are they supportive of NGOs, especially with respect to dealing with them.

Yes	%	No	%
103	97.17	3	2.83

14.b. Are the donors the organization deals with fair and reasonable in handling grant applications from NGOs?

About 70% NGOS agreed that the donors are fair and reasonable in handling NGO's grant application form.

Yes	%	No%	%
74	69.81	32	30.19

Donors as development partners visit the NGOs' field offices frequently. After observing the activities they are convinced that NGOs are doing very good job for the poor of the country. Donors are quite familiar with development trends of Bangladesh and interested in upholding the interest of beneficiaries but prefer faster action in respect of Govt. Procedures. Because NGOs process the papers according to the desire and rule of the donors which high light the beneficiaries' interests, they are preferred to govt. About 70% of NOG's opinion is that the donors are habituated to donate their funds to the big NOGs sometimes in collaboration with the Govt. agencies. About 65% NGO's agreed that donors are not fair and reasonable in this regard because the donors donate only to big NGO's and some cases who are some how concerned with the ruling political party. Donors rarely impose their will on NGO's; rather they encourage

consultative method in arriving at their funding decision. This is particularly true in the case of local and grass roots NGO's

14.c Do Donors have realistic expectation about the reports and disclosures that should be made to them and do they enforce their rules fairly and effectively?

Yes	%	No%	%
102	96.23	4	3.77

About 97% of NGOs agreed that the Donors have realistic expectation about the reports and disclosures, and they enforce their rules fairly and effectively. About 3% of NGOs state that their expectations are not realistic all times. They sometimes impose unlimited condition and in some cases the Donor stop the Donation without giving any notice. This is not fair.

14.d What changes do you think would do the most to improve relation between Donors and NGOs?

NGO's have given many suggestions in response to this question; i.e to visit the field more often, making compromising and discussion meeting to form a Apex platform and make it effective; more practice of partnership concept; also to make a policy paper and discussions with the members regarding this Policy: Making the relation in real sense of development, building common understanding, developing mutual respect. It is necessary to exercise opinion between them to discuss about utilization of donation and implementation of activities. Small NGOs are impeded by big NGOs to get donation from donors because of experience, so it is necessary to provide donation to small NGOs. This is also important for gathering experience with small NGOs.

15.a. Do the media understand the nature, role and importance of NGO's?-

Yes	%	NO	%	Total
106	83.03	18	16.98	106

About 94% NGO's state that media day by day is coming to realize the nature, role and importance of the NGO's; about 5% NGO' state that as media is under the control of Govt. that's why the media has no role to publish the role, nature and importance of NGO's; about 1% NGO's state that some spurious NGO's are creating confusion about NGO's but some private media can understand the importance of NGO's some one's opinion is media is more interested to find out the lacking loopholes and failure of NGO's rather than their achievements and success.

15.b. Do the media do good and fair of reporting on NGO's and their activities?

Yes	%	No.	%
84	79.25	22.	20.75

About 80% NGO's give their opinion that some news papers have special pages on development and welfare and others do report regularly on NGO's achievement. About 18% NGO's say that the NGO's did not give the clear idea and long lasting program of NGO procedurally to the media and that's why media's report on NGO's are not that good and fair. Sometime media is not appropriate for reporting and understanding, as a fee/ remuneration may be requested, but about 2% NGO's opinion is that as there is a political involvement with NGO's that's why they did not publish report good and fairly on NGO's activities.

15.c. What is the best way to get the media to understand NGO's better and to do a better job reporting about them?

NGO's should arrange for reporters to visit field areas of NGO's -- this is the opinion of about 80% NGO's. 5% of NGO's say that they should give their publications and various program report to the media. They also suggest that the best way to understand NGO's for reporting is the presence of the media in the time of communication between donors and NGOs. They also suggest that media may be the large organization or consultancy firm, evaluating firm through Govt. Frequent dialogue and exchange of information and some action research to be done with media as regular program of NGOs. Organizing workshops to increase the knowledge and awareness of the media people on the development issue may be effective way. Some say if NGO's have a routine and allocated time for covering development activation carried out by the NGO's for betterment of poor and distressed people then it would be possible to get good reporting from media. It is also necessary for this to make a NGO Forum which will submit the information on NGO's to media and ADAB, FNB can do this job. To avoid the political discrimination no Govt. service holder or the minister should attach with any NGO's but a committee can be consist by ADAB, FNB, and concerned ministries.

16.a. Specific changes which the NGO's would recommended in the laws and regulation that effect NGO's.

NGO's have given some recommendation to change some laws and regulation effecting NGO and there are as below:-

- (1) The funds of NGO's and all contribution of NGO's should be exempted from tax.

- (2) By stopping the excess controlling power and supervision of the administration.
- (3) By stopping the tradition of renewal of the registration of NGOs.
- (4) The ending the prior permission to implement the project.
- (5) NGO's participation in policy development should be changed.
- (6) The time for receive money from the NGOAB after submitting the commitment paper of the Donor should be less lengthy. It should be 21 days instead of 45 days.
- (7) The condition of giving loan by P.K.S.F. should be more relaxed and P. K. S. F. should give 01 year salary for the field worker of small NGO.
- (8) There should some rules for the accountability and transparency of the NGO's.
- (9) The coordination between NGO's Govt. and media should be increased.
- (10) The registration process of NGO should be more relaxed and it must be free from political influence.
- (11) The rules and regulation of NGO, PVDO, PBO, CBO, MFI should be unique.
- (12) The investigation proceeding of NSI & DSB before registration should be stopped.
- (13) The authority for registration and oversight should be one, instead of different authorities, such as Social Welfare Society, Yubo Unnayan Department, Mohila/Women Department etc.
- (14) The rules and regulations should be enacted with the consultation of NGOs and give priority to the opinions of the NGOs.
- (15) The registration fees should be less.
- (16) Fund/project of Donors which has implemented by Govt. through NGOs and if there is happened any corruption in that case it can be implemented through the NGOs directly and not by the Govt.
- (17) NGOs can inform the Govt. about the plan of actions. The District administration can complain about the NGOs involvement in malpractice as per law of the Land. NGOs should submit the financial and activity report to the Local administration and to the NGOAB.
- (18) GNCC (Govt., NGO, Consultative Council) should be activated as a legal Entity and NGOAB should be abolished.

16..b. What changes in laws and regulation affecting NGO's should be enforced.\?

NGO's have given some recommendations for changes of laws and regulations. These are as follows.

- (1) By stopping the tradition of advice and opinion about the activities of local administration.
- (2) By enacting rules and regulations by the leading representative of the NGO's (ADAB, FNB) and Govt.

- (3) By making a networking body of the NGO's
- (4) By stopping the influence of politics
- (5) Role of NGO's should be supportive; controlling mechanics of monitoring should be reviewed so that NGO's can work with their own value and identity.
- (6) The public representative of Govt. should be elected from experienced person of NGO's
- (7) Every NGO has self regulating body who will monitor the activities of NGO's regularity
- (8) By introducing one stop service system.
- (9) By submitting the supervisory report to social welfare department after registration to prevent cheating.
- (10) By introducing code of conduct and the system of legal action should be taken through independent court and Apex body.
- (11) By reviving the commission of NGO's
- (12) Activities should be implemented per Govt. National plan.

17. Organization Information : What fields the organization work in?

17.a The mostly NGO's of Bangladesh who are participated in this question are working in the following sector and field i.e Health, Education. Community development emergency relief rehabilitation, establishment of right of distressed man women, women empowerment Disabled Person, Shelter home, legal aid, establishment of tribal right and right of Landless People, trafficking, Labour, revelation Institution development of small level NGO's, Creation of Issue, Training elected women member of Local Govt. Advocacy and research. Human rights, micro credit, income generating activities, awareness programs of women and children good governance, Environment and Social Forestry; Aids, etc.

17.b What areas of the country does the NGOs work in.

In almost all areas of all over Bangladesh i.e, North, South, West East, Southern-western and coastal areas.

17c. Nature of NGOs, according to the number of employers full-time part-time and volunteers.

small 5-50	%	Large 50-500	%	Extra Large 500-1000	%	Biggest above 1000	%
45	42.45	21	19.81	34	32.08	7	5.66

17.e Length of existence of organization

1995-2001	%	1980-1995	%	1976-1980	%
46	43.40	51	48.11	9	9.68

17.e 1 Is the founder of the organization still active in the office and what office he /she hold.

About 15% NGOs state that the Executive Director, Treasurer, President are still active in the Head Office .

17.f What were the annual expenditures of your organization and what percentage of comes from foreign donation.

In every year of 2001, 2002, 2003 about 50% of the NGO's expenditure is within 5 lac –1crore; 30% NGO expends 1 crore-50 crore; 20% expends above million. The percentage of foreign donations in each year of 2001, 2002 and 2003 of 90% of NGOs is 30%-90%.