



**Government of the People's Republic of Bangladesh
Bangladesh Regional Connectivity Project-1
Ministry of Commerce**

Conducting 03 Studies Suggested by NTTFC in FY 2020-21



**Study 3: Review and Reforming the “Bangladesh Land Port
Authority Act, 2001”**

FINAL REPORT

Submitted by



**Bangladesh Foreign Trade Institute (BFTI)
and
Keystone Business Support Company Ltd.**

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Government of the People's Republic of Bangladesh
Ministry of Commerce
Bangladesh Regional Connectivity Project-1
Level 12 (Westside), 71-72 Eskaton Garden Road, Prabashi Kallyan Bhaban,
Dhaka-1000, Bangladesh.

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STUDY ON REVIEW AND REFORMING THE BANGLADESH LAND PORT AUTHORITY ACT, 2001

FINAL REPORT

SUBMITTED TO:

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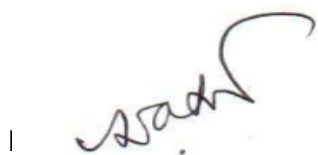
Preface

Bangladesh is placing its utmost importance in enhancing the cross-border trading system through land ports. The objective is to make the trade processes easier, quicker and safe. This will not only enable the economic growth but also will create a solid economic relation with the neighboring countries. For this reason, Bangladesh Land Port Authority Act, 2001 is needed to be made more contemporary and practicable on global standards.

In this regard Bangladesh Regional Connectivity Project -1 has signed a contract with the consortium of Bangladesh Foreign Trade Institute (BFTI) and Keystone Business Support Company Ltd for conducting a study on “Review and Reforming the Bangladesh Land Port Authority Act, 2001” as a part of the service titled “Conducting 03 Studies suggested by National Trade Facilitation Committee (NTFC) in FY 2020-21”.

The report includes detailed existing literature review, data collection method application (qualitative and quantitative through survey questionnaires, public consultations and FGDs), data management and analysis. The purpose of the report is to enhance cross-border trading quicker and easier while ensuring sufficient safety and security. The authorities can alleviate any regulatory bottlenecks by installing a more effective and affordable regulatory framework. Indeed, among the best strategies to encourage economic growth, investment and trade are to improve regulatory management and speed up regulatory change. The fourth industrial revolution is predicted to present significant challenges particularly for land ports. In order to ensure effective performance by the land ports, it is essential to assess the framework of regulation set forth in the Act for land ports and search for potential changes. The study placed some recommendations related to reviewing and reforming the Bangladesh Land Port Authority Act, 2001.

I would like to convey my sincere thanks to all the stakeholders directly and indirectly contributing with their valuable opinions and efforts for the preparation of this report.



Project Director (Joint Secretary)
Bangladesh Regional Connectivity Project-1
Ministry of Commerce

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First of all, I would like to express my profound regards and gratitude to the project director of Bangladesh Regional Connectivity Project 1 (BRCP-1), Ministry of Commerce for conducting 03 studies which will bring great improvements to our country. It is indeed a great honor that they had entrusted Bangladesh Foreign Trade Institute (BFTI) and Keystone Business Support Company Ltd to carry out the "03 Studies Suggested by NTTFC under The Bangladesh Regional Connectivity Project-1". The final report of the study has been prepared based on a validation workshop held on 18 May 2022.

The 03 studies contain objective, scope and methodology of the studies, detailed literature and background review and analysis. The consultants also described the best practices of Regional Countries adapted to facilitate Better Border Management and facilitation of trade. At the end they analyzed the findings from the respective studies and recommended to implement the suggestions provided at the end of the studies. The objective of the project is to improve conditions for trade through improving connectivity, reducing logistics bottlenecks and supporting the adoption of modern approaches to border management and trade facilitation.

I, as the Team Leader of this project, worked diligently on the reports with inputs from Md. Atiqur Rahman Khan, International Trade Expert; Dr. M. Fouzul Kabir Khan, Lead Researcher, the Statistician, Data Analyst and field surveyors of the study team from both BFTI and Keystone. It is noteworthy thanking Dr. Md. Jafar Uddin, CEO, Md. Obaidul Azam, Director and other researchers from BFTI.

I would also like to thank Md. Mijanur Rahman, Project Director, Md. Munir Chowdhury, National Trade Expert, Bangladesh Regional Connectivity Project-1 as well as high officials from Ministry of Commerce, NBR, EPB, Land port Authority, Chambers, Associations who provided their extended supports and gave us an opportunity to complete the study. We are thankful to all of participants of Key Informant Interview (KII), FGD, public consultations and validation workshop for their valuable cooperation and suggestions.



Ali Ahmed

Team Leader

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Abbreviation and Acronyms

AI	Artificial Intelligence
ASYCUDA	Automated System for Customs Data
BAPI	Bangladesh Association of Pharmaceutical Industries
BB	Bangladesh Bank
BDT	Bangladeshi Taka
BEPZA	Bangladesh Export Processing Zones Authority
BFTI	Bangladesh Foreign Trade Institute
BFVAPEA	Bangladesh Fruits, Vegetables & Allied Products Exporters' Association
BGB	Border Guard Bangladesh
BIDA	Bangladesh Investment Development Authority
BLPA	Bangladesh Land Port Authority
BOT	Build, Operate, Transfer
BPGMEA	Bangladesh Plastic Goods Manufacturers & Exporters Association
BPLA	Bangladesh Land Port Authority
BRCP	Bangladesh Regional Connectivity Project
BSCIC	Bangladesh Small & Cottage Industries Corporation
BSTI	Bangladesh Standards and Testing Institution
BTC	Border Trade Centers
BTTC	Bangladesh Trade & Tariff Commission
CCCI	Chittagong Chamber of Commerce & Industry
CCI&E	Chief Controller of Imports and Exports
CEO	Chief Executive Officer
CIP	Commercially Important Persons
CPTU	Central Procurement Technical Unit
CWC	Central Warehousing Corporation
DAE	Department of Agricultural Extension
DCCI	Dhaka Chamber of Commerce & Industry
DITF	Dhaka International Trade Fair
DPDT	Department of Patent Designs and Trademarks
EDI	Electronic Data Interchange
EPB	Export Promotion Bureau
EPZ	Export Processing Zone
ESCAP	Economic and Social Commission for Asia and the Pacific
EXIM	Export and Import
FBCCI	Federation of Bangladesh Chambers of Commerce and Industry
FGD	Focus Group Discussions
FS	Field Survey
FTA	Free Trade Agreement
FY	Fiscal Year
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product
GPS	Global Positioning System
HRD	Human Resource development
HS	Harmonized System
IBCCI	India-Bangladesh Chamber of Commerce and Industry

ICD	Inland Clearance Depots
ICP	Integrated Check Posts
ICT	Information and Communication Technology
IMED	Implementation Monitoring and Evaluation Division
INR	Indian Rupee
IRD	Internal Resources Division
IWT	Inland Water Transport
KII	Key Informant Interview
LCS	Land Customs Stations
LPAI	Land Ports Authority of India
LPI	Logistics Performance Index
MCCI	Metropolitan Chamber of Commerce and Industry
MFN	Most Favored Nation
MOS	Ministry of Shipping
MPA	Myanmar Port Authority
MPEMR	Ministry of Power Energy and Mineral Resources
MT	Metric Ton
NBR	National Board of Revenue
NH	National Highway
NITDB	Nepal Intermodal Transport Development Board
NTTFC	National Trade and Transport Facilitation Committee
PC	Public Consultation
PCS	Port Community System
PPP	Public-Private Partnership
PS	Personal Secretary
RFID	Radio-frequency Identification
RGL	Resource Group Logistics
RKC	Revised Kyoto Convention
RTA	Regional Trade Agreement
SAARC	South Asian Association for Regional Co-operation
SAFTA	South Asian Free Trade Area
SAPTA	SAARC Preferential Trading Arrangement
SKD	Semi Knocked Down
SOP	Standard Operating Procedure
SPS	Sanitary and Phytosanitary
SRO	Statutory Regulatory Orders
TAR	Trans-Asian Railway
TBT	Technical Barriers to Trade
TEU	Twenty-foot Equivalent Unit
TFA	Trade Facilitation Agreement
UNCTAD	United Nations Conference on Trade and Development
USA	United States of America
VAT	Value Added Tax
WCO	World Customs Organization
WITS	World Integrated Trade Solution
WTO	World Trade Organization

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Executive Summary

Bangladesh Land Port Authority (BLPA) is engaged in improving the performance of the land ports through infrastructure development, efficiency in cargo handling and storage, high-quality service delivery, and fostering public-private partnership. It is crucially important to make trade across the borders faster and easier and ensure proper safety and security. Installation of a more efficient and less costly regulatory system can help the authorities to remove any regulatory bottlenecks. Indeed, improving regulatory management and accelerating regulatory reform are among the best ways to promote economic development, investment and trade. Especially, the land ports are expected to face great challenges of the fourth industrial revolution. Thus, it is imperative to review the framework of land ports regulation under the Act and look for possible improvements to ensure efficient performance by the land ports.

Since 2001, Bangladesh's land ports have grown in importance as a means of supporting the country's trade by allowing commodities to be imported, exported, transported, and distributed. In order to deal with the rapid changes in freight and logistics processes, land ports need to be developed. Benapole land port is the busiest of all the ports, accounting for almost 90% of all traded cargo. Various land port stakeholders, including Customs, Immigration, Quarantine, Border Guard Bangladesh (BGB), Banks, Importers-Exporters, C&F Agents Association, and others, are assisting in its operation.

The Ministry of Commerce (MoC) is the leading institution and plays a key role in facilitating internal and foreign trade, expanding export trade, increasing capacity, and stabilizing the prices of essential commodities. Its various departments, such as, the WTO Cell, Chief Controller of Imports and Exports (CCI&E), Tariff Commission, Export Promotion Bureau (EPB), etc. play a key role in the formulation and implementation of trade-related rules and regulations in the country. Ministry of Finance along with its various departments, such as the National Board of Revenue, also plays a significant role in dealing with trade policy issues.

The section two of the study presents a land port can be defined as an inland setting with cargo-handling facilities allowing several functions to be carried out, for example: consolidation and distribution, temporary storage, customs clearance, and the connection between transport modes. In Bangladesh, the facilities of a land port refer to as a secure inland location for handling, temporary storage, inspection and customs clearance of freight moving in international trade. Land port authorities frequently have extensive regulatory power over port operations. Conventions, laws, rules, and regulations must all be followed by the authorities. As a public authority, it is often responsible for upholding conventions and laws pertaining to public safety and security, the environment, navigation, and health care. It also makes by-laws, which contain a variety of rules and regulations governing the behavior of transports in port, as well as the use of port areas and other issues.

Other than land port, there are two other types of port, namely Dry port and Sea port. In terms of functions, a dry port as an inland port or terminal performs the same functions, provides the same services, and has the same capabilities as a seaport, where container movements between the seaport and the hinterland are linked by various transportation networks. Container handling services in North America had been effectively moved to the hinterland by employing a dry port.

Using a dry port and relocating numerous container port activities to the hinterland is one option to alleviate congestion.

A smart port system uses smart technology to boost efficiency, effectiveness, and security by making the port more environmentally friendly, cost-effective, and capable of handling increased port traffic. The Smart Port generates results by taking a holistic strategy, rather than posing new obstacles internally or elsewhere in the supply chain eco-system. It reduces the negative effects of its operations on the natural environment and improves the economic and social well-being of the communities in which it operates.

The land ports do not manage the site as a whole - monitoring traffic, coordinating operations and managing third-party services. Particularly when they're in remote locations, land ports require services like restaurants, hotels and hygiene facilities, including for truck drivers delayed by some causes or other. In terms of facilities, a further requirement may be on-site testing facilities for checking livestock, for example. Heavy traffic can create jams that inconvenience users, mar their experience and slow down throughput. Especially in the era of COVID-19, health screening of incoming travelers has become crucially important. Preventing smuggling and/or trespass across the boundary is extremely challenging. The land ports can adopt technological advances commensurate with the challenges faced.

Some fundamental aspects that should be incorporated into land ports to reinvent them for a more smooth and efficient future reflect the common challenges. Firstly, leading risk management procedures must be implemented in order to ensure precise boundary segmentation. Second, regardless of whether the border is "hard" or "soft" in terms of scrutiny, any traffic-checking processing can be made as discreet as possible, such as airports. Third, by adopting new technologies, land ports can learn from the paradigm set by "smart cities" such as Singapore.

The section three provides the Bangladesh Land Port Authority Act of 2001 is a critical piece of regulation that establishes BLPA and facilitates trade through regional connectivity via land routes. Execution of the Act currently falls under the jurisdiction of the Ministry of Shipping, and some 24 Land Customs Stations (LCS) have been declared as land ports.

As described in the preamble, the prime objective of the Bangladesh Land Ports Authority Act, 2001 (Act No. XX of 201) is to establish the Bangladesh Land Ports Authority to make Imports and Exports easier as well as upgraded and operation, management, development, expansion, maintenance and ancillary issues of the authority itself. The Act is compact and simple in nature containing only 23 sections. The salient features of the Act are as follows:

- The Act has empowered the government to declare any land customs station in the country as the land port, and also to constitute the Bangladesh Land Ports Authority as a statutory body.
- The Authority shall be composed of a Chairperson and three full-time and three part-time members as decided by the government.
- The Act provides provision for submission of the Authority's program of activities and financial estimates to the government. It also makes it mandatory for the Authority to maintain accounts for annual audit.

The Bangladesh Land Port Authority (BLPA) was established in 2001 as a statutory regulatory agency under the BLPA Act 2001. BLPA's mission is to expedite and facilitate export-import activities via land routes while also ensuring that they are the safest, most efficient, and most sustainable. Its purpose is to improve service delivery by developing and modernizing infrastructure, ensuring efficiency in freight processing, and improving storage facilities.

Major functions of BLPA, according to the Act, include:

- Formulate policies for all land ports' development, management, expansion, operation, and maintenance;
- Appoint operators, if necessary, to receive, maintain, and send cargoes at a land port;
- Prepare schedule of tariffs, tolls, rates and fees chargeable to the port users with prior approval of the government;
- Construct and repair roads next to borders for goods movement and facilitate yards and shading required for short-term storage of products and loaded vehicles; etc.

There are some notable constraints of the BLPA Act 2001. The Act basically relates to the establishment of the Bangladesh Land Port Authority with a view to managing international trade through the land ports in the country. Understandably, it does not contain any provisions on the operational aspects of the land ports. Major constraints of the Act are as follows:

- The Act mentions the functions of the Authority very briefly.
- The responsibilities and jurisdiction of the different organizations working within the vicinity of the land ports are not delineated.
- No agency is designated to coordinate various functions including those of security, immigration, customs, plant and animal quarantine, etc. in the land ports.

The existing infrastructure for discharge of various sovereign functions at the land ports in Bangladesh is neither adequate nor coordinated. Moreover, the land ports are widely slated by different stakeholders and experts in the field to be inefficient in their operation. The key issues are:

- Many land ports and customs stations that have been in operation for years do not even have a standard office room for government officials and warehouses for loading and unloading of goods.
- Exporters face hurdles in collecting clearance certificates at the Benapole land port due to the absence of local offices of Export Promotion Bureau, Department of Agricultural Extension, Department of Livestock Services, Bangladesh Standards and Testing Institution, etc.
- The condition of infrastructure and banking service is very poor.
- Approving a big number of land ports without proper study on their financial viability or sustainability.

Equally important is that there are some external reasons, like congestion and prolonged commodity clearance certification process in India, which affects the performance of Bangladesh land ports.

Multiple stakeholders are involved in functioning of the land ports, including the officials of customs, taxes, immigration, border guard forces, DAE, food safety departments, banks,

transportation and warehousing authorities. The organizations operate according to their own rules and regulations and thus suffer from coordination gap. The BLPA Act does not contain any provisions to facilitate inter-departmental coordination in the land ports. Anyway, such coordination is critically important and needs to be significantly strengthened.

The section four depicts a comparative analysis of the organization and functions of the land ports or dry ports in the regional countries reveals unique features as are briefly noted below:

Land Ports in India	Land Ports in Myanmar	Land Ports in Bhutan
<ul style="list-style-type: none"> India has several designated entries and exit points known as Integrated Check Posts (ICP) for cross border movement of persons, goods and vehicles; The Land Ports Authority of India (LPAI) established under the Land Ports Authority of India Act, 2010, functions for security arrangements, establish and maintain warehouses, and provide for regulation and control of movement of vehicles, among many others; Within the vicinity of Bangladesh, two ICPs at Agartala and Petrapole are currently functioning, while another one at Dawki is under construction. 	<ul style="list-style-type: none"> In Myanmar, land ports are termed as Dry ports, which are also known as the intermodal inland terminals; Myanmar's two functional dry ports linked to the Yangon sea port are: Ywa Thargyi Dry Port (Yangon) and Myitnge Dry Port (Mandalay); The dry ports offer services such as customs clearance and inspection, container storage and handling, cargo storage and handling, stuffing, un-stuffing, forwarding service, consolidation of cargoes and banking services; There is no law or any dedicated organization to govern the functioning of the dry ports. 	<ul style="list-style-type: none"> Phuentsholing Mini Dry Port is the oldest land port in Bhutan and began operating officially in 2003 and is managed by the Phuentsholing city authorities. The main objectives of the Mini Dry Port are to improve trade facilitation as well as encourage one window services and sustainable tax collection; The largest mini dry port is now being developed at Pasakha near the Pasakha Industrial Estate and Bhutan-India border at Allay land customs station. Bhutan does not have any law to regulate functioning of the dry port.

Land Ports in Nepal	Dry Ports in China	Dry Ports in Vietnam
<ul style="list-style-type: none"> The land ports are managed by the Nepal Intermodal Transport Development Board (NITDB) established in 1998; One of the main functions of NITDB is to develop, manage and promote ICD terminals for the facilitation of Nepal's exports and imports; There are three dry ports at Nepal-India border developed in 2000 – Birgunj, Biratnagar and Bhairahawa; Major functions of the dry 	<ul style="list-style-type: none"> Chinese sea ports are rapidly developing dry (i.e., inland) ports which play an important role in improving investment environment in the west, central and north-east China. They are also serving "The Belt and Road" strategy and promoting trade contacts between China and Asian-Pacific region. The Chaoyang Dry Port was the first dry port in China established through a Direct Connection Agreement 	<ul style="list-style-type: none"> In Vietnam, dry ports are basically Inland Container Depots (ICD) whether located on any bordering station or any inland commercial or industrial hubs; The objective is to maximize the mobilization of all domestic and foreign resources to develop the inland port system and the connecting traffic system; The Government prioritized the development of inland

ports are to - enhance export and import of cargo; stuffing /de-stuffing of containers; Warehousing; Storage; Customs clearance; etc.; • The dry ports are leased out to private operators through international competitive biddings on a revenue sharing (60:40) basis.	between Beijing Chaoyang Port and Tianjin Harbor Port. • Dry ports in China are managed according to the public management model. They only outsource transportation of containers by rail and maintenance of railways wagons to China Railway Corporation. • There is no law to regulate the dry ports.	ports to support Hai Phong and Ba Ria-Vung Tau seaports. Currently, there are as many as 13 such ICDs in the country. • Vietnam does not have any specific law to govern the ICDs. They are run by the seaports that established them.
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The Bangladesh Land Port Act, 2001 (BLPA-2001) and the Land Port Authority of India Act, 2010 (LPAI-2010) are reviewed. It was observed that both the Acts contain identical provisions to manage the affairs of the land ports in the respective country, while there are quite a few provisions that differ substantially:

- Representatives from different ministries, traders, recognized bodies of workers, are included in the Board under the Indian Act, which the Bangladesh Act does not.
- The functions of the Authority are mentioned very briefly in the Bangladesh Act, while those are mentioned in broad details in the Indian law.
- The responsibilities and powers of other agencies are not mentioned in the Bangladesh law as is in the Indian law.

Further, a number of rules and regulations to regulate the functioning of the land ports have been promulgated in India, which is not the case in Bangladesh. It is crucially important that the BLPA formulates necessary rules and regulations to put in place a sound regulatory framework for smooth functioning of the land ports.

A comparative study of the tariff structure of the land ports in Bangladesh and India reveals that both the tariff structures contain simple and complicated characters simultaneously. The Indian tariff structure is straight-forward and simple in some cases, while the Bangladeshi structure is also simple in a few cases. The Bangladeshi tariff structure could be more user-friendly if different charges are given a simpler form with a minimum number of items and classifications. Moreover, the amounts of different charges may be rounded instead of fractions in every item.

The section five found based on the literature review, data collection and analysis, a number of insights regarding the regulation, operation and management of the land ports in Bangladesh are identified. The insights are as follows: Need for a coordinated approach; Adoption of the Concept of Smart Port; Building On-Site Testing and Other Facilities; Impacts of the Fourth Industrial Revolution; Development of Infrastructure; Measures to Check the viability and sustainability of the land Ports; Involvement of the Private Sector; and Human Resources Management.

The data of the study was gathered from both primary and secondary sources. A field survey was conducted at Benapole, Akhaura and Banglabandha land ports. In addition, the relevant stakeholders were consulted to gather insights from their views and suggestions on the BLPA Act. Accordingly, key informant interviews were conducted, a focus group discussion was held, and a public consultation was organized.

Field Surveys- A total of seventy-six participants at Benapole, Akhaura and Banglabandha land ports have participated in the field survey. Eight different categories of land port capacity were presented to the respondents for seeking their opinion. Some major recommendations that unfolded are: To make the process easy by ensuring one-stop service; To manage the labor effectively; To initiate automation and digital payment system; and to make the land port authority the head of all the land port-oriented infrastructures.

KIIs- A well-designed open-ended questionnaire was the only instrument for the interview and sixteen respondents have participated in the interviews for the study. The major findings include: Challenges of implementing Bangladesh Land Port Act 2001; better coordination among different Government and non-Government bodies; To increase the speed of entry and exit of goods through land ports: resolve the border issues between the two countries and facilitate trade; and to improve the immigration system for making trade easier for the traders.

FGDs- There was no formatted questionnaire before the groups of the FGD. The participants discussed specific issues and topics and notes were collected from the open discussion of the panelists and the participants on the “Bangladesh Land Port Authority Act 2001.” The major suggestions from the discussions are as follows: Land port security must be ensured; to avoid trespassing, ID card must be ensured for respective staffs; Special arrangements have to be made to keep the goods or equipment that come by train; the need to increase port space; and One-stop service should be started for immigration.

Public Consultation- The 35 discussants were presented with a verbal presentation in both online and virtual platforms along with handouts and soft copies of the presentation slides for each platform respectively. A moderator facilitated the discussion and ensured a structured debate and conversation took place with fruitful suggestions. Some major recommendations include: E-port management system needs to be introduced; Similar to integrated check-post (ICP) in India, Bangladesh should implement such check-posts; Special arrangements should be formed for agricultural perishable goods; and Multimodal transport connectivity needs to be introduced.

Finally, a set of **recommendations** are put forward with a view to introducing regulatory improvement in the land ports of Bangladesh. The recommendations are organized as policy, legislative, administrative reforms as required by the Terms of Reference of the assignment.

➤ **Suggested Policy Reforms:**

To make a strong policy in order to improve the land port management, it is important to develop a National Master Plan incorporating long-term targets, goals and actions for development, operation and modernization of land ports. Furthermore, also examining the roles of different agencies in the functioning of the land ports and identify those which are not critically important, and then simplify the procedures to be followed by the port users will help reform land port issues. It is also vital to ensure proper feasibility study prior to declaration of any LCS as a land port and strengthen private sector participation in the policy formulation as well as the day-to-day management of the land ports. Finally, ensuring to make every land port ready to successfully face the challenges of the Fourth Industrial Revolution with an integrated and comprehensive response, involving all stakeholders.

➤ **Suggested Legislative reforms:**

The ACT may define the exact role of the BLPA by incorporating its specific functions in the overall trade promotion and management process where the responsibilities of various government agencies working within the jurisdiction of a land port may be mentioned in the Act. Furthermore, the composition of the Board of BLPA may be revised to include members from major ministries and departments, including (but not limited to) Finance, Industry, Home, Agriculture, Food, Fisheries, Road Transport and National Board of Revenue. Also, representatives of trade organizations, port users' organizations and worker's associations may be included in the Board. Lastly, the Board may be made gender-sensitive by making provision for participation of woman in the management of the BLPA (ex- a leading woman entrepreneur included in the Board).

➤ **Suggested Administrative Reforms:**

A National Committee may be constituted involving concerned ministries, trade organizations, think-tank organizations, intelligentsia, etc., to facilitate better coordination at the policy level. Moreover, there is a definitive need to develop and maintain necessary infrastructural facilities including office complexes, warehousing facilities and transportation system including a supportive financial system at the land ports to ensure their future development. Also, to ensure proper coordination in the functioning of different agencies in the land ports, a Working Group may be created at the local level in every land port with participation from all the stakeholders including the local administration. Other than that, technological advancement is needed (such as smart port) to establish interconnection of the entire port logistics chain and prioritize automation of port operations and equipment. Lastly, building on-site testing facilities to make it faster and efficient on relevant ports and develop environmentally sustainable and technically sound supply chain eco-system in fulfillment of regulatory requirements.

Again, the measures required to reform the tariff structure of the land ports are also proposed. In addition, a few other steps are suggested to improve the services in the land ports for the port users. Further, a **recommendation matrix** addressing the sections and reflecting possible amendments or modifications in the Bangladesh Land Ports Authority Act, 2001, is also included in the report.

Chapter I

Introduction

1.1 Background

The land ports play a vital role in the overall economic development of Bangladesh. Management of the land ports is vested with the Bangladesh Land Port Authority (BLPA) under the provisions of the Bangladesh Land Port Authority Act, 2001 at **Appendix 1**. BLPA is actively pursuing to improve the performance of the land ports through infrastructure development, efficiency in cargo handling and storage, high-quality service delivery, and fostering public-private partnership. It is crucially important to make trade across the borders faster and easier and ensure proper safety and security. Installation of a more efficient and less costly regulatory system can help the authorities to remove any regulatory bottlenecks. Indeed, improving regulatory management and accelerating regulatory reform are among the best ways to promote economic development, investment and trade. Especially, the land ports are expected to face great challenges of the fourth industrial revolution (Please see Section 2.12). Thus, it is imperative to review the framework of land ports regulation under the Act and look for possible improvements to ensure efficient performance by the land ports.

Therefore, Bangladesh Regional Connectivity Project-1 (BRCP-1), WTO Cell, Ministry of Commerce, Government of the People's Republic of Bangladesh, decided to undertake the present study and assigned the task to the Consortium of Bangladesh Foreign Trade Institute (BFTI) and Keystone Business Support Company Limited (Keystone) as the consultants. The Terms of Reference (ToR) of the assignment are attached at **Appendix 2**. Subsequently, a meeting was held in the Ministry of Commerce under the Chairmanship of the Director General of the WTO Cell on 28 September 2021. The meeting decided to include issues like comprehensive trade policy and paperless trade in the study. The minutes of the meeting is attached at **Appendix 3**.

1.2 Bangladesh Land Ports

The land ports in Bangladesh house the land customs station, border protection and other inspection agencies responsible for the enforcement of country's laws pertaining to such activities. They serve as a point of contact for travelers entering or leaving the country for enforcement; prevention of illegal aliens from entering the country; collection of revenues; prevention of injurious plants, animal pests, human and animal diseases from entering the country; examination of export and import documents; registration of valuable articles being temporarily taken out of the country; and commercial transactions. The land ports are located at land and inland water (river) boundaries with India and Myanmar, which have varying needs and requirements based on their location. The location of the land ports in Bangladesh is mentioned in **Table 1.1** below:

Table 1.1: Location of the Land Ports in Bangladesh

Sl. No.	Land Port	Date of Declaration	District	District on the opposite side	Management/Status
1	Benapole	12 Jan 2002	Sharsha, Jashore	24 Pargana, West Bengal	BLPA
2	Teknaf	12 Jan 2002	Teknaf, Cox's Bazar	Maungdaw, Myanmar	Build, Operate, Transfer (BOT) (United Land Port Teknaf Ltd.)
3	Banglabandha	12 Jan 2002	Tetulia, Panchagarh	Fulbari, Jalpaiguri	BOT (Banglabandha

Sl. No.	Land Port	Date of Declaration	District	District on the opposite side	Management/Status
					land port link limited)
4	Sonamasjid	12 Jan 2002	Shibganj, Chapai Nawabgaj	Mahadipur, Maldah	BOT(Panama-Sonamasjid Port Link Limited)
5	Hili	12 Jan 2002	Hakimpur, Dinajpur	South Dinajpur, West Bengal	BOT(Panama-Hili Port Link Limited)
6	Bhomra	12 Jan 2002	Sadar, Satkhira	24 Pargana, West Bengal	BLPA
7	Darshana	12 Jan 2002	Damurhuda, Chuadanga	Krishnanagar, West Bengal	BLPA (Not yet operational)
8	Birol	12 Jan 2002	Birol, Dinajpur	Goura, West Bengal	BOT (Birol Land Port Limited) (Not yet operational)
9	Burimari	12 Jan 2002	Patgram, Lalmonirhat	Mekhaljigonj, West Bengal	BLPA
10	Tamabil	12 Jan 2002	Goainghat, Sylhet	Dawki, Meghalaya	BLPA
11	Akhaura	12 Jan 2002	Akhaura, Brahmanbaria	Agartala, Tripura	BLPA
12	Bibirbazar	18 Nov 2002	Sadar, Cumilla	Sunamura, Agartala	BOT (Beximco Port Ltd.)
13	Biloniya	23 Feb 2009	Biloniya, Feni	Biloniya, Tripura	BLPA (Not yet operational)
14	Gobarakura and Karitali	14 Jun 2010	Haluaghat, Mymensingh	Tura, Meghalaya	BLPA (Not yet operational)
15	Nakugaon	30 Sep 2010	Nalitabari, Sherpur	Dalu, Meghalaya	BLPA
16	Ramgarh	07 Nov 2010	Ramgarh, Khagrachari	Sabroom, Tripura	BLPA (Not yet operational)
17	Sonahat	25 Oct 2012	Bhurungamari, Kurigram	Sonahat, Assam	BLPA
18	Tegamukh	30 Jun 2013	Barkal, Rangamati	Demagri, Mizoram	BLPA (Not yet operational)
19	Chilahati	28 Jul 2013	Domar, Nilphamari	Cooch Behar, West Bengal	BLPA (Not yet operational)
20	Daulatganj	31 Jul 2013	Jibon Nagar, Chuadanga	Mazdia, Nadia	BLPA (Not yet operational)
21	Dhanua Kamalpur	21 May 2015	Bokshigonj, Jamalpur	Mohendragonj, Meghalaya	BLPA (Not yet operational)
22	Sheola	30 Jun 2015	Bianibazar, Sylhet	Sutarkandi, Karimganj	BLPA (Not yet operational)
23	Balla	23 Mar 2016	Chunarughat, Hobiganj	Paharmura, Tripura	BLPA (Not yet operational)
24	Bholagonj	29 Jul 2019	Companygonj, Sylhet	Cherapunji, Meghalaya	BLPA (Not yet operational)

Source: Bangladesh Land Port Authority

All of the land ports are situated near the Zero-Line of the international boundary. The locations of the land ports along with the counterpart stations of the neighboring country on the other side of the border are shown in the Bangladesh map in **Figure 1.1** below:

Land Ports of Bangladesh

The map displays the land borders of Bangladesh with neighboring countries: Nepal, India (West Bengal), Bhutan, China (Sikkim, Arunachal Pradesh, Nagaland, Manipur, Tripura, Meghalaya, Assam), and Myanmar. Various land ports are marked with colored circles and labeled. The legend indicates four categories: Operating by BLPA (green circle), Operating by Private Operator (yellow circle), Under Development Process (blue circle), and Proposed Land Port (red circle). Key ports include Agartala, Dhaka, Chittagong, and Teknaf.

Legend :-

- Operating by BLPA
- Operating by Private Operator
- Under Development Process
- Proposed Land Port

Benapole land port is the most important international land port between Bangladesh and India. About 90% of the country's land trade is maintained through this port. The distance from Benapole border to the capital city Dhaka is about 240 km and from Kolkata is about 84 km. This route is accessible for passengers to Bangladesh and to India. On average, 77,890 passengers have left from Bangladesh to India every month in 2019-20. Statistics on commodities exported and exported through the land ports during the last five years are presented in **Table 1.2** below:

Table 1.2: Data on Imports and Exports through the Land Ports during last 5 years (MT)

Sl. No.	Name of the Land Port		2015-16	2016-17	2017-18	2018-19	2019-20
1.	Benapole	Import	12,88,938	13,93,329	19,88,357	21,81,123	20,38,064
		Export	4,75,739	3,25,381	3,52,963	4,01,177	3,16,950
2.	Burimari	Import	5,97,301	43,92,907	70,48,838	82,23,400	32,84,476
		Export	-	8,704*	11,333*	13,806*	11,048*
3.	Bhomra	Import	18,16,930	22,54,764	46,56,415	22,01,557	25,16,070
		Export	91,109	1,27,430	1,19,510	3,11,771	2,06,328
5.	Sonahat	Import	-	-	-	1,35,537	2,04,021
		Export	-	-	-	163	5,786
5.	Tamabil	Import	-	-	7,82,464	18,56,397	14,80,212
		Export	-	-	1,669	1,163	936
6.	Nakugaon	Import	42,841	1,23,282	9,369	65,524	85,035
		Export	-	33*	795	1,340	620
7.	Akhaura	Import	11	02	60	99	67
		Export	5,68,480	2,14,755	2,01,580	2,09,962	1,41,881
8.	Banglabandha	Import	9,35,486	6,00,656	12,07,323	17,96,869	11,86,058
		Export	31,128	7,051	69,205	42,632	1,13,390
9.	Bibirbazar	Import	231	455	317	479	354
		Export	1.08.915	1.35.320	1.58.332	1.70.458	1.33.870
10.	Sonamasjid	Import	16,88,572	27,63,408	26,72,519	23,77,603	13,09,463
		Export	-	15,248	12,219	15,427	12,846
11.	Hili	Import	8,41,877	24,36,585	16,44,149	13,78,806	18,06,303
		Export	6,135	4,537	16,415	37,422	22,049
12.	Teknaf	Import	70,697	72,177	1,59,853	1,03,683	1,98,345
		Export	5,967	3,182	2,725	5,564	4,108
Total:		Import	72,82,884	1,40,37,565	2,01,69,664	2,03,27,077	1,41,08,468
		Export	12,87,473	8,32,904	9,35,442	11,97,079	8,58,764

* Trucks (Source: BLPA Annual Report, 2019-20)

1.3 Objectives

There is a need to have an enabling environment for cross-border trade that involves different types of interventions and activities addressing the various dimensions of the government. This includes regulatory reforms aiming at a clear, concise, transparent legal framework. This study is also being done as suggested by the National Trade and Transport Facilitation Committee (NTTFC) and will facilitate effective border trade operations.

Bangladesh Land Port Authority Act 2001 facilitates better importation and exportation between Bangladesh and its neighboring countries. The Act does not contain any clear provision regarding the modality of engagement and modus operandi of a coordination mechanism between different ministries and agencies of the government involved in cross-border trade. To achieve the goal of trade facilitation there is a need to make trade across borders faster, cheaper and more predictable, while ensuring its safety and security. An in-depth analysis of the Act including actionable recommendations will support reforms aiming at a clear, concise and transparent legal framework. The objectives of the study are as follows:

- (1) to review and reform the Bangladesh Land Port Authority Act 2001, and analyze the current status of the Act;

- (2) to find major legal and policy constraints and challenges in the Act for trade facilitation and cross border management in Bangladesh including implementation gaps and procedural hindrances;
- (3) to suggest good practices elsewhere in terms of organizations/laws/rules/regulations of the land ports to facilitate better border management;
- (4) to identify the critical laws, rules and regulations in border operations for trade facilitation in Bangladesh and how they relate to international best practices, including a comparison with South Asian countries in terms of effective revenue models such as cargo handling and storage charges;
- (5) to determine how the land port law is aligned with the trade-related bilateral, regional and international agreements and conventions and how they relate to international good practices;
- (6) to identify in what manner are the laws facilitating trade for exporters and importers in Bangladesh and how do they relate to international good practices;
- (7) to provide suggestions for legislative, administrative and policy reforms; and
- (8) to provide suggestions for adjustments or modifications required for making the Bangladesh Land Port Authority Act 2001 efficient, effective and harmonized consistent with information and communication technology for trade facilitation and cross-border paperless trade.

1.4 Scope of the Study

The Bangladesh Land Port Authority Act of 2001 is a critical piece of regulation that establishes BLPA and facilitates trade through regional connectivity via land routes. The functions of BLPA include:

- (i) formulating policy for development, management, expansion, operation and maintenance of land ports in Bangladesh;
- (ii) engaging operators for receiving, maintaining and dispatching cargo at land ports;
- (iii) preparing schedules of tariffs, tolls, rates and fees chargeable to the port users with prior approval from the government;
- (iv) executing contracts with individuals to fulfill the objectives of the Act; and
- (v) facilitating cooperation with trade partner countries to improve trade logistics.

Execution of the Act currently falls under the jurisdiction of the Ministry of Shipping, and some 24 Land Customs Stations (LCS) have been declared as land ports. In order to facilitate effective border operations, there is a need to have an enabling environment that involves different types of interventions and activities addressing the various dimensions of the government. This includes regulatory reforms aiming at a clear, concise, transparent legal framework. However, it requires an in-depth analysis of laws and regulations that are critical for border operations. The proposed study will conduct an in-depth analysis of regulatory regime of the “Bangladesh Land port Authority Act 2001” that will support the government in preparing recommendations in the areas of regulatory regime of border operations.

1.5 Approach and Methodology

1.5.1 Approach

As part of the approach to accomplish the objectives of the study, the existing literature was reviewed for secondary data, and different types of consultations with both the public and private

stakeholders were conducted for primary data. All the data were analyzed and this report is prepared with necessary recommendations to the policymakers of the government.

1.5.2 Methodology

In order to capture the different aspects of governance and varying perspectives of the trade sector in Bangladesh, the methodology adopted for the study included a cohesive multi-stage approach. It was based mainly on literature review and in-depth interviews, and consultation with the stakeholders. Broadly, the methodology of the study involved the following:

1. a desktop review of all relevant rules/regulations/policies, research/study reports, official reports, policy documents, newspaper reports, etc.;
2. Public Consultations (PC), Focus Group Discussions (FGD), Key Informant Interviews (KII) and Field Survey (FS) with the policy level officials, think tanks, academia and other trade-related agencies as decided by the client using structured questionnaires; and
3. data analysis.

The sequential steps followed are mentioned below:

- (a) **Review of Existing Literature:** Available literature including relevant rules/regulations/policies, research/study reports, newspaper reports, etc. relating to the study were reviewed.
- (b) **Review of Official Reports and Policy Documents:** After the overview of existing literature, official reports, published papers, and policy documents of the GoB, think-tank organizations and other international bodies were analyzed.
- (c) **Questionnaire:** The structured Data collection questionnaires were developed and finalized in consultation with the client and field testing at Akhaura Land Port. The questionnaires were used for different data collection methods, such as, KII and Field Survey.
- (d) **Sampling:** The sampling unit was decided according to the scope of the study in consultation with the client. Sample size with the specific method was determined for each different data collection method (KII, FGD & PC), etc.
- (e) **Field Survey (FS):** A primary survey was conducted at the Benapole, Akhaura and Banglabandha land ports for collection and gathering of information at the local level. Total 76 respondents were participated in the survey.
- (f) **Key Informants interviews (KII):** A particular focus of the study was to address the goals and concerns of the client and stakeholders' groups. For that purpose, a total of sixteen (16) KIIs were conducted for the study involving the representatives of relevant stakeholders that included the government organizations, business associations, chambers, think-tank organizations, etc. A semi-structured interview technique was used via purposeful rather than random sampling method. Appropriate measures were taken to avoid any risks of bias through sampling, response, and the interviewer's behavior. Three

common techniques were used to conduct the KIIs: telephone, email and face-to-face Interviews. The KIIs were conducted both in Dhaka and outside Dhaka.

- (g) **Focus Group Discussions (FGD):** An FGD relevant to the study was organized targeting mainly the people concerned with the subject matter of the study. The participants in the FGD were 21 (twenty-one) in number. During discussions, participants were also facilitated to discuss different aspects of the subject amongst themselves. Documentation of discussions was done through video recording, audiotapes and written notes.
- (h) **Public consultation (PC):** The study conducted one public consultation with the relevant stakeholders via a hybrid method - digital platform as well as in-person attendance - to acquire relevant data. The participants for the PC were 35 in number.
- (i) **Validation Workshop:** A validation workshop as required under the ToR of the assignment was held at 10.30 AM of 18 May 2022. The venue of the workshop was CIRDAP International Conference Centre (1st Floor), Chameli House, 17 Topkhana Road, Dhaka. The representatives of Keystone presented the major findings of the study and obtained feedback from a total of 4 panelists and other 49 participants in the workshop. Based on the responses received the study report is revised and finalized. Relevant extracts of the record notes of the proceedings of the validation workshop is attached at **Appendix 10**.

Further, the following tasks were performed for the study:

- (a) **Enumerators' engagement and training:** Required numbers of enumerators were engaged for conducting the KII, field survey and other primary data collection with a structured questionnaire as per the scope of services for the study. A training workshop was organized to train the enumerators to ensure efficient and quality data collection.
- (b) **Evaluation of Questions:** All interview questionnaires were evaluated by the relevant experts. A mixed-method evaluation strategy combining qualitative and quantitative methods was adopted to assess the questions for the field survey and KIIs to produce a satisfactory analysis.
- (c) **Data Collection Process:** The secondary data collection process included the literature review and review of official reports and documents, while complimentary qualitative data collection activities were done through key informant interviews, focus group discussions, public consultation, field survey, etc. Representatives from stakeholder institutions were selected for in-depth structured interviews or FGDs. Due to the diversity of the problems of the study and the high numbers of stakeholders in the field, the main stakeholder groups in the country were targeted for the study. Nevertheless, every effort was made to include all important actors in the interviews and the FGDs. Efforts were also made to collect complete data to ensure analytic usefulness.
- (d) **Data Analysis:** All the information and data collected from various sources and through field survey, in-depth interviews, focused group discussions, public consultation, etc. with relevant stakeholders were analyzed separately for the study. Multiple methods of data

gathering and analysis, covering both quantitative and qualitative data, including interviews, content analysis and statistical analysis of secondary data were done. Qualitative techniques were also used to collect in-depth/perceptual information on selected indicators related to the study. Analysis of stakeholders' perceptions was done from the FGD, KIIs and PC.

1.6 Limitations

One of the critical limitations of this study was that land ports, as a term and a practice, were found only in Bangladesh and India. Elsewhere they are mainly identified as dry ports set up to support the seaports, although some of them might have performed as the border trade stations. Similarly, a few pieces of literature are available that exclusively discuss the land ports and management of cross-border export and import trade. Further, due to the COVID-19 situation, it was difficult to undertake field visits for data collection and observation purposes. Also, the public consultation had to be organized in a hybrid way.

Chapter II

Theoretical Perspectives

2.1 The Concept of Land Port

As part of logistic centers, land ports have become fundamental elements of local, national and international transportation systems in regions with a high volume of trade. Many different names indicate land ports in European, South East Asian and North American countries. They are called in Great Britain and the United States of America (USA) “Freight Villages”; in France “Plateforme Logistique/Plateforme Multimodale”; in Italy “Interporto”; in Germany “Güterverkehrszentrum”; in Denmark “Transport Center” and in Singapore and China “Logistics Center”.¹ However, it is termed as “Land Port” only in Bangladesh and India. Most of the Asian countries refer to it as “Dry Port”.

Historically, the first freight villages were established in France in the early 1960s.² A freight village has been defined as an area organized for carrying out all activities related to transport, logistics and distribution of goods, both at a domestic and international level, which are performed by various operators. A common denominator for the facilities mentioned above is that they provide a more or less ample and specialized variety of logistics services. In this regard, an “interporto” is the organically most complex facility among them, just as is presumed by the more exhaustive definition of it provided by Italian law. Scientific literature used various methodologies to define inland structures in the following years. During the nineties of last century, for example, Beresford and Dubey used the expression “dry port” for defining tax warehouses. These authors described the aspects concerning incorporation, and even the services a “dry port” should provide, particularly customs services. Still they did not further specify the kinds of connections and relationships with ports.

Noting that there are many and different ways to define infrastructure as a land port, researchers agree in considering mainly four components: “concept”, “classification”, “function” and “technological processes”. Among them, they believe that the last two are prioritized characteristics, because “concept” and “classification” may be related to local regulation. On the other hand, functions and technological processes change very quickly over time. In this context, they adopt the following definitions:

- “Concept” is based on a main idea or model on a theme;
- “Classification” is the action or process of classifying something by a specific characteristic;
- “Functions” typically include distribution, consolidation, storage, customs services and equipment maintenance;³
- “Technological Processes” represent the activities at the terminal that are conducted with the aim of a better quality of cargo handling, and which require appropriate technological elements and real-time work”.⁴

¹Baydar, A.M.; Süral, H.; Çelik, M. Freight villages: A literature review from the sustainability and societal equity perspective. *J. Clean. Prod.* 2017, 167, 1208–1221

²Özceylan, E.; Erba, S. M.; Tolon, M.; Kabak, M.; Durugut, T. Evaluation of freight villages: A GIS-based multi-criteria decision analysis. *Comp. Ind.* 2016, 76, 38–52

³Zeng, Q.; Maloni, M.J.; Paul, J.A.; Yang, Z. Dry port development in China: Motivations, challenges, and opportunities. *Transp. J.* 2013, 52, 234–263

Overall, a land port can be defined as an inland setting with cargo-handling facilities allowing several functions to be carried out, for example: consolidation and distribution, temporary storage, customs clearance, and the connection between transport modes.⁵ The concept of the land port as is practiced in Bangladesh is better described by the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP).⁶ It may be summarized as: “provides services for the handling and temporary storage of containers, general and/or bulk cargoes entering or leaving the dry port by any mode of transport such as road, railways, inland waterways or airports.” It refers to a secure inland location for handling, temporary storage, inspection and customs clearance of freight moving in international trade. A land port depends on several parameters:

- First is the one referring to the more or less developed co-modal prerogatives:
 - monomodal road terminal;
 - terminal for combined road-rail transport;
 - terminal for combined road-inland waterway transport;
 - terminal for both mentioned kinds of combined transport;
- Second by importance is the parameter of logistics functions: the variety of more or less specialized services to goods that add to transportation, customs procedures, warehousing and manufacturing operations up to retail or wholesale activities.

2.2 Functions of a Land Port

Generally, a land port has four logistics functions: modal transfer between two transport modalities; consolidating goods for transport preparation; stocking goods waiting for shipment; delivery to the recipient. However, a land port has to accomplish the following major functions:

- (a) maintain or construct roads, terminals and ancillary buildings other than national or state highways and railways;
- (b) procure and maintain communication, security and goods handling equipment;
- (c) provide appropriate space for various services such as immigration, customs, security, banking, telecommunications and taxation authorities;
- (d) plan for future operations and capital investments to ensure proper development of the port;
- (e) construct residential buildings for its employees; and
- (f) establish and maintain hotels, restrooms, warehouses, and container depots.

Land port authorities often have broad regulatory powers relating to port operations. The authority is responsible for applying conventions, laws, rules, and regulations. Generally, as a public organ, it is responsible for observance of conventions and laws regarding public safety and

⁴Rozi 'c, T.; Rogi 'c, K.; Bajor, I. Research trends of inland terminals: A literature review. *Prompt Traffic Transp.* 2016, 28, 539–548

⁵NG, A. K., and GUJAR, G. C. (2009), “Government policies, efficiency and competitiveness: The case of dry ports in India,” *Transport Policy*, Vol.16, pp.232-239

⁶United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), *Roles of Dry Ports in Economic Corridors*, 2010, Available online: https://www.unescap.org/sites/default/files/11.%20t_orum11_c2_rasamit.pdf

security, environment, navigation, and health care. It also issues by-laws, comprising many rules and regulations concerning the behavior of transports in port, use of port areas, and other issues.

The planning function of the port authority is a complicated affair. The port planner has to consider:

- the consistency of plans with the general terms of land use that the competent authority has set;
- the impact of port development proposals on the immediate surroundings (environment, traffic, facilities, and roads);
- the appropriateness of port development proposals in the context of international, national, and regional port competition; etc.

2.3 Seaport vs. Dry Port vs. Land Port

The seaport concept has a long history going back to the early days of civilization. It is a logistics and industrial node in the center of complex inter-twining global supply chains. As such, a functional and spatial clustering of activities takes place in the wider domain of a seaport. The expression “dry port” was initially used to describe a facility primarily directed at solving the congestion problem in a seaport, by redistributing flows of goods arriving by sea.

The definition provided by the United Nations Conference on Trade and Development (UNCTAD)⁷ is: “An inland terminal to which shipping companies issue their own bill of lading for import cargoes assuming full responsibility of cost and conditions and from which shipping companies issue their own bill of lading for export cargoes”. An inland terminal is part of a far wider category, comprising logistics facilities of various kinds and sizes, which are not necessarily a constituent or part of a port cluster: dry port, inland terminal, inland port, inland hub, inland logistics center and freight village.

In terms of functions, the dry port as an inland port or terminal has the same function, services and capabilities as a seaport where container movements between seaport and hinterland are connected by using different transportation networks. In North America, container handling services had been successfully moved to the hinterland by using the dry port.⁸ Using a dry port and shifting several activities of container ports to the hinterland is a way to tackle the congestion. Furthermore, queuing time at seaport terminals may be avoided and the risk of accidents reduced with the implementation of dry ports by increasing terminal capacity and managing a lack of space or inappropriate inland access.⁹

A seaport is a port located on the shore of a sea or ocean, whether a land port is situated on the land border between two or more countries. The land port is quite a new phenomenon starting its journey from the 60's of the last century. It was basically renaming of land customs stations, of

⁷United Nations Conference on Trade and Development—UNCTAD, Handbook on the Management and Operation of Dry Ports, Geneva, Switzerland, 1991: Available online: https://unctad.org/system/files/officialdocument/rdpldc7_en.pdf

⁸Rodrigue et al. (2010), Functions and actors of inland ports: European and North American dynamics, *Journal of transport geography*, 519-529

⁹Roso, V. (2009), Emergence and significance of dry ports—The case of the Port of Göteborg, *World Review of Intermodal Transportation Research*, 2(4), 296-310

course, with more dimensions of activities. Both the seaport and land port provide cargo handling facilities for import and export of bulk and containerized goods.

A dry port differs from a land port by the way that a land port is not necessarily connected with any seaport, does not depend on any seaport for receiving cargoes, and usually functions independently. Further, a land port is generally located at a point on the international boundaries of two or more countries and directly facilitates international trade.

2.4 Public-Private Interests and Conflicts

In the context of globalization, the modernization of processes in the ports has become crucially important to increase volume and to accommodate diversity of global trade. The process is associated not only with the technological update, but also with the institutional changes aiming to promote economic efficiencies. The increasing involvement of the private sector in traditional strategic activities has created a demand for new governance models and the governance structure has also changed the dynamics among stakeholders. Conflicts emerge when common interests are not found, and port performance suffers. Therefore, it is necessary to understand particular challenges, conflicts, and changing dynamics in the public-private interaction in the port activities.

Stakeholders' conflicts of interest in management of ports are identified in five major areas: environmental protection, urban development, labor, resident interests, and overall economic development¹⁰. Further, the performance of the ports depends on the quality of port governance. It differs substantially from the corporate governance models that portray the organization with formal control mechanisms of interaction. Again, there are a number of conflicts among private bodies in operational and strategic executions, as well as synchronization between the public institutions at the local and central levels. Similarly, the competitiveness of ports is deeply affected by factors external to the port itself, e.g., road and rail infrastructures, accessible logistics platforms, etc. Those are attributable to the effectiveness of the entire supply chain. Concerted efforts are required to address conflicts under a dynamic perspective, in order to recognize the actors who are progressively involved, as well as to monitor and analyze the 'migration' of conflicts over the geographic space¹¹."

Port authority's role is highly relevant to port efficiencies in the public-private interactions. However, the current trend of increased participation by the private sector in port business may change the nature of stakeholders' conflicts. This analysis led to two main ideas¹²: first, the stakeholders' theory still has a great deal to develop in the port sector; second, the stakeholders' management in ports can easily turn into a conflict management, as a consequence of multiplicity of stakeholder's and high probability of conflicting goals.

¹⁰DE LANGEN, P. W. (2007), "Stakeholders, conflicting interests and governance in port clusters", In M. R. Brooks, & K. Cullinane (Eds.), *Devolution, port governance and port performance, Research in Transportation Economics*, Vol.17, pp.457–477

¹¹PAROLA, F. and MAUGERI, S. (2013), "Origin and taxonomy of conflicts in seaports: Towards a research agenda", *Research in Transportation Business & Management*, Vol.8, pp.114–122

¹²Cassia Bömer GALVAO , Grace W. Y. WANG, and Joan MILESKI, "Public-Private Interests and Conflicts in Ports: A Content Analysis Approach", *The Asian Journal of Shipping and Logistics* 32(1) (2016) 013-022

2.5 Port Management Models

Four main categories of ports have emerged over time, and they can be classified into four main models¹³: the public service port, the tool port, the landlord port, and the fully privatized port or private service port. Service and tool ports mainly focus on the realization of public interests. Landlord ports have a mixed character and aim to strike a balance between public (port authority) and private (port industry) interests. Fully privatized ports focus on private (shareholder) interests.

- (1) **Service Ports Model:** Service ports have a predominantly public character. The port owns, maintains, and operates every available asset (fixed and mobile), and cargo handling activities are executed by labor employed directly by the port authority. The port authority offers the complete range of services required for the functioning of the port system.
- (2) **Tool Ports Model:** In the tool port model, the port authority owns, develops, and maintains the port infrastructure as well as the superstructure, including cargo handling equipment. Port authority staff usually operates all equipment owned by the authority. However, the container terminals are managed and operated along the principles of the tool port, although for more recent terminals the private operators have made the investment in gantry cranes.
- (3) **Landlord Ports Model:** The landlord port is characterized by its mixed public-private orientation. Under this model, the port authority acts as the regulatory body and as landlord, while port operations (especially cargo handling) are carried out by private companies. The private port operators provide and maintain their own superstructure including buildings (offices, sheds, warehouses, container freight stations, workshops). They also purchase and install their own equipment on the terminal grounds as required by their business.
- (4) **Fully Privatized Model:** Full privatization is considered as an extreme form of port reform. It suggests that the state no longer has any meaningful involvement or public policy interest in the port sector. Along with the sale of port land to private interests, the regulatory functions are transferred to private successor companies. In the absence of a port regulator, privatized ports are essentially self-regulating.

The strong and weak points of the principal port management models as mentioned above are noted in Table 2.1 below:

Table 2.1: Strengths and Weaknesses of Port Management Models

Sl. No.	Port Model	Strengths	Weaknesses
1	Public Service Port	<ul style="list-style-type: none">• Superstructure development and cargo handling operations are the responsibility of the same	<ul style="list-style-type: none">• There is no role or only a limited role for the private sector in cargo handling operations.• There is less problem-solving

¹³The World Bank, Port Reform Toolkit, Second Edition, Module 3, Alternative Port Management Structures and Ownership Models, 2007

Sl. No.	Port Model	Strengths	Weaknesses
		organization (unity of command).	<p>capability and flexibility in case of labor problems, since the port administration also is the major employer of port labor.</p> <ul style="list-style-type: none"> • There is lack of internal competition, leading to inefficiency. • Wasteful use of resources and under-investment due to government interference and dependence on the government budget. • Operations are not user or market-oriented. • Lack of innovation. • No or limited access to public funds for basic infrastructure.
2	Tool Port	<ul style="list-style-type: none"> • Investments in port infrastructure and equipment are decided and provided by the public sector, thus avoiding duplication of facilities. 	<ul style="list-style-type: none"> • The port administration and private enterprise jointly share the cargo handling services (split operation), leading to conflicting situations. • Private operators do not own major equipment; therefore, they tend to function as labor pools and do not develop into firms with strong balance sheets. This causes instability and limits future expansion of their companies. • Risk of under-investment. • Lack of innovation.
3	Landlord Port	<ul style="list-style-type: none"> • A single entity (the private sector) executes cargo handling operations and owns and operates cargo handling equipment. The terminal operators are more loyal to the port and more likely to make needed investments as a consequence of their long-term contracts. • Private terminal handling companies generally are better able to cope with market requirements. 	<ul style="list-style-type: none"> • Risk of over-capacity as a result of pressure from various private operators. • Risk of misjudging the proper timing of capacity additions.
4	Fully Privatized Port	<ul style="list-style-type: none"> • Maximum flexibility with respect to investments and port operations. 	<ul style="list-style-type: none"> • The government may need to create a port regulator to control monopolistic behavior.

Sl. No.	Port Model	Strengths	Weaknesses
		<ul style="list-style-type: none"> • No direct government interference. • Ownership of port land enables market-oriented port development and tariff policies. • In case of redevelopment, private operator probably realizes a high price for the sale of port land. • The often strategic location of port land may enable the private operator to broaden its scope of activities. 	<ul style="list-style-type: none"> • The government (national, regional, or local) loses its ability to execute a long-term economic development policy concerning the port business. • In case the necessity arises to redevelop the port area, the government has to spend considerable amounts of money to buy back the port land. • There is a serious risk of speculation with port land by private owners.

2.6 Corporatization of Port Authorities

Presently, the majority of countries worldwide manage their land ports under public sector. Under the best-practice corporatized model, land ports remain government-owned but operate under commercial terms and aim at value creation for port users and stakeholders. The corporatized port authorities share the following characteristics¹⁴:

- **Financially Self-sustained:** The corporatized model allows the land ports access to capital markets, as in the case of the port of Singapore, de facto reducing dependence on state funding for investments. However, corporatization does not imply a focus on profit maximization.
- **Port Development based on Business Needs:** Corporatized land ports can have mandates to invest in port infrastructure based on commercial logic. This does not preclude these companies from seeking funding for such infrastructure from the government or international financial organizations.
- **Operate under the Landlord Model:** Corporatized land ports make the commercial decision to outsource (some) port operations to private sector companies and focus their own efforts on port development investments that strengthen the entire port complex and thus increase its land value.
- **Empowered to Negotiate and Sign Contracts:** Corporatized land ports can sign leases and concession contracts with operating companies, treating the concessionaire(s) as customer(s), since they often share a strong interest in attracting more cargoes to the port.

Under the corporatized model, the land ports maintain a clear, strong commercial focus. At the same time, the governments, which remain the ports' owners, act to secure the public interest through a combination of regulatory measures and shareholder policies. Core benefits of the corporatized model are as follows:

¹⁴Periklis Saragiotis and Peter de Langen, "Achieving Full and Effective Corporatization - Reform Models from Global Experience", Trade & Competitiveness In Practice, The World bank Group, October 2017

- The land ports can efficiently assess and implement sustainable infrastructure upgrades and expansion projects. In addition, the corporation's improved levels of financial credibility increase the port's attractiveness to private investors.
- A corporatized port can effectively and innovatively exploit its assets to create value for its clients and port users while capturing that value through efficient pricing.
- Although pricing is subject to competition regulation, a corporatized port can adjust pricing to market conditions, such as by using price discounts to attract new customers.
- Corporatized entities feel pressure from their independent and professional supervisory boards to tightly control operating costs.

2.7 Intergovernmental Agreement on Dry Ports

The Intergovernmental Agreement on Dry Ports aims at promoting and developing dry ports of international importance as one of the means to establish an international integrated intermodal transport and logistics system within Asia as well as between Asia and its neighboring regions. The Agreement provides a uniform definition of a dry port of international importance, identifies the network of existing and potential dry ports of importance for international transport operations and offers guiding principles for their development and operation.

The Agreement strengthened the legislative framework within which member States could work collectively to implement several global and regional mandates aimed at promoting resilient infrastructure, transport connectivity and corridor development¹⁵. Annex I to the Agreement contains a list of existing or potential dry ports in ESCAP member States which should be brought into conformity with the guiding principles for the development and operation of dry ports as per Annex II to the same Agreement. The following land ports of Bangladesh are included in Annex I of the Agreement:

Table 2.2: List of Bangladesh Land Ports included in the Intergovernmental Agreement on Dry Ports

Akhaura, Brahmanbaria	Benapole, Jashore
Bibirbazar, Comilla	Burimari, Lalmonirhat
Hili, Dinajpur	Kamalapur ICD, Dhaka
Sonamasjid, Chapai Nawabganj	Teknaf, Cox's Bazar
[Bangladbandha, Panchagargh]	[Bhomra, Satkhira]
[Bilonia, Feni]	[Dhirasram ICD, Gazipur]
[Gobrakura, Mymensingh]	[Koraitali, Mymensingh]
[Nakugao, Sherpur]	[Ramgarh, Khagrachari]
[Tamabil, Sylhet]	

The Intergovernmental Agreement on Dry Ports entered into force on 23 April 2016. Bangladesh became a signatory to the Agreement on 08 March 2016. As of 01 February 2020, 14 ESCAP member States are Parties to the Agreement. A study conducted by ESCAP found that there are seven core elements that need to be present for a strong institutional basis on dry ports, namely¹⁶:

¹⁵Economic and Social Commission for Asia and the Pacific (ESCAP), Development and operation of dry ports of international importance - Note by the secretariat, 6 September 2018

¹⁶ ESCAP, "Policies and issues related to the operationalization of dry ports of international importance - Note by the secretariat", 2019

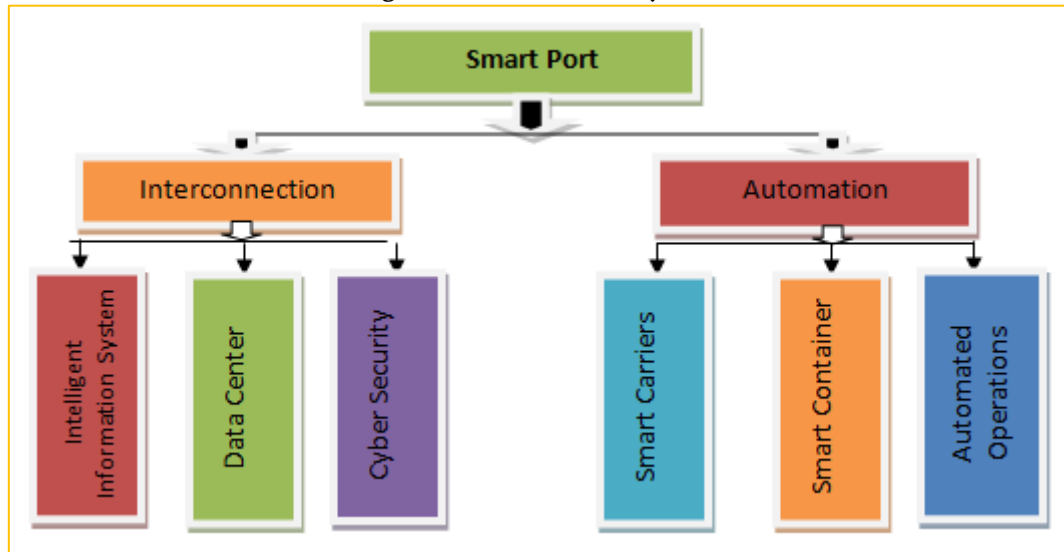
- a. whether the country is a party to the Intergovernmental Agreement on Dry Ports;
- b. whether a relevant national master plan has been developed;
- c. whether a lead decision-making entity has been designated;
- d. whether there is a multi-agency coordination mechanism at the policy level;
- e. whether there is coordination across mode-specific authorities in defining infrastructure and/or investment plans;
- f. whether the private sector has a defined role and involvement in the policy consultation process; and
- g. whether there is a law on public-private partnerships that can enable or facilitate private sector financing and investment in facilities.

Bangladesh is a signatory to the Intergovernmental Agreement on Dry Ports and has already created BLPA as the lead decision-making entity. It has a law on public-private partnerships to facilitate private sector investment. But so far there is no master plan for development, operation and modernization of land ports. Further, the inter-agency coordination mechanism and private sector participation in policy-making process is weak. Therefore, a national policy may be conceived in an integrated manner to serve productive development of land ports in the country. A coordination mechanism may be installed in which all government ministries and institutions involved in the process are represented, and the private sector, academia and non-governmental organizations are also present. Further, appropriate forums may be created for dialogue and analysis, as well as that coordination and cohesion be achieved within the Government and beyond.

2.8 Smart Port

Interconnection and logistics are the two pillars that constitute the basis of a concept of revolutionary ports called "Smart Port". Through the interconnection of the entire port logistics chain and the automation of port operations and equipment, the new concept of the smart port positively influences the overall competitiveness of ports. It also contributes to the integration of the port chain, and as a result, saves time and money in documentation and manpower. In addition, it facilitates tracking, traffic flow management, congestion reduction, increasing productivity and also life-saving. Moreover, it saves time and money, generates higher values, and increases the satisfaction of customer needs. Again, the pillars include different components. A Smart Port System is elaborated in Figure 2.1 below:

Figure 2.1: Smart Port System



The land ports continue to face new challenges with daily traffic and processing. Technologies such as the Internet of Things (IoT) can improve warehouse logistics, inventory management, etc. It can help automate loading, dispatching and transporting goods, and also optimize parking spaces and streamline traffic by making more efficient use of limited space. Sensors, cameras, drones and other technologies can automatically collect and share information such as weather, traffic and pollution data for port managers and customers. Optimizing workflow could double capacity without any additional space or investment in new infrastructure and equipment, simultaneously reducing operation costs. However, making a port “smart” not only means digitally connecting everything inside the port, but also requires multilevel cooperation among government authorities, businesses, local communities and other relevant parties.

A smart port employs smart technology solutions to increase efficiency, effectiveness and security by making the port more environmentally sustainable, economically efficient and capable of handling increased port traffic. It equips the workforce with relevant skills and technology to solve the unique internal and external challenges of the port, and to facilitate the efficient movement of goods, delivery of services and smooth flow of information. Using a holistic approach, the Smart Port achieves results without creating new challenges internally or elsewhere in the supply chain eco-system. It minimizes the negative impacts of its activities on the natural environment and enhances the surrounding communities - economically and socially.

From the user’s perspective, the experience of using land ports can be completely transformed in just a few years. Harnessing technologies like automation, Radio-frequency Identification (RFID), analytics and block-chain, and linked with transport ecosystems through advanced collaboration tools, the land ports can be corridors that facilitate – rather than obstructing – the movement of people and cargo. This may be the future vision for land ports. The material benefits of chosen technologies allow the Smart Port to:

- improve efficiency to gain competitive advantage;
- increase business resilience to economic shocks or disruptive forces;
- extract maximum value from physical assets;
- develop new revenue streams based on digital value propositions;

- increase employee engagement and wellbeing;
- achieve and exceed environmental commitments; etc.

2.9 Common Challenges

The land ports with land border crossings come in many shapes and sizes. But whether they're entry-exit points in long land borders, bridges, or causeways, there are some pressing issues that are common to all of them. The overarching challenges include:

- The BLPA do not manage the port as a whole - monitoring traffic, coordinating operations and managing third-party services- such as clearing and forwarding (C & F) agents. Other government agencies including the customs service do some of these, sometimes in collaboration with the private sector. Other agencies like Border Guards Bangladesh (BGB), Department of Immigration and Passports, Department of Agricultural Extension (phytosanitary measures) perform their respective functions. Coordination of activities of multiple agencies remains a challenge.
- Particularly in remote locations, land ports require services like restaurants, hotels and hygiene facilities, including for truck drivers delayed by some causes or other. However, as ports become “smarter” and increasingly frictionless and efficient, facilities like these may become less essential.
- In terms of facilities, a further requirement may be on-site testing facilities for checking livestock, for example. Rather than sending samples back to a city-center testing site, having this capability located on-site is far faster and more efficient. This requires collaboration between customs and other governmental agencies.
- Heavy traffic can create jams that inconvenience users, mar their experience and slow down throughput. Factors that can contribute to congestion include a lack of pre-arrival data, which makes it hard to predict traffic levels on any given day.
- Preventing smuggling and/or illegal trespassing across such an extensive boundary is extremely challenging. Yet this is increasingly important, especially in the era of COVID-19 when health checks for incoming travelers are often required. Fortunately, solutions are now available, in the form of tech-enabled surveillance techniques such as drones and smart cameras.

2.10 Success Factors

The common challenges are mirrored by some key considerations that should be baked into land ports to reimagine them for a more seamless and efficient future:

First, it is important to implement leading risk management practices to enable clear segmentation at the border. It simply isn't feasible to scan every single vehicle or item of cargo. Instead, advanced technologies – using a smart risk engine with clever rules – can pinpoint the highest risk segments of the flow of goods and people, supporting checks where they're needed most.

Second, whether the border is “hard” or “soft” in terms of the degree of scrutiny, any checking processing of traffic can be made as invisible as possible. Airports have already succeeded in doing

this through electronic passport gates and minimal intrusion on travelers' smooth passage through the airport. Land borders may have the same goal.

Third, land ports can learn from the model being set by "smart cities" like Singapore. To become more resilient, user-friendly and efficient, they need to embrace new technologies and processes with better connectivity, more sophisticated predictive capabilities and more automation to free up their people's ingenuity.

The success of land port management in Singapore is elaborated in **Box 1** below.

Box 1 Singapore's Land Port Management
<p>Singapore is home to one of the world's largest and most efficient public operational ports. Throughout the last two decades, it has benefited from excellent management measures to enhance worker productivity and berth. While some of the cargo is handled by private enterprises, the equipment operators in the container terminals are employees of the Port of Singapore Authority (PSA).</p> <p>By the early 1980s, it was clear that Singapore's first container terminal, Tanjong Pagar Terminal, would be at maximum capacity by the 1990s, unable to manage the increase in trade volumes. Plans for port development at Pasir Panjang were developed in addition to the City Terminals (Tanjong Pagar, Brani, and Keppel Terminals). Singapore's container throughput had increased to 17.1 million TEUs by 2000. The relocation of the container port was already being considered by city planners as the next stage in Singapore's maritime history. The decision to expand Pasir Panjang Terminal in 2004 gave the terminal the capacity it needed to keep up with increased container throughput. Singapore has maintained its status as the world's premier transshipment port as a result of this. It has also allowed Singapore to anchor multinational shipping lines such as Cosco of China and CMA CGM of France, both of whom have joint-venture agreements with PSA to operate berths at Pasir Panjang Terminal. PSA has deployed new systems at Pasir Panjang Terminal that allow a single crane operator to remotely monitor and control the operations of up to five cranes, replacing traditional rail mounted gantry cranes that are independently operated.</p> <p>Singapore's port is distinguished by its adequate port capacity and operating capability to meet the demands of shipping lines. Confirmation of capacity, along with Singapore's competitive edge in connectivity, goes a long way toward assisting PSA in forming new joint ventures with top shipping lines and securing long-term commitments in Singapore. Furthermore, Singapore has established a dependable and densely integrated network by anchoring key shipping lines and alliances that ply the primary shipping route from Asia to Europe, as well as developing a strong complementary feeder network to smaller ports in the region.</p> <p>Singapore's value proposition is that of a "catch-up port," which allows ships to make up for delays upstream by offering shorter transit durations. Singapore has consistently invested in technology and innovation to increase efficiency and competitiveness of shipping lines in order to lower costs. Furthermore, the certainty of increasing capacity at Tuas gives shipping lines and alliances confidence that Singapore can handle their long-term growth. This improves Singapore's port's competitiveness in the face of growing competition. Singapore's port has become a crucial nexus</p>

in the global sea-trade system by providing top-notch productivity and unrivaled connectivity on an enormous scale.

These success factors can ensure the progress of the land ports towards a digitally-enabled future.

2.11 Digital and Innovative Solutions

Modern digital technologies that can be applied at land ports include systems that support basic infrastructure, as well as tools for handling cargo, managing traffic, dealing with customs, assuring safety, and monitoring energy use.

- **Infrastructure:** Smart sensors are the key elements of the land port digital infrastructure. Such a sensor is embedded in container yards, roads, railways, and can transmit real-time data about operating conditions of infrastructure. Sensors can reduce the need for annual inspections and provide data that helps owners schedule preventive maintenance more precisely.
- **Cargo Handling:** Reliable monitoring systems like “Black Boxes” can collect information on location, status of operations, and energy consumption of cranes and other cargo-handling gears. The system analyzes the information in real-time and shares it with terminal staff to identify operating bottlenecks and initiate appropriate action.
- **Intermodal Traffic:** The solution is to adopt the terminal appointment systems, letting trucking carriers reserve specific times for dropping off or picking up freight. By booking time slots in advance, appointment systems help minimize turn times, reducing the time that truckers spend clogging port arterial roads or sitting idle and contributing to poor air quality. In addition, there are Global Positioning System (GPS)-based traffic-monitoring systems that track truck movements, notify terminals when vehicles are approaching key facilities, and provide directions on how to proceed.
- **Safety and Security:** Surveillance systems use advanced video analytics to detect intrusions based on the movement and pattern recognition and then alert security personnel to potential threats. Also there are upgrading from gate entry systems, adding more protection by requiring employees, truck drivers, and visitors to log in through systems that use networked biometric scanners. Further, sensor-based systems that enforce safe working procedures can address worker safety concerns.
- **Maintenance:** The maintenance work for several locations can be summarized in a "maintenance calendar" and maintenance partners can be informed electronically or have insight via the web interface. The approval and confirmation of the work carried out is immediately available to the employees and partners after being entered in the system.
- **Energy and the Environment:** One option is a motion-based terminal illumination system that lights up only when vehicles are in the vicinity. A prototype motion-sensitive lighting system installed at the terminals cut energy consumption by 80%, paying for itself in less than two years. Drones may be used as a low-cost option for inspecting equipment, patrolling waterways for oil spills, and checking on cleanup efforts.

2.12 Fourth Industrial Revolution: Challenges and Opportunities

The Fourth Industrial Revolution is a new chapter in human development, enabled by extraordinary technological advances commensurate with those of the first, second and third industrial revolutions. It is about more than just technology-driven change. It is an opportunity to help everyone, including leaders, policy-makers and people from all income groups and nations, to harness converging technologies to create an inclusive, human-centered future. The breadth and depth of these changes herald the transformation of the entire systems of production, management, and governance.

The possibilities of billions of people connected by mobile devices, with unprecedented processing power, storage capacity, and access to knowledge, are unlimited. And these possibilities will be multiplied by emerging technology breakthroughs in fields such as artificial intelligence, robotics, the Internet of Things, autonomous vehicles, 3-D printing, nanotechnology, biotechnology, materials science, energy storage, and quantum computing. Engineers, designers, and architects combine computational design, additive manufacturing, materials engineering, and synthetic biology to pioneer a symbiosis between microorganisms, our bodies, the products we consume, and even the buildings we inhabit.

It has the potential to raise global income levels and improve the quality of life for populations around the world. To date, technology has made possible new products and services that increase the efficiency and pleasure of personal lives. In the future, technological innovation will also lead to a supply-side miracle, with long-term gains in efficiency and productivity. Transportation and communication costs will drop, logistics and global supply chains will become more effective, and the cost of trade will diminish, all of which will open new markets and drive economic growth¹⁷. The real opportunity is to look beyond technology, and find ways to give the greatest number of people the ability to positively impact their families, organizations and communities.

Experts forecast that the revolution will yield greater inequality, particularly in its potential to disrupt labor markets. As automation substitutes for labor across the entire economy, the net displacement of workers by machines might exacerbate the gap between returns to capital and returns to labor. On the other hand, it is also expected that the displacement of workers by technology will, in aggregate, result in a net increase in safe and rewarding jobs.

However, the world is yet to foresee which scenario is likely to emerge. The experts are convinced that talent, more than capital, will represent the critical factor of production in the future. This will give rise to a job market increasingly segregated into “low-skill/low-pay” and “high-skill/high-pay” segments, which in turn will lead to an increase in social tensions. The largest beneficiaries of innovation tend to be the providers of intellectual and physical capital - the innovators, shareholders, and investors - which explain the rising gap in wealth between those dependent on capital versus labor. The result is a job market with a strong demand at the high and low ends, but a hollowing out of the middle.

Indeed, across all industries, there is clear evidence that the technologies that underpin the Fourth Industrial Revolution are having a major impact on businesses. On the supply side, many industries are seeing the introduction of new technologies that create entirely new ways of

¹⁷Klaus Schwab, “The Fourth Industrial Revolution: what it means, how to respond”, World Economic Forum, 2016

serving existing needs and significantly disrupt existing industry value chains. Disruption is also flowing from agile, innovative competitors who can oust well-established incumbents faster than ever by improving the quality, speed, or price at which value is delivered. Therefore, the response to it must be integrated and comprehensive, involving all stakeholders, from the public and private sectors to academia and civil society.

Chapter III

International Trade and Land Ports of Bangladesh

3.1 Responsibility of Trade Management

In Bangladesh, trade-related policies, rules and regulations are implemented by different ministries and departments of the government. The Ministry of Commerce (MoC) is the leading institution and plays a key role in facilitating internal and foreign trade, expanding export trade, increasing capacity and stabilizing the prices of essential commodities. Its various departments, such as, the WTO Cell, Chief Controller of Imports and Exports (CCI&E), Tariff Commission, Export Promotion Bureau (EPB), etc. play a key role in the formulation and implementation of trade-related rules and regulations in the country. Ministry of Finance along with its various departments, such as the National Board of Revenue, also play a significant role in dealing with trade policy issues. Key roles and responsibilities of these institutions are briefly mentioned below:

- **Ministry of Commerce (MoC):** The MoC is in charge of domestic and international trade policy regulation and execution. It is responsible for facilitating domestic and international trade, boosting export capacity, and stabilizing the prices of critical goods. The major functions of the ministry are:
 - all matters relating to domestic and external trade and World Trade Organization (WTO);
 - formulation and implementation of import and export policies;
 - secure improved market access for Bangladeshi products in foreign markets through bi-lateral, multi-lateral and regional trade negotiations and agreements;
 - formulation of Tariff Policy and determination of tariff rates;
 - registration of new trade/industrial establishments, registration and renewal of imports and exports, etc.
- **WTO Cell:** The WTO cell is an integral part of the MoC and, is largely responsible for all WTO-related functions. Its main responsibilities include:
 - enforcing WTO rules and regulations;
 - taking advantage of WTO possibilities;
 - creating trade capacities;
 - safeguarding the state's interests in the international trading framework; and
 - all other activities under the WTO agreements.
- **Bangladesh Trade and Tariff Commission:** The functions of this commission are:
 - protecting genuine interests of the local industries;
 - promoting competition in the production of industrial products;
 - ensuring efficient use of industrial resources;
 - development of export of domestic products;
 - improving the use of domestic industrial resources at home and abroad by means of bi-lateral, regional and multilateral trade agreements; and

- preventing unfair trade to protect genuine interests of domestic industries through Anti-Dumping Duty, Countervailing Duty, Safeguard Measures, etc.
- **Bangladesh Export Promotion Bureau:** The main responsibilities are:
 - adoption of appropriate policy measures and implement programs for active promotion of exports;
 - carrying out promotional activities in product and supply development;
 - exploration of markets abroad;
 - collection and dissemination of trade information;
 - imparting training for Human Resource Development (HRD) on export-related issues;
 - c studies, surveys, research, etc. on products and markets;
 - selection of firms for awarding National Export Trophy and Selection of Commercially Important Persons (CIP) based on annual Export Performance; and
 - organizing and managing Dhaka International Trade Fair (DITF) as an important annual event.
- **National Board of Revenue (NBR):** NBR is the apex authority for taxes and customs administration in Bangladesh. It is mainly responsible for formulation and continuous re-appraisal of taxes and customs policies and laws, negotiating tax treaties with foreign governments and participating inter-ministerial deliberations on economic issues;

Further, the Bangladesh Land Port Authority (BLPA) is working actively to promote, facilitate and develop the export-import trade of Bangladesh through land routes. The Competition Commission is functioning to maintain a sound competitive environment in the existing trade and commerce of the country. Also, the Business Promotion Council is playing an active role by introducing and implementing appropriate programs based on Public Private Partnerships for export diversification.

Other important ministries and departments involved in implementation of trade related issues are: Ministry of Agriculture (MoA), Bangladesh Bank (BB), Ministry of Industries (MoI), Bangladesh Standards and Testing Institute (BSTI), Bangladesh Small & Cottage Industries Corporation (BSCIC), Department of Patent Designs and Trademarks (DPDT), Ministry of Post, Telecommunications & ICT (MoPT), Ministry of Civil Aviation and Tourism (MoCAT), Privatization Commission, Bangladesh Investment Development Authority (BIDA), Bangladesh Export Processing Zones Authority (BEPZA), Ministry of Power Energy and Mineral Resources (MPEMR), Ministry of Shipping (MoS), Ministry of Health and Family Welfare (MoHFW), Planning Commission, Central Procurement Technical Unit (CPTU), Implementation Monitoring and Evaluation Division (IMED), Ministry of Textiles and Jute (MoTJ), Ministry of Fisheries and Livestock (MoFL), Ministry of Food (MoF), Ministry of Disaster Management & Relief (MoDMR), Ministry of Environment Forest and Climate Change (MoEFCC), Ministry of Road Transport and Bridges (MoRTB), and Ministry of Railways (MoR).

The MoC involves the private sector in making decisions with regard to trade supportive measures, providing intellectual feedback in case of formulation of policies and building awareness on trade-related issues, etc. Trade bodies associated with different sectors, civil society think tanks, private sector research organizations, academia and intellectuals also provide inputs at various stages of the formulation of the trade policy. No doubt, this collaboration between the

public and private sectors contributes to the strengthening of policy formulation and promotes policy ownership within the country.

3.2 Policy Instruments Governing Trade

Trade Policies of Bangladesh have evolved over the last fifty years based on the needs arising from time to time. After independence in 1971, Bangladesh had to maintain a restrictive trade regime inherited from Pakistan with a new initiative of direct participation of the government in economic activities based on state control and ownership. In the early 1980s, Bangladesh initiated the first phase of trade liberalization. Since then, import substitution strategy based on state control and ownership has gradually given way to a greater degree of market-directed and export-oriented industrialization reliant on private entrepreneurship. During this period policies were adjusted to make the trade policies more liberal and predictable and at the same time to make the domestic industry competitive.

Since independence, the main instruments for regulating foreign trade have been the Imports and Exports (Control) Act 1950, Customs Act 1969 and Foreign Exchange Regulation Act 1947. The Import Policy Order issued under the Imports and Exports (Control) Act 1950 regulates the condition of imports and is legally enforceable. On the other hand, Export Policy is merely a statement of intent without any legal enforceability. It defines the export status of certain products, while export restrictions are imposed through the Statutory Regulatory Orders (SRO) issued under the same Act. Although import and export policies provide overall guidelines, detailed rules and procedures for imports, such as procedures for import under the bonded warehouse, import for Export Processing Zones (EPZ) and duty drawback facilities, etc. are issued under Customs Act 1969.

Until 1982, sales tax was collected on domestic and import products under the Sales Tax Act 1951, which was replaced by the Sales Tax Ordinance 1982 with effect from 01 July 1982. This Ordinance was later repealed by the Value Added Tax (VAT) Act 1991 substituting sales tax by VAT. Along with VAT, supplementary duty on imported products is collected under this Act. Later, the VAT Act 1991 was replaced by the VAT and Supplementary Duty Act 2012 with effect from 01 July 2019.

In the meantime, the Bangladesh Land Port Authority Act 2001 was promulgated to facilitate regional trading of goods through land routes by setting up land ports including their operation, management, development, expansion and maintenance. Also the Competition Act 2012 was framed to promote, ensure and sustain a congenial atmosphere for the competition in trade, and to prevent, control and eradicate collusion, monopoly and oligopoly, combination or abuse of dominant position or activities adverse to the competition. In addition, the Foreign Exchange Regulation Act 1947 regulates the procedures of foreign exchange transactions.

3.3 Import Policy Regime Since 1972

After independence, the trade sector in Bangladesh was characterized by low foreign exchange reserve, narrow export base and rising import prices. As a result, the government's priority was to improve the balance of payment situation through import control measures, high tariffs and rigid foreign exchange regime. The main objective of the import policy regime was to involve state-owned enterprises in import activities. Six-monthly import policy orders were issued based on import requirements and availability of foreign exchange.

During late 1970s and early 1980s, import procedures were made easier through abolition of import licensing for commercial import in 1976 and for industrial import in 1983. In 1978, the government started issuing annual import policy order to bring predictability to the import regime. Later, import policy orders having 2-year, 4-year and 3-year duration were issued from 1989, 1998 and 2003 respectively.

Until 1985, Bangladesh maintained a positive list of items permissible for import. In 1985-96, the government abandoned the positive list approach and adopted a negative list approach. Under the approach, items not included in the negative list were freely importable, while items under the negative list were banned for import or restricted, mainly for trade reasons, such as protection of local industries, and for non-trade reasons, such as protection of religious and public morals, health, security, environment, plant, animal and human health and life. Subsequently, the number of products in the negative list was reduced. Figure 3.1 below shows the removal of trade and non-trade restrictions at 4-digit Harmonized System (HS) Code level since 1985:

Figure 3.1: Removal of Import Restrictions at 4-digit HS Code Level



Source: Import Policy Orders (various issues)

3.4 Customs Tariff Restructuring

The first attempt to rationalize tariff structure was made in 1985 with changes in import policy order through restructuring tariffs by maintaining hierarchy in tariffs according to the degree of processing. The process was accelerated in the early 1990s. During the decade, Bangladesh progressively moved towards obtaining the goal of simplicity and transparency of customs tariffs. The first attempt to rationalize tariff structure was made in 1985 with changes in import policy order through restructuring tariffs according to the degree of processing.

The highest tariff rate of 350 percent since 1991-92 was brought down to 50 percent in 1995-96 and then reduced to 40 percent in 1998-99. The maximum tariff was further reduced to 25 percent in 2005-06 which is continuing until now. As a result of tariff reduction, average duty has drastically come down since 1991. The un-weighted average tariff rate was 57.22 percent in 1991-92 which decreased to 14.78 percent in 2020-21. At present ad valorem duties are being imposed on 99.57 percent tariff line¹⁸. License and permit fee, which was levied on imports since 1972, was

¹⁸Bangladesh Economic Review 2020

abolished from July 01, 2000¹⁹. Sales tax imposed on imports since 1972 was replaced by VAT after introduction of VAT in 1991.

The tariff regime has also been simplified. The applied Most Favored Nation (MFN) tariff (i.e. general exemption rate) of 2005/06 contained four tariff bands {zero, 6% (basic raw materials), 13% (intermediate goods), 25% (finished goods)} as compared to five tariff bands (zero, 5%, 15%, 25%, 37.5%) in 1999/2000 and as many as 24 in the 1980s. However, it has been increased to some extent in recent times for addressing concerns of some sectors. In addition, exemption of tariffs for certain sectors and tariff concessions are granted under the South Asian Free Trade Area (SAFTA) and SAARC Preferential Trading Arrangement (SAPTA). **Table 3.1** presents reduction of tariffs, tariff bands and un-weighted average tariff for the period 1991-92 to 2020-21.

Table 3.1: Reduction of Tariffs, Tariff Bands and Un-weighted Average Tariff since 1991

Fiscal Year	Minimum Tariff (%)	No. of Duty Slabs	Un-weighted Average MFN Tariff (%)
1991-92	350.0	18	70.64
1995-96	50.0	6	28.70
2000-01	37.5	5	21.10
2005-06	25.0	4	16.39
2010-11	25.0	5	14.85
2015-16	25.0	4	14.37
2019-20	25.0	6	14.77
2020-21	25.0	6	14.78

Source: Bangladesh Economic Review 2021 and World Bank, Trade Policies in South Asia: An Overview, 2004

After implementation of the GATT valuation system in 2000 as per commitment made in the WTO, the government abolished the tariff value system, which existed since 1972. However, tariff value in the form of minimum import price was reintroduced in 2015. Despite abolishing the regulatory duty in 1991, the provision for regulatory duty was introduced again in Customs Act in 2000. During 1997-2007, the government levied infrastructure development surcharge solely on imports to raise the revenue for infrastructure development.

3.5 Export Measures

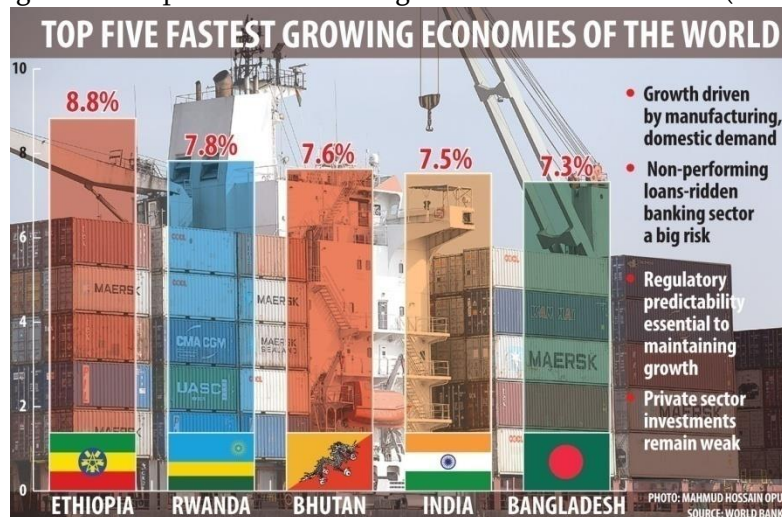
The government has emphasized expansion and diversification of exports since 1972. Therefore, export policies are largely liberal allowing export of almost all products excluding some unprocessed and partially unprocessed products. In the 1980s minimum export price of jute was in place, which was subsequently removed. The government also levied export duty on negligible items, such as 15 percent export duty on wet blue leather in 1993 and cotton waste, rice bran, building bricks and unwrought lead in recent years. The major focus of successive export policies since 1972 has been to promote export through improving tax neutralizing schemes and providing various incentives including duty drawbacks, income tax rebate, export credit guarantee, cash incentives, etc.

¹⁹ World Bank, “Trade Policies in South Asia: An Overview (In Three Volumes)”, September 07, 2004

3.6 International Trade in Bangladesh

According to the report titled “Bangladesh Development Update April 2019: Towards Regulatory Predictability” published by the World Bank in Dhaka on 03 April 2019, Bangladesh was the fifth in the rank of fastest-growing economies after Ethiopia, Rwanda, Bhutan, and India respectively²⁰ with a 7.3% GDP growth projection in the fiscal year (FY) 2019 and shared the position with Djibouti, Ivory Coast and Ghana (**Figure 3.2**).

Figure 3.2: Top 5 Fastest-Growing Economies of the World (2019)



Source: Dhaka Tribune

Bangladesh became a member of the General Agreement on Tariffs and Trade (GATT) on 16 December 1972 and has been a World Trade Organization (WTO) member since 01 January 1995. The contribution of trade to its gross domestic product (GDP) has significantly increased from 16.8% in 1991 to 31% in 2020²¹. The terms of trade of Bangladesh has worsened even though the export price index has increased by 112 points and the import price index has risen by 137 points²² since 2010²³, resulting in rising trade deficits. The tariff structure was liberalized from 2000, and by 2020 the average tariff rate was down to 14.77%.

During the period between 1972-73 and 2018-19, export has increased from United States Dollar (US\$) 348 million to US\$ 41,433 million, while imports have increased from US\$ 688 million to US\$ 68,103 million²⁴. However, those have decreased by 19.24% and 4.91% in 2019-20 due to the crisis created by the outbreak of the coronavirus pandemic. However, both export and import showed a sign of recovery in FY 2020-21. Key statistics of foreign trade of Bangladesh in the last five years from FY 2015-16 to 2019-20 are presented in the following **Table 3.2** below:

²⁰ Ibrahim Hossain Ovi, “World Bank: Bangladesh among world’s five fastest-growing countries”, Dhaka Tribune, April 04, 2019

²¹ Source: World Bank data : <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS>

²² Bangladesh Export and Import Price Indexes were 237.280 and 277.030 in 2020 (2005-2006=100), Source: CEIC data

²³ Import and export price indexes measure changes in the price of goods and services in international trade. They are used to deflate the value of imports and exports. Import price index is also used as an indicator of future domestic inflation.

²⁴ Dr. Mostofa Abid Khan, former Member of Bangladesh Trade and Tariff Commission, “Evolution of trade policies of Bangladesh since 1972”, the Financial Express, July 02, 2021

Table 3.2: Bangladesh Foreign Trade: Key Statistics

Sl. No.	Items	2015-16	2016-17	2017-18	2018-19	2019-20
IMPORTS:						
01	Total import (Million BDT)	3,869,349	4,712,495	5,511,644	5,722,675	5,441,658
02	Total import (Million US\$)	49,436	59,561	67,133	68,103	64,186
03	Growth rate of imports (%)	5.41	21.79	16.96	3.83	-4.91
04	Imports as percent of GDP	22.33	23.85	24.49	22.51	19.46
05	Per capita imports (BDT)	24,200	29,134	33,679	34,568	32,476
EXPORTS:						
06	Total Export (Million BDT)	2,634,668	3,003,837	3,087,936	3,481,620	2,811,668
07	Total Export (Million US\$)	33.661	37.966	37.612	41.433	33.164
08	Growth rate of exports (%)	9.37	14.01	2.80	12.75	-19.24
09	Exports as percent of GDP	15.20	15.20	13.72	13.69	10.05
10	Per capita exports (BDT)	16,478	18,571	18,869	21,031	16,780

Source: Bangladesh Bureau of Statistics, Foreign Trade Statistics of Bangladesh 2019-20 (Volume II)

3.6.1 Imports

During the last five years, the average growth of imports was recorded to -4.91%, the lowest decrease by -4.91% in 2019-20 and the highest 21.79% in 2016-17. Average import value during 2015-16 to 2019-20 was BDT 5,051,564 million. The lion share (88%) is imported by the private sector and the remaining 12% is imported by the Government and semi-government institutions (Table 3.3).

Table 3.3: Import by Accounts (Million BDT)

Items	2015-16	2016-17	2017-18	2018-19	2019-20
Private	3,511,391	4,156,053	4,976,611	5,210,822	4,802,236
Government	3,958	10,055	32,413	6,610	23,357
Semi-government	354,000	546,387	502,620	505,243	616,065
Total:	3,869,349	4,712,495	5,511,644	5,722,675	5,441,658

Source: Bangladesh Bureau of Statistics, Foreign Trade Statistics of Bangladesh 2019-20 (Volume II)

As for the routes of importation, a major portion (94%) was imported through seaports while only 6% came through the land ports in the country in 2019-20 (Table 3.4):

Table 3.4: Import by Routes (Million BDT)

Items	2015-16	2016-17	2017-18	2018-19	2019-20
Sea	3,704,228	4,547,015	5,198,361	5,404,720	5,128,752
Air	-	-	-	-	-
Land	165,121	165,480	313,283	317,955	312,906
Total:	3,869,349	4,712,495	5,511,644	5,722,675	5,441,658

Source: Bangladesh Bureau of Statistics, Foreign Trade Statistics of Bangladesh 2019-20 (Volume II)

In terms of the direction of imports by country, China and India are the main sources covering 20.64% and 12.07% respectively. The import of commodities from top ten and other countries to Bangladesh is presented in Table 3.5 below during 2018-19 and 2019-20.

Table 3.5: Imports from top ten and other countries, 2018-19 & 2019-20 (Million BDT)

Country	2018-19		2019-20	
	Value	% of total	Value	% of total
1. China	1,291,540	22.00	1,123,512	20.64
2. India	752,048	13.14	656,981	12.07
3. Indonesia	245,289	4.86	254,994	4.69
4. Singapore	483,943	8.46	421,190	7.74
5. Japan	159,105	2.78	179,697	3.30
6. Republic of Korea	134,617	2.35	128,969	2.37
7. Kuwait	97,349	1.70	53,425	0.98
8. Hongkong	262,087	4.58	216,361	3.98
9. Malaysia	218,278	3.81	219,741	4.04
10. Germany	104,365	1.82	87,056	1.60
11. Others Countries	1,974,054	34.50	2,099,732	38.59
Total import:	5,722,675	100.00	5,441,658	100.00

Source: Bangladesh Bureau of Statistics, Foreign Trade Statistics of Bangladesh 2019-20 (Volume II)

3.6.2 Exports

Except for the pandemic periods, the export trend of Bangladesh was positive. Export earnings from ready-made garments and knitwear have the highest share compared to other commodities. In 2019-20, the exports of 2 out of the top 10 commodities had increased while another 8 commodities had decreased compared to that in 2018-19 (**Table 3.6**). Notably, the export of readymade garments decreased by 20.67%, constituting 80.9% of total exports.

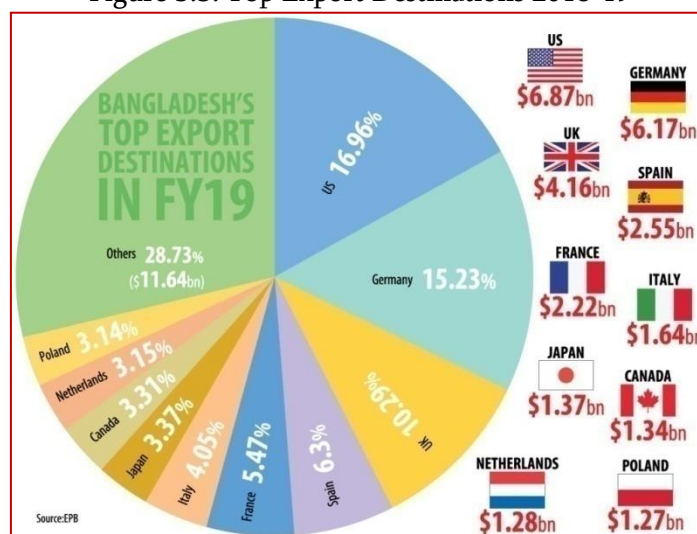
Table 3.6: Exports of Principal commodities during last five years (Million BDT)

Principal Commodities	2015-16	2016-17	2017-18	2018-19	2019-20	% Change
Readymade garments	2,196,542	2,449,245	2,513,449	2,867,433	2,274,744	- 20.67%
Made up textile articles	63,100	78,677	82,085	78,501	65,458	- 16.62%
Vegetable textile fiber/yarn	57,374	70,382	74,119	61,665	59,228	- 3.95%
Shrimps and prawn	33,708	40,779	35,094	34,244	35,094	+ 2.48%
Foot wear	55,752	67,977	66,367	73,819	61,719	- 16.39%
Hides, skins and leather	20,240	19,045	15,118	13,961	7,978	- 42.86%
Raw jute	13,004	1,308	12,781	9,451	12,781	+ 35.23%
Special Woven fabrics	4,035	4,536	4,037	4,759	3,288	- 30.91%
Fertilizer	1	441	1	-	-	- 100%
Hats and other headgear	10,551	16,025	15,075	17,358	14,859	- 14.40%

Source: Bangladesh Bureau of Statistics, Foreign Trade Statistics of Bangladesh 2019-20 (Volume II)

In terms of country-wise export, Bangladesh earned US\$41.43 billion in the fiscal year 2018-19, of which US\$ 28.87 billion or around 70% of the total exports came from the USA, Germany, the United Kingdom, Spain, France, Italy, Canada, Japan, the Netherlands and Poland (**Figure 3.3**).

Figure 3.3: Top Export Destinations 2018-19



Source: Dhaka Tribune

3.6.3 Balance of Trade

During the last five years, the trade balance of Bangladesh has followed previous trend of increasing. It is observed from the last five-year figures given in Table 3.7 that the trade gap is widening gradually. Trade deficit stood at BDT 2,629,990 million in FY2019-20 compared to BDT 2,241,055 million in FY2018-19 representing a 17.35% increase.

Table 3.7: Balance of Trade of Bangladesh during last five years

Year	Trade balance (million BDT)	Ratio of exports and imports
2015-16	-1,234,681	1:1.47
2016-17	-1,708,658	1:1.57
2017-18	-2,423,708	1:1.78
2018-19	-2,241,055	1:1.64
2019-20	-2,629,990	1:1.94

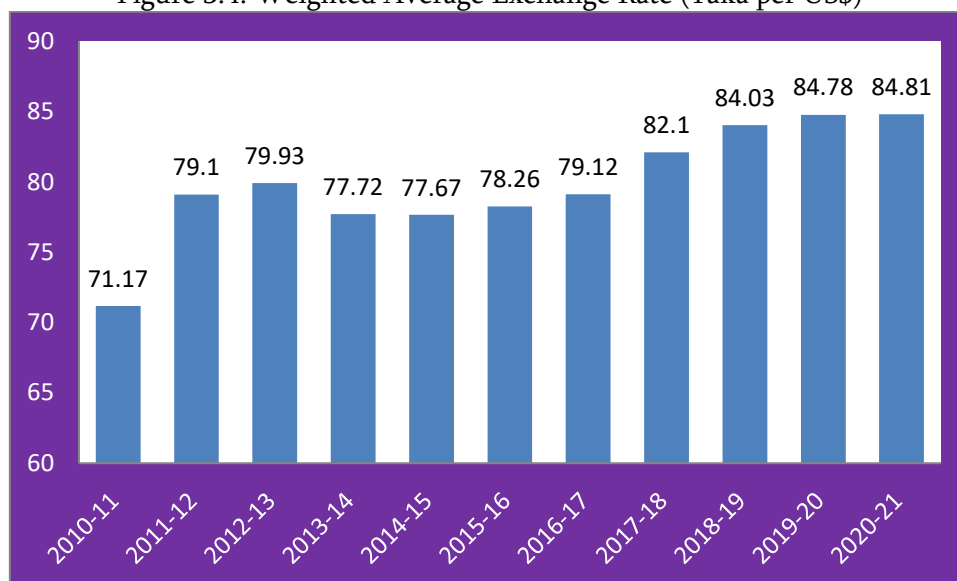
Source: Bangladesh Bureau of Statistics, Foreign Trade Statistics of Bangladesh 2019-20 (Volume II)

3.6.4 Exchange Rate

The economy of Bangladesh observed a marginal 0.03 percent depreciation of Taka against US dollar in FY 2020-21 compared to that of FY 2019-20²⁵. The weighted average inter-bank rate stood at BDT 84.81 per US\$ on 30 June 2021, which was BDT 71.17 per US\$ in 2010-11. The weighted averages of the Taka-Dollar exchange rate from 2010-11 to 2020-21 are shown in figure 3.4 below:

²⁵Bangladesh Economic Review 2021

Figure 3.4: Weighted Average Exchange Rate (Taka per US\$)

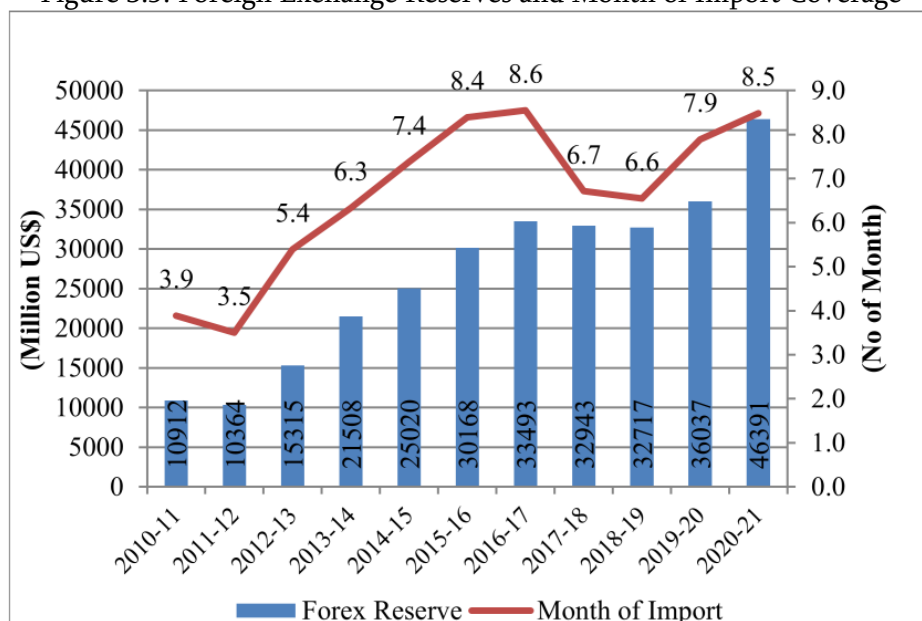


Source: Bangladesh Economic Review 2021

3.6.5 Foreign Exchange Reserve

In FY 2020-21, the current account balance deficit stood at US\$ 3,808 million on the back of robust remittance inflows compared to a US\$ 4,724 million deficit in the previous year. The overall balance recorded a surplus of US\$ 9,274 million in FY 2020-21 compared to the US\$ 3,169 million surplus in the previous year. As a result, the foreign exchange reserves increased to a record US\$ 46.39 billion at 30 June 2021, which were US\$ 36.04 billion as of 30 June 2020 and US\$ 32.72 billion on 30 June 2019. The foreign exchange reserve at the end of June 2021 is considered sufficient for maintaining 8.5 months of import coverage. **Figure 3.5** shows the foreign exchange reserve position at the end of June 2011 to the end of June 2021.

Figure 3.5: Foreign Exchange Reserves and Month of Import Coverage



Source: Bangladesh Economic Review 2021

3.6.6 Regional Trade

The direction of trade in South Asian Association for Regional Co-operation (SAARC) countries is given below. It is evident from the data that the pattern of trade among the SAARC countries is subject to wide fluctuations.

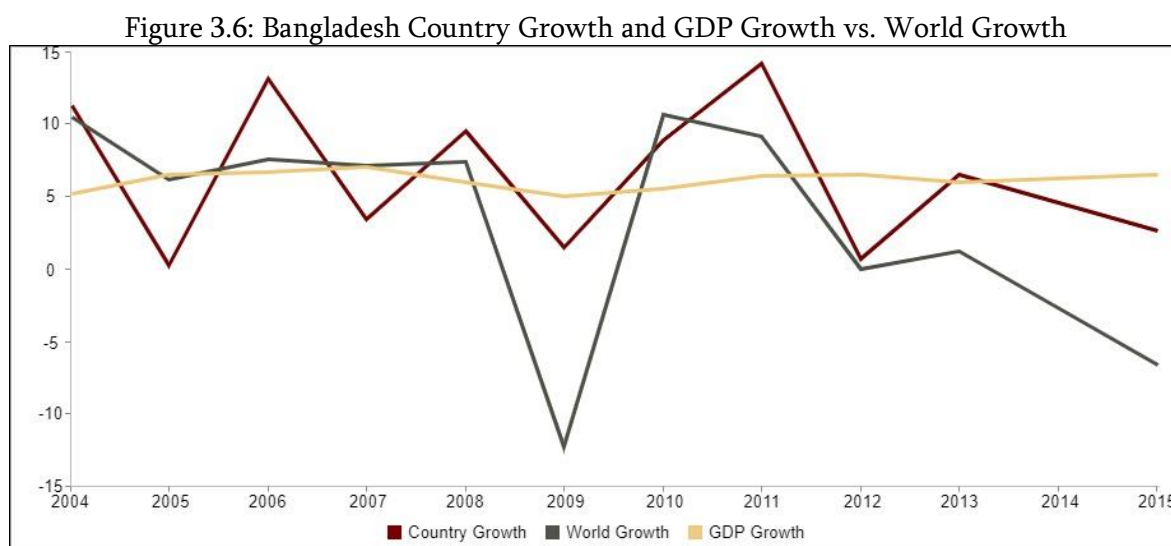
Table 3.8: SAARC Countries: Direction of Trade (Million BDT)

SAARC Countries	2018-19			2019-20		
	Export	Import	Trade balance	Export	Import	Trade balance
Bhutan	636	9,397	-8,761	3,781	7,616	-3,835
India	107,101	752,025	-644,924	88,479	656,981	-568,502
Maldives	563	3,947	-3,384	364	189	175
Nepal	3,252	1,580	1,672	3,522	894	2,628
Pakistan	19,523	67,782	-48,259	3,781	67,254	-63,473
Sri Lanka	3,965	17,744	-13,779	7,895	15,900	-8,005
Afghanistan	526	18	508	438	48	390
Total:	135,566	852,493	-716,927	108,260	748,882	-640,622

Source: Bangladesh Bureau of Statistics, Foreign Trade Statistics of Bangladesh 2019-20 (Volume II)

3.6.7 World Trade and Bangladesh

Bangladesh had a total export of US\$ 31,734.16 million and total import of US\$ 48,058.71 million leading to a negative trade balance of US\$ -16,324.55 million in 2015. The Effectively Applied Weighted Average Tariff (customs duty) for Bangladesh was 11.82% and the Most Favored Nation (MFN) Weighted Average tariff was 12.32%. The trade growth in Bangladesh was 2.68% compared to a world growth of -6.61% in 2015. The GDP of Bangladesh was US\$ 302,571.0 million and its exports of goods and services as a percentage of GDP was 15.32% and imports of goods and services as a percentage of GDP was 21.44%. Figure 3.6 below depicts country growth and GDP growth of Bangladesh vis-à-vis those of the world.



Source: World Integrated Trade Solution (WITS)-The World Bank Data

3.7 Bangladesh Land Port Authority (BLPA)

Established under the BLPA Act 2001, the Bangladesh Land Port Authority (BLPA) came into being in 2001 as a statutory regulatory body. The vision of BLPA is to expedite and facilitate export-import activities through land routes and also to make it the safest, most efficient and

sustainable. It has a mission to develop and modernize infrastructure, ensure efficiency in cargo handlings and improve storage facilities for better service delivery. A Board directs and monitors the overall activities of the Authority. Moreover, an Advisory Committee chaired by the Minister/State Minister of Shipping provides necessary direction for the dynamism and overall development of the land ports. Major functions of BLPA, according to the Act, include:

- formulate policies for all land ports' development, management, expansion, operation, and maintenance;
- appoint operators, if necessary, to receive, maintain, and send cargoes at a land port;
- prepare schedule of tariffs, tolls, rates and fees chargeable to the port users with prior approval of the government;
- execute contracts with any person to fulfill the objectives of the Act;
- construct and repair roads next to borders for goods movement and facilitate yards and shading required for short-term storage of products and loaded vehicles; etc.

BLPA started its activities through the declaration of 12 land ports. Afterwards, 12 more land customs stations have been declared as land ports. BLPA is developing infrastructural facilities of the land ports. Automation System is being implemented at the land ports in phases with a view to building Digital Bangladesh and has been executed at Benapole Land Port. Besides, the e-port management system is now under implementation under e-service at Burimari Land Port. The initiative of implementing automation has also been adopted for other land ports. Box 2 below contains a good practice example.

Box 2 Upgrading Trade Logistics Infrastructure
<p>The importance of infrastructure is most evident when considering the efficiency of land ports. Their ability to ensure timely cargo transfers is a vital dimension of port competitiveness. Efficient land ports are not only technologically advanced - using robots and automated container handling - but also employ digital platforms, such as port community systems, to ensure the smooth and reliable transfer of information between all members of the network. They generate many economic benefits, including increased trade volume, lower trade costs, higher employment and foreign investment. The quality of land port impacts entire supply chain and even the economies of nearby towns.</p> <p>Automation improves the reliability, predictability, safety and competitiveness of operations. Ports are land-intensive; automated cranes and vehicles in ports improve the productivity, which allows for more efficient land allocation and use. Additionally, modern automated machinery is fast, economical and low-maintenance and it helps to avoid collisions and other physical damage. Singapore inaugurated the Pasir Panjang Terminal Building Gate 3 for containerized cargo within the Port of Singapore in September 2016. The terminal provides access to eight additional flow-through container lanes. Together with the expansion of the port, investments were made to improve port infrastructure and its automation. As a result, terminal handling processes at the port have improved and the time for import and export have decreased.</p> <p>In April 2018, the Port of Luanda upgraded its port community system to Janela Única Portuária II, allowing for electronic information exchange between different agents, including the port, terminal operators and shipping lines. As a result, the terminal handling processes at the port have improved, reducing the time for export and import. Again, in December 2018, the Indian Ports Association launched the Port Community System PCS 1x, which serves as a single platform for</p>

all port transactions between public agencies, the private sector and banks, which improved the time and cost to comply with border and documentary requirements.

BLPA was given an award by World Customs Organization in 2017 and Benapole land port was given certificate of merit award in 2018 for providing better services. The following Table 3.9 shows year-wise income and expenditure of BPLA for the last 10 years:

Table 3.9: Financial Position of Bangladesh Land Port Authority (In Crore Taka)

Fiscal year	Income	Expenditure	Surplus
2010-11	41.20	32.38	8.82
2011-12	42.08	31.91	10.17
2012-13	47.78	35.82	11.96
2013-14	61.31	51.06	10.25
2014-15	70.52	47.38	23.14
2015-16	83.20	55.36	27.84
2016-17	111.51	75.02	36.49
2017-18	148.33	95.53	52.80
2018-19	210.94	144.25	66.68
2019-20	208.77	160.03	48.74
2020-21 (Up to December 2020)	123.47	85.42	38.05

Source: Bangladesh Economic Review 2021

3.8 Functioning of the Land Ports

Land ports in Bangladesh have been developed since 2001 and have increasingly played an active role in facilitating the nation's trade, enabling goods to be imported, exported, transported and distributed. The development of land ports is crucial in dealing with the dynamic changes in freight and logistics processes. Efficient and sophisticated value-added services are essential to enhance the land port's performance²⁶.

Some 24 of the 181 land customs stations along the 4,246 kilometers of Bangladesh's border with India and Myanmar (92% with India and 8% with Myanmar) have been declared as land ports. Of them, 23 land ports are along the Indian border, with only one being in the vicinity of Myanmar - Teknaf land port in Cox's Bazar. Of the 12 existing ports, seven ports are operated under the direct supervision of BLPA, while the other five ports are being operated on BOT (build-operate-transfer) basis through private operators. There are 12 new land ports now under development. Two other land ports – one at Mujibnagar in Meherpur district and the other at Pragpur in Kushtia district - are also proposed to be set up.

Benapole land port has 40,000 Metric Ton (MT) storage capacity and can handle 2 million MT goods. Burimari and Akhaura land ports have 2,000 MT storage capacity each with annual handling capacity of 0.5million and 0.75 million MT respectively. Whereas Sonamosjid, Hilli and Tetulia land ports have the storage capacity of 1000 MT, 2000 MT and 500 MT respectively and handling capacity of 2.0 million MT, 1.00 million MT and 0.5 million MT (manual-yearly) respectively. Teknaf, Bibirbazar and Birol land ports are operated on BOT basis. Storage capacity

²⁶TSILINGRIS, P. S. and LAGUARDIA, C. T. (2007), "Dry Vis-a-Vis water ports: Partners or competitors? The case of Spain" *Proceedings of the International Scientific Conference*, University of the Aegean, Chios, Greece, pp.39-55

of Teknaf and Bibirbazar land ports are 1000 MT and 500 MT and annual handling capacity of these ports are 0.3 million MT and 0.5 million MT respectively.

Exports and imports to and from India are the main activities of the land ports. However, Bhutan and Nepal have also begun exporting and importing goods to and from Bangladesh via Indian territories. The following table shows year-wise imports and exports of the land ports during the period from 2015-16 to 2019-20.

Table 3.10: Import and Export through Land Ports of Bangladesh (Million Tons)

Sl. No.	Financial Year	Import	Export	Total
1.	2015-16	7.28	1.29	8.57
2.	2016-17	14.04	0.83	14.87
3.	2017-18	20.17	0.94	21.11
4.	2018-19	20.33	1.20	21.53
5.	2019-20	14.11	0.96	15.07

Source: Annual Report of BLPA 2019-20

Among all the ports, Benapole land port is the busiest and it caters for around 90 percent of the traded cargo. Various stakeholders of the land ports such as Customs, Immigration, Quarantine, Border Guard Bangladesh (BGB), Banks, Importers-Exporters, C&F Agents Association, etc. are providing necessary assistance in its functioning process. The government has decided to conduct integrated services under one umbrella involving and coordinating all stakeholders in the land port in order to facilitate service, ensure transparency and accountability and establish good governance to provide better services to port users and common passengers. Meanwhile, One Stop Service system is being provided at Benapole, Burimari, Banglabandha and Teknaf land ports. It will be introduced in all land ports gradually to further improve business environment.

Following are a few major challenges faced by the land ports in Bangladesh:

- Almost all the land ports have common destination, Dhaka city.
- Connectivity is mostly based on road transport.
- Till now single window system is yet to be fully established.
- Inadequate laboratory/testing facilities.
- Mostly Single country-based operation.
- Automation is essential to ensure speed and accuracy of port management activities.

3.9 The BLPA Act 2001

3.9.1 Salient Features

As described in its preamble, the prime objective of the Bangladesh Land Ports Authority Act, 2001 (Act No. XX of 201) is to establish the Bangladesh Land Ports Authority for regulating the land ports in the country including their operation, management, development, expansion, maintenance and related affairs. The Act is compact and simplified in nature, containing only 23 sections. The salient features of the Act are as follows:

- The Bangladesh Land Ports Authority Act, 2001 was published on April 16, 2001, after being passed in the National Parliament and obtained the consent of the President.
- The Act empowered the government to declare any land customs station in the country as the land port.

- It also empowered the government to constitute the Bangladesh Land Ports Authority as a statutory body, which shall have the power to manage facilities for cross-border movement of passengers and goods at designated points along the international land border.
- The Authority shall be composed of a Chairperson and three full-time members from the government and three part-time members including one officer from the Internal Resources Division (IRD) and one private person representing trade and industry.
- The Authority may: (a) formulate policies to operate, manage, develop, expand and maintain land ports; (b) appoint private operators to receive, store and deliver goods of the land ports; (c) produce schedule of taxes, tolls, rates and fees recoverable from the land port users with prior approval of the government; etc.
- The Authority has the power to enter any contract deemed necessary to fulfill the purposes of the Act.
- Any land needed by the Authority shall be deemed to be needed for a public purpose and shall be acquired as per provisions of the relevant law.
- The Act provides for submission of the Authority's program of activities and financial estimates to the government. It also makes it mandatory for the Authority to maintain accounts which shall be audited annually.
- The Authority may charge such fees and rent as provided by regulations. It shall establish its own funds where all receipts shall be credited.

3.9.2 Constraints and Challenges

There is no single agency in the land ports of Bangladesh responsible for coordination of various functions including those of security, immigration, customs, plant and animal quarantine, etc., and also for the provision of support facilities such as warehousing, parking, banking, foreign exchange, among others.

As regards, the relevance of the Act to the International Treaties and Conventions, it may be mentioned that Bangladesh is a signatory to the WTO Trade Facilitation Agreement (TFA) and the World Customs Organization (WCO) Revised Kyoto Convention (RKC). Most of the measures of TFA and RKC are related to customs and trade facilitation. Bangladesh is committed to implement the measures under the TFA and RKC in phases. The government has already taken initiatives to implement such measures. However, there is no provision for the creation and management of a women empowerment fund as provided for in the rules of Article 21 of the TFA.

As already noted, the Bangladesh Land Port Authority Act 2001 basically relates to the establishment of the Bangladesh Land Port Authority with a view to managing international trade through the land ports in the country. Therefore, the Act does not have any direct relation to the trade-related agreements and conventions. However, out of the 38 measures as suggested under the TFA/RKC, 37 relate to customs management, while only one is related to trade facilitation. The BLPA has taken concrete steps to implement trade facilitation in the land ports.

With a view to facilitating paperless trade, the BLPA is in the process of introducing automation in the land ports. It is implementing a project at a cost of BDT 319 million for automation of four land ports - Benapole, Bhomra, Burimari and Akhaura - aimed at strengthening their operational processes to promote regional trade. Accordingly, Benapole land port is on the path of full-fledged automation with installation of all necessary electronic devices.

An e-Port Management System is in operation at Burimari land port and will be expanded to other land ports gradually. Under the auspices of United Nations Conference on Trade and Development (UNCTAD), Bangladesh Customs launched automated customs assessment system by introducing Automated System for Customs Data (ASYCUDA) software in 1994, pioneering the digital environment for trade and commerce in Bangladesh. This system has further been modernized so as to deal with the activities of TFA and RKC. Hopefully, using this platform, the country will be able to augment the journey towards automation and modernization as per the requirements of TFA.

The recruitment, training and retention of skilled personnel at the management and operational levels are crucial to logistics performance²⁷. The low prestige and status of operational logistics workers as well as the low salaries offered are identified as two critical factors that prevent the recruitment of young talent. Yet, recent logistics developments, particularly in information technology, demand new competencies that the existing workforce often does not possess. Vocational schools for logistics jobs are lacking, and training is often limited to short-term, on-the-job instruction by colleagues during daily operations. Therefore, personnel development and the linkage of personal performance to team performance and to the overall efficiency of the organization and its ability to fulfill its mandate are of utmost importance.

3.10 Current Status of Land Port Management

The existing infrastructure for discharge of various sovereign functions at the land ports in Bangladesh is neither adequate nor coordinated. Moreover, the land ports are widely criticized by different stakeholders and experts in the field to be inefficient in their operation. Such operational inefficiency in the land ports is due to internal reasons like poor infrastructure, poor communication, inadequate transportation network, etc. In fact, service infrastructure has not been developed keeping pace with the increasing number of service seekers²⁸. Experts also question the decision of approving a big number of land ports without proper study on their financial viability or sustainability. The availability of convenient modes of transportation, probable cost of transportation, connectivity with a business or industrial center, interests of the exporters and importers, etc. were seldom considered in determining the location of the land ports.

Notably, a recent study in Bangladesh indicated that road haulage charges were on average 3 times those of rail (4.5 Taka per ton-km for road as compared with 1.5 Taka per ton-km for rail). Operating cost comparisons are likely to show a much larger advantage for rail. In determining the location of land ports, minimizing the distance of high-cost transport (road) and maximizing the distance of low-cost transport (rail), will optimize the overall transport cost between cargo origins and destinations²⁹.

Representatives of the business community expressed grave concerns over the poor performance of land ports in the country at a seminar on “Development of Land Ports and Land Customs

²⁷ World Bank, Connecting to Compete, 2018

²⁸ Md. Alamgir, Chairman, Bangladesh Land Port Authority, “Land ports in Bangladesh: Prospects and challenges”, the Financial Express, June 18, 2021

²⁹ Clean Air Asia, Advancing Green Freight in Bangladesh: A Background Paper, October 2015

Stations for Trade Facilitation” organized by the Federation of Bangladesh Chambers of Commerce and Industry in September 2015. Major issues raised were³⁰:

- Many land ports and customs stations that have been in operation for years do not even have a standard office room for government officials and warehouses for loading and unloading of goods.
- Exporters face hurdles in collecting clearance certificates at the Benapole land port due to the absence of local offices of Export Promotion Bureau, Department of Agricultural Extension, Department of Livestock Services and Bangladesh Standards and Testing Institution.
- The condition of infrastructure and banking service is very poor.

However, there are also some external reasons, like congestion in India, prolonged commodity clearance certification process of India, etc., which affect the performance of Bangladesh land ports. In Benapole land port about 200-250 trucks are amassed carrying exporting goods everyday but only 100-150 trucks are cleared from the Indian side and the rest have to wait on Bangladesh side causing huge traffic congestion. Quality checking at Akhaura land port of exported goods at Shillong causes an unreasonable delay which could be minimized by shifting this process to Agartala.

3.11 Multi-sectoral coordination mechanism

A number of government and non-government organizations provide various services in the land ports. The following ministries of the government, inter alia, are involved in the functioning process of the land ports:

- Ministry of Home Affairs for border management measures
- Ministry of Road Transport and Bridges for transportation measures
- Ministry of Railways for transportation measures
- Ministry of Foreign Affairs for diplomatic relations affairs
- Ministry of Law, Justice and Parliamentary Affairs for legal affairs
- Ministry of Health and Family Welfare for Sanitary and Phytosanitary (SPS) measures
- Ministry of Fisheries and Livestock for SPS measures
- Ministry of Food for SPS measures
- Ministry of Industries for TBT measures
- Ministry of Agriculture for SPS measures
- Ministry of Finance for economic affairs
- National Board of Revenue for customs affairs.

The organizations operate according to their own rules and regulations and thus suffer from coordination gap. This undermines the purpose of providing one-stop service under one roof³¹. Delays in the clearance of goods are also caused by insufficient and lack of coordination among trade-related institutions. In some cases, the Departments have created separate offices, resulting in minimal sharing facilities between the Agencies, resulting in a lengthy clearance procedure for traders. Despite some automation associated with the submission and processing of Customs

³⁰ The Daily Star, “Business leaders call for better services at land ports”, September 07, 2015

³¹ Md. Alamgir, Chairman, Bangladesh Land Port Authority, “Land ports in Bangladesh: Prospects and challenges”, the Financial Express, June 18, 2021

declarations, much of the overall process remains paper-based and inefficient, adding a layer of complexity and delay to border clearance and acting as a costly impediment to private sector competitiveness, negatively affecting trade and investment.

Since a number of different organizations under various ministries are directly involved in the process, inter-departmental coordination becomes critically important, and needs to be significantly strengthened. The BLPA Act does not contain any provisions to facilitate inter-departmental coordination in the land ports. The BLPA also is not entrusted with such responsibility. At the same time, it is important to rethink the roles played by different departments particularly whether there is an opportunity to revisit the traditional roles played by other ministries/departments.

Nevertheless, for a land port to be efficient, multiple stakeholders must be involved, including the officials of customs, taxes, immigration, border guard forces, food safety departments, banks, transportation and warehousing authorities. Notably, procedural simplification yielded good results in terms of reducing the processing time and also costs (**Box 3**).

Box 3 Removing Certain Requirements and Making the Process Simpler
Not all reforms in the area of trade facilitation require heavy spending. Initiatives such as providing training, clarifying and publicizing the rules, holding regular meetings with traders on the clearance process and removing certain requirements or making them simpler can make a difference. For example, in 2018 Ukraine eliminated a requirement to provide a verification document from the State Service of Export Control for the import of automotive parts; it did this by removing automotive parts from the list of military goods that are subject to oversight and control by the State Service. <i>Doing Business</i> data show that Ukraine's documentary compliance time and cost to import subsequently decreased by 72 hours and US\$ 50, respectively. In 2019, Ukraine further reduced the time to import by simplifying conformity certification requirements for auto parts. Similarly, China, since January 1, 2019, lifted a license requirement for imports of mechanical and electrical commodities, which helped reduce documentary compliance time when importing auto parts from Japan.

3.12 Impacts and Drawbacks

The land ports of Bangladesh have been playing a beneficial role in the economic development of the country, especially in external trade. The lion's share of Bangladesh's land trade is with India, as India-Bangladesh has the fifth-longest border area in the world. Every year about one million people from Bangladesh visit India for tourism, education and medical purposes. Bangladesh-India bilateral annual trade has reached US\$ 10 billion³². Some of the major impacts of the land ports are summarized below:

- In Benapole, Sonamasjid, Hili, Teknaf, Tamabil, Burimari and Sonahat land ports, about 10,000 workers are engaged regularly in handling of goods through privately employed contractors. This has created employment opportunities for a large section of poor and destitute people in the locality.

³² Ibid

- With the establishment of land ports in remote areas of the country, many business activities such as, shops, banks, C&F offices, hotels, motels, computer composing, mobile phone, internet, photographic facilities, etc. have grown.
- Through transportation of huge quantity of goods, the transport sector has immensely benefited.
- The country has earned more than BDT 12 billion in revenue in the past years through the land ports.
- The land ports paid about BDT 2 billion to the government exchequer in the form of VAT.

On the other hand, backward transportation network, poor port infrastructure, lack of mechanization in the port operation etc. have been posing great hindrances towards the development of land ports in Bangladesh. In fact, infrastructure is a great problem for the land ports. Most of the land ports suffer from lack of efficient cargo handling machineries, shortage of necessary space for container holding tracks to stand and shortage of road facilities to clear the trucks very efficiently. Following are the inherent characteristics of most of the land ports in Bangladesh:

- There was a lack of proper feasibility studies on their potential in relation to the cross-border trade, a number of land ports remained idle and many of those are used only once or twice a year.
- The majority of land ports face a lack of effective cargo handling equipment, as well as the requisite area for container holding tracks and road infrastructure to quickly clear trucks.
- Due to inadequate laboratory/testing facilities, port users have to face serious troubles to clear their goods.
- The ports are not equipped with current Information and Communication Technology (ICT)-based operations.
- The failure to address gender-specific limits and barriers as part of the larger framework of trade facilitation has major consequences for women's empowerment, as well as productivity and growth.
- There are very few facilities for women entrepreneurs on the Benapole border.
- There are inadequate coordination and interconnecting of key policies to deal with intertwined features of export and import.
- Absence of activities aimed at building institutional skills in the fields of trade diplomacy and trade promotion.

Therefore, building and maintaining appropriate infrastructure is very essential for the smooth operation and future development of land ports in Bangladesh. At the same time, land ports require an integrated support from various sub-sectors, ranging from proper infrastructure to supportive financial system.

Chapter IV

Comparison with Regional Countries

4.1 Land Ports in India

India has over 15,000 km long international land border with Afghanistan, Bangladesh, Bhutan, China, Myanmar, Nepal and Pakistan. There are several designated entry and exit points known as Integrated Check Posts (ICPs)³³ for cross-border movement of persons, goods and vehicles. The Government of India is developing ICPs along the land borders. Five ICPs Atari, Racal, Dogbane, Agartala, and Petrapole have been made operational. ICPs that are under construction at other locations include Dawki and Moreh. The ICPs house all regulatory agencies customs, immigration, border security, quarantine, and food safety, among others, together with support facilities like warehouses, parking lots, banks, and hotels under one roof. The Land Ports Authority of India is the single agency responsible for the coordinated functioning of various government agencies and service providers at the ICPs, as well as for developing and maintaining the ICPs.

4.1.1 Land Ports Authority of India

The Land Ports Authority of India (LPAI) was established in 2012 as a statutory body under the Land Ports Authority of India Act, 2010 to manage the cross-border trade through the ICPs. The ICPs are sanitized zones at border crossings, with adequate passenger and freight-processing facilities. They integrate three main border-related functions: Customs, Immigration and Border Security. The ICPs are aimed at facilitating the systematic, seamless and secure cross-border movement of goods and people by ensuring efficient passenger flow, providing adequate passenger facilities, smoothening processes, optimizing the use of facilities, systemizing support facilities, and improving traffic flow³⁴.

The Land Ports Authority of India Act, 2010 is the legal instrument guiding the management and operation of land ports in India. The functioning of the land ports is considered as part of the border management and the LPAI is under administrative control of the Union Ministry of Home Affairs. The main functions of the LPAI include:

- put in place systems, which address security imperatives at the ICPs on the border;
- plan, construct and maintain roads, terminals and ancillary buildings other than national highways, state highways and railways, at an ICP;
- plan, procure, install and maintain communication, security, goods handling and scanning equipment at an ICP;
- establish and maintain warehouses, container depots and cargo complexes for the storage or processing of goods;
- arrange for postal, money exchange, insurance and telephone facilities for the use of passengers and other persons at the ICPs;
- make appropriate arrangements for the security of integrated check posts and provide for regulation and control of movement of vehicles, entry and exit of passengers and goods in accordance with the respective law concerning them; etc.

³³ In India, land ports are also known as Integrated Check Posts (ICPs)

³⁴ Joyeeta Bhattacharjee, "Integrated Check-Posts on the India-Bangladesh Border: A Field Survey and Brief Analysis", Observer Research Foundation (ORF) *Special Report No. 96*, August 2019

LPAI endeavors to provide safe, secure and systematic facilities for movement of cargo as well as passengers at its ICPs where sufficient capacity has been created for storage of goods both in warehouses and open yards. The ICPs provide parking, warehousing as well as restroom facilities, in a state-of-the-art setup, to the people. The chargeable services for trade are - parking, weighing, loading/unloading, and warehouse facility. The warehouse charges are levied only after a free period allowed for the clearance of goods. Similarly, parking fee is levied only for the trucks parked overnight.

4.1.2 ICPs with Bangladesh

Within the vicinity of Bangladesh, two ICPs at Agartala and Petrapole are currently functioning, while another one at Dawki is under construction.

- **ICP Agartala:** Located at India-Bangladesh Border in the close vicinity of Agartala, the capital city of Tripura State of India, the Agartala ICP was inaugurated on 17 November 2013. It is an important trade route between India and Bangladesh and is responsible for Indian Rupee (INR) 190 crore worth of annual trade on average. The major imports include crushed stone, lay flat tubes, float glass and cement, with stone chips being predominantly handled at Agartala. The main items of export include bamboo, dry fish and dry chilli.
- **ICP Petrapole:** The ICP at Petrapole was operationalized on 12 February 2016. It is located at about 80 km from the State Capital, Kolkata in the State of West Bengal. The Petrapole border crossing is one of the busiest Land Customs Station (LCS) in Asia. A significant portion of the Indo-Bangladesh land-border trade happens via this ICP. Thus, the Petrapole border is operational round the clock, all seven days of the week. The annual trade through the two ICPs is as follows:

Table 4.1: Trade Volume of the ICPs in 2018-19

ICP	Import (Rs. Cr.)	Export (Rs. Cr.)	Total
ICP Agartala	355.06	1.42	356.5
ICP Petrapole	3,943.00	17,437.00	21,380.00

Source: LPAI

- **ICP Dawki (Proposed):** The ICP is proposed to be developed at Dawki in West Jaintia Hills District in the State of Meghalaya on the India-Bangladesh border. Dawki is 55 Km from Jowai, the district headquarter of West Jaintia Hills district. It is connected by National Highway (NH) 44 (extension) and NH 40 (Erstwhile Shillong-Sylhet road) and is about 84 Km from Shillong, the capital city of Meghalaya. At present, Land Customs Station is operating at Dawki.

However, not a single LCS between India and Bangladesh offers services that are comparable to international standards³⁵.

³⁵Prabir De and Biswa N. Bhattacharya, "Prospects of India-Bangladesh Economic Cooperation: Implications for South Asian Regional Cooperation," ADB Institute Discussion Paper 78, September 2007

4.1.3 Proposed ICPs

In addition, the following LCSs have been proposed to be developed at the Bangladesh border as ICPs by the LPAI:

Table 4.2: Proposed ICPs at Bangladesh Border

Sl. No.	Location	State	Border
1.	Hili	West Bengal	Bangladesh
2.	Changrabandha	West Bengal	Bangladesh
3.	Sutarkandi	Assam	Bangladesh
4.	Ghojadanga	West Bengal	Bangladesh
5.	Mahadipur	West Bengal	Bangladesh
6.	Fulbari	West Bengal	Bangladesh
7.	Kawrpuchhuah	Mizoram	Bangladesh

Source: LPAI

Notably, the existing infrastructure for discharging various sovereign functions at these points is neither adequate nor coordinated. No single agency is responsible for coordination of various government functions including those of Security, Immigration, Customs, Plant & Animal Quarantine, etc., and also for the provision of support facilities such as warehousing, parking, banking, and foreign exchange bureau among others³⁶.

Add regarding assisting in preparing ToR, RFP and coordination with organizations

Experience in working with PWD students and beneficiaries

Experience in facilitating projects

4.2 Land Ports in Myanmar

Myanmar is one of the South East Asian countries with a land area of 677,000 square km with a long coastline of 2,229 km in the South-West of the country stretching along the Bay of Bengal and the Andaman Sea. More than 85 percent of the nation's trade is served by maritime transportation which contributes about 80% of country's economy. Yangon Port is the major port and the cargo throughput using Yangon Port has been increasing significantly every year. Founded in 1989, the Myanmar Port Authority (MPA) under the Ministry of Transport and Communication is the government agency responsible to regulate and administer all the ports in the country - seaports and land ports³⁷. Imports and exports with the neighboring countries are done through the Border Trade Centers (BTC) at Myawaddy on the Thailand-Myanmar border, at Muse border crossing on the China-Myanmar border and at Tamu border crossing point on the India-Myanmar border. All the customs documentation can be done at the BTCs.

In Myanmar, land ports are termed as Dry ports, which are also known as the intermodal inland terminals. The dry ports are a relatively new phenomenon in Myanmar. They have appeared in order to help seaport congestion by serving most of the seaport functions in the hinterland for seamless container transportation and the links of the seaports with their hinterland.

³⁶ Source: Land Ports Authority of India: Available at <http://www.lpai.gov.in/content/innerpage/genesis.php>

³⁷ Aye Nyein Zin, (2019), "A comparative analysis of dry port developments in developed and developing countries: an implication for Myanmar dry ports", World Maritime University Dissertations, 1147

4.2.1 Yangon-Mandalay Link

Mandalay is the second economic capital city of Myanmar, located 716 km by road from Yangon, which has good inland waterway access with the Ayeyarwaddy, the longest river of Myanmar. It is also the critical point for land transportation since it is situated on the Asian Highway (AH1 and AH14) and the network of Trans-Asian Railway (TAR). Mandalay serves as an economic hub for upper Myanmar by means of its location, road, inland waterway and rail access and commerce. The location of Mandalay also makes it to be a distribution hub of cargo from the border trade with China and India.

Furthermore, approximately 80 percent of Myanmar's whole border trade volume is with China and all export to China passes through Mandalay while most imports from China are distributed in Mandalay. Nevertheless, for the middle and upper Myanmar, Mandalay is the center of the region from numerous respects such as local industrial zones, agricultural cultivation, and a distribution center. All these situations drive Mandalay to be a vital logistics hub for upper Myanmar both regional and domestic border trade as well as for the national and international trade.

Between Yangon and Mandalay, it takes about one week to transport cargoes by the Inland Water Transport (IWT) while approximately 24 hours have to be spent by road transportation and approximately 15 hours by train. Among them, IWT is the cheapest transportation with lower freight rates than road and rail transport. Notably, IWT is the dominant inland waterways network provider for freight transport and is a state enterprise of the Ministry of Transport and Communications. Approximately 2,400 km of 5,000 km of Myanmar's navigable waterways are used for inland waterways including the Ayeyarwaddy River, on which Mandalay Region is situated.

4.2.2 Myanmar Dry Ports

So far, there are two functional dry ports in Myanmar. Ywa Thargyi Dry Port (Yangon) was officially launched in November 2018 while Myitnge Dry Port (Mandalay) in January 2019. However, operations started in 2018 in order to transport cargo between two dry ports with a shuttle rail service once a week. The train leaves from Ywa Thargyi Dry Port every Sunday. The dry ports are built under Build, Operate, Transfer (BOT) basis through the partnership between Hong Kong-based Kerry logistics and a local company, Resource Group Logistics (RGL). Both the companies hold an equal number of shares.

- **Myitnge Dry Port (Mandalay):** Myitnge Dry Port is constructed on 35-acres of land area comprising of Container Freight Station, General cargo area, Container yard, Customs clearance area, Customs office, Railway terminal, Operator's office, Parking area and Maintenance workshop. The facility makes available 1,100 Twenty-foot Equivalent Units (TEU) container storage, 4,600 m² for a bounded warehouse, and another 4,600 m² for a general warehouse and 16 reefer points. As for the land transportation service, 24-forty feet tractors with maximum capacity of 30 tons each provide last-mile delivery service, door-to-door pick-up services, long and short-haul deliveries and offers tracking truck locations according to request.
- **Ywa Thargyi Dry Port (Yangon):** Ywa Thargyi Dry Port offers services on 40 acres of land which includes services for 4,200 TEUs container storage, 3,000 m² container freight station, 10,000 m² for bounded warehouse, 20,000 m² for general warehouse and 20 reefer

points. For rail shuttle services, between the rail stations of Ywa Thargyi and Myitnge, both freight and fuel train transportation are available, served by 11 to 15 wagons in one trip, of which, each has 32 tons of maximum loading capacity.

- **Proposed Dry Port:** Currently, the Ministry of Transport and Communications is conducting a feasibility study to develop a dry port in partnership with a Korean Company in Monywa, the capital city in the Sagaing Division, some 136 km north-west of Mandalay on the eastern bank of the river Chindwin. It is expected to further facilitate the freight flow between lower and upper Myanmar. In the future, the freight trains will run across the route of Myawaddy, Maesout and Muse as well as to create a network of trade with neighboring countries such as China, India and Thailand. The provision of transit services between countries is under way for preparations.
- **Maungdaw Land Port:** The Maungdaw cross-border camps is used for border trade between the two countries. Border trade between Myanmar and Bangladesh through Maungdaw began on September 5, 1995, primarily to legalize informal border trade between the two nations. Around 40% of Myanmar's exports to Bangladesh and 29% of Myanmar's imports from Bangladesh pass through these two border crossings. Consumer goods that were mainly imported from Myanmar to Bangladesh during 2019 via the Maungdaw border trade centre comprised mostly marine products, ginger and onions.

Overall, the dry ports offer services such as customs clearance and inspection, container storage and handling, break-bulk and bulk cargo storage and handling, stuffing, un-stuffing, container light repairs, forwarding service, consolidation of cargoes and banking services. According to Myanmar Railways, Ywa Thargyi Dry Port handled over 50,000 tons of cargo between November 2018 and early May 2019. A total of 18 rounds of trains have run, carrying 5,994 tons of cargoes in total, nine of which from Myitnge to Ywa Thargyi, carrying 3,152 tons during that period³⁸.

4.2.3 Dry Port Regulation

There are no regulations, policies or rules designed exclusively for the dry ports in Myanmar. The activities of the dry ports are governed under the provisions of the Myanmar Port Authority Law, 2015. However, the law does not even contain a definition of land port or dry port.

4.2.4 Border Trade with Bangladesh

Following successful negotiation between Bangladesh and Myanmar for border trade, officials from both sides signed a preliminary agreement at Hotel Shaibal at Cox's Bazar, Bangladesh, on 07 September, 1989. After both sides kept discussing details, a Memorandum of Understanding was signed on 18 May, 1994, legalizing informal border trade between the two countries. Myanmar-Bangladesh border trade based in Maungdaw started on 5 September, 1995³⁹.

The Myanmar-Bangladesh border trade port is located in Maungdaw creek in Maungdaw town under the Buthidaung district of Myanmar. After starting border trade, freshwater fish, rice and salt were exported to Bangladesh as new export commodities. These goods were transported from Sittwe to Buthidaung via water routes then they were sent to Maungdaw from Buthidaung by

³⁸ Eleven Myanmar (2019), "Two Ywa Thargyi dry ports handle over 50,000 tons of cargo", Available at: <https://www.hellenicshippingnews.com/two-ywarthargyi-dry-ports-handleover-50000-tons-of-cargo/>

³⁹ Kyun Thar Nga Mann, "Challenges of Myanmar-Bangladesh border trade", Development Media Group (dmediag.com), 28 November 2019

trucks. To remove the difficulties, the Ministry of Trade allowed opening the Sittwe border trade camp in November, 1997 to export goods from Sittwe to Teknaf border trade center in Bangladesh via waterway routes without going to Maungdaw. Thus Myanmar-Bangladesh border trade actively continues from not only Maungdaw border trade camp but also Sittwe border trade camp via waterway routes.

The government plans to build a new port downstream in Kanyin Chaung (two miles away from Maungdaw town) which will be able to accept cargo ships having 2,000 or 3,000 tons capacity and ships will be able to operate without waiting for rising tides. In addition, frozen storage facilities and warehouses will be included in Kanyin Chaung Economic Zone to be used to house goods before transferring them from the buyer to the seller. A drawing showing the location of Kanyin Chaung Economic Zone including the jetties is presented below:

Figure 4.1: Location Map of Kanyin Chaung Economic Zone



Source: Development Media Group (dmediag.com)

According to the United Nations COMTRADE database on international trade, Myanmar exports to Bangladesh were worth US\$64.08 Million in 2020. The main export items were: Edible vegetables and certain roots and tubers, Fish, crustaceans, mollusks, aquatics invertebrates, Machinery, Coffee, tea, mate and spices, Cereals, Edible fruits, nuts, peel of citrus fruit, melons, etc. Likewise, Myanmar imports from Bangladesh amounted to US\$ 48.5 Million in that year. Major items were: Pharmaceutical products, Articles of iron or steel, Machineries, Electrical, electronic equipment, Cotton, Special woven or tufted fabric, lace, tapestry, etc.

4.3 Land Ports in Nepal

There are three dry ports at the Nepal-India border developed in 2000 – Birgunj, Biratnagar and Bhairahawa. The first one is railway-based and is linked with a gateway port and other Indian railhead, while the other two are road based. The fourth dry port is also located at the Nepal-India border developed in 2010 at Kakarvitta, which is also road-based. Another one is now under construction at Tatopani on the Nepal-China border. For trading with Nepal and Bangladesh, Banglabandha is the corresponding border port, and for trading with Bhutan, Tamabil and

Burimari are key land ports. At the Birgunj- Raxaul border with India, crossing times have reduced by nearly 50 percent. Major functions of the dry ports in Nepal are:

- enhance Export and Import of Cargo;
- stuffing /de-stuffing of containers;
- warehousing;
- temporary storage of cargo and containers;
- computerized processing of documents with capability of being linked to Electronic Data Interchange (EDI);
- customs clearance;
- transit operations by rail/road to and from serving ports, etc.

The land ports are managed by the Nepal Intermodal Transport Development Board (NITDB) established in 1998 in accordance with the provisions of the Development Board Act 1956 under the Ministry of Industry, Commerce and Supplies. NITDB is chaired by the secretary in the ministry and comprises of members from public and private sector entities. The main objective of NITDB is to oversee the economical and efficient management of Inland Clearance Depots (ICDs) for facilitation of Nepal's foreign trade. The functions of NITDB are briefly as follows:

- to develop, manage and promote ICD terminals for the facilitation of Nepal's exports and imports;
- to enter into an agreement with private sector company, selected on the basis of competitive bidding, for leasing out the management of ICD terminals;
- to prescribe criteria in determining the service charges of the terminal operation;
- to conclude railway operation agreement with Indian Railways for rail movement of cargo to/from ICD, etc.

The dry ports are leased out to private operators through international competitive biddings on a revenue sharing (60:40) basis. The term of lease is 10 years. The functioning of the dry ports is guided by the Multimodal Transportation of Goods Act, 2006, and no law relating particularly to the operation and management of the land ports was found. To make private participation easier is recognized as a good practice as elaborated in **Box 4**.

Box 4 Sparking competition by making private participation easier
Beyond customs formalities, private providers of trade services - such as customs brokers, transport companies and port services providers - all have an impact on the time and cost of trading across borders. Greater competition among trade service providers can lead to lower fees and higher quality of service. In 2016, the Russian Federation inaugurated a new Multifunctional Cargo Complex through private initiative at the Port of Bronka, which has decreased the prices for port and terminal handling due to growing competition. Importers and exporters have, therefore, experienced a decrease in the cost of border compliance on merchandise going through the port.

4.4 Land Ports in Bhutan

Phuentsholing Mini Dry Port is the oldest land port in Bhutan and began operating officially in 2003. The Royal Government of Bhutan (RGoB) approved the establishment of a dry port as part

of the Phuentsholing Urban Development Plan (2002-2017). The land port is managed by the Phuentsholing city authorities. The objectives of the Mini Dry Port are as follows:

- to improve trade facilitation and to encourage one window services;
- encourage efficient and sustainable tax collection;
- divert the heavy traffic completely from core city area; etc.

The mini-dry port has essential facilities. A cold storage, weighbridge, covered transshipment shed, a separate store to house risky goods, warehouse for seized goods, a store to house seized containers, transshipment shed for container goods, and export warehouses are among the facilities at the dry port. The facilities of the Mini Dry Port are briefly noted in **Table 4.3** below:

Table 4.3: Physical Facilities at Phuentsholing Mini Dry Port

Sl. No.	Description	Dimensions (in meter)
1	Weigh Bridge	18.0 x 3.0
2	Covered Transshipment Shed	96.0 x 5.0
3	Dangerous Goods House	12.0 x 8.0
4	Seized Goods Warehouse	17.5 x 12.5
5	Manual Inspection Platform	15.5 x 13.5
6	Cold Storage	15.0 x 10.0
7	Transshipment Shed (Container)	28.0 x 14.0
8	Export Warehouse	25.0 x 19.0

Source: <http://www.pcc.bt/facilities-under-mini-dry-port>

The port is constructed on 5.4 acres of land to help promote regional connectivity with neighboring countries. It can house more than 45 trucks, and process customs clearance to boost Bhutan's imports and exports. It offers single-window services to facilitate more efficient trade, as well as mainstream tax collection procedures. Its strategic location and linkage to Phuentsholing's Northern Bypass is contributing in decongesting Phuentsholing's central business district.

Bhutan's largest mini dry port is now being developed at Pasakha, strategically located near the Pasakha Industrial Estate and Bhutan-India border at Allay land customs station. However, Bhutan does not have any law to regulate the functioning of the land ports.

4.5 Land Port Acts of Bangladesh and India

A review of the Bangladesh Land Port Act, 2001 (BLPA-2001) and the Land Port Authority of India Act, 2010 (LPAI-2010) reveals that both the Acts contain identical provisions with respect to formation and functioning of the land port authority intended to manage the affairs of the land ports in the respective country. But there are quite a few provisions that differ substantially as mentioned in **Table 4.4** below:

Table 4.4: Comparison between the Land Port Authority Acts of Bangladesh and India

SL#	Elements	BLPA-2001	LPAI-2010
1	Constitution of the Board	A 7-member Board	A 15-member Board
		No representation from any Ministry/Division	Representatives from Ministries of Home Affairs, External Affairs, Finance, Commerce, Road Transport and Highways, Railways,

SL#	Elements	BLPA-2001	LPAI-2010
			Defense, Agriculture, Law and Justice, etc.
		No representation of the business groups	Representative of traders is included.
		No representation of worker groups	Representative of recognized bodies of workers is included.
		No option to co-opt	Scope exists to co-opt for functional purposes
2	Disqualifications of Members	No provision on disqualifications of members of the Board	Such provision exists in Section 4.
3	Functions of the Authority	The functions are mentioned very briefly	<p>The functions are mentioned in broad details, especially the following might be important to note:</p> <ul style="list-style-type: none"> • to put in place systems, which address security imperatives; • to plan, construct and maintain roads, terminals and ancillary buildings; • to plan, procure, install and maintain communication, security, goods handling and scanning equipment; • to provide appropriate space and facilities for immigration, customs, security, taxation authorities, animal and plant quarantine, and other critical services; • to establish and maintain hotels, restaurants and restrooms; • to establish and maintain warehouses, container depots and cargo complexes; • to arrange for postal, money exchange, insurance and telephone facilities; • to regulate and control the movement of vehicles, and the entry and exit of passengers, transportation workers, handling agents, clearing and forwarding agents and goods; etc.
4	Responsibilities and powers of other agencies	The responsibilities and powers of other agencies are not mentioned	The responsibilities and powers of other agencies, viz., border security force, customs, immigration, quarantine and other officials, are mentioned.
5	Protection of action taken in good faith	The provision does not exist	Provision exists.

Thus, it is evident that there are certain provisions in the Indian Act that might be considered as good practices and might be of good use to improve the Bangladeshi law as summarized in Box 5 below:

Box 5
Good Practices Derived from the Land Ports Authority Act of India
<p>The following provisions are identified in the Land Ports Authority Act of India which are worth regarding as good practices:</p> <ul style="list-style-type: none"> • Inclusion of representatives of concerned ministries/divisions is helpful in promoting better inter-agency coordination in the operation and management of land ports. It can surely improve the diversity of the Board. • Representatives of business community or port users in the Board would facilitate user-friendly decision making and thereby ensure client satisfaction alongside smooth functioning of the ports. • The worker's representatives in the Board will be useful to strengthen industrial relations and create a sense of ownership amongst the working class people. It is also expected to strengthen the workforce by promoting equity, inclusion, and accessibility. • Insertion of the provision on disqualification of members of the Board will provide more clarity to the law in addition to an opportunity to ensuring proper qualification of the nominated members of the Board. • Broadening the functions of BLPA will facilitate a better understanding of the functionalities of their tasks to be performed and enhance the quality of service rendered. • Mentioning the responsibilities of different agencies working within the jurisdiction of a land port in the law may be useful to ensure better coordination. • Provision to protect the functionaries of the land ports for any action taken in good faith will boost their morale, and accordingly, their performance will be better.

4.6 Rules and Regulations

In order to fulfill the objectives of the Act, the government can promulgate rules under Section 21 of the BLPA Act, while the BLPA Board is empowered to formulate regulations under Section 22. As per the provisions of the Act, rules/regulations may be formulated on the following:

- Procedures of the Board meeting [Section 7(1)];
- Procedures and terms of appointment of private operators [Section 99(1)];
- Procedures for recruitment and terms of service of officers and employees [Section 12(1)];
- Fund management of the Authority [Section 14(2)];
- Maintenance of accounts and preparation of annual financial statement [Section 17(1)];

In addition to the above, rules or regulations on other subjects relevant with the objectives of the Act may be formulated. So far, the BLPA has published one regulation, namely, the Bangladesh Land Port Authority Employee Service Regulation, 2004.

It is crucially important that the BLPA formulates necessary rules and regulations to put in place a sound regulatory framework for smooth functioning of the land ports. In this case, the good practice developed by India as detailed in **Box 6** below may be followed.

Box 6
Sound Regulatory Framework Developed in India
<p>In India, the Land Ports Authority of India (LPAI) has, by now, developed a sound regulatory framework to regulate the functioning of the land ports. It is observed that a number of rules and</p>

regulations have been promulgated in India:

- Land Ports Authority of India Rules 2011
- Land Ports Authority of India (Transaction of Business) Regulations, 2013
- Land Ports Authority of India (Contracts) Regulations, 2015
- Land Ports Authority of India (Lost Property) Regulations, 2015
- Land Ports Authority of India (Fees and Other Charges) Regulations, 2015
- Land Ports Authority of India (Conditions of Service of Officers and other Employees) Regulations, 2016
- Land Ports Authority of India (Officers and Other Employees) Recruitment Regulations, 2016

4.7 Tariff Structure in Bangladesh and India

4.7.1 Tariff Schedule in Bangladesh

In Bangladesh, tariffs are fixed by the BLPA under the provisions of Section 10 of the BLPA Act. Two orders are issued – one containing tariff schedule for Benapole land port and the other for all other land ports. Tariff schedules for the two categories are quite different in terms of composition as well as rates. For Benapole land port, the schedule is of four parts:

- Warehouse and Open Yard Space Charges;
- Handling Charges;
- Passenger Facilities Charges; and
- Other Charges.

Warehouse and Open Yard Space Charges are storage charges levied differently according to the cargo types. Handling charges include loading-unloading, and stacking-restacking fees separately for manual operation and equipment use. The Passenger Facilities Charge covering entry fee, waiting fee, service charge, etc. is for the passengers travelling through the land port. Other charges include vehicles entry and halting fee, carpenter charge, weighment charge, documentation charge, hire charges for equipment and materials, etc.

The tariff schedule for all other land ports except Benapole includes several charges:

- Port Dues;
- Shifting Fees;
- Detention Fees;
- Berthing Charges;
- Water Supply Charges;
- River Dues;
- Space Rent Charges;
- Landing Charges;
- Warehouse and Open Yard Space Charges;
- Handling Charges;
- Stevedoring Charges;
- Passenger Facilities Charges; and
- Other Charges.

Understandably, a few additional charges are included, because there are riverine routes in some of the land ports. Notably, the tariff rate applied at the other land ports is slightly lower than at Benapole.

4.7.2 Tariff Charges in India

The tariffs charged by LPAI in India are broadly classified under two categories:

- **Cargo Handling Charges:** These include charges for unloading, de-stacking and shifting of cargo
- **User Charges:** These include charges for storage, weighment and parking

Accordingly, two separate orders are issued for cargo handling charges and user charges separately for the two ICPs connected with Bangladesh – Petrapole and Agartala. The cargo handling charges are mentioned in two headings, viz.:

- Import operation; and
- Export operation.

In both cases, fees for loading/unloading, movement/shifting, stacking/piling, de-stacking, etc. of bagged/packageged or loose cargo for specific weight slabs are noted. Again user charges include only three items for both Petrapole and Agartala land ports:

- Storage Charges;
- Weighment Charges; and
- Parking Charges.

In addition, transshipment charges are noted in the order applicable to Petrapole. The structures of cargo handling charges and user charges in both the land ports are identical, but the different rates of charges at Agartala are a bit lower than that of Petrapole.

Further, there is the Central Warehousing Corporation (CWC), a statutory body established under ‘The Warehousing Corporations Act, 1962’. Its aim is to provide reliable, cost-effective, value-added, integrated warehousing and logistics solution in a socially responsible and environment-friendly manner. CWC is operating 415 warehouses with a total storage capacity of 101.44 lakh MT as of 31 December 2019 all over the country including at ICP Petrapole. It has 19 State Warehousing Corporations (SWCs) as its associates. As on 31 December 2019, these SWCs were operating 2055 warehouses with a total storage capacity of 354.85 lakh MT. The CWC decides on the tariff charges at Petrapole and is implemented by the Petrapole land port. On the other hand, the LPAI determines the charges for Agartala land port where there is no CWC warehouse.

4.7.3 Comparison of Tariff Structure

A comparative picture of the tariff structure of the land ports in Bangladesh and India is presented in **Table 4.5** below. It shows that –

- Both the Bangladeshi and Indian tariff structures reveal simple and complicated characters simultaneously. The Indian tariff structure is straight-forward and simple in some cases, while the Bangladeshi structure is also simple in a few cases.

- In the case of Handling Charges, the Bangladeshi tariff structure is quite simple with only 3 items and no differentiation by weight. But the Indian structure is highly complex. First, it classifies import and export operation, and then the solid cargo into 15 slabs and liquid cargo into 4 slabs by weight. Notably, the Indian rates are much higher than the Bangladeshi ones. One interesting point is that the rates for export operation are significantly lower than those for import operation in India.
- For storage charges, the Indian structure imposes tariff on the basis of weight dividing the time period into 3 slabs only – first 3 days, next 3 days and 7th day onward. But the Bangladeshi structure classifies goods in different groups and imposes charges according to weight and number. For the time period, 2 patterns are used – one has 3 slabs (1-21 days, 22-50 days and 50+ days) and the other has 4 slabs (1-10 days, 11-20 days, 21-41 days and 41+ days). Again the storage charges in Bangladesh are much higher than in India.
- The structures of weighment charges in both the countries are simple. The Bangladeshi structure contains only 1 slab while the Indian one has 2 slabs. The rates in Bangladesh are lower than the same in India.
- Likewise, the vehicle entry and parking charges are organized quite simply. Bangladeshi structure is organized in three levels based on types of vehicles, while the Indian structure classifies the vehicles as per their number of wheels and weight of the vehicle with a separate heading for chassis vehicle. In addition, Bangladesh applies halting charges which are not there in India.
- The Indian structure includes transshipment charge which is not there in the Bangladeshi structure. Again, the Bangladeshi structure contains several other charges like carpenter, documentation, hire charge and haulage, that are not mentioned in the Indian structure.

Overall, the Bangladeshi tariff structure could be more user-friendly if the amounts of different charges are rounded instead of fractions in every item.

Table 4.5: Comparison of Bangladeshi and Indian tariff Structure for Land Ports

Sl. No.	Bangladesh Tariff	Charges (BDT)	Indian Tariff	Charges (IRs.)
	Handling Charges:		Handling Charges:	
	Mentioned in 3 items without classifying by cargo type of weight groups		Separately mentioned for import operation and export operation: <ul style="list-style-type: none"> - 15 weight groups for solid cargo - 4 weight groups for liquid cargo However, loading and unloading charges are not separately mentioned.	
			Import operation:	
	Off-loading by manual labor (per MT)	43.69	Item No. A1 (500 kg to 1 MT)	72.00
	Loading by manual labor (per MT)	43.69	Item No. A2 (500 kg to 1 MT)	116.00
	Loading/ off-loading by equipment (per MT)	104.80	Item No. A3(Up to 10 MT)	2,100.00
			Liquid cargo (Up to 10 MT)	2,100.00

Sl. No.	Bangladesh Tariff		Charges (BDT)	Indian Tariff	Charges (IRs.)	
				Export operation:		
				Item No. B1 (500 kg to 1 MT)	40.00	
				Item No. B2 (500 kg to 1 MT)	39.00	
				Item No. B3 (Per Truck)	720.00	
				Liquid cargo (Up to 10 MT)	2,100.00	
	Warehouse and Open Yard Space Charges:	Covered	Open	Storage Charges:	Covered	Open
	All general goods (per MT or part per day or part)	10.95	6.57	First three days (per MT per day or part)	5.00	4.00
	Slab 1: 1-21 days	21.86	15.31			
	Slab 2: 22-50 days	32.79	21.86			
	Slab 3: 50+ days					
	Cotton yarn, fabrics, tea, paper pulp, skins, hides, etc. (per package/case or part per day or part)			4th to 6th day (per MT per day or part)	15.00	10.00
	Slab 1: 1-21 days	3.32	2.76			
	Slab 2: 22-50 days	6.57	4.92			
	Slab 3: 50+ days	8.78	6.88			
	Wood and all such goods (per cubic meter or part per day or part)			7th day onwards (per MT per day or part)	25.00	20.00
	Slab 1: 1-21 days	10.95	8.78			
	Slab 2: 22-50 days	21.86	21.86			
	Slab 3: 50+ days	34.95	28.42			
	Tyre, Tube (Cycle, Rickshaw) (Per piece per day or part)					
	Slab 1: 1-21 days	0.27	0.20			
	Slab 2: 22-50 days	0.56	0.27			
	Slab 3: 50+ days	0.76	0.38			
	Tyre, Tube (Baby Taxi, Three-Wheeler, Scooter, Motor Cycle, Motor Car) (Size below 7.0) (Per piece per day or part)					
	Slab 1: 1-21 days	0.56	0.27			
	Slab 2: 22-50 days	1.02	0.56			
	Slab 3: 50+ days	1.52	0.76			
	Tyre, Tube (Truck, Lorry, Tractor) (Size up to 9.0) (Per piece per day or part)	11.58	11.58			
	Slab 1: 1-10 days	23.15	20.84			
	Slab 2: 11-20 days	34.73	28.94			
	Slab 3: 21-41 days	81.04	57.89			
	41+ days					
	Tyre, Tube (Truck, Lorry, Tractor) (Size					

Sl. No.	Bangladesh Tariff		Charges (BDT)	Indian Tariff		Charges (IRs.)
	above 9.0) (Per piece per day or part)	23.15	23.15			
	Slab 1: 1-10 days	46.31	40.52			
	Slab 2: 11-20 days	92.61	75.24			
	Slab 3: 21-41 days	173.65	138.92			
	41+ days					
	Cycle on wheel or Semi Knocked Down (SKD) condition (Per unit per day or part)	7.49	5.03			
	Slab 1: 1-21 days	14.99	10.00			
	Slab 2: 22-50 days	22.47	14.99			
	Slab 3: 50+ days					
	Chassis (Baby Taxi, Three-Wheeler, Scooter, Motor Cycle) (Per unit per day or part)					
	Slab 1: 1-10 days	46.31	34.73			
	Slab 2: 11-20 days	92.61	57.89			
	Slab 3: 21-41 days	231.53	173.65			
	41+ days	463.05	347.29			
	Motor Car and Jeep on wheel (Per unit per day or part)					
	Slab 1: 1-10 days	219.95	173.65			
	Slab 2: 11-20 days	277.83	231.53			
	Slab 3: 21-41 days	347.29	289.41			
	41+ days	578.81	578.81			
	Lorry, Bus, Truck, Trailer, Tractor, Mobile Workshop on wheel (Per unit per day or part)					
	Slab 1: 1-10 days	289.41	231.53			
	Slab 2: 11-20 days	578.81	520.94			
	Slab 3: 21-41 days	868.22	810.34			
	41+ days	1,157.63	1,157.63			
	Weighment/Measurement Charges:			Weighment Charges:		
	Per Truck/Lorry		69.46	Vehicles up to six wheels (10 MT) (Loaded/Empty)	80.00	
				Vehicles up to six wheels (above 10 MT) (Loaded/Empty)	120.00	
	Vehicle Entrance Fee:			Entry Cum Parking Charges:		
	Truck, Bus Lorry (Per unit per entry)		144.70	Vehicles up to six wheels (10 MT)	100.00	
	Motor Car, Jeep, Pick-up, Three-Wheeler (Per unit per entry)		86.82	Vehicles above six wheels up to 10 wheels (10-15 MT)	200.00	
	Motor Cycle, Bi-Cycle, Push-cart/Rickshaw/Van		28.94	Vehicles above 10 wheels (above 15 MT)	250.00	
	Vehicle Haltage Charges:			Chassis Vehicle without cargo		300.00
	Any transport (Per transport per night)		87.34			

Sl. No.	Bangladesh Tariff	Charges (BDT)	Indian Tariff	Charges (IRs.)
			Transshipment Charges:	
			0-10 MT	2,100.00
			10-20 MT	3,150.00
			20-30 MT	4,400.00
			Above 30 MT	5,700.00
	Carpenter Charges:			
	Opening/closing of packages/cases (per package/case)	8.78		
	Repairing damaged packages/cases (per package/case)	21.86		
	Documentation Charges:			
	Preparation of additional documents (per document)	152.84		
	Hire Charges:			
	Tarpaulin (per piece per day or part)	196.49		
	Mobile Crane (per hour or part)	764.05		
	Forklift (per hour or part)	327.45		
	Haulage Charges:			
	Mobile Crane (per km or part)	196.49		
	Forklift (per km or part)	109.17		

Further, the land ports may need adequate authority over the goods to be in full control of such goods and not to release them until any amount demanded under the tariff schedule on account of tolls, dues, rents, rates and charges is not paid. Also, the land ports should have the authority to dispose of any goods not claimed or cleared within a specific period of time. Similar authority may be given to recover any unpaid dues.

4.8 Dry Ports in China

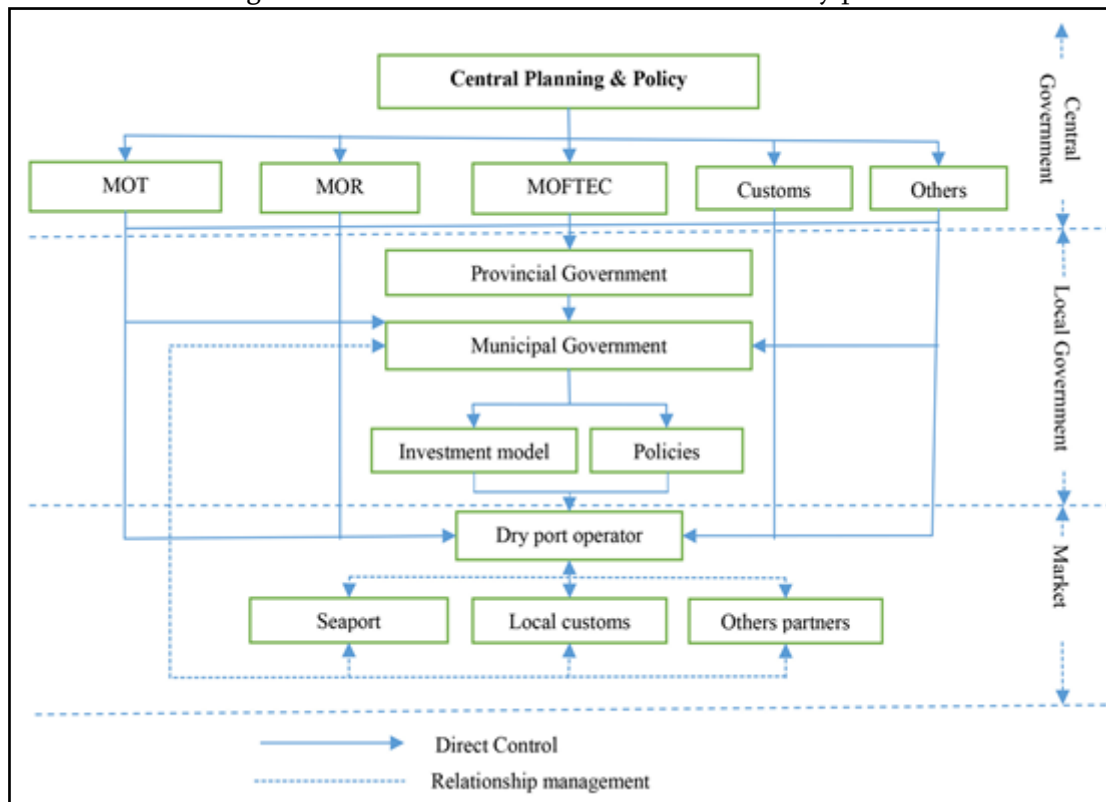
Over recent decades, the acceleration of international trade originating from China has been remarkable. As coastal production costs in China rise, producers are moving inland to remain competitive with other Asian countries. As a result, Chinese sea ports are rapidly developing dry (i.e., inland) ports to compete for hinterland access. These dry ports play an important role in improving investment environment in the west, central and north-east China. They also serve “The Belt and Road” strategy and promote trade contacts between China and the Asian-Pacific region.

The Chaoyang Dry Port was the first dry port in China established on 22 October 2002 through a Direct Connection Agreement between Beijing Chaoyang Port and Tianjin Harbor Port. By 2017, the number of dry ports has reached more than 100 in china including Tianjin, Qingdao, Dalian, Yingkou, Ningbo, Shenzhen, Xiamen, Lianyungang, etc. The dry ports are geographically organized in four groups:

- North-east Dry Port Group;
- North and North-West Dry Port Group;
- Shandong Peninsula Dry Port Group; and
- East Dry Port Group.

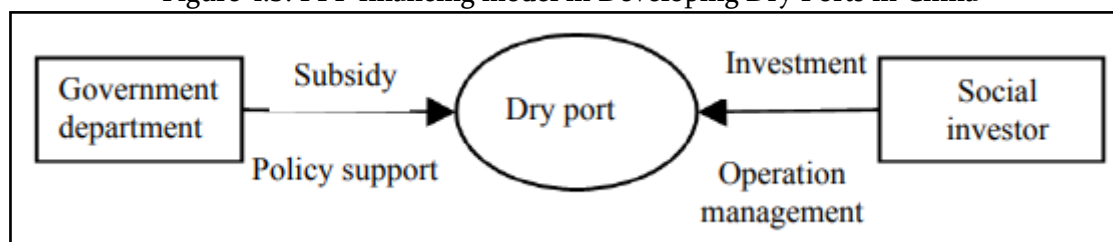
Management system for the dry ports in China is composed of the central government, local government and the main market operators from top to bottom and mainly participated in by the local government. Ministry of Transport, Ministry of Commerce, General Administration of Customs and other Ministries and Commissions are mainly responsible for developing dry port planning, policies and regulations. The provincial governments and the municipal governments finalize investment patterns and formulate local policies. The current institutional framework of dry port development and management in China is illustrated in **Figure 4.2** below:

Figure 4.2: Institutional framework of China's dry ports



Dry ports in China are managed according to the public management model. They only outsource transportation of containers by rail and maintenance of railways wagons to China Railway Corporation. Thus, the ports are owned by local governments and operated by homegrown companies. All the other activities are performed by the port management or ownership. The investors of dry ports in China mainly include: port, local enterprise, Railways Company, local government, etc. The majority of dry ports rely mainly on port investment and local enterprise investment. In some cities far away from harbors, the railway company also participates in the construction of dry ports, such as the dry ports in Chengdu, Harbin and Urumchi. A few dry ports are directly invested by the local government, such as the dry ports in Xi'an and Luoyang. Public-Private Partnership (PPP) financing model is usually developed in the construction of dry ports as shown in **Figure 4.3** below:

Figure 4.3: PPP financing model in Developing Dry Ports in China



The Port Law 2004 has been formulated for the purposes of strengthening port administration, maintaining port security and operation orders, protecting the legitimate rights and interests of the parties concerned and promoting port construction and development. Notably, there is no single authority to manage the dry ports in China and, therefore, there is no law to provide for the establishment of any such authority.

The strategic conception of the “The Belt and Road” initiative provides new opportunities for further development of the dry ports in China. One important focus of the “The Belt and Road” is the interconnection of transport infrastructure, and the dry ports, as a bridge connecting the inland areas with coastal ports and border ports.

4.9 Dry ports in Vietnam

In Vietnam, dry ports are basically Inland Container Depots (ICD) whether located on any bordering station or any inland commercial or industrial hubs. These are developed under decision number 2223/QĐ-TTg of the Prime Minister. The General objective of the decision is noted as: “To step by step form and develop a system of inland ports to meet the needs of importing and exporting goods, increasing the throughput capacity for seaports; organize container transportation in a reasonable way in order to reduce transportation costs, time to store goods at seaports and ensure cargo safety; contribute to reducing traffic congestion, especially in big cities.” It aims to develop 13 inland container depots in the three main regions in the country, with an expected total annual capacity of 6 million twenty-foot equivalent units (TEU) in 2020 and 14 million in 2030.

The above-mentioned decision delineates some key solutions and policies, such as:

- Maximize the mobilization of all domestic and foreign resources to develop the inland port system and the connecting traffic system; encourage and create favorable conditions for enterprises of all economic sectors to invest in the construction and operation of inland ports by forms as prescribed by law;
- Completing the mechanism for leasing and exploiting inland ports invested by the State's capital;
- Continue to promote reform of administrative procedures, create an open environment in investment, construction, business and exploitation of inland ports in accordance with the integration process and international practices;
- Strengthen the state management in the process of implementing the planning on development of the inland port system in line with construction planning, general master plans for socio-economic development and other planning of the sector and locality.

The Ministry of Transport is responsible to develop regulations on management of inland port operations; and coordinate with concerned ministries, branches and People's Committees of

provinces and centrally-run cities. The Ministry of Finance is responsible for guiding procedures and deciding on the establishment of customs clearance locations at inland ports. Other ministries, branches and provincial People's Committees, within the ambit of their functions, tasks and powers, are responsible for coordinating with the Ministry of Transport in realizing the objectives of the inland port development planning, ensuring the consistency and synchronization with the sectoral and local development plans and master plans. The People's Committees of the provinces and centrally-run cities are responsible for allocating the land and fund for the construction of inland ports in accordance with the approved planning; coordinate with the Ministry of Transport in guiding organizations and individuals in the implementation of the law provisions on construction investment, exploitation and use of inland ports.

The government prioritized the development of inland ports to support Hai Phong and Ba Ria-Vung Tau seaports. Dong Nai and Tan Cang-Song Than are the earliest ICDs established in 1999 and 2006 respectively. Currently, there are as many as 13 such ICDs in the country. The Decision No. 53/2003/QĐ-BTC dated 16 April 2003 regulates customs procedures for border crossing of imported and exported goods. In addition, following decree number 163/ND-CP, foreign investors are allowed to set up logistics services companies⁴⁰.

4.10 Logistics Performance Index (LPI)

Considering that the logistics sector is recognized as a core pillar of economic development, the World Bank has been producing since 2007 the biennial *Connecting to Compete* report, which makes available numerical evidence on how easy or difficult it is in countries around the world to transport manufactured products. The aim of the report is to provide empirical information for policymakers, traders and other stakeholders on the role of logistics in growth and the policy reforms needed to support and improve logistics. The 2018 report, the latest one in the series, contains an analysis of the logistics performance of 160 countries based on six indicators:

- The efficiency of customs and border management clearance.
- The quality of trade and transport-related infrastructure,
- The ease of arranging international shipments.
- The competence and quality of logistics services.
- The ability to track and trace consignments.
- The frequency with which shipments reach consignees within the scheduled or expected delivery time.

The information is relevant for policymakers and the private sector seeking to identify reform priorities for “soft” and “hard” trade and logistics infrastructure. Key findings are:

- Gaps in logistics performance between the bottom and top performers persist.
- Supply chain reliability and service quality are strongly associated with logistics performance.
- Infrastructure and trade facilitation initiatives still play an important role in assuring basic connectivity and access to gateways for most developing countries.

⁴⁰Vietnam Briefing, “Vietnam allows foreign investors to establish logistics firms”, 19 January 2018

A comparison of logistics performance of neighboring countries showing their position in 2016 and 2018 reveals that Bangladesh, Bhutan and India gained while Nepal and Pakistan slipped in their rankings significantly (**Table 4.6**).

Table 4.6: Logistics performance ranking of selected countries in the region

Country	2018	2016	Change
Bangladesh	100	87	-13
Bhutan	149	135	-14
India	44	35	-9
Nepal	114	124	+10
Pakistan	122	68	-54
Sri Lanka	120	-	-

Source: The World Bank, *Connecting to Compete* report, 2016 and 2018

Chapter V

Insights Gathering

5.1 General Insights

This report basically concentrates on the review of the Bangladesh Land Ports Authority Act, 2001 with a comparative setting amongst major regional countries. The Act is mainly concerned with the establishment of the Bangladesh Land Port Authority to manage international trade through the land routes. Based on the literature review, data collection and analysis, a number of insights regarding the regulation, operation and management of the land ports in Bangladesh are identified. The insights are briefly summarized below:

5.1.1 Need for a coordinated approach

An absence of proper coordination of the activities of various government agencies involved in planning and development of dry ports was apparent. In the Islamic Republic of Iran, the dry port development as well as the development of infrastructure connections to dry ports are being effectively coordinated by a multi-agency committee set up under the Ministry of Roads and Urban Development. A similar approach, involving an inter-ministerial committee, was found to be achieving some success in India.

Two things may be considered. First, a National Committee at the policy level preferably headed by the Minister for Commerce with high-level representations from concerned ministries/divisions, trade organizations, think-tank organizations, intelligentsia, etc., may be formed. Second, at the local level a Working Group for every land port involving all stakeholders, e.g., the government agencies, traders/port users, worker's groups, local administration, etc. may be constituted. The Deputy Commissioner of the concerned district may be chosen to head the working group.

5.1.2 Adoption of the Concept of Smart Port

With a view to improve competitiveness of land ports, the smart port concept - establishing interconnection of the entire port logistics chain and prioritizing automation of port operations and equipment- will be useful. It will save time and money, generate higher values and increase customer satisfaction. Further, advanced technologies can improve warehouse logistics, inventory management, and automate loading, dispatching and transporting goods, and other services. The future vision for land ports may thus be changed to develop an environmentally sustainable and technically sound supply chain eco-system. Scrutiny of documents, security check and other similar exercises should be made as invisible as possible with the support of technology.

5.1.3 Building On-Site Testing and Other Facilities

To become smarter, the land ports are required to build capability of testing agricultural commodities located on-site to make it faster and efficient. There should be local offices of concerned government organizations including Export Promotion Bureau, Department of Agricultural Extension, Department of Livestock Services and Bangladesh Standards and Testing Institution, with adequate manpower and technical facilities. Other facilities such as, banking, insurance, restaurant, restroom, etc. should also be improved.

5.1.4 Impacts of the Fourth Industrial Revolution

The land ports should be well prepared to absorb the impacts of the fourth industrial revolution created by introduction of new technologies, development of new ways of serving customer needs and possible disruptions in the value chains.

5.1.5 Development of Infrastructure

Necessary development and maintenance of appropriate infrastructure including office complexes, warehousing facilities and transportation system are prime need for the land ports in Bangladesh to ensure their future development. Further, an integrated support from various sub-sectors including a supportive financial system is also required.

5.1.6 Revisit the Roles of Government Departments

The traditional roles played by different government organizations working within the jurisdiction of a land port under various ministries are required to be revisited to identify whether there is any opportunity to avoid one or more such processes and thereby simplifying the procedures to be followed by the port users.

5.1.7 Measures to Check the viability and sustainability of the land Ports

Every decision on declaration of any LCS as land port should be based on proper feasibility studies. Moreover, it will be prudent to recheck the viability of the land ports already declared, developed or under development. The working groups of the type proposed above can usefully identify and assess several measures to assist in the establishment, financial viability and long term sustainability of existing land ports in the country.

5.1.8 Involvement of the Private Sector

Greater involvement of the private sector in the policy formulation as well as the day-to-day operation of the land ports is expected to change the dynamics among stakeholders.

5.1.9 Human Resources Management

A lack of capacity has imposed serious limitations on the development of logistics in the land ports, including a sound approach to the development of intermodal facilities. Thus it is imperative to adopt a sound approach to the development of intermodal facilities, develop training packages, organize training activities and organize national seminars/workshops for capacity-building in logistics.

5.2 Policy and regulatory Insights

5.2.1 Rethinking the Composition of the Board of BLPA

The Board needs to be given a diversified character through inclusion of appropriate representatives from various Ministry/Divisions, business community, port users' organizations and worker's associations which are important elements in operation and management of the land ports. It will be helpful to foster better coordination and promote equity, inclusion, and accessibility. To improve clarity of the law, the provisions regarding disqualifications of Board members may be included in the law. Moreover, the Board is not gender-sensitive. There is no provision for participation of any woman in the management of the authority.

5.2.2 Broadening the Functions of BLPA

The functions of BLPA are very briefly mentioned in the Act. This requires broadening to cover all the necessary aspects including development, operation and functioning of the land ports in

the country. The Indian Act mentions the functions of the Land Ports Authority of India in broad detail. A few functions that may be incorporated in the relevant section of the Act, inter alia, may be:

- (a) Construct and maintain roads, terminals and ancillary buildings other than national or state highways and railways;
- (b) Establish and maintain warehouses, container depots, and systems, which address security imperatives;
- (c) Arrange for hotels, restaurants, restrooms, postal, money exchange, insurance and telephone facilities;
- (d) Regulate and control the movement of vehicles, and the entry and exit of passengers, transportation workers, handling agents, clearing and forwarding agents and goods;
- (e) Procure and maintain communication, security and goods handling and scanning equipment;
- (f) Provide appropriate space and facilities for various services such as immigration, customs, security, banking, telecommunications, animal and plant quarantine, and taxation authorities;
- (g) Plan for future operations and capital investments to ensure proper development of the port.

It is also equally important that the responsibilities of different agencies working within the jurisdiction of a land port may be mentioned in the law.

5.2.3 Protection of Act Done in Good Faith

The law also may include provisions to protect the functionaries of the land ports for any action taken in good faith following the instances in the Indian law.

5.2.4 Corporatized Model of Land Port Management

With a view to operate the land ports under commercial terms aiming at value creation for port users and stakeholders, a selected number of publicly-owned companies are needed to be formed with the functional land ports in the country. Following the Chinese experience, the land ports may be grouped according to their geographical locations.

5.2.5 Simplification of Tariff Structure

The tariff structure applicable to Benapole and other land ports may be further simplified through remodeling the storage charges and eliminating miscellaneous charges like carpenter charge, documentation charge, hire charge and haulage charge, etc. The amounts of charges may be rounded instead of fractions in every item.

5.3 Other Insights

A few issues identified in the report which may have an influence on the sustainability of land port operation are the following:

- (a) **Reform of customs and other border control procedures:** The reforms may result in the reduction of delays to trade consignments and accelerate the turnaround of containers in terminals, with a commensurate reduction in their unit operating costs and an improvement in their profitability;
- (b) **Measures to minimize total logistics costs:** Interventions are necessary to ensure least-cost intermodal solutions to container and cargo haulage between trade sources and land ports;

- (c) **Offers of tariff incentives:** Tariff incentives can encourage the adoption of modern cargo-handling technology, which speeds up the turnaround of containers and cargo, adding to the profitability of container freight station operations and contributing to the minimization of total logistics costs;
- (d) **Wellbeing of Officers and Employees:** It will be necessary to look into the wellbeing of the officers and staff of the land ports in terms of suitable career planning, skills development, financial incentives,

There are a few more aspects that touch upon such issues as smooth operation of land ports:

- Application of the United Nations Code for Trade and Transport Locations for identification of land ports⁴¹;
- Incorporation of the land ports into international transport documents; etc.

Further, the process of obtaining feedback from the stakeholders through the KIIs, FGD, public consultation and Field Survey including summary of findings are discussed and analyzed below.

5.4 Field Survey

5.4.1 Instrument

Data were collected through face-to-face interviews using a well-designed semi-structured questionnaire as attached at **Appendix 4**.

5.4.2 Survey Participants

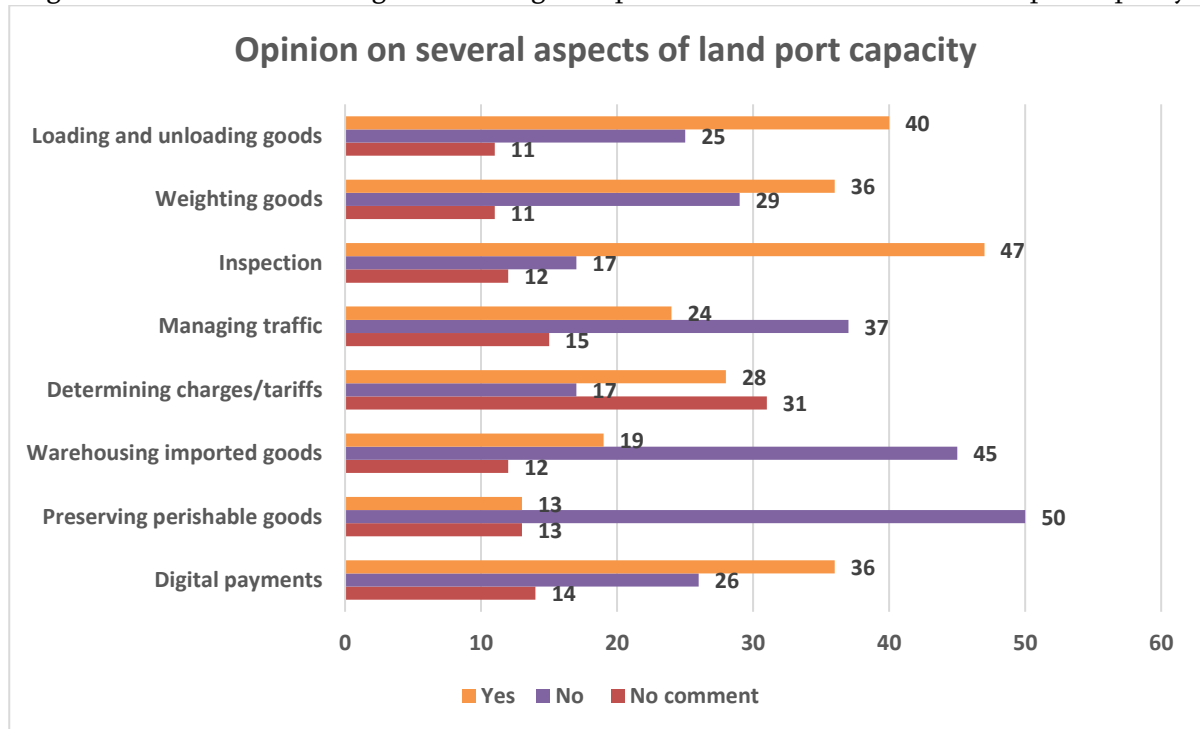
A total of seventy-six participants at Benapole, Akhaura and Banglabandha land ports have participated in this study. Detailed list of the participants is attached at **Appendix 6**.

5.4.3 Findings:

Eight different categories of land port capacity were presented to the respondents for seeking their opinion. None was recognized completely. Most respondents (47, 62%) endorse the inspection capacity. On the other hand, preserving perishable goods is least recognized, by only 13 (17%) respondents.

⁴¹ Applying for a United Nations Code for Trade and Transport Locations may be worth designating as a priority given the potential of the system to facilitate trade and the electronic exchange of documents between dry ports located in different countries.

Figure 5.1: Clustered bar-diagram showing the opinion on several features of land port capacity



The respondents consider the following papers as unnecessary:

1. Validity of release order.
2. Invoice and bill of entry.

The following factors are recommended for inclusion in Free Trade Agreement (FTA)/Regional Trade Agreement (RTA):

1. Weighing
2. Acceptance of joint quality control certificate
3. Sharing information on non-tariff measures
4. Chemical, Machineries, Fruits, Fabrics, Garments, Plastic, Thread, Rice, Onion, Live-fish,
5. Coordination between the businessmen of the participating countries.
6. Making trade easier by initiating a barcode system.
7. Automation.

The participants were asked: “Is it reasonable to impose fees, charges, tolls, etc., of Bangladesh Land Port Authority?” In response, a good number of participants responded positively, while equal number of participants refrained from answering. On the other hand, a small number of participants found the fees and charges as unreasonable (**Table 5.1**).

Table 5.1: Frequency table of port charges and fees reasonability

Topics	Yes	No	No comment	Total
Fee	34(44.2%)	10(13%)	32(12.8%)	76(100%)
Weighing charge	34(44.2%)	11(14.3%)	31(41.5%)	76(100%)
Warehouse charge	30(39%)	13(16.9%)	33(44.1%)	76(100%)
Documentation charge	33(12.8%)	10(13%)	33(44.2%)	76(100%)

Topics	Yes	No	No comment	Total
Product-based charge	31(40.2%)	14(18.2%)	31(41.6%)	76(100%)
Handling fee	32(41.5%)	12(15.6%)	32(12.9%)	76(100%)
Other fees	30(39%)	13(16.9%)	33(44.1%)	76(100%)
Toll	16(20.8%)	25(32.5%)	35(46.7%)	76(100%)

Some participants provided additional suggestions regarding the fees and charges:

1. To be determined in coordination with operating expenses
2. An increase of 5% per annum

They were also asked: “According to your experience, make an overall assessment of the institutions working in the land port in terms of import and export?” Their responses were mixed. They opined that usually it takes a few hours to two days for importing raw materials to complete the official paper works at Benapole/Akhaura/Banglabandha land port. In other cases, it takes 15 to 30 days to carry out official paperwork of import-export. **Table 5.2** below provides relevant data.

Table 5.2: Frequency table of the assessment of different land port institutions

Topics	Satisfactory	Average	No comment	Weak	Very weak	Total
Port authority	27	19	25	4	1	76
Operator	26	10	28	8	4	76
Customs	31	8	26	6	5	76
Bank	29	7	29	5	6	76
Labor	26	6	29	7	8	76
Quality-control agency	21	9	37	3	6	76
Transport	20	14	28	6	8	76
BGB	18	6	36	5	11	76

Recommendations:

1. To make the land port authority the head of all the land port-oriented infrastructures.
2. To arrange the intra-ministry meeting.
3. To set up more bank booths.
4. To make the process easy by ensuring one-stop service
5. To manage the labor effectively.
6. To initiate automation and digital payment system.
7. To facilitate taking rest.
8. To manage uninterrupted power supply.
9. To increase warehousing capacity in India.
10. To eradicate extortion.
11. To develop railroad communication.

5.5 Key Informant Interviews

5.5.1 Instrument

A well-designed open-ended questionnaire (**Appendix 5**) was the only instrument for the interview.

5.5.2 Interviewees

Sixteen respondents have participated in the interviews for the study. The detailed list of the respondents is given in **Appendix 7**.

5.5.3 Summary of Findings

The respondents shared their views and suggestions based on the topics presented in the questionnaire. The summary of the findings is presented topic-wise as follows:

a) Challenges of implementing Bangladesh Land Port Act 2001:

- Lack of manpower.
- Lack of coordination among several agencies.
- Tasks, responsibility and implementing bodies are not well-defined.

b) For better coordination among different Government and non-Government bodies:

- All the performing bodies should come under the jurisdiction of the Land Port Authority.
- The Act should be reviewed every three months.
- Implementing one-stop service.

c) To increase the speed of entry and exit of goods through land ports:

- In the land port area, the Land Port Authority should be empowered with the magistracy and police power.
- Complete Digitalization.
- Warehouse, loading-unloading machineries, and labour gang can be allowed from the private sector.

d) In resolving the border issues between the two countries:

- The land ports should be utilized round the clock by coming out of the “Dawn to Dusk Law.”
- Barcodes can be introduced as part of automation.

e) To facilitate trade:

- Land ports should be used for importing and exporting all sorts of goods.

f) Regarding the jurisdiction limit of customs and land port authorities:

- The Land Port Authority should be in charge.

g) To improve the immigration system for making trade easier for the traders:

- An immigration pass can be issued for the businessman to make the movement easy within the customs area of the two countries.

h) Expected supports for product inspection:

- The inspection system should be in the port area.

5.6 Focus Group Discussions

5.6.1 Instruments

Notes were collected from the open discussion of the panelists and the participants on the “Bangladesh Land Port Authority Act 2001.”

5.6.2 Type of Participants

The participants are from the following background:

- A) Representative of Benapole Land Port;
- B) Representative of customs;
- C) Importer-Exporter;
- D) Bank representative;
- E) C & F agents;
- F) Representatives of transport organizations;
- G) Representative of trade union;
- H) Representative of plant quarantine.

The detailed list of the participants is provided in **Appendix 8**.

5.6.3 Schedule

On December 07, 2021, Tuesday, the discussants took part in the Focus Group Discussion at the Customs House, Benapole. The discussion started at 10:00 AM and lasted till 12:20 PM.

5.6.4 Questions

There was no formatted questionnaire before the groups of the FGD. The participants discussed the following topics:

- The problems people face in conducting import-export activities through Benapole port.
- Whether there is sufficient manpower for customer service in land port, customs, and quarantine.
- Arrangements for the destruction of illegal goods at the port.
- The process to increase coordination in customs and immigration work.
- Ways to further enhance the coordination of law enforcement (police and BGB) with land port customs activities.
- Benefits of warehousing goods at the land port.
- Facilitate customer service through coordination of land port, customs and banking activities.
- Problems of the cold storage system in the port.
- What measures can be taken to coordinate with Benapole and Petrapole ports?
- What do you think should be included in the “Land Ports Authority Act 2001” to make it up-to-date?
- What is the need for coordination, and how can it be done?
- How to reduce the complexity of sample collection from both countries for testing?
- What do you think should be included in the current law to better coordinate between Government and non-government organizations working in the land port?
- In order to increase the speed of entry and exit of goods through Bangladesh Land Ports, the issues need to be added in the Land Ports Authority Act 2001.
- What are the issues that the “Land Ports Authority Act 2001” can address in resolving the border issues between the two countries?
- What are the major legal limitations and challenges in implementing the “Land Port Authority Act 2001”.
- What issues need to be changed/amended in the “Land Port Authority Act 2001” to eliminate other barriers to cross-border trade, including commodity congestion, speedy unloading, and security of goods, and to facilitate trade?

- What do you think should be the jurisdictional boundaries of customs and land port authorities, and how can it be determined?
- What can be done to improve the immigration system to make it easier for traders to import or export?
- How much time is usually required at Benapole land port to carry out official business of import-export?
- Whether standard operating procedures (SOPs) can be developed to enhance the management capacity of land ports and facilitate trade under Bangladesh Land Ports Authority Act 2001.
- By coordinating the Government and non-government organizations working in the land port, Bangladesh Land Port Authority can provide some services (one stop service) from one place.
- How to make the quarantine process easier?

5.6.5 Summary of Findings

- After 10 days, goods can no longer be stored at the land port. Instead of these 10 days, 30 days law has to be made.
- In case of loss or theft of goods, while the goods are in the land port, the land port has to pay compensation.
- Land port security must be ensured.
- Actions should be taken to stop trespassing.
- No entry into port without an ID card.
- There is very little or no development though the Land Ports are increasing the tariffs tolls at the rate of 5% per annum.
- Land Ports are facing a scarcity of modern machineries and equipment.
- There is no proper equipment in the port.
- Separate terminals for Bangladesh and India vehicles should be set up at that port on an emergency basis.
- Special arrangements have to be made to keep the goods or equipment that come by train.
- Under the supervision of the port authority, the authority will be responsible if any goods are damaged. Compensation arrangements must be made within 30 working days and should inform custom house.
- In keeping with the Customs Act 1969, the supervision of the authority should be maintained for 30 days.
- The port authorities (such as Benapole, Akhaura, etc.) should have the right to waive port tolls, taxes, duties, etc.
- Arrangements for setting up of financial institutions (banks and others) within their respective establishments (Port Authority, Customs House).
- Need to increase port space.
- Normal products such as poultry, poultry feed need to be on the list of hazardous products.
- The main road needs to be of 6 lanes.
- Arranging for railway terminal and container shed.
- IP should be issued from the port, which is currently done from the Dhaka office.
- For the purpose of Digital Bangladesh, the concerned authorities should provide an e-interface for the Manifesto number.
- The One-stop service should be started for immigration.

- Port Authority should do Master Plan and Standard Operating Procedure (SOP) with the presence of the stakeholders.

5.7 Public Consultation

5.7.1 Objective

The Public consultation was arranged to achieve the following objectives:

- (a) To review and analyze the current status of the land ports in Bangladesh including multi-sectoral coordination mechanism.
- (b) To compare with neighboring countries' land port system and find out the international best practices that Bangladesh can adopt, considering the political and socio-economic spectrum.
- (c) To indicate the amendments required to address the challenges of land port in Bangladesh.
- (d) To identify bottlenecks in different fields of work of the land port system and suggest relevant reforms to reduce obstacles and extra costs.

5.7.2 Methodology

To discuss at length the functioning of the land ports in Bangladesh, discussants from different platforms such as government policy makers, researchers, directors of land ports, members of think tank organizations, representatives of different suppliers and merchants and export and import (EXIM) associations were invited to take part in the public consultation. In total, 35 discussants took part in the discussion, where 15 attended physically at the BFTI conference room and 20 attended through virtual platform due to the ongoing pandemic situation. After a brief presentation of the report, the discussants were asked to provide necessary inputs from their specialized background to enrich the report and provide recommendations regarding reforming the land port Act.

The data enumerators were assigned to take notes on the discussion of the participants. At the end of the discussion session, the summary of the findings from each group was presented before the groups to check whether all the necessary inputs were made.

5.7.3 Instruments

The discussants were presented with a verbal presentation in both online and virtual platforms along with handouts and soft copies of the presentation slides for each platform respectively. A moderator facilitated the discussion and ensured a structured debate and conversation took place with fruitful suggestions.

5.7.4 Schedule

The public consultation was held on January 25, 2022, Tuesday at the Bangladesh Foreign Trade Institute (BFTI). The discussion started at 10:45 AM and lasted till 02:00 PM.

5.7.5 Questions

There were no formatted questions for the attendees. The participants were requested to start a general discussion focusing on the objectives of the study and the presentation given.

5.7.6 Participants

The list of participants is given at **Appendix 9**.

5.7.7 Summary of Findings

Bangladesh Land Port Authority Act 2001 requires amendments and the discussants pointed out issues and some major recommendations which are listed below:

- Malaysia uses Artificial Intelligence (AI) technology - following this, Bangladesh can opt for automation and digitalization in the land ports (ex- smart ports);
- Newly planned SMART port should be or can be paperless;
- Reduce transaction cost and encourage seamless and hassle-free operation through implementation of digitization and proper monitoring;
- Similar to integrated check-post (ICP) in India, Bangladesh should implement such check-posts;
- E-port management system needs to be introduced;
- Most of the perishable goods imported through the land port, so faster management is necessary;
- Railway integration with port is necessary;
- Business Process Analysis needs to be incorporated for reducing cost and ease of doing business;
- Multimodal transport connectivity needs to be introduced;
- Operator can be enlisted through pre-qualification to check compliance;
- Conformity assessment center need to be established at the port;
- The operators who are assigned to the ports need to be transparent and pre-dignified, ensuring accountability;
- Various facilities need to be incorporated such as resting, sanitation and toilets, food availability and warehouse/storage facilities;
- Certification procedures needs to be fastened by eliminating bureaucratic issues;
- Infrastructure development for all kind of vehicle movement need to be ensured;
- Coordination among all the actors need to bring in one umbrella;
- Taxes/toll need to be equal and non-discriminatory;
- Perishable goods and port-related issues in Paperless Trade Agreement need to be resolved;
- Coordination tasks/responsibilities need to be delegated to the port authority;
- Comparison among the laws of other regional countries and other ports of Bangladesh;
- Special arrangements should be formed for agricultural perishable goods, as the raw materials will rot, and the cost is also increasing due to the longevity of time;
- Passenger certification issues must be included in the BLPA Act 2001;
- Inter-country coordination is vital and needs to be prioritized, for example- port issue dependency with India;
- Include the IBCCI (India-Bangladesh Chamber of Commerce and Industry) representative in the Port Management Board/Board of Directors so that they can raise their problems and to carry forward any decisions of the Port Management Board which involve trade and investment with India, and resolve any ongoing issues faster.

Chapter VI

Recommendations and Conclusion

6.1 Overall Recommendations

From the insights gathered and issues noted above, a set of recommendations are put forward for consideration of the authorities concerned. As required by the ToR of the assignment, those recommendations are organized as policy, legislative and administrative reforms for convenience of the authorities.

6.1.1 Suggested Policy Reforms

Following are a few suggestions for policy level actions:

- (a) Make every land port ready to successfully face the challenges of the Fourth Industrial Revolution with an integrated and comprehensive response, involving all stakeholders.
- (b) Install corporatized model of land port management aiming at value creation for port users and stakeholders.
- (c) Examine the roles of different agencies in the functioning of the land ports and identify the ones which are not critically important, and then simplify the procedures to be followed by the port users.
- (d) Ensure proper feasibility study prior to declaration of any LCS as a land port.
- (e) The financial viability and long-term sustainability of each of the land ports already declared may be thoroughly examined and appropriate decision may be taken accordingly.
- (f) Strengthen private sector participation in the policy formulation as well as the day-to-day management of the land ports.
- (g) Assess the capacity assets and needs, formulate a capacity-development program, and diligently implement a capacity-development response for the human resources of all the land ports in the country.
- (h) Consider an attractive incentive package to be offered to the technical as well as non-technical staff of the land ports.
- (i) Initiate capacity building programs for the stakeholders of the land ports including government officials. Particularly, NBR should take capacity building measures for customs officials.
- (j) Develop a National Master Plan incorporating long-term targets, goals and actions for development, operation and modernization of land ports.

6.1.2 Suggested Legislative Reforms

The proposed recommendations that will require legislative involvement, that is, amendment of the law, are noted below:

- (a) The Bangladesh Land Port Authority Act 2001 may define the exact role of the BLPA by incorporating its specific functions in the country's overall trade promotion and management process.
- (b) Representatives of trade organizations, port users' organizations and worker's associations may also be included in the Board.

- (c) The Board may be made gender-sensitive by making provisions for participation of women in the management of the BLPA. It may fix a percentage, overall or category-specific, of women to be followed while nominating the members of the Board.
- (d) In addition, a leading woman entrepreneur in the country may be included in the Board as a member.

6.1.3 Suggested Administrative Reforms

The recommendations which will be implementable simply through administrative decision-making process are briefly mentioned below:

- (a) To facilitate better coordination at the policy level, a National Committee may be constituted involving concerned ministries/divisions, trade organizations, think-tank organizations, intelligentsia, etc.
- (b) Develop environmentally sustainable and technically sound supply chain eco-system in the land ports.
- (c) Establish local offices of concerned government organizations including Export Promotion Bureau, Department of Agricultural Extension, Department of Livestock Services and Bangladesh Standards and Testing Institution, with adequate manpower and technical facilities.
- (d) Develop and maintain necessary infrastructural facilities including office complexes, warehousing facilities, transportation system, etc.
- (e) Introduce a supportive financial system including digital payment system at the land ports to ensure their future development.
- (f) Improve banking, insurance, hotel, restaurant, and restroom facilities at the land ports.
- (g) Consider issuance of an immigration pass for importers and exporters frequently engaged in international trade through a land port to make the movement easy within restricted areas, whenever required.

6.2 Land Port Tariff Schedule Reform

Again, the measures required to reform the tariff structure of the land ports are suggested as the following:

- (a) The tariff structure applicable to Benapole and other land ports may be further simplified.
- (b) The provision of storage charges may be simplified by fixing tariffs on the basis of weight, and also by introducing minimum number of slabs with shorter duration for the time period.
- (c) Consider lowering the storage charges as those are much higher than that in India.
- (d) Miscellaneous charges like carpenter charge, documentation charge, hire charge and haulage charge, etc. may be eliminated, of course, there is scope to load the costs relating to those services on the total storage charges.
- (e) A new transshipment charge may be introduced which will be applicable to the consignments destined for Bhutan, Nepal and the eastern states of India through Bangladesh territory.
- (f) Land port charges / para-tariff needs to be rationalized.
- (g) The amounts of charges on all tariff categories may be rounded to avoid fractions.
- (h) The tariff schedule may also include provisions like the following:

- (i) Empower the land port to take charge of any goods immediately upon the landing within its limits and store such goods in any shed or warehouse belonging to the port.
- (ii) Authorize the land port not to grant the port-clearance of any goods with respect to which any amount on account of tolls, fees, rents, rates, charges or penalties is due.
- (iii) Allow the land port to sell by public auction any goods against which the tolls, dues, rents, rates and charges payable to the land port under the tariff schedule are not paid.
- (iv) Also empower the land port authority to remove unclaimed and un-cleared goods through selling the goods by public auction after causing a notice duly served upon the owner of the goods.

6.3 Other Actions

Further, there may be a few other steps that could improve the services in the land ports for the port users, such as –

- (a) Playing the role of a catalyst in reforming customs and other border control procedures aiming at reduction of delays to trade consignments and accelerate the turnaround of containers in terminals.
- (b) Taking appropriate steps to ensure least-cost intermodal solutions to container and cargo haulage between trade sources and land ports.
- (c) Ensuring multimodal transport connectivity including integration of railway and riverine routes with the land ports is a dire necessity to minimize transport costs.
- (d) Offering tariff incentives to speed up the turnaround of containers and cargo which can add to the profitability of container freight station operations.
- (e) Applying for a United Nations Code for Trade and Transport Locations which can foster trade and the electronic exchange of documents between dry ports located in different countries.

6.4 Recommendation Matrix

Further, a recommendation matrix reflecting possible amendments or modifications in the **Bangladesh Land Ports Authority Act, 2001**, based on the suggestions put forward in Section 6.1.1 above is presented in Table 6.1 below.

Table 6.1: Recommendation matrix for the BLPA Act 2001

S.L.	Considerable Sections and Issues	Provision in BLPA 2001	Revision	Insertion	Deletion
1	Section 1: Title of the Act	The Act has been named the Bangladesh Land Port Authority Act, 2001.	N/A	N/A	N/A

S.L.	Considerable Sections and Issues	Provision in BLPA 2001	Revision	Insertion	Deletion
2	Section 2: Definitions	This section includes several definitions of crucial terms used in the Act.	N/A	Necessary definitions of any new terms used in the Act on the basis of recommendations made in this report may be included in this section.	N/A
3	Section 3: Declaration of Land Ports	This section empowers the government to declare any LCS as a land port, and also to demarcate the jurisdiction of the land port.	N/A	N/A	N/A
4	Section 6: Constitution of the Board	This section outlines the constitution of the Board.	The constitution of the Board may be revised through inclusion of representatives from major ministries, such as, Finance, Industry, Home, Agriculture, Food, Fisheries, Road Transport and National Board of Revenue. Also, the representatives of trade organizations, port users' organizations and worker's associations may be included.	It may also make provisions for nominating a certain percentage, overall or category-specific, of women to the Board. In the process, a leading woman entrepreneur in the country may be included as a Board member.	N/A

S.L.	Considerable Sections and Issues	Provision in BLPA 2001	Revision	Insertion	Deletion
5	Section 7: Board Meetings	This section emphasizes the board meeting arrangements.	The provisions regarding disqualifications of Board members may be revised in the Act to improve clarity of the law.	A Working Group may be formed at the local level in each land port with participation from all parties, including the local administration, to guarantee proper coordination in the functioning of various agencies in the land ports.	N/A
6	Section 8: Power and tasks of the authorities	This section focuses on the workplan and power that the land port authorities hold	They could assess the assets and demands of capacity, establish a capacity-development program, and carefully implement a capacity-development response for all of the country's land ports' human resources.	N/A	N/A
7	Section 10 & 11: Tax, toll etc., details, exemption and collection process	This section addresses the tax details, and toll, vat, tariffs, whom to exempt the taxes and the whom it is levied upon	N/A	Please refer to section 6.3: Land Port Tariff Schedule Reform	N/A

S.L.	Considerable Sections and Issues	Provision in BLPA 2001	Revision	Insertion	Deletion
8	Section 12: Recruitment of staffs and officials	This section oversees the recruitment process that of the land port	The provision could revise and include a uniform career planning approach for officers and staff.	The Act may focus on stationing an Authorized Officer with magistracy authority at every land port to oversee the law-and-order situation within the land port's jurisdiction.	N/A
9	Section 19: Acquisition of Lands	This section maintains that any lands required by the Authority shall be acquired in public interest under relevant laws of the government.	N/A	N/A	N/A
10	Section 21: Power to place rules and regulations	This section focuses on maintaining and coordinating the functions and rules decided by the authority.	A clause may be revised and incorporated to safeguard BLPA or land port officials for any actions made in good faith.	They may develop a robust regulatory framework for land ports by formulating necessary rules and regulations under Sections 21 and 22 of the Act.	N/A
	Other issues that need to be addressed:				
11	Responsibilities of other agencies (no provision)	N/A	N/A	The functional responsibilities of different government agencies working within the jurisdiction of a land port may be mentioned in the Act.	N/A

S.L.	Considerable Sections and Issues	Provision in BLPA 2001	Revision	Insertion	Deletion
12	Disqualifications of Board Members (no provision exists)	N/A	N/A	The provisions regarding disqualifications of Board members may be included in the Act to improve clarity of the law.	N/A
13	Smart Port Concept and the E-port Management System (no provision exists)	N/A	N/A	Provisions on the smart port concept as well as the e-port management system may be incorporated in the Act.	N/A
14	Protection for Action Taken in Good Faith (no provision exists)	N/A	N/A	A provision to protect the officials of the BLPA or the land ports for any action taken in good faith may be included.	N/A
15	Incorporating its specific functions of BLPA	N/A	N/A	A section may be added defining the specific functions of BLPA for the country's overall trade promotion and management process.	N/A
16	Coordination of government agencies working within the jurisdiction of a land port	N/A	N/A	A section authorizing BLPA for coordination of various government agencies working within the jurisdiction of a land port may be added in the Act.	N/A
17	On-site testing facilities	N/A	N/A	Build on-site testing facilities to make it faster and efficient in fulfillment of regulatory requirements, prioritizing the ports that handles most goods (Ex.	N/A

S.L.	Considerable Sections and Issues	Provision in BLPA 2001	Revision	Insertion	Deletion
				Benapole)	
18	Slow processing and weak coordination	N/A	N/A	A Working Group may be formed to guarantee proper coordination and focus on incorporating new technology to optimize warehouse logistics, inventory management, and automate loading, dispatching, and shipping goods, as well as other services, in land ports is also needed.	N/A

6.5 Conclusion

The Bangladesh Land Port Authority Act of 2001 is a critical piece of regulation that establishes BLPA and facilitates trade through regional connectivity via land routes. The infrastructure in operation at Bangladesh's land ports for the discharge of numerous sovereign tasks is neither adequate nor coordinated. Furthermore, various stakeholders and specialists in the sector have criticized land ports for being inefficient in their operations. Internal factors such as weak infrastructure, poor communication, and an insufficient transit network contribute to operational inefficiencies in land ports. In fact, service infrastructure has not kept up with the growing number of people seeking services.

Bangladesh could take lessons from neighboring countries like Nepal, India and Bhutan and reform its ports, such as adopting smart port, advanced technologies and ability to track and trace consignments to avoid bureaucratic hindrances. Land ports in Bangladesh do not have any resting facilities, no proper service and storage for perishable goods and transport and other logistical costs are high- such findings surfaced during KIIs and field surveys, and these issues must be addressed. The Act should be reformed taking these into consideration.

BLPA, being committed to improving access and resources for the user community of the land ports in Bangladesh, will hopefully be able to ensure diversity, equity, inclusion and accessibility in its management and operations of the land ports if the above suggestions are implemented.

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Appendix 1

Bangladesh Land Port Act 2001

রেজিস্টার্ড নং ডি এ-১



অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

সোমবার, এপ্রিল ১৬, ২০০১

বাংলাদেশ জাতীয় সংসদ

ঢাকা, ১৬ই এপ্রিল, ২০০১/৩রা বৈশাখ, ১৪০৮

সংসদ কর্তৃক গৃহীত নিম্নলিখিত আইনটি ১৬ই এপ্রিল, ২০০১ (৩রা বৈশাখ, ১৪০৮) তারিখে রাষ্ট্রপতির সম্মতি লাভ করিয়াছে এবং এতদ্বারা এই আইনটি সর্বসাধারণে অবগতির জন্য প্রকাশ করা যাইতেছে :-

২০০১ সনের ২০নং আইন

স্থলপথে পণ্য আমদানী ও রপ্তানী সহজতর ও উন্নততর করার জন্য স্থল বন্দর প্রতিষ্ঠা এবং উহার পরিচালনা, ব্যবস্থাপনা, উন্নয়ন, সম্প্রসারণ ও সংরক্ষণের জন্য স্থলবন্দর কর্তৃপক্ষ প্রতিষ্ঠাকল্পে প্রণীত আইন

যেহেতু স্থলপথে পণ্য আমদানী ও রপ্তানী সহজতর ও উন্নততর করার জন্য স্থলবন্দর প্রতিষ্ঠা এবং উহার পরিচালনা, ব্যবস্থাপনা, উন্নয়ন, সম্প্রসারণ, সংরক্ষণ ও আনুষঙ্গিক বিষয়াদির জন্য স্থলবন্দর কর্তৃপক্ষ প্রতিষ্ঠাকল্পে বিধান করা সমীচীন ও প্রয়োজনীয় ;

সেহেতু এতদ্বারা নিম্নরূপ আইন করা হইল :-

১। সচিব পিয়োনাম ও প্রবর্তন।—(১) এই আইন বাংলাদেশ স্থলবন্দর কর্তৃপক্ষ আইন, ২০০১ নামে অভিহিত হইবে।

(২) সরকার, 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 এই আইনের দ্বারা ৪ এর অধীন প্রতিষ্ঠিত বাংলাদেশ স্থল বন্দর কর্তৃপক্ষ ;
- (খ) “চেয়ারম্যান” অর্থ বোর্ডের চেয়ারম্যান ;
- (গ) “নির্ধারিত” অর্থ এই আইনের অধীনে প্রণীত বিধি দ্বারা নির্ধারিত ;
- (ঘ) “প্রবিধান” অর্থ এই আইনের অধীন প্রণীত প্রবিধান ;
- (ঙ) “বিধি” অর্থ এই আইনের অধীন প্রণীত বিধি ;
- (চ) “অপারেটর” অর্থ ধারা ৯ (১) এর অধীন নিযুক্ত অপারেটর ;
- (ছ) “বোর্ড” অর্থ এই আইনের ধারা ৬ এর অধীন গঠিত বোর্ড ;
- (জ) “সদস্য” অর্থ বোর্ডের সদস্য ;
- (ঝ) “স্থল বন্দর” অর্থ এই আইনের ধারা ৩ এর অধীন ঘোষিত কোন স্থল বন্দর ।

৩। **স্থল বন্দর ঘোষণা ও উহার সীমা নির্ধারণ।**— Customs Act, 1969 (IV of 1969) এর section 9 এর Clause (b) এর অধীন ঘোষিত কোন স্থল শুদ্ধ স্টেশন (land customs station) কে সরকার, সরকারী গেজেটে প্রজ্ঞাপন দ্বারা, স্থল বন্দর বলিয়া ঘোষণা করিতে পারিবে :

তবে শর্ত থাকে যে, সরকার সরকারী গেজেটে প্রজ্ঞাপন দ্বারা, কোন স্থল বন্দরের সীমা পরিবর্তন ও পরিবর্ধন করিতে পারিবে ।

৪। **কর্তৃপক্ষ প্রতিষ্ঠা।**—(১) এই আইন বলবৎ হইবার পর সরকার, যতশীঘ্র সম্ভব, এই আইনের উদ্দেশ্য পূরণকল্পে, সরকারী গেজেটে প্রজ্ঞাপন দ্বারা, বাংলাদেশ স্থল বন্দর কর্তৃপক্ষ নামে একটি কর্তৃপক্ষ প্রতিষ্ঠা করিবে ।

(২) কর্তৃপক্ষ একটি সর্ববিধিবদ্ধ সংস্থা হইবে এবং উহার স্থায়ী ধারাবাহিকতা ও একটি সাধারণ সীলমোহর থাকিবে এবং এই আইনের বিধানাবলী সাপেক্ষে, উহার স্থাবর ও অস্থাবর উভয় প্রকার সম্পত্তি অর্জন করার, অধিকারে রাখার ও হস্তান্তর করার ক্ষমতা থাকিবে এবং উহার নামে উহার পক্ষে বা বিরুদ্ধে মামলা দায়ের করা যাইবে ।

৫। **পরিচালনা ও প্রশাসন।**—(১) কর্তৃপক্ষের পরিচালনা ও প্রশাসন একটি বোর্ডের উপর ন্যস্ত থাকিবে এবং কর্তৃপক্ষ যে সকল ক্ষমতা প্রয়োগ ও কার্য সম্পাদন করিতে পারিবে বোর্ডও সেই সকল ক্ষমতা প্রয়োগ ও কার্য সম্পাদন করিতে পারিবে ।

(২) বোর্ড উহার কার্যাবলী সম্পাদনের ক্ষেত্রে সরকার কর্তৃক সময় সময় প্রদত্ত নির্দেশনা অনুসরণ করিবে ।

৬। **বোর্ড গঠন।**—(১) বোর্ড নিম্নবর্ণিত সদস্য সমন্বয়ে গঠিত হইবে, যথা :-

- (ক) একজন চেয়ারম্যান ;
- (খ) তিনজন সার্বজনিক সদস্য ; এবং
- (গ) তিনজন খণ্ডকালীন সদস্য, যাহাদের মধ্যে একজন আভ্যন্তরীণ সম্পদ বিভাগের কর্মকর্তা এবং অন্য একজন শিল্প ও বাণিজ্যে নিয়োজিত বেসরকারী ব্যক্তি হইবেন ।

(২) চেয়ারম্যান ও সার্বক্ষণিক সদস্যগণ সরকার কর্তৃক নিযুক্ত হইবেন ও কর্তৃপক্ষের সার্বক্ষণিক কর্মকর্তা হইবেন এবং সরকার কর্তৃক নির্ধারিত মেয়াদে ও শর্তাধীনে কর্মরত থাকিবেন।

(৩) খণ্ডকালীন সদস্যগণ সরকার কর্তৃক নিযুক্ত হইবেন এবং নিয়োগের তারিখ হইতে দুই বৎসরের মেয়াদে স্থায় পদে বহাল থাকিবেন এবং পুনরায় নিয়োগ যোগ্য হইবেন।

(৪) চেয়ারম্যান কর্তৃপক্ষের প্রধান নির্বাহী কর্মকর্তা হইবেন।

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

৭। বোর্ডের সভা।—(১) এই ধারার অন্যান্য বিধানাবলী সাপেক্ষে, বোর্ড উহার সভায় কার্যপদ্ধতি নির্ধারণ করিতে পারিবে।

(২) বোর্ডের সভা চেয়ারম্যান কর্তৃক নির্ধারিত স্থান ও সময়ে অনুষ্ঠিত হইবে।

তবে শর্ত থাকে যে, প্রতি দুই মাসে বোর্ডের কমপক্ষে একটি সভা অনুষ্ঠিত হইবে।

(৩) বোর্ডের সভায় কোরামের জন্য একজন সার্বক্ষণিক সদস্যসহ অন্যান্য দুইজন সদস্যের উপস্থিতির প্রয়োজন হইবে।

(৪) বোর্ডের সভায় প্রত্যেক সদস্যের একটি করিয়া ভোট থাকিবে এবং ভোটের সমতার ক্ষেত্রে সভায় সভাপতিত্বকারী ব্যক্তির একটি দ্বিতীয় বা নির্ণায়ক ভোট প্রদানের ক্ষমতা থাকিবে।

(৫) বোর্ডের সকল সভায় চেয়ারম্যান সভাপতিত্ব করিবেন এবং তাঁহার অনুপস্থিতিতে চেয়ারম্যান হইতে এতদুদ্দেশ্যে ক্ষমতাপ্রাপ্ত কোন সার্বক্ষণিক সদস্য উক্ত সভায় সভাপতিত্ব করিবেন।

(৬) বোর্ডের কোন কার্য বা কার্যধারা কেবলমাত্র বোর্ডের কোন সদস্যপদে শূন্যতা বা বোর্ড গঠনে ত্রুটি থাকার কারণে অবৈধ হইবে না এবং তৎসম্পর্কে কোন প্রশ্নও উত্থাপন করা যাইবে না।

৮। কর্তৃপক্ষের ক্ষমতা ও কার্যাবলী।—(১) এই আইনের অন্যান্য বিধান সাপেক্ষে, কর্তৃপক্ষ এই আইনের উদ্দেশ্য পূরণকল্পে প্রয়োজনীয় ক্ষমতা প্রয়োগ ও কার্য সম্পাদন করিতে পারিবে।

(২) উপ-ধারা (১) এর অধীন ক্ষমতা ও কার্যাবলীর সামগ্রিকতা ক্ষুণ্ণ না করিয়া, কর্তৃপক্ষ বিশেষ করিয়া নিম্নরূপ ক্ষমতা প্রয়োগ ও কার্য সম্পাদন করিতে পারিবে, যথাঃ—

(ক) স্থল বন্দর পরিচালনা, ব্যবস্থাপনা, উন্নয়ন, সম্প্রসারণ ও সংরক্ষণের নীতি প্রণয়ন ;

(খ) স্থল বন্দরের পণ্য গ্রহণ, সংরক্ষণ ও প্রদানের জন্য অপারেটর নিয়োগ ;

(গ) সরকারের পূর্বানুমোদনক্রমে স্থল বন্দর ব্যবহারকারীদের নিকট হইতে আদায়যোগ্য কর, টোল, রেইট ও ফিসের তফসিল প্রণয়ন ;

(ঘ) এই আইনের উদ্দেশ্য পূরণকল্পে কাহারও সহিত কোন চুক্তি সম্পাদন।

(৩) কর্তৃপক্ষের দায়িত্বশীল পণ্যের ক্ষতি, ধ্বংস বা বিনষ্টের জন্য কর্তৃপক্ষ এইরূপ দায়ী থাকিবে যেহেতু Contract Act, 1872 (IX of 1872) এর sections 151, 152, 161 এবং 164 এর অধীন একজন বেইলী (bailee) দায়ী থাকেন :

তবে শর্ত থাকে যে, কর্তৃপক্ষ কর্তৃক কোন পণ্যের দায়িত্ব গ্রহণের তারিখ হইতে দশদিন অতিক্রান্ত হওয়ার পর এই উপ-ধারার অধীন কর্তৃপক্ষকে দায়ী করা যাইবে না।

৯। অপারেটর।—(১) কর্তৃপক্ষ কোন স্থল বন্দরে পণ্য গ্রহণ, সংরক্ষণ ও প্রদানের জন্য প্রয়োজন মনে করিলে, নির্ধারিত পদ্ধতি ও শর্তে কোন ব্যক্তি বা প্রতিষ্ঠানকে অপারেটর হিসাবে নিয়োগ করিতে পারিবে।

(২) অপারেটরের দায়িত্বাধীন পণ্যের ক্ষেত্রে ধারা ৭ এর উপ-ধারা (৩) এর বিধান প্রয়োজনীয় সংশোধন সাপেক্ষে, প্রযোজ্য হইবে।

১০। কর ইত্যাদির তফসিল।—কর্তৃপক্ষ সরকারের পূর্বানুমোদনক্রমে এবং সরকারী গেজেটে প্রজ্ঞাপন দ্বারা স্থলবন্দর ব্যবহারকারীদের নিকট হইতে আদায়যোগ্য কর, টোল, রেইট ও ফিসের তফসিল প্রণয়ন করিবে।

১১। টোল ইত্যাদি মওকুফ ও আদায়।—(১) কর্তৃপক্ষ বিশেষ ক্ষেত্রে, সরকারের অনুমোদনক্রমে, ধারা ১০ এর অধীন প্রণীত তফসিল অনুযায়ী আদায়যোগ্য কর, টোল, রেইট ও ফিস সম্পূর্ণ বা আংশিক মওকুফ করিতে পারিবে।

(২) কোন স্থল বন্দর ব্যবহারকারী ধারা ১০ এর অধীন প্রণীত তফসিল অনুযায়ী আদায়যোগ্য কর, টোল, রেইট, ফিস বা অন্য কোনো পাওনা পরিশোধ করিতে ব্যর্থ হইলে উহা Public Demands Recovery Act, 1913 (Ben. Act III of 1913) এর অধীন সরকারী দাবী (Public Demand) হিসাবে আদায়যোগ্য হইবে।

(৩) স্থল বন্দরে রক্ষিত কোন পণ্য সময় মত খালাস করা না হইলে অথবা উক্ত পণ্যের কোন দাবীদার পাওয়া না গেলে কর্তৃপক্ষ Customs Act, 1969 (IV of 1969) এর বিধান অনুযায়ী উহার বিলিবন্দেজ (disposal) করিবে।

১২। কর্মকর্তা ও কর্মচারী নিয়োগ ইত্যাদি।—(১) কর্তৃপক্ষ উহার কার্যাবলী সুষ্ঠুভাবে সম্পাদনের উদ্দেশ্যে প্রয়োজনীয় সংখ্যক কর্মকর্তা ও কর্মচারী নিয়োগ করিতে পারিবে :

তবে শর্ত থাকে যে, সরকারের পূর্বানুমোদন ব্যতিরেকে কর্তৃপক্ষ কোন কর্মকর্তা ও কর্মচারীর পদ সৃষ্টি করিতে পারিবে না।

(২) কর্তৃপক্ষের কর্মকর্তা ও কর্মচারীদের নিয়োগ পদ্ধতি ও চাকুরীর শর্তাবলী প্রবিধান দ্বারা নির্ধারিত হইবে।

(৩) সরকার, সর্বমুঠ পক্ষগণের সম্মতিক্রমে, কর্তৃপক্ষের কোন কর্মকর্তা বা কর্মচারীকে নিম্নবর্ণিত যে কোন সংস্থায় এবং উক্ত সংস্থাসমূহের কোন কর্মকর্তা বা কর্মচারীকে কর্তৃপক্ষে প্রেরণে নিয়োগ করিতে পারিবে, যথাঃ—

- (ক) মংলা বন্দর কর্তৃপক্ষ (Mongla Port Authority) ;
- (খ) চট্টগ্রাম বন্দর কর্তৃপক্ষ (Chittagong Port Authority) ;
- (গ) বাংলাদেশ আভ্যন্তরীণ নৌ-পরিবহন কর্তৃপক্ষ (Bangladesh Inland Water Transport Authority) ;
- (ঘ) বাংলাদেশ আভ্যন্তরীণ নৌ-পরিবহন কর্পোরেশন (Bangladesh Inland Water Transport Corporation) ;
- (ঙ) বাংলাদেশ শিপিং কর্পোরেশন (Bangladesh Shipping Corporation)।

১৩। ক্ষমতা অর্পণ।—কর্তৃপক্ষ, সাধারণ অথবা কোন বিশেষ আদেশ দ্বারা, উহার যে কোন ক্ষমতা বা দায়িত্ব সুনির্দিষ্ট শর্তে চেয়ারম্যান, অন্য কোন সদস্য বা উহার কোন কর্মকর্তাকে অর্পণ করিতে পারিবে।

১৪। কর্তৃপক্ষের তহবিল।—(১) কর্তৃপক্ষের একটি তহবিল থাকিবে এবং উহাতে নিম্নবর্ণিত অর্থ জমা হইবে, যথা :—

- (ক) সরকার কর্তৃক প্রদত্ত অনুদান ;
- (খ) কর্তৃপক্ষ কর্তৃক গৃহীত ঋণ ;
- (গ) কোন স্থানীয় কর্তৃপক্ষ বা অন্য কোন ব্যক্তি বা প্রতিষ্ঠান কর্তৃক প্রদত্ত অনুদান ;
- (ঘ) কর্তৃপক্ষের সম্পত্তি বিক্রয়লব্ধ অর্থ ;
- (ঙ) কর্তৃপক্ষ কর্তৃক আদায়কৃত কর, টোল, রেইট ও ফিস ;
- (চ) অন্য কোন উৎস হইতে প্রাপ্ত অর্থ।

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

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

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

১৫। তহবিলের উদ্ধৃত অর্থ সরকারী তহবিলে জমা প্রদান।— প্রতি অর্থ বৎসর শেষে কর্তৃপক্ষ উহার তহবিলের উদ্ধৃত অর্থ এতদুদ্দেশ্যে সরকারের নির্দেশনা, যদি থাকে, সাপেক্ষে, সরকারী তহবিলে জমা প্রদান করিবেন।

১৬। বাজেট।—কর্তৃপক্ষ প্রতি বৎসর সরকার কর্তৃক নির্ধারিত সময়ের মধ্যে পরবর্তী অর্থ বৎসর বার্ষিক বাজেট বিবরণী সরকার কর্তৃক নির্ধারিত ফরমে অনুমোদনের জন্য সরকারের নিকট পেশ করিবে এবং উহাতে উক্ত অর্থ বৎসরে সরকারের নিকট হইতে কর্তৃপক্ষের কি পরিমাণ অর্থের প্রয়োজন, উহার উল্লেখ থাকিবে।

১৭। হিসাব রক্ষণ ও নিরীক্ষা।—(১) কর্তৃপক্ষ নির্ধারিত পদ্ধতিতে ও ফরমে উহার হিসাব রক্ষণ করিবে এবং হিসাবের বার্ষিক বিবরণী প্রস্তুত করিবে।

(২) বাংলাদেশ মহা-হিসাব নিরীক্ষক ও নিয়ন্ত্রক, অতঃপর মহা-হিসাব নিরীক্ষক নামে অভিহিত, প্রতি বৎসর কর্তৃপক্ষের নিকট প্রেরণ করিবেন।

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

(৪) কর্তৃপক্ষের হিসাব প্রত্যেক অর্থ বৎসরে একবার বোর্ড কর্তৃক নিম্নুক্ত, কোন নিরীক্ষক দ্বারা পরীক্ষিত ও নিরীক্ষিত হইবে।

(৫) কর্তৃপক্ষ উক্ত নিরীক্ষককে বোর্ড কর্তৃক নির্ধারিত হারে পারিতোষিক দিবে।

(৬) প্রত্যেক অর্থ বৎসর সমাপ্তির দুই মাসের মধ্যে কর্তৃপক্ষের হিসাব নিরীক্ষা প্রতিবেদন অনুমোদিত হইতে হইবে।

১৮। প্রতিবেদন।—(১) প্রতি অর্থ বৎসর শেষ হইবার পরবর্তী তিন মাসের মধ্যে কর্তৃপক্ষ তৎকর্তৃক উক্ত অর্থ বৎসরে সম্পাদিত কার্যাবলীর বিবরণ সম্বলিত বার্ষিক প্রতিবেদন সরকারের নিকট পেশ করিবে।

(২) সরকার প্রয়োজনমত কর্তৃপক্ষের নিকট হইতে যে কোন সময় উহার যে কোন কাজের প্রতিবেদন বা বিবরণী আহ্বান করিতে পারিবে এবং কর্তৃপক্ষ উহা সরকারের নিকট প্রেরণ করিতে বাধ্য থাকিবে।

১৯। কর্তৃপক্ষের জন্য জমি হুকুমদখল বা অধিগ্রহণ।—কর্তৃপক্ষের কার্যাবলী সম্পাদনের জন্য কোন জমি প্রয়োজন হইলে উহা জনস্বার্থে প্রয়োজনীয় বলিয়া বিবেচিত হইবে এবং এতদুদ্দেশ্যে উহা The Acquisition and Requisition of Immovable Property Ordinance, 1982 (II of 1982) এর বিধান মোতাবেক হুকুমদখল বা অধিগ্রহণ করা যাইবে।

২০। জনসেবক।—কর্তৃপক্ষের চেয়ারম্যান, অন্যান্য সদস্য, কর্মকর্তা ও কর্মচারীগণ Penal Codo (Act XLV of 1860) এর section 21 এ public servant (জনসেবক) কথাটি যে অর্থে ব্যবহৃত হইয়াছে সেই অর্থে public servant (জনসেবক) বলিয়া গণ্য হইবেন।

২১। বিধি প্রণয়নের ক্ষমতা।—সরকার এই আইনের উদ্দেশ্য পূরণকল্পে, সরকারী গেজেটে প্রজ্ঞাপন দ্বারা বিধি প্রণয়ন করিতে পারিবে।

২২। প্রবিধান প্রণয়নের ক্ষমতা।—কর্তৃপক্ষ, এই আইনের উদ্দেশ্য পূরণকল্পে, সরকারের পূর্বানুমোদনক্রমে এবং সরকারী গেজেটে প্রজ্ঞাপন দ্বারা, এই আইন বা বিধির সহিত অসংগতিপূর্ণ নহে এই রূপ প্রবিধান প্রণয়ন করিতে পারিবে।

২৩। অসুবিধা দূরীকরণ।—এই আইনের বিধানাবলী কার্যকর করিবার ক্ষেত্রে কোন অসুবিধা দেখা দিলে সরকার উক্ত অসুবিধা দূরীকরণার্থ লিখিত আদেশ দ্বারা, প্রয়োজনীয় যে কোন ব্যবস্থা গ্রহণ করিতে পারিবে।

কাজী রকিবউদ্দীন আহমদ
সচিব।

Appendix 2

Terms of Reference (ToR) of the Study

▪ Study 3: Review and Reforming the Bangladesh Land Port Authority Act 2001.

Trade-related policies, rules and regulations to support trade facilitation and border management in Bangladesh are implemented by different ministries and departments of the government. The Ministry of Commerce and its subsidiary offices—the Tariff Commission, Export Promotion Bureau, Chief Controller of Import and Export, and WTO Cell—along with the NBR, Bangladesh Land Port Authority, trade bodies, research organizations, academia, and relevant agencies play important roles.

In Bangladesh Land Ports are governed and managed by the "Bangladesh Land port authority" (BLPA). This Authority was established in accordance with the Bangladesh Land Port Authority Act, 2001 in order to facilitate better exportation and importation between Bangladesh and its neighbouring countries. BLPA has been active in seeking the improvement of Land routes in Bangladesh, especially looking at infrastructure development initiatives, increase the efficiency of cargo handling, improving storage facilities and fostering public-private partnership for effective and responsive service delivery at the border. Its activities began under the regulation of the Ministry of Shipping. So far, 23 Land Customs Stations have been declared as Land Ports of which 22 are with India and only one is with Myanmar. These ports are managed by the BLPA as well as private port operators on a build-operate-transfer basis. With the goal of supporting regional connectivity, the BLPA is also active in the South Asia Sub regional Economic Cooperation (SASEC) meeting and other Land Port working group meetings, sharing information on Bangladesh's ongoing projects and experiences and retaining the knowledge needed to remain at the forefront of work that advances regional connectivity.

Major Activities and Services Provided by BLPA

- ▶ Formulating policy for development, management expansion, operation and maintenance of all land ports;
- ▶ Engaging operators for receiving, maintaining and dispatching cargoes at land ports;
- ▶ Preparing schedule of tariffs, tolls, rates and fees chargeable to the port users having prior approval of the government;
- ▶ Executing contracts with any person to fulfill the objectives of the Act.
- ▶ Exchanging opinions and communicating with the related countries with the land ports and developing infrastructures as well as extending trade through co-operation of the organizations concerned to national and international trades for developing and running the port activities smoothly
- ▶ Providing services to passengers by means of facilitating passenger movement, removal of obstacles and construction of passenger terminals is among the major responsibilities of the land port authority;
- ▶ Bringing every service including immigration, customs, banking and easier ticketing during car travels under one umbrella is also under the prerogative of the land port authority;



/ / /

- Construction and reparation of roads adjacent to borders for transportation of goods, transshipment of goods, and facilitation of yards and shades required for short-term storage of goods and loaded trucks is also among the duties of the land port authority.

The Bangladesh Land Port Authority Act, 2001 (BLPA) does not make any clear provisions regarding the modality of engagement and *modus operandi* of a coordination mechanism between different ministries and agencies involved in cross border trade. A separate section in the Act is needed to clarify this position including given roles of the Board in the overall trade promotion and management process of the country. Accordingly, given the fact that land port management as part of the country's overall trade economic advancement now adopts a broad, comprehensive approach, composition of the Board should be expanded to ensure greater participation of other agencies involved in the process.

In order to achieve the goal of trade facilitation there is a need to make trade across borders (imports and exports) faster, and cheaper and more predictable, whilst ensuring its safety and security. In terms of focus, it is about simplifying and harmonizing formalities, procedures, and the related exchange of information and documents between the various partners in the supply chain. There are great potential gains from trade facilitation for both governments and the business community. Public entities will profit in terms of enhanced trade tax collection, better use of resources and increased trader compliance. A more efficient and transparent delivery of public services will allow the administration to maintain high security levels and effective government control, while diminishing opportunities for corruption. Traders will gain in terms of higher predictability and speed of operations and lower transaction costs, resulting in more competitive exports on global markets. For countries as a whole, reducing unnecessary delays and costs attracts investments, and supports growth and job creation.

The fundamental principles of trade facilitation are transparency, simplification, harmonization, and standardization. While the transparency within border operations promotes openness and accountability of a government's and administration's actions, simplification of laws and regulations governing border operations eliminates all unnecessary elements and duplications in trade formalities, processes and procedures. Harmonization promotes the alignment of national procedures, operations and documents with international conventions, standards and practices. It can come from adopting and implementing the same standards as partner countries, either as part of a regional integration process or as a result of business decisions. The principle of standardization facilitates the process of developing formats for practices and procedures, documents and information internationally agreed by various parties of border operations. Standards are then used to align and, eventually, harmonize practices and methods.

In order to facilitate effective border operations, there is a need to have an enabling environment that involves different types of interventions and activities addressing the various dimensions of the government. This includes regulatory reforms aiming at a clear, concise, transparent legal framework. However, it requires an in depth analysis of law and regulations that are critical for border operations. This study has therefore aimed to conduct a study to do an elaborate analysis of regulatory regime of the "Bangladesh Land port Authority Act 2001" that will explore the answers and guide the government through preparing recommendations in the following areas of regulatory regime of border operations:

1. What are the current status of the Bangladesh Land Port Authority Act 2001, which includes multi-sectoral coordination mechanism ;
2. Major Legal and Policy Constraints and challenges in BLPA Act 2001 for Trade Facilitation and Cross-Border management in Bangladesh including Implementation Gaps and Procedural Hindrances Identified ;
3. What are the good practice's elsewhere in terms of organizations/laws/rules/regulations of the Land Port to facilitate better management at the borders;
4. What are the critical laws, rules and regulations in border operations for trade facilitation in Bangladesh and how do they relate to international best practice including a comparison with South Asian countries in terms of efficient revenue model such as cargo handling and storage charges ;



[Handwritten signatures and initials]

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5. How are the Land Port Law laws aligned with the trade related bilateral, regional and International agreements and conventions and how do they relate to international good practice ;
 6. How are the laws facilitating trade for exporters and importers in Bangladesh and how do they relate to international good practice ;
 7. Requirements of Legislative, Administrative and Policy Reforms Identified
 8. What adjustments or modifications are required for making the Bangladesh Land Port Authority Act 2001 efficient, effective and harmonized for trade facilitation?

Appendix 3

Meeting Minutes

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
ডব্লিউটিও সেল
বাণিজ্য মন্ত্রণালয়
বাংলাদেশ সচিবালয়, ঢাকা

বিষয়ঃ বাণিজ্য মন্ত্রণালয়ধীন বাংলাদেশ রিজিওনাল কানেক্টিভিটি প্রকল্প -১ এর আওতায় নিয়োজিত প্রতিষ্ঠান বিএফটিআই কর্তৃক বাস্তবায়িত “Selection of Consulting/Research Firm (National) for Conducting 03 Studies suggested by NTFC”-এর চলমান কার্যক্রমের অগ্রগতি পর্যালোচনা সভার কার্যবিবরণী।

সভার তারিখ : ২৮ সেপ্টেম্বর, ২০২১ খ্রিস্টাব্দ
সভার স্থান : মহাপরিচালক, ডব্লিউটিও সেল, বাণিজ্য মন্ত্রণালয় এর অফিস কক্ষ।
সভাপতি : জনাব মোঃ হাফিজুর রহমান
মহাপরিচালক (অতিরিক্ত সচিব), ডব্লিউটিও সেল, বাণিজ্য মন্ত্রণালয়।
অংশগ্রহণকারী : অংশগ্রহণকারীদের তালিকা পরিশিষ্ট ‘ক’।

২.০ উপস্থিত সকলকে স্বাগত জানিয়ে সভাপতি সভার কার্যক্রম শুরু করেন।

২.০১ সভাপতির অনুমতিক্রমে সভায় “Selection of Consulting/Research Firm (National) for Conducting 03 Studies suggested by NTFC” এর কার্যক্রমের অগ্রগতি BFTI এর পক্ষে জনাব আলী আহমেদ, টীম লিডার কর্তৃক উপস্থাপন করা হয়। তিনি জানান যে, অভিশীঘ্রই তথ্য সংগ্রহকারী নিয়োগপূর্বক তাদের প্রশিক্ষণ শেষে Pre-testing-এর পর তথ্য সংগ্রহ করা হবে। অতঃপর FGD, KII এবং পাবলিক কনসালটেশন সম্পন্ন করে প্রাপ্ত তথ্য বিশ্লেষণপূর্বক ০৩টি স্টাডির প্রতিবেদন সম্পন্ন করা হবে।

৩.০ অতঃপর বিস্তারিত আলোচনায় জনাব মোঃ আবদুর রহিম খান, যুগ্ম সচিব (রপ্তানি-২ অধিশাখা), বাণিজ্য মন্ত্রণালয়, প্রকল্প পরিচালক, বিআরসিপি-১; জনাব মোঃ মুনীর চৌধুরী, ন্যাশনাল ট্রেড এক্সপার্ট, বিআরসিপি-১, এবং BFTI এর টীম লিডার সহ অন্যান্য উপস্থিত কর্মকর্তাগণ অংশগ্রহণ করেন।

৪.০ বিস্তারিত আলোচনা শেষে সভায় নিম্নরূপ সিদ্ধান্ত গৃহীত হয়:

ক) Study-1: Conduct a comparative analysis of trade policies of Bangladesh and its major trade competitors, namely India, Vietnam, Sri Lanka, Cambodia, China and Indonesia এর ক্ষেত্রে পি এস সি সভার সিদ্ধান্তের সাথে সামঞ্জস্য রেখে এবং মন্ত্রণালয়ের অন্যান্য কাজের সাথে হেঁততা বর্জনের নিমিত্তে মূল কর্ম-পরিধি ঠিক রেখে স্টাডি-১ এ India, Vietnam, Sri Lanka, Cambodia, China and Indonesia পরিবর্তে Vietnam, Malaysia, Sri Lanka, Thailand, China and Indonesia এর উপর স্টাডি সম্পন্ন করতে হবে।

খ) Study-2: Identification of potential countries for signing free trade agreement-এর ক্ষেত্রে সিদ্ধান্তসমূহ নিম্নরূপঃ

i) এফটিএ করার জন্য সম্ভাব্য দেশগুলো নির্বাচনে/মূল্যায়নে একটি সুনির্দিষ্ট মূল্যায়ন ছক (Evaluation Matrix) প্রণয়নপূর্বক উক্ত ছকে এফটিএ-এর সাথে সংশ্লিষ্ট গুরুত্বপূর্ণ বিষয়াবলী থাকতে হবে।

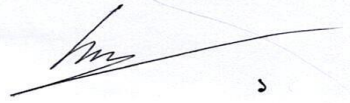
ii) সম্ভাব্য দেশগুলো নির্বাচনে/মূল্যায়নে বাংলাদেশের সামগ্রিক অর্থনৈতিক সুবিধার Quantitative Analysis-এর পাশাপাশি Tariff Revenue ও Overall Trade-এর উপর এফটিএ’র সম্ভাব্য প্রভাব মূল্যায়ন করতে হবে।

iii) বাংলাদেশি পণ্যের Market Access যাচাই করার জন্য সম্ভাব্য দেশগুলোতে বাংলাদেশি পণ্যের রপ্তানিতে বর্তমানে বিরাজমান/আরোপিত পলিসিগত ও সামগ্রিক Non-Tariff Measures-এর তালিকা প্রস্তুত করতে হবে। এক্ষেত্রে UNCTAD, ITC Market Access Tools ও অন্যান্য নির্ভরযোগ্য ডাটাবেস ব্যবহার করা যেতে পারে।

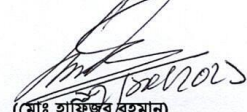
গ) Study 3: Review and Reforming The Bangladesh Land Port Authority Act 2001 এর কর্ম-পরিধি অপরিবর্তিত থাকবে। তবে, এক্ষেত্রে Comprehensive Trade policy, export policy order, paperless trade এসব বিষয় গবেষণার অন্তর্ভুক্ত করতে হবে।

৪.১ FGD এবং KII-সহ সকল কার্যক্রম সম্পন্ন পূর্বে প্রকল্প দপ্তরকে অবহিত করতে হবে;

৪.২ সার্বিক কার্যক্রমের সংশোধিত পরিকল্পনা প্রকল্প দপ্তরে দাখিল এবং পরিকল্পনা মোতাবেক সকল কার্যাদি যথাসময়ে সম্পন্ন করতে হবে।



০৫. সভায় আর কোন আলোচনা না থাকায় সভাপতি উপস্থিত সবাইকে ধন্যবাদ জানিয়ে সভার সমাপ্তি ঘোষণা করেন।


(মোঃ হাফিজুর রহমান)
মহাপরিচালক (অতিরিক্ত সচিব)
ডব্লিউটিও সেল
বাণিজ্য মন্ত্রণালয়।

স্মারক নং-২৬.০০.০০০০.১৩৫.১৪.০০২.১৮-৮৮

তারিখ: ১৭/১০/২০২১

বিতরণ (জ্যেষ্ঠতার ভিত্তিতে নয়):

- ১। সিইও, বাংলাদেশ ফরেন ট্রেড ইনস্টিটিউট, টিসিবি ভবন, ১ কাওরান বাজার, ঢাকা।
- ২। জনাব মো: আবদুর রহিম খান, যুগ্ম সচিব (রপ্তানি-২ অধিশাখা), বাণিজ্য মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা-১০০০।
- ৩। জনাব মো: মিজানুর রহমান, প্রকল্প পরিচালক (যুগ্ম সচিব), বিআরসিপি-১, বাণিজ্য মন্ত্রণালয়।
- ৪। জনাব মো: মুনীর চৌধুরী, ন্যাশনাল ট্রেড এক্সপার্ট, বাংলাদেশ রিজিওনাল কানেক্টিভিটি প্রকল্প-১, প্রবাসী কল্যাণ ভবন, ইস্কাটন গার্ডেন, ঢাকা।
- ৫। জনাব আলী আহমেদ, টিম লিডার, Conducting 03 Studies suggested by NTTFC, বাংলাদেশ ফরেন ট্রেড ইনস্টিটিউট, টিসিবি ভবন, ১ কাওরান বাজার, ঢাকা।
- ৬। জনাব মো: সাইফুর রহমান, সিনিয়র রিচার্স ফেলো, বাংলাদেশ ফরেন ট্রেড ইনস্টিটিউট, টিসিবি ভবন, ১ কাওরান বাজার, ঢাকা।
- ৭। জনাব মো: মেজবাহউল ইসলাম, রিচার্স ম্যানেজার, বাংলাদেশ ফরেন ট্রেড ইনস্টিটিউট, টিসিবি ভবন, ১ কাওরান বাজার, ঢাকা।

অনুলিপিঃ

১. সচিব মহোদয়ের একান্ত সচিব, বাণিজ্য মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা-১০০০।
২. অফিস কপি।

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
বাংলাদেশ রিজিওনাল কানেক্টিভিটি প্রকল্প-১
বাণিজ্য মন্ত্রণালয়
প্রবাসী কল্যাণ ভবন
৭১-৭২, ইকোটন পার্গেন রোড, ঢাকা-১০০০।

বিষয়ঃ বাংলাদেশ রিজিওনাল কানেক্টিভিটি প্রকল্প-১ এর আওতায় নিয়োজিত প্রতিষ্ঠান Bangladesh Foreign Trade Institute (BFTI) কর্তৃক দাখিলকৃত Draft Inception Report on "Selection of Consulting/Research Firm (National) for Conducting 03 Studies suggested by NTTFC" এর ওপর পর্যালোচনা এবং সংশোধনপূর্বক চূড়ান্তকরণের লক্ষ্যে অনুষ্ঠিত সভার (ভার্চুয়াল) কার্যবিবরণী।

সভাপতি : জনাব মোঃ মিজানুর রহমান, প্রকল্প পরিচালক (মুখ্য সচিব), বাংলাদেশ রিজিওনাল কানেক্টিভিটি প্রকল্প-১
সভার তারিখ : ২৪ জুন, ২০২১ খ্রিষ্টাব্দ, সময়: সকাল- ১১:০০ টা
স্থান : অনলাইন জুম প্রাটফর্ম
অংশগ্রহণকারী : অনলাইন জুম প্রাটফর্মে অংশগ্রহণকারীদের তালিকা পরিশিষ্ট 'ক'।

২.০ উপস্থিতি সকলকে স্বাগত জানিয়ে এবং সভার উদ্দেশ্য বর্ণনা করে সভাপতি সভার কার্যক্রম শুরু করেন। তিনি ০৩ প্টাভির সংক্রান্ত বিষয়ে বিস্তারিত লক্ষ্য উদ্দেশ্য এবং কর্মপরিকল্পনা সংক্রান্ত বিষয়ে সভায় উল্লেখপূর্বক পরামর্শক প্রতিষ্ঠানের Key Expert-কে তাঁর Presentation উপস্থাপনের জন্য অনুরোধ করেন। ড. এম ফয়জুল কবীর খান তাঁর উপস্থাপনায় নিম্নবর্ণিত ০৩টি প্টাভির সংক্ষেপে পটভূমি, লক্ষ্য ও উদ্দেশ্য, PCS, FGD, KII এর গবেষণার প্রণয়নালীসমূহ, ইত্যাদির উপর বিস্তারিত বর্ণনা প্রদান করেন:

Study-1: Comparative analysis of trade policies of Bangladesh and its competing countries, particularly India, Vietnam, Sri Lanka, Cambodia, China and Indonesia.

Study-2: Identification of potential countries for signing Free Trade Agreements.

Study-3: Review and Reforming the "Bangladesh Land Port Authority Act 2001".

আলোচ্য উপস্থাপনায় ০৩ প্টাভির Overall Methodology, Primary and Secondary data রিভিউ এবং এ সংক্রান্ত PCS, FGD এবং KII-তে রেসপন্ডেন্টদের সংখ্যা ও সংস্থার তালিকা সকলকে অবহিত করা হয়। সভাপতি উপস্থাপনা শেষে সভায় সংযুক্ত বিভিন্ন মন্ত্রণালয়, সংস্থা ও বেসরকারী বাণিজ্য সংগঠনের প্রতিনিধিদের নিকট হতে মতামত আহবান করেন:

৩.০০ প্রতিনিধিদের মতামত:

(ক) বাংলাদেশ উইমেন চেম্বারের প্রতিনিধি, তাঁর বক্তব্যে আলোচ্য প্টাভির ক্ষেত্রে স্বাস্থ্যস্বাতন্ত্র্যকে অন্তর্ভুক্তির জন্য অনুরোধ জানান। এ বিষয়ে সভাপতি আলোচ্য প্টাভিতে Covid-19 সংক্রান্ত চ্যালেঞ্জ মোকাবেলাকে অন্তর্ভুক্ত করে ০৩ প্টাভি সম্পন্ন করার বিষয়ে অভিমত ব্যক্ত করেন।

(খ) ট্রেড এক্সটার্নাল কমিশনের প্রতিনিধি তাঁর বক্তব্যে উল্লেখ করেন যে, প্রতিটি FGD-তে Participation এর সংখ্যা ৩০ জন হতে কমিয়ে Standard Format অনুযায়ী ১০/১২ জন সীমাবদ্ধ রাখা যেতে পারে। Study-1 এর ক্ষেত্রে যে সকল Act/Rules এর উল্লেখ আছে তাতে সংশ্লিষ্ট আরও Trade Policy সংক্রান্ত Act/Policy/Rules অন্তর্ভুক্ত করা যেতে পারে। প্টাভির ক্ষেত্রে সার্ভিস সেक्टरকে (IT, Broad Band, Internet) অন্তর্ভুক্ত করা যেতে পারে। FTA এর ক্ষেত্রে Potential Country Selection এর জন্য অন্তত পক্ষে ১টি দেশকে Case Studies হিসেবে অন্তর্ভুক্ত করতে হবে এবং সে মোতাবেক প্রণয়নালীসমূহ হবে। এক্ষেত্রে Qualitative aspect এ প্রণয়নালী ও Clear Methodology থাকতে হবে। FTA এর ক্ষেত্রে শুধুমাত্র Economic Benefit দেখালে হবে না এক্ষেত্রে Political এবং Social Point of View হতে সম্ভাব্যতা যাচাই করতে হবে। Trade Policy রিভিউর ক্ষেত্রে দেশগুলোর Trade Policy এর ক্ষেত্রে তুলনামূলক বিবরণীতে সব কম্পোনেন্ট না এনে Specific ভাবে যেমন ট্যারিফ, আমদানী-রক্ষা, মুক্ত বাজার অর্থনীতি, পোর্ট অথোরিটি ইত্যাদি বিবেচনায় নিতে হবে। পাবলিক কনসালটেশনে ব্যবসায়ী সংগঠনের সাথে আলোচনা করে প্রণয়নালীগুলোকে আরও যুগপোষ্য করা যেতে পারে। Methodology কে Primary and Secondary Survey অনুযায়ী Re-arrange করতে হবে। FTA এর সম্ভাব্যতা যাচাই-এ Economic Modeling Techniques ব্যবহার করা যেতে পারে।

- (গ) বাংলাদেশ স্থলবন্দর কর্তৃপক্ষের প্রতিনিধি জানান যে, ২৪টি বন্দরের মধ্যে ১২টি চালু আছে। BLPA- Act 2001 কে তথ্য প্রযুক্তির সাথে সম্পৃক্ত করতে হবে। অটোমেশন ডায়রিফ সিডিউল, কি ও চার্জকে যুগোপযোগী করার জন্য প্রয়োজনীয় আইন সংশোধন করতে হবে। তিনি সার্ভেতে FGD, KII এর ব্যাপী বাড়ানো যেতে পারে মর্মে অভিমত ব্যক্ত করেন।
- (ঘ) বাণিজ্য মন্ত্রণালয়ের প্রতিনিধি উল্লেখ করেন যে, FGD, KII and PCS প্রণালী Revisit করা প্রয়োজন।
- (ঙ) বিআরসিপি-১ এর ন্যাশনাল ট্রেড এক্সপার্ট, জনাব মো: মুনীর চৌধুরী, নিম্নলিখিত সুপারিশ প্রদান করেন:
- (১) TOR এ উল্লেখিত লক্ষ্য, উদ্দেশ্য এবং পরিধি অনুযায়ী স্টাডি সম্পন্ন করতে হবে এবং Scope অনুযায়ী স্টাডির প্রণালী প্রস্তুত করা বাঞ্ছনীয় এবং এতে Concrete সাজেশন পাওয়া যায়;
 - (২) Sample, Design, Size যৌক্তিক হতে হবে। PCS, FGD, KII এর ক্ষেত্রে বিভিন্ন মন্ত্রণালয়, প্রতিষ্ঠান ও সংস্থার রেসপনডেন্ট এর নাম স্পেসিফিক করতে হবে। উদাহরণস্বরূপ বাণিজ্য মন্ত্রণালয়ের রপ্তানী, এফটিএ, আমদানী অনুবিভাগ, এনবিআর, স্থলবন্দর কর্তৃপক্ষ ইত্যাদির ক্ষেত্রে Specific কর্মকর্তার নাম Inception Report-এ উল্লেখ করা প্রয়োজন। এতে সঠিক ব্যক্তির নিকট হতে তথ্য সংগ্রহ করা সহজ হবে;
 - (৩) Study-1 এর ক্ষেত্রে Trade Policy Review 2019 বিশেষভাবে রিভিউ করতে হবে। Export Policy 2021-24 ড্রাফট পর্যায়ে আছে, এটিকে রিভিউতে অন্তর্ভুক্ত করতে হবে। বাণিজ্য সংক্রান্ত সকল পলিসির মধ্যে সমন্বয় এর বিষয়টি স্টাডিতে আনতে হবে;
 - (৪) Study-2 তে Graduation Challenge মোকাবেলাসহ এবং FTA এর ক্ষেত্রে Existing ছাড়া নতুন কোন রিজিওনাল ট্রেড ব্লক এর সাথে যেমন ASEAN এর সাথে FTA এর বিষয় সম্ভাব্যতা যাচাই করা যেতে পারে;
 - (৫) Study-3-তে Digital Corridor, Paperless Trade সহ ল্যান্ড পোর্টের জন্য একটি SOP প্রস্তুত এবং স্থলবন্দর সসুহের LPI (Logistic Performance Index) বা Simplification of Custom Procedure স্টাডিতে অন্তর্ভুক্ত করা যেতে পারে;
 - (৬) FGD, KII ইত্যাদির জন্য Study-1, 2 এবং 3 এর ক্ষেত্রে কি ধরনের সুপারিশ, সাজেশন বা (Reform) পরিবর্তন আনা যেতে পারে তা Specific ভাবে প্রণবলীতে আনায়ন প্রয়োজন। Major Change সুপারিশ করতে হবে;
 - (৭) স্টাডি পরিচালনার জন্য মনিটরিং ও সুপারভিশন এর একটি কম্পোনেন্ট রাখা প্রয়োজন;
 - (৮) FTA পর্যালোচনার সময় Cost benefit Analysis করা প্রয়োজন এবং এটি সম্ভাব্যতা যাচাই এর ক্ষেত্রে প্রয়োজন;
 - (৯) Study-1 and 2 এর ক্ষেত্রে পণ্য এর পাশাপাশি সার্ভিস সেক্টরকে অন্তর্ভুক্ত করা যেতে পারে;
 - (১০) Study-1 এর ক্ষেত্রে Product and Market diversification এবং Women Entrepreneur-দের আলাদাভাবে address করা প্রয়োজন;
 - (১১) Trade Facilitation Agreement (TFA) বাস্তবায়নের সাথে স্টাডি সমূহকে সম্পৃক্ত করতে হবে।
- (চ) প্রজেক্ট ম্যানেজার, বিআরসিপি-১ জানান যে, এ ধরনের জরীপের ক্ষেত্রে সার্ভেয়ার নিয়োগ যথাযথ ব্যক্তিকে নিয়োগ দিতে হবে এবং তাদের প্রয়োজনীয় প্রশিক্ষণ দিতে হবে।
- (ছ) জনাব মাকসুদুল আলম মুকুল মন্ডল, বিআরসিপি-১ সভাকে জানান যে, Scope, Methodology এবং প্রণবলী আরও Detail করা প্রয়োজন। প্রণবলীতে Specific Indicator Include করা যেতে পারে। Particular Study'র জন্য Scale প্রণয়ন করা প্রয়োজন। Respondent এর জন্য Stakeholder List-এ Public and Private এর ক্ষেত্রে Cluster করা যেতে পারে। এতে তাঁদের Specific লক্ষ্য প্রাঙ্গণে সহায়ক হবে। প্রয়োজনে Think Tank দেও অন্তর্ভুক্ত করা যেতে পারে।
- (জ) সভাপতি সংযুক্ত সকলকে তাঁদের মূল্যবান মতামত প্রদানের জন্য ধন্যবাদ জানান। তিনি BFTI-কে সুন্দর Inception Report প্রদানের জন্য ধন্যবাদ জানান। তিনি নিম্নরূপ মতামত ব্যক্ত করেন:
- (১) Study-1 এর ক্ষেত্রে Stakeholder Mappings যে ২০টি ক্যাটাগরী ও Study-2-তে ১৪টি ক্যাটাগরী এবং Study-3 যে ১৯টি ক্যাটাগরী করা হয়েছে সে অনুযায়ী Survey Respondents এর Sample Size এবং FGD ও KII এর সংখ্যা বৃদ্ধি প্রয়োজন মর্মে অভিমত ব্যক্ত করেন। এ রিপোর্টে PCS, FGD এবং KII এর সংখ্যা উল্লেখ থাকলেও Respondent survey size এবং স্থান/প্রতিষ্ঠান উল্লেখ নেই।
 - (২) Study-3 এর জন্য স্থলবন্দরের সাথে যুক্ত Stakeholders এর Questionnaire Survey সম্পন্ন প্রয়োজন।
 - (৩) Field সার্ভে স্টাফ ও জন Enumerator যথেষ্ট কি না তা যাচাই করা প্রয়োজন এবং তাদের কর্মদিবস নির্দিষ্ট করা বাঞ্ছনীয়।
 - (৪) জরীপের জন্য ২টি Pre-testing করা যেতে পারে এবং স্থান নির্দিষ্ট করা প্রয়োজন।

(৫) কনসালটিং ফার্ম এবং প্রকল্প কর্তৃপক্ষ কর্তৃক এ স্টাডি মনিটরিং ও সুপারভিশন করার জন্য প্রয়োজনীয় কর্ম-পরিকল্পনা প্রতিবেদনে থাকা প্রয়োজন।

(৬) সকল PCS, FGD ও KII সহ মাঠ পর্যায়ে জরিপ কার্যাদী প্রকল্প কর্তৃপক্ষকে অবহিত করে সম্পন্ন করা এবং PCS এর প্রতিবেদন, FGD, KII & Survey এর উত্তরপত্রের কপি প্রকল্প অফিসে দাখিলের বিষয় রিপোর্টে উল্লেখ থাকা প্রয়োজন।

(৭) Work plan অনুযায়ী অগ্রগতি নিয়ে প্রকল্প কর্তৃপক্ষের সাথে মাসিক সভা করা যেতে পারে।

আলোচনার পরিশেষে Key Expert-বৃন্দ Inception Report-এ আজকের আলোচনার সুপারিশ মোতাবেক প্রয়োজনীয় সংশোধন আনবেন মর্মে অন্তিমত স্বাক্ষর করেন। সভাপতি সভার শেষে সংশোধিত Inception Report অবিলম্বে প্রকল্প অফিসে দাখিল করার জন্য অনুরোধ করেন।

৪.০০ সিদ্ধান্ত:

সভায় সুপারিশগুলো (ক) হতে (জ) পর্যন্ত Inception Report-এ অন্তর্ভুক্তকরণসহ প্রকল্প কর্তৃপক্ষ কর্তৃক Respondent Survey এর Sample Size, FGD, KII সংখ্যা গ্রহণযোগ্য হওয়া স্বাপেক্ষে Inception Report-টি গ্রহণ করা হলো।

৫.০০ সভায় আর কোন আলোচ্য বিষয় না থাকায় সভাপতি সংযুক্ত সকলকে ধন্যবাদ জানিয়ে সভার সমাপ্তি ঘোষণা করেন।

০৭/০৭/২০

(মোঃ মিজানুর রহমান)
প্রকল্প পরিচালক (যুগ্ম-সচিব)
বাংলাদেশ রিজিওনাল কানেক্টিভিটি প্রকল্প-১
বাণিজ্য মন্ত্রণালয়

স্মারক নং-২৬.০০.০০০০.০৬৬.০৭.০২৬.২০-৪৬৭

তারিখঃ ২৭-০৬-২০২১

বিতরণ জ্যেষ্ঠতার ভিত্তিতে নয় (সদয় অবগতি ও প্রয়োজনীয় ব্যবস্থা গ্রহণের জন্য):

- ১। ভাইস চেয়ারম্যান, রপ্তানি উন্নয়ন ব্যুরো, টিসিবি ভবন, ০১ কাওরান বাজার, ঢাকা-১০০০।
- ২। অতিরিক্তি সচিব (রপ্তানী), বাণিজ্য মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ৩। অতিরিক্তি সচিব (এফটিএ), বাণিজ্য মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
[দৃ:আ: জনাব ফারহানা ইসলাম, উপ সচিব (এফটিএ-১)]
- ৪। চেয়ারম্যান, বাংলাদেশ স্থল বন্দর কর্তৃপক্ষ, টিসিবি ভবন, ০১ কাওরান বাজার, ঢাকা।
[দৃ:আ: আনিসুল ইসলাম, পরিচালক (ট্রাফিক)]
- ৫। জনাব মো: মুনীর চৌধুরী, ন্যাশনাল ট্রেড এক্সপার্ট, বিআরসিপি-১, প্রবাসী কল্যাণ ভবন, ৭১-৭২, ইন্টারন গার্ডেন, ঢাকা-১০০০।
- ৬। জনাব মো: খলিলুর রহমান, পরিচালক-৩ (উপসচিব), ডব্লিউটিও সেল, বাণিজ্য মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ৭। জনাব মাজেদুর রহমান, (উপসচিব), পরিকল্পনা সেল, বাণিজ্য মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা।
- ৮। জনাব মির্জা আবুল ফজল মোঃ গৌহিদুর রহমান, গবেষণা কর্মকর্তা, বাংলাদেশ টারিফ কমিশন, সেগুনবাগিচা, ঢাকা।
- ৯। ড. এম সাহাব উদ্দিন, প্রকল্প ব্যবস্থাপক, বিআরসিপি-১, প্রবাসী কল্যাণ ভবন, ৭১-৭২, ইন্টারন গার্ডেন, ঢাকা-১০০০।

বেসরকারী প্রতিষ্ঠান (জ্যেষ্ঠতার ভিত্তিতে নয়):

1. Erik Nora, The Task Team Leader, BRCP-1, The World Bank
- ২। সভাপতি, এফবিসিসিআই, ৬০ মতিঝিল, সি/এ, ঢাকা-১০০০ ঢাকা।
- ৩। সভাপতি, বাংলাদেশ উইমেন চেম্বার অব কমার্স এন্ড ইন্ডাস্ট্রি, প্লট: ০২ (তয় তলা), রোড: ২৩/সি, ফস্ট রোড, গুলশান-১, ঢাকা।
[দৃ:আ: জনাব প্রীতি চক্রবর্তী, বোর্ড পরিচালক]
- ৪। প্রধান নিবাহী কর্মকর্তা, BFTI, টিসিবি ভবন, কাওরান বাজার, ঢাকা-১২১৫।

অনুলিপি: (সদয় অবগতির জন্য দেয়া হলো)

- ১। মহাপরিচালক, ডব্লিউটিও সেল, বাণিজ্য মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা-১০০০।
- ২। সচিব মহোদয়ের একান্ত সচিব, বাণিজ্য মন্ত্রণালয়, বাংলাদেশ সচিবালয়, ঢাকা-১০০০।

Appendix 4
Questionnaire for Field Survey

স্টাডি ৩ এর জন্য Field Survey প্রশ্নাবলী

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার
ডব্লিউটিও সেল, বাণিজ্য মন্ত্রণালয়
বাংলাদেশ রিজিওনাল কানেক্টিভিটি প্রজেক্ট-১
৩টি স্টাডি, এনটিটিএফসি কর্তৃক নির্ধারিত

" স্টাডি ৩: বাংলাদেশ স্থলবন্দর কর্তৃপক্ষ আইন ২০০১ পর্যালোচনা ও পরিমার্জন করা এবং অপারেশন ও
আঞ্চলিক সংযোগ আরো উন্নত করার জন্য সংস্কারের সুপারিশ করা।"

প্রথম অংশ: সাধারণ পরিচিতিমূলক তথ্য

উত্তরদাতার নাম:

প্রতিষ্ঠানের নাম :

প্রতিষ্ঠানের ধরন চিহ্নিত করুন:

ক) বাংলাদেশ স্থলবন্দর কর্তৃপক্ষ

খ) ট্রান্সপোর্ট ও লজিস্টিক কোম্পানি

গ) কাস্টমস

ঘ) সনদপত্র ও মাননিয়ন্ত্রণকারী কর্তৃপক্ষ

ঙ) ইমিগ্রেশন

চ) সিক্সটিএফ এজেন্ট

ছ) আমদানিকারক -রপ্তানিকারক

জ) অপারেটর

ঝ) ব্যাংক

এং) অন্যান্য

দ্বিতীয় অংশ:

১। প্রয়োজনীয় যন্ত্রপাতি, অবকাঠামো ও জনশক্তি বিবেচনায় নিম্নোক্ত সেবাসমূহ প্রদানে বাংলাবান্ধা/ আখাউড়া/ বেনাপোল স্থলবন্দরের কি যথেষ্ট সক্ষমতা রয়েছে? দয়া করে চিহ্নিত করুন।

	হ্যাঁ	না	মন্তব্য নেই
পণ্য খালাস বা বোঝাই			
মালামাল ওজনকরন			
পণ্যদ্রব্য বা মালামাল পরীক্ষা			
ট্রাফিক ব্যবস্থাপনা			
বন্দরের মাণ্ডলাদি নিরূপণ			
আমদানিযোগ্য পণ্য গুদামজাত			

পচনশীল পণ্য সংরক্ষণ			
ডিজিটাল পেমেন্ট			

২। বাংলাদেশ প্রতিবেশী দেশের সাথে নিম্নোক্ত কোন বিষয়গুলোর উপর দ্বিপাক্ষিক/ আঞ্চলিক চুক্তি করলে আমদানি-রপ্তানি সহজতর হবে?

উত্তর:

ক) ওজন/ মাপ গ্রহণ

খ) যৌথ মান নিয়ন্ত্রণ সনদ গ্রহণ

গ) শুদ্ধ বহির্ভূত পদক্ষেপ সম্পর্কিত তথ্য শেয়ারিং

ঘ) অন্যান্য

৩। বাংলাদেশ স্থলবন্দর কর্তৃপক্ষের ফি, চার্জ, টোল ইত্যাদি আরোপন পদ্ধতি কি যুক্তিসঙ্গত? দয়া করে চিহ্নিত করুন।

	হ্যাঁ	না	উত্তর না হলে নিম্নের একটি অপশন বাছাই করুন		
			প্রতিবছর ৫% হারে বাড়ানো	প্রতিবছর পরিচালন ব্যয়ের সাথে সমন্বয় রেখে নির্ধারণ করা	প্রতি তিন বছর পর পর পরিচালন ব্যয়ের সাথে সমন্বয় রেখে নির্ধারণ করা
ফি					
ওয়েট চার্জ					
ওয়্যার হাউজ চার্জ					
ডকুমেন্টেশন চার্জ					
পণ্যভিত্তিক চার্জ					
হ্যান্ডেলিং চার্জ					
অন্যান্য চার্জ প্রযোজ্যক্ষেত্রে					
টোল					

Appendix 5

Questionnaire for Key Informant Interview

স্টাডি ৩ এর জন্য কেআইআই (KII) প্রশ্নাবলী

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

ডব্লিউটিও সেল, বাণিজ্য মন্ত্রণালয়

বাংলাদেশ রিজিওনাল কানেক্টিভিটি প্রজেক্ট-১

৩টি স্টাডি, এনটিটিএফসি কর্তৃক নির্ধারিত

"স্টাডি ৩: বাংলাদেশ স্থলবন্দর কর্তৃপক্ষ আইন ২০০১ পর্যালোচনা ও পরিমার্জন করা এবং অপারেশন ও

আঞ্চলিক সংযোগ আরো উন্নত করার জন্য সংস্কারের সুপারিশ করা।"

প্রথম অংশ: সাধারণ পরিচিতিমূলক তথ্য

উত্তরদাতার নাম:

প্রতিষ্ঠানের নাম :

ঠিকানা:

যোগাযোগ:

মোবাইল নাম্বার:

ইমেইল আইডি:

মূল মন্ত্রণালয়/ বিভাগ:.....

অবস্থান/ কার্যালয়:

দ্বিতীয় অংশ: নির্দিষ্ট প্রশ্ন

১। বাংলাদেশ স্থলপথে আমদানি ও রপ্তানি সহজতর ও উন্নততর করতে স্থলবন্দর কর্তৃপক্ষ প্রতিষ্ঠার জন্য “স্থলবন্দর কর্তৃপক্ষ আইন ২০০১” প্রণীত হয়েছিল। বাণিজ্য সহজতর করতে আইনটি কতোটা কার্যকর ভূমিকা রাখতে সক্ষম হয়েছে বলে আপনি মনে করেন?

ক) খুব কার্যকর	খ) বেশ কার্যকর	গ) মোটামুটি কার্যকর
ঘ) তেমন কার্যকর নয়	ঙ) কার্যকর নয়	

আপনার মন্তব্য:

২। “স্থলবন্দর কর্তৃপক্ষ আইন ২০০১” আইনটিকে আন্তর্জাতিক মানের করতে কি কি বিষয় অন্তর্ভুক্ত করা উচিত বলে আপনি মনে করেন?

উত্তর:

৩। স্থলবন্দরে কর্মরত সরকারি ও বেসরকারি সংস্থাগুলোর মধ্যে আরো ভালোভাবে সমন্বয় সাধনের জন্য কি কি বিষয় বর্তমান আইনটিতে অন্তর্ভুক্ত করা উচিত বলে আপনি মনে করেন?

উত্তর:

৪। বাংলাদেশ স্থলবন্দরের মাধ্যমে পণ্য দ্রুত প্রবেশ ও বহিরাগমন সক্ষমতা বৃদ্ধির জন্য স্থলবন্দর কর্তৃপক্ষ আইন ২০০১ এ কোন কোন বিষয় সংযোজন করা প্রয়োজন?

উত্তর:

৫। “স্থলবন্দর কর্তৃপক্ষ আইন ২০০১” আইনটি দুদেশের আন্তঃসীমান্ত সমস্যাগুলো সমাধানে কি কি বিষয় অন্তর্ভুক্ত করতে পারে?

উত্তর:

৬। “স্থলবন্দর কর্তৃপক্ষ আইন ২০০১” বাস্তবায়নে প্রধান আইনি সীমাবদ্ধতা এবং চ্যালেঞ্জগুলি কি কি?

উত্তর:

৭। আন্তঃসীমান্ত বানিজ্যে পণ্যজট, ক্ষত পণ্য খালাস ও পণ্য নিরাপত্তা সহ অন্যান্য প্রতিবন্ধকতাগুলি দূর করতে এবং বাণিজ্য সহজিকরনে “স্থলবন্দর কর্তৃপক্ষ আইন ২০০১” এ কোন কোন বিষয় পরিবর্তন / সংস্কার প্রয়োজন?

উত্তর:

৮। কাস্টমস ও স্থলবন্দর কর্তৃপক্ষের জুরিসডিকশন সীমানা কতটুকু হওয়া উচিত বলে আপনি মনে করেন এবং কিভাবে তা নির্ধারণ করা যেতে পারে?

উত্তর:

৯। ব্যবসায়ীদের আমদানি বা রপ্তানি সহজতর করার জন্য ইমিগ্রেশন ব্যবস্থার উন্নয়নে কি করা যেতে পারে?

উত্তর:

১০। মালামাল বা পণ্য পরীক্ষণের বিডিআর / কাস্টমস / বন্দর কর্তৃপক্ষ থেকে কোন কোন সহযোগিতামূলক সেবা আরো বেশি প্রত্যাশা করেন? উল্লেখ করুন।

উত্তর:

মূল তথ্যদাতার স্বাক্ষর এবং তারিখ

তথ্যসংগ্রহকারীর নাম এবং তারিখ

Appendix 6

List of Participants in the Field Study

Sl.	Name	Location	Type of Institution
1	Shahinur Rahman	Benapole Bazaar	Export-Import
2	Shahjamal Hossain	Benapole Customs House	Customs
3	Abdul Quader	Benapole Bazaar	C & F Agent
4	Moshiur Rahman	Benapole Bazaar	C & F Agent
5	Muminur Rahman	Benapole Bazaar	C & F Agent
6	Tariqul Islam	Benapole Bazaar	C & F Agent
7	Motiar Rahman	Benapole Bazaar	C & F Agent
8	Hashem Ali	Benapole Bazaar	C & F Agent
9	Hamid	Benapole Market	Export-Import
10	Rafiqul Islam	Benapole Bazaar	Export-Import
11	Babul	Benapole Port	Transport & Logistics
12	Hafizue Rahman	Benapole Port	Transport & Logistics
13	Shahin Alam	Benapole Port	Transport & Logistics
14	Mujibur Rahman	Benapole Checkpost	Immigration
15	Akhtar Faruque	Benapole Checkpost	Bank
16	Mahmudul Hasan Rana	BSTI	Certification and Quality Inspection
17	Alamgir Kabir	Benapole Bazaar	Export-Import
18	Samad & Sons -2	Benapole Bazaar	Export-Import
19	New Boishakhi Enterprise	Benapole Bazaar	Export-Import
20	Malek	Benapole Bazaar	Export-Import
21	Tariqul Islam	Benapole Bazaar	Export-Import
22	Mahbubur Rahman	Benapole	Certification and Quality Inspection
23	Aswadul Alam	Benapole	Certification and Quality Inspection
24	Selim Khan	Benapole port	Truck Driver
25	Prodip Nandi	Benapole port	Truck Driver
26	Sohel Rana	Benapole port	Truck Driver
27	Ershad	Benapole port	Truck Driver
28	Jahangir Alam	Benapole port	General Secretary
29	Khalilur Rahman	Benapole port	Labour Union
30	Milon Hosen	Benapole port	Labour
31	Mobarak Hosen	Akhaura Land Port	C & F Agent
32	Jakir Hosen	Akhaura Land Port	Bangladesh Land Port Authority
33	Akhtar Hosen	Akhaura Land Port	C & F Agent
34	Shakhawat Hosen	Akhaura Land Port	Transport & Logistics
35	Hazi Babul	Akhaura Land Port	Export-Import
36	Mohammad Shahed	Tetulia	Transport & Logistics
37	Md. Shahadat Hosen	Tetulia	Bank
38	Subakturkin Shakil	Banglabandha Land Port	Bank
39	Sumon Islam	Banglabandha Land Port	Export-Import
40	Idris Ali	Banglabandha Land Port	Export-Import
41	Mamun Hosen	Tetulia	Export-Import

42	Mojammel	Akhaura Land Port	Transport & Logistics
43	Quamrul	Akhaura Check Post	C & F Agent
44	Forkan Ahmed	Akhaura Check Post	C & F Agent
45	Sadequl Islam	Akhaura Check Post	Export-Import
46	Rahim Member	Akhaura Land Port	Shop Keeper
47	Rajib Uddin	Akhaura Land Port	C & F Agent
48	Shafiqul Islam	Akhaura Land Port	C & F Agent
49	Abdul Hamid	Akhaura Land Port	Immigration
50	Abul Kalam Azad	Akhaura Land Port	Export-Import
51	Quamruzzaman	Akhaura Land Port	Customs
52	Sumon Ali	Akhaura Land Port	Export-Import
53	Shafiullah	Akhaura Land Port	
54	Hridu Choity	Akhaura Land Port	C & F Agent
55	Shafiqul Islam	Akhaura Land Port	Export-Import
56	Ilias	Akhaura Land Port	C & F Agent
57	Rajib Bhuiyan	Akhaura Land Port	C & F Agent
58	Samaul Islam	Akhaura Land Port	Bangladesh Land Port Authority
59	Shahidul Islam	Tetulia	Customs
60	Ataur Rahman	Tetulia	Labour Union
61	Nur Alam	Tetulia	C & F Agent
62	Abdul Alim	Tetulia	Customs
63	Liaquat Hosen	Tetulia	C & F Agent
64	Almashir Kabir	Tetulia	Certification and Quality Inspection
65	Sohanur Rahman	Tetulia	C & F Agent
66	Ujjal Hosen	Tetulia	Transport & Logistics
67	Saidur Rahman	Tetulia	C & F Agent
68	Abul Kalam Azad	Tetulia	Bangladesh Land Port Authority
69	Nazrul Islam	Tetulia	Immigration
70	Abu Md. Haddos	Tetulia	Immigration
71	Golam Hafez	Tetulia	Bangladesh Land Port Authority
72	Jahangir Alam	Tetulia	C & F Agent
73	Md. Alauddin Babu	Tetulia	Export-Import
74	Nahirul Islam	Banglabandha, Tetulia	Export-Import
75	Roni Hasan	Banglabandha, Tetulia	Export-Import
76	Saddam Hosen	Tetulia	C & F Agent

Appendix 7

List of Respondents of Key Informant Interviews

Sl.	Name	Location	Institution
1	Md. Sarwar Hosen	TCB Bhaban, Kawran bazaar	Land Port Authority
2	Abdul Matlub Ahmad	Mohakhali, Dhaka	Nitol-Niloy Group and President IBCCI
3	Md. Habibur Rahman	Banglabandha, Panchagarh	Land Port Authority
4	Md. Moniruzzaman	Benapole, Jessore	Land Port Authority
5	Anupam Chakma	Benapole, Jessore	Benapole Customs
6	Md. Azizur Rahmam	Benapole, Jessore	Benapole Customs
7	Md. Abdul Qaiyum	Benapole, Jessore	Benapole Customs
8	Abdul Jalil	Benapole, Jessore	Land Port Authority
9	Mostafizur Rahman Milton	Akhaura	Land Port Authority
10	Alhaj Azizul Haq	Brahmanbaria	Brahmanbaria Chamber of Commerce
11	Md. Imran Hosen	TCB Bhaban, Kawran bazaar	Land Port Authority
12	Md. Kalu Miah	TCB Bhaban, Kawran bazaar	Land Port Authority
13	Md. Mostafa Kamal Mazumdar	TCB Bhaban, Kawran bazaar	Land Port Authority
14	Md. Kudrat-E-Khuda Milon	Banglabandha, Panchagarh	Export Import Association
15	Md. Saidur Rahman Sagor	Banglabandha, Panchagarh	Land Port Authority
16	Mobin Ul Islam	Banglabandha, Panchagarh	Tariff station

Appendix 8

List of Participants in the Focus Group Discussion

Sl.	Name of the participant	Designation	Institution
01	Md. Shajadur Rahman	President	G.S Staff Association
02	Mr.Mahmudul Hasan Rana	Inspection Officer	BSTI
03	Mr. Md. Mujibur Rahman	Inspector Of Police	Benapole Immigration
04	SK Nasir Uddin	MS Samad & Sons	Importers/Exporters
05	Subrata Kumar Chakrabarty	Deputy Director	Department of Agricultural Extension (DAE)
06	Md. Akhtar Faruque	Manager	Sonali Bank Ltd.
07	Mr. Abdul Rashid Miah	Joint Commissioner	Custom House
08	Mr. Anupam Chakma	Deputy Commissioner	Custom House
09	Mr. Mofizur Rahman Sazol	President	C& F Association
10	Md. Azim Uddin Gazi	General Secretary	Transport Malik Association
11	Abdul Jalil	Deputy Director	Benapole Land Port
12	Md. Moniruzzaman	Director (DS)	Benapole Land Port
13	Didarul Islam	Assistant Relationship Officer (ARO)	Custom
14	Mohsin Milon	President	Importers & Exporters Association
15	Md. Mamun Kabir Terafder	Deputy Director (Traffic)	Benapole Land Port
16	Md. Emadatul Haque Lota	General Secretary	Benapole C & F Association
17	Md. Kamal Uddin Shimul	Vice-President	C & F Association
18	Sultan Mahmud Biplob	C & F Agent	
19	Alhaz. Shamsur Rahman	C & F Agent	
20	Mr. Md. Azizur Rahman	Commissioner	Customs House Benapole
21	Md. Obaidul Azam	Director	BFTI

Appendix 9

List of Participants in the Public Consultation

S.L.	*P/V	Name	Organization	Designation
1	P	Bishwajit Chakraborty	PRAN Export Limited	Assistant General Manager
2	P	Mamun Ur Rashidul Askari	Bangladesh Trade & Tariff Commission (BTTC)	Deputy Chief
3	P	Brig Gen (LPR) Mamun Mahmud Firoz Chowdhury, NDC	Corporate Sales- Development, RFL Group	Executive Director
4	P	Mr. Bijoy Kumar Kejriwal	The Federation of Bangladesh Chambers of Commerce and Industry (FBCCI)	Director
5	P	Mr. Manzur Ahmed	The Federation of Bangladesh Chambers of Commerce and Industry (FBCCI)	Adviser
6	P	Md. Kabir Khan	BLPA	Personal Secretary (PS) to Chairman
7	P	Mr. Atiqur Rahman	International Trade Expert	03 Studies
8	P	Md. Monjurul Islam	Bangladesh Fruits, Vegetables & Allied Products Exporters' Association (BFVAPEA)	Advisor
9	P	Shahidur Rahman	Hafiz Corporation	Asst.
10	P	Md. Hafizur Rahman	Hafiz Corporation	
11	P	Mr. Md. Alamgir	BLPA	Chairman (Additional Secretary)
12	P	Mr. Ali Ahmed	Team Leader	Team of Consultants (Former CEO, BFTI)
13	P	Md. Obaidul Azam	Director	BFTI
14	P	Advocate Md. Sarwar Hossain	Bangladesh Land Port Authority (BLPA)	Law Advisor
15	P	Pradosh Kanti Das	BLPA	Director
16	V	Mr. Md. Munir Chowdhury	Bangladesh Regional Connectivity Project (BRCP)-1	National Trade Expert
17	V	Mr. Md. Mijanur Rahman	Bangladesh Regional Connectivity Project (BRCP)-1	Project Director (Joint Secretary)
18	V	Dr. Md. Jafar Uddin	BFTI	Chief Executive Officer (CEO)
19	V	Mr. Motiar Rahman	India-Bangladesh Chamber of Commerce and Industry (IBCCI)	Director
20	V	Md. Hafizur Rahman	Essential Commodity Importers Association	Prasident
21	V	Syeda Shagin Akhter	Bangladesh Textile Mills Association	Research Officer
22	V	Sonjoy Prasad Mallick	Metropolitan Chamber of Commerce and Industry (MCCI)	Deputy Secretary General
23	V	Anjan Shekhar Das	Chittagong Chamber of Commerce & Industry (CCCI)	Director

S.L.	*P/V	Name	Organization	Designation
24	V	A H M Muniruzzaman	Dhaka Chamber of Commerce & Industry (DCCI)	Joint Executive Secretary
25	V	Narayan Chandra	Bangladesh Plastic Goods Manufacturers & Exporters Association (BPGMEA)	Secretary General
26	V	Jewel Rana	Plant Quarantine Wing, DAE	Additional Deputy director
27	V	S M Abul Kalam Azad	India-Bangladesh Chamber of Commerce and Industry (IBCCI)	
28	V	Mejor General Mostafizur Rahman	Bangladesh Association of Pharmaceutical Industries (BAPI)	
29	V	Nazmus Sakib	Bangladesh Bank	Deputy Director (DD)
30	V	Representative	Bangladesh Investment Development Authority (BIDA)	Deputy Secretary (DS)
31	V	Tohid Ilahi	Marcoeconomic Wing, Ministry of Finance	DS
32	V	Mirajul Islam Ukil	Export wing, Ministry of Commerce	Deputy Secretary (Export-5)
33	V	Md. Mahabur Rahman	Bangladesh Employers' Federation	Legal Officer
34	V	Mamunul Kabir	Benapole Land Port Authority	DD
35	V	Mustafiz	Akhaura Land Port	AD

*V: Virtual, P=Physical

Appendix 10

Government of the People's Republic of Bangladesh
Bangladesh Regional Connectivity Project-1, Ministry of Commerce
Level-12 (west side) Prabasi Kalyan Bhaban
71-72, Eskaton Garden, Dhaka-1000

Validation Workshop Proceedings

on

- Study 1:** Comparative Analysis of Trade Policies of Bangladesh and its competing countries, particularly China, Indonesia, Malaysia, Sri Lanka, Thailand, and Vietnam;
- Study 2:** Identification of Potential Countries for Signing Free Trade Agreements;
- Study 3:** Review and Reforming the Bangladesh Land Port Authority Act 2001.

Initiated by: Bangladesh Regional Connectivity Project-1 (BRCP-1)

Ministry of Commerce

Organized by: Bangladesh Foreign Trade Institute (BFTI)

Date: May 18, 2022

Venue: CIRDAP International Conference Centre (1st Floor), Chameli House, 17
Topkhana Road, Dhaka.

Time: 10:30 AM

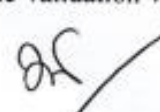
Introduction:

Bangladesh Foreign Trade Institute (BFTI) in association with Keystone Business Support Company Ltd jointly organized a Validation Workshop on three studies namely

- ‘(i) Comparative Analysis of Trade Policies of Bangladesh and its competing countries, particularly China, Indonesia, Malaysia, Sri Lanka, Thailand, and Vietnam;
(ii) Identification of Potential Countries for Signing Free Trade Agreements and
(iii) Review and Reforming the Bangladesh Land Port Authority Act 2001 ’

suggested by NTTFC in FY 2020-21 under Bangladesh Regional Connectivity Project-1, Ministry of Commerce on May 18, 2022, at 10:30 AM in CIRDAP International Conference Centre, Dhaka. Dr. Md. Jafar Uddin, CEO, BFTI was present as the Chief Guest of the validation workshop. Mr. Md. Obaidul Azam, Director, BFTI delivered the welcome remarks, and Mr. Md. Hafizur Rahman, Director General, WTO Cell, Ministry of Commerce was present as a special guest, Mr. Md. Munir Chowdhury, National Trade Expert, BRCP-1 was present as Guest of Honour and Mr. Md. Mijanur Rahman, Joint Secretary, Ministry of Commerce and Project Director presided over the Validation Workshop as the Chairperson.

Mr. Mohammad Jahangeer Kobir (Joint Secretary), Member (Traffic), Bangladesh Land Port Authority, Ms. Nusrat Jabeen Banu (NDC), Additional Secretary, Export Wing, Ministry of Commerce, Mr. Md. Abdus Samad Al Azad, Joint Secretary, FTA Wing, Ministry of Commerce, and Mr. Manzur Ahmed, Trade and Tariff Policy Advisor, Federation of Bangladesh Chambers of Commerce and Industries (FBCCI) joined the validation workshop as panellists.



Summary of the welcoming session:

1. **Mr. Md. Obaidul Azam, Director, BFTI** welcomed the guests and shared the background of the studies, including the process on how data was collected and the draft report was produced in consultation with relevant stakeholders. He also remarked that post-LDC graduation scenario and aspiration of a developed country was taken into consideration as policy recommendations were proposed in the studies.
2. **Mr. Md. Munir Chowdhury, National Trade Expert, BRCP-I** remarked that BRCP-1 is a unique project which is primarily working on conducting trade related studies and providing trade related trainings to relevant stakeholders, including women entrepreneurs. BFTI and Keystone Business Support Company Ltd. was awarded with the contract to conduct the 3 studies as per ToR developed in consultation with relevant stakeholders. He thanked the team of experts for preparing the draft report and expressed the expectation to receive research driven recommendations to facilitate trade and commerce in this country.
3. **Mr. Md. Hafizur Rahman, Director General, WTO Cell, Ministry of Commerce** in his speech as the special guest remarked that these three studies are very important, especially knowing what other countries like Viet Nam is doing to facilitate their export-oriented growth. Other countries such as China are also important to take learning opportunities from for further amendment and adjustment in the policies of Bangladesh. The future challenges such as LDC graduation have also be taken into account as we conduct different studies as well as develop policy suggestions.
4. **Mr. Md. Mijanur Rahman, PD (Joint Secretary), BRCP-I, Ministry of Commerce** expressed his expectations that the reports will be useful to the policy making of the country and was look forward to evaluating the suggestions and findings of the studies in consultations with the participants of the workshop.
5. **Dr. Md. Jafar Uddin, CEO, BFTI** thanked BRCP-1 and the personnel working at the project and WTO cell as they have trusted BFTI to conduct these studies. He remarked that BFTI is a leading trade-related policy research-oriented think-tank in Bangladesh. He also remarked that it is important for Bangladesh to maximize the benefits which are being enjoyed currently and explore potential areas of cooperation in trade and commerce by inking FTA and PTA with potential trade partner. He expressed his optimism that these studies will facilitate the process of making substantial progress in these regards. He thanked all the participants for joining the validation workshop.

After the welcoming session, representatives from BFTI and Keystone Business Support Company Ltd. Gave technical presentations on three studies and the panellists and participants shared their comments, suggestions, and recommendations on the same which are summarized below:



Recommendations for Study-3

Mr. Mohammad Jahangeer Kobir (Joint Secretary), Member (Traffic), Bangladesh Land Port Authority

- Coordination between and among different agencies related to export and import through land ports has been a major issue.
- Recommendations received related to the act will be given due consideration.

Mr. Manzur Ahmed, Trade and Tariff Policy Advisor, Federation of Bangladesh Chambers of Commerce and Industries (FBCCI):

- The land ports of Bangladesh are facing difficulties and challenges due to poor infrastructure.
- Increase Capacity building for Land Port Authority.
- NBR should take capacity building measures of the customs officials.
- Need coordination in local level authority or stakeholders in all land ports.
- Land port charges / para-tariff needs to be rationalized.
- Local port users and C&F agents and local chambers should be encouraged to join local level working groups.
- MoU among different stakeholders may be signed for better coordination.

Mr. Md. Hafizur Rahman, Director General (Additional Secretary), WTO Cell, Ministry of Commerce:

- The study recommendations should focus on how to make the Act better, comprehensive and active. Overarching implementation level concerns should not be the sole focus of this assessment.

Mr. Habibur Rahman, General Manager, Banglabandha land port:

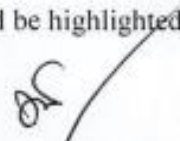
- After being released by custom authority for any kind of product that harms or unnecessarily occupy land port land, the land port authority should have the power to impose port damage charge and should have the power to auction the products.

Mr. Md. Obaidul Azam, Director, Bangladesh Foreign Institute (BFTI):

- After being released by custom authority if any kind of products stay for longer period the land port authority should have the power to imply additional charge.
- After being released by custom authority if any kind of products stay more than 30 days or specific time set by land port authority the land port authority should have the power to auction the products.
- The study should include a comparison matrix to find laps and gaps of existing Land Port Authority act and suggest recommendations what can be included in the act.

Mr. Md. Munir Chowdhury, National Trade Expert, BRCP-1

- A detailed matrix containing comparison of existing provisions and proposal for new inclusion (article wise) should be added
- Constitution of board, power and function of the board should be highlighted.



- Issue of Multisectoral coordination and Collaborative and coordinated border management in land ports may be added
- Good practice of EU border, ASEAN, India and GCC may be added
- Modernization of Land ports in light of the TFA commitments may be highlighted.

Validation Workshop on 3 Studies

Date: 18 MAY 2022 at CIRDAP (CICC-1st Floor)

Organized by:

Bangladesh Foreign Trade Institute (BFTI) in association with Keystone Business Support Company Limited

LIST OF PARTICIPANTS

SL	Name	Designation	Organization
1.	Mr. Bishwajit Chakrabarty	DGM	PRAN- RFL
2.	Ms. Nishat Islam	Assistant Coordinator (Development and Training)	MCCI
3.	Ms. Mahfuza Akhter Tasneem	Technical Associate	Keystone Business Support Co. Ltd
4.	Mr. Ali Ahmed	Deputy Secretary	BTMA
5.	Mr. S M Abul Kalam Azad	Secretary General	India-Bangladesh Chamber of Commerce & Industry
6.	Mr. Md. Habibur Rahman	General Manager	Banglabandha Land Port
7.	Mr. Makshudul Alom	Focal Person Coordinator	BRCP-1, MoC
8.	Mr. Md. Jahir Ahmed Sarker	Director	Bangladesh Freight Forwarders Association
9.	Mr. Md. Jalal Uddin	Assistant General Manager	LFMEAB
10.	Mr. Md. Tarikul Islam		CCI&E
11.	Mr. Kazi Nahid Hasan		Bangladesh Chamber of Industry
12.	Mr. Md. Aminur Rahman	Consultant	BFTI
13.	Mr. Sadeq Ahmad		Ministry of Commerce
14.	Mr. Md. Anisur Rahman	AD	Bangladesh Land Port Authority
15.	Mr. Md. Abdul Sobhan	Director	BVCCI
16.	Mr. Mohammad Zahidul Islam Mian		Ministry of Shipping
17.	Mr. S. Mohammad Ali	Deputy Secretary	Law & Justice Division
18.	Mr. Md. Nazmul Karim	Secretary	Exports Association Of

SL	Name	Designation	Organization
			Bangladesh
19.	Mr. Arabindu Shekhar Roy	Secretary	BCI
20.	Mr. Md. Anisur rahman Mollick	Senior Executive Director	Walton Hi Tech Ind. PLC
21.	Mr. Enamul Hafiz Latiffee	Research Fellow	BASIS
22.	Mr. Sanjay Kumar		
23.	Mr. Md. Abdus Sabur	Deputy Secretary	Bangladesh Competition Commission
24.	Mr. Mohamod Yunus	SRF	BIDS
25.	Mr. A.K.M. Salim Ahmed		Sonali Bank Limited
26.	Mr. S. Ahmed Mazumder	SVP	BJGEA
27.	Mr. MD. Suzat Ali Prodhon	Joint Director	Bangladesh Bank
28.	Mr. Mohammed Abdul Hamid		ATAB
29.	Ms. Mehreen Choudhury		Keystone
30.	Mr. Md Zahidul islam		Walton Group
31.	Mr. Md. Shahidulla	SR.DS	BPGMEA
32.	Mr. Motaher Hosain Khan		BMCCI
33.	Ms. Parveen S. Huda		BRAC University
34.	Ms. Nahid Afroz	DS	Ministry of Commerce
35.	Mr. Shafqat Choudhury	RA	Policy Research Institute
36.	Mr. Md. Monsurul Alam	Additional Secretary	Ministry of Commerce
37.	Ms. Nusrat Jabeen Banu, NDC	Additional Secretary	Ministry of commerce
38.	Ms. Syeda Shahnewaz Lotika	DGM	ICCB
39.	Md. Abdus Samad Al Azad	Joint Secretary	MoC
40.	MD. Mijanur Rahman	P.D/Joint Secretary	BRCP-1
41.	Md. Munir chowdhury	NTE	BRCP-1
42.	Mr. Md. Jafar Uddin	CEO	BFTI
43.	Md. Obaidul Ajam	Director	BFTI
44.	Mr. Ali Ahmed	Team Leader	03 Studies, BFTI
45.	MD. Rejaul Karim	Computer Operator	BRCP-1, MoC

SL	Name	Designation	Organization
46.	Mr. Wash Tamim	BCE-Ctg Chamber	BCE-CCCI
47.	Mr. Manzur Ahmed	Advisor	F.B.C.I.
48.	Mr. Atiqur Rahaman Khan		
49.	Mr. M. Jahirul Quayum	DS	Finance Division
50.	Mr. M. H. M. Imrul Kabir	Data Analyst	Keystone
51.	Md. Jahangeer Kobir	Member	BLPA
52.	Mr. Shahjahan Badshah	AO	BFTI
53.	Mr. Md. Julfikar Islam	RA	BFTI