

Anti-Fraud, Anti-Bribery & Anti-Corruption Policy

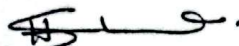
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Kulsum Place (9th Floor), Mira Bari Sarok, Bottala, Barisal-8200 Web: www.prantojon.org

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Tauhedul Islam Shahazada
Executive Director
Prantojon, Barishal.


Rejvi-ul-Kabir
Chairperson
Prantojon, Barishal.

BACKGROUND

PRANTOJON a non-profit voluntary organization based in Barisal Division. May 4, 2004 A group of young volunteers formed PRANTOJON with a sense of social responsibility and a commitment to improve the quality of life of marginalized people. Since its inception, PRANTOJON has been working to strengthen democratic practices, protect human rights, and improve living standards and poverty alleviation. This organization plays a strong and important role in raising the awareness of the people and realizing their rights by highlighting the human rights violations of the common people. Marginalists are continuously working for the empowerment of women, the development and empowerment of youth, and the establishment of basic and equal rights for marginalized people. Prantojon undertakes various activities to ensure socio-economic development, disaster and climate resilience, and sustainable livelihoods of the poor and marginalized communities.

Subsequently, PRANTOJON was registered on October 11, 2010. Hence PRANTOJON has undertaken various programs for the development and motivation of the people at the grassroots level. For example, conferences, networking, seminars, campaigns, and advocacy. Apart from these publications; Workshops and research on various important aspects are organized by the organization through which parents of the community can be made aware of the development initiatives as well as the importance of engaging in a continuous development cycle to improve their livelihoods.

VISION

To ensure a happy and prosperous future for the isolated and marginalized.

MISSION STATEMENT

PRANTOJON has started its journey with the aim of changing the ordinary life style of the unconscious people, especially those who is under poverty; suffer from hunger, malnutrition; proper education and sophisticated medical facilities. To solve the prevailing problems of the oppressed, exploited, destitute and asset less people in the community PRANTOJON promises a happy and prosperous life.

GOAL & OBJECTIVES

The Overall Goal:

A sustainable and equitable improvement of life especially for women, children, Youth and the disadvantaged people of rural areas in Bangladesh

Specific Objectives:

- To empower community people through executing community demanded development programs.

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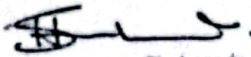

Tauhedul Islam Shahazada
Executive Director
Prantojon, Barishal.


Rejvi-ul-Kabir
Chairperson
Prantojon, Barishal.

- To empower marginalized women and ensure equal opportunities for them by eliminating all sorts of Gender Discrimination and Gender Base Violence as well as encourage them to participate in decision making process.
- To establish and uphold the social and human rights of the disadvantaged people of the society. Expose the social issue through local and national media.
- To create awareness among the grassroots people through exercising documentary, and demonstrating documentary films on necessary development initiatives.
- To ensure a peaceful society by defending the negative impacts on the environment.
- Expose the organizational development and its success stories through local and national media.

VALUES

- **Community People are the prime concern:** Community people are more than ever before.
- **Learning attitude:** All are teachers and learn from everyone.
- **Gender equity:** Gender identity is nothing matter; all are human beings.
- **Social and economic equity:** No discrimination about social or economic status, all are equal.
- **Democratic participation:** Decisions are made following a participatory and democratic way.
- **Co-operative attitude:** Cooperation among each other can achieve a better result.
- **Participation in decision-making:** Decisions cannot be made a monopoly, it is participatory.
- **Mutual understanding:** All development workers of the organization work with a common interest.
- **Constructive competition:** We do believe in constructive competition to gain more mileage.


 Tauhedul Islam Shahazada
 Executive Director
 Prantojon, Barishal.


 Hujvi-ul-Kabir
 Chairperson
 Prantojon, Barishal.

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2. Policy Statement:

PRANTOJON ("the Organization") is dedicated to conducting its operations with integrity and fully complying with all applicable Bangladeshi laws, regulations, and donor requirements. As an NGO operating in Bangladesh, the Organization is committed to fostering a culture of accountability and transparency. This commitment extends to strict adherence to anti-fraud, anti-bribery, and anti-corruption legislation, including but not limited to the Bangladesh Anti-Corruption Commission (ACC) Act, 2004, and the Foreign Donations (Voluntary Activities) Regulation Act, 2016.

The Organization will not tolerate any form of bribery, corruption, or other unethical practices by its staff or any individuals working on its behalf. This includes offering, giving, soliciting, or receiving bribes, kickbacks, or any other undue influence.

This policy statement emphasizes the proactive and preventative approach the Organization takes to combat corruption.

2. Purpose:

This document sets out the policy and procedures of the Organization against fraud, bribery, and corruption related to Bangladesh work, together with the steps that must be taken where any of these practices are suspected or discovered. The Organization commits to deterring, preventing, detecting, and responding to any fraud, bribery, and corruption.

So, the purpose of the policy is to prevent fraud, bribery, and corruption in the Organization's operational practices in Bangladesh consistent with the integrity of uncompromising adherence to ethics and values stated in the Organization's mission and vision.


The Organization will continually strive to ensure that all its financial and administrative processes are carried out and reported honestly, accurately, transparently, and accountably and that all decisions are taken objectively and free of personal interest. The Organization will not condone any behavior that falls short of these principles. The Organization for establishing its 'transparent and accountable image' as an NGO, will deal promptly, firmly, and fairly with suspicions and allegations of fraud or corrupt practices.

So, the purpose of the policy also includes developing an organizational culture that cherishes the attainment of the fullest human potential in the Organization and that ensures the fullest realization of development and emergency works dedicated to the people living in the territory of Bangladesh.

3. Definitions of Terms- 'Fraud', 'Bribery' and 'Corruption':

3.1 FRAUD: Fraud is a deceptive act, intentional or unintentional, that involves obtaining an unfair or unlawful advantage over another person or entity. It is typically dishonesty and deceit, often with intent to illegally or unethically gain something of value through false representations, concealment of material facts, or other deceptive means.

Types of Fraud: Fraud can manifest in various forms, including but not limited to:


Tauhedul Islam Shahazada
Executive Director
Prantojon, Barishal.


Rejvi-ul-Kabir
Chairperson
Prantojon, Barishal.

Procurement Fraud: This involves corrupt practices in the acquisition of goods or services, such as bid rigging, kickbacks, and conflicts of interest.

Supply Chain Fraud: This encompasses fraudulent activities within the supply chain, such as counterfeit goods, product tampering, and theft.

Financial Statement Fraud: This involves intentional misrepresentation of a company's financial statements, often to deceive investors or creditors.

Insurance Fraud: This involves making false claims to an insurance company, such as exaggerating losses or filing claims for nonexistent damages.

This revised definition provides a more comprehensive and nuanced understanding of fraud, encompassing its various forms and underlying principles.

3.2 BRIBERY: Bribery is the act of offering, giving, receiving, or soliciting any item of value to influence or reward improper conduct. This can include:

Offering or giving something of value: This could include money, gifts, favors, or anything else of perceived value.

Influencing improper conduct: This could include influencing a public official to act against their duty, such as awarding a contract to a particular company, overlooking violations, or providing confidential information.

Rewarding improper conduct: This could involve rewarding someone for having already engaged in improper conduct. Bribery is illegal and unethical in most jurisdictions. It undermines fair competition, erodes public trust, and can have serious legal and reputational consequences.

This revised definition provides a clearer and more concise explanation of bribery, focusing on the key elements of the act: the offer, the recipient, the improper conduct, and the intent to influence or reward.

3.3 CORRUPTION: Corruption refers to the abuse of entrusted power for private gain. It involves dishonest and illegal activities by individuals or organizations holding positions of authority often to obtain personal benefits or advantages they are not entitled to.

Forms/Dimensions of Fraud, Bribery, and Corruption: The following, but not limited to, are the conducts constituting fraud, bribery, and corruption. The Organization explicitly denounces and prohibits the practice of fraud, bribery, and corruption in any of the forms mentioned below by the Organization staff and other entities engaged with the Organization.

3.A. Facilitation Payment/Receiving or Paying 'Grease': A facilitation payment is defined as a small payment made to officials to ensure or speed up the performance of routine or necessary functions. Facilitation payments constitute bribes.

3.B. Abuse of Entrusted Power/Abuse of Position: Abuse of position is defined as the misuse of power/trust bestowed upon a person for the best interest of the organization. However, the entrusted person can exploit the trust for personal interests or the interests of others.

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Executive Director
Prantojon, Barishal.


Rejvi-ul-Kabir
Chairperson
Prantojon, Barishal.

3.C. Hospitality and Gifts: Hospitality and Gifts can be seen as a legitimate part of conducting business but should be provided only in compliance with the Organization's Hospitality and Gift Policy.

Hospitality and Gifts can, when excessive, constitute a bribe and/or a conflict of interest. Care and due diligence should be exercised at all times when giving or receiving any form of gift or hospitality in the operations of the Organization. The following general principles apply:

1. Gifts and hospitality may neither be given nor received as rewards, inducements or encouragement for preferential treatment or inappropriate or dishonest conduct.
2. Neither gifts nor hospitality should be actively sought or encouraged from any party, nor should the impression be given that the award of any business, custom, contract or similar will be in any way conditional on gifts or hospitality.
3. Gifts and hospitality to or from relevant parties should be generally avoided at the time of contracts being tendered or awarded.
4. The value of all gifts and hospitality, whether given or received, should be proportionate to the matter to which they relate and should not be unusually high or generous when compared to prevailing practices in the Organization.
5. All gifts and hospitality whether given or received must be recorded in the Hospitality and Gifts Register

3.D. Theft: Theft is dishonestly acquiring, using or disposing of physical or intellectual property, customer data belonging to the Organization or individual members of the Organization with the intent to deprive the Organization of it. Theft happens if the Organization's permission or consent is not taken.

3.E. Online or Cyber Attack: Cyber Attack is defined as the assault to disable the Organization's computer and other device-based internet network and destroy /steal data and information through unauthorized access.

3.F. Misuse of Equipment/Materials: Misuse of equipment is deliberately misusing materials or equipment belonging to the Organization;

3.G. Nepotism/Cronyism/Patronage/Favoritism: Nepotism refers to providing a job or favor in the form of distribution of resources and positions to a family member or friend or associate by a person with having official authority even though she/he may lack deserving qualifications.

3.H. False Accounting: False Accounting is giving deliberately untrue financial information through changing, defacing, or destroying records to exaggerate the assets or understate the liabilities.

3.I. Ghost Payment (Phantom): Payment made against non-existent staff's salary, benefits contractor or supplier's false invoice, etc.

3.J. Collusion: Collusion refers to a deceitful agreement or cooperation secret and non-competitive, between parties (individuals/organizations, etc.) to gain an unlawful advantage.


Tauhedul Islam Shahazada
Executive Director
Prantojon, Barishal.


Rejvi-ul-Kabir
Chairperson
Prantojon, Barishal

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3.K. Paying/Receiving Kickback: Kickback is a fraudulent practice in which a commission is given to a service provider in exchange for service rendered. In Kickback, one party extorts bribes from the other (vendor or supplier). Paying or receiving a kickback means giving or having a bribe.

3.L. Embezzlement: Embezzlement refers to the misappropriation of an organization's funds, property, or resources in the care of a person in the office.

3.M. Conflicts of Interest: Conflicts of Interest are an employee's inability to disclose his information regarding family & friends, financial interests, or social factors which (inability) forces his/her judgment, decisions, or actions to compromise in the workplace.

3.N. Falsification of Document/ Forgery: Falsification of Document means false making, altering, or imitating documents such as reports, contracts, or other records for use.

3.O. False Representation of Material Fact/Concealment of Material Fact:

False Representation is a dishonest representation of material fact/information that misleads a person or entity. This type of misrepresenting fact/information is exercised with the intent of making a gain or causing a loss.

3.P. Cheque Fraud: Cheque Fraud refers to the manipulation and distortion of bank documents such as cheques, bank statements, etc.

3.Q. Expense Fraud: Expense Fraud occurs when employees knowingly claim inaccurate and excessive reimbursements. Fraud includes claiming bills for an unattended trip, over-claiming against the allowed amount, claiming for items not purchased, claiming separate auto mileage bills against a single trip, claiming exaggerated mileage total, claiming bills for non-reimbursable expenses, etc.

3.R. Brand Fraud: Brand Fraud includes unauthorized or illegal use of representative features of the Organization such as name, logo, image, motto, reputation, etc. in fraudulent and corrupt practices.

3.S. Payroll Fraud: Payroll Fraud is the manipulation of the payment system by an employee (who receives false payment) or an employer (who withholds payment of rightfully earned wages).

3.T. Invoice Fraud: Invoice Fraud includes i) invoice by a third party: submitting a false invoice by a fraudster instead of a real vendor, ii) invoice for labor mischarging: submitting an invoice having false information on staff and hours spent by a vendor, iii) invoice for inferior product/services: submitting invoice attempting to supply low-quality products/services by vendor, iv) invoice for duplicate payment: submitting invoice twice and ending up by making payment twice, v) internal invoice fraud: invoice fraud is exercised by internal staff.

3.U. Procurement Fraud: Procurement Fraud includes overpricing goods, paying money to the purchaser by the supplier/vendor (known as Kickback), approval of unqualified supplier/vendor for Kickback, fake company's participation in the tender process, submitting a fraudulent invoice, bid-rigging by vendors/suppliers, etc.

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Tauhedul Islam Shahazada
Executive Director
Prantojon, Barishal.


Rejvi-ul-Kabir
Chairperson
Prantojon, Barishal.

3.V. Supply Chain Fraud: Supply Chain Fraud includes failure to meet supply deadlines of goods, supply of low-quality/counterfeit goods, theft of goods, producing false documents of goods & bills, forging of stock records, etc.

3.W. Tax Evasion: Tax Evasion is an illegal, deliberate, and purposeful attempt to evade the competent state authorities-imposed tax a person or an organization is entitled to pay.

3.X. Extortion: Extortion is obtaining benefits, especially money attained through the use of violence, threats, intimidation, or pressure.

4. Due Diligence and Risk: The Organization and other entities involved in any activities, - will allocate sufficient time and effort to inquire into the following cases to minimize the risks of fraud, bribery, and corruption in response to compliance with the policy. The following issues should be considered with care in any transactions, dealings with officials, and other business matters concerning third parties:

4.1 Territorial risks, particularly the prevalence of bribery and corruption in a particular country;

4.2 Cross-border payments;

4.3 Requests for cash payment, payment through intermediaries, or other unusual methods of payment;

4.4 Activities requiring the Organization and/or any associated party to obtain permits or other forms of official authorization;

4.5 Transactions involving the import or export of goods and

4.6 Giving or receiving gifts. The Organization's Gift Policy will be followed.

5. Compliance with Laws and Regulations: This policy is designed to ensure full compliance with all relevant Bangladeshi laws and regulations about fraud, bribery, and corruption. Specifically, this policy adheres to the provisions of the Anti-Corruption Commission (ACC) Act, 2004, and the Foreign Donations (Voluntary Activities) Regulation Act, 2016. Furthermore, the Organization is committed to meeting the requirements of all donors regarding the prevention of fraud, bribery, and corruption in the implementation of all programs and projects in Bangladesh.


6. Scope of the Policy:

6.1 This Policy applies to all employees, volunteers, agents, contractors, subcontractors, consultants, business partners, and any other parties (including individuals, partnerships and corporate bodies) associated with the Organization.

6.2 It is the responsibility of all of the above-mentioned parties to ensure that fraud, bribery and corruption are prevented, detected and reported and all such reports should be made by the Organization's Whistleblowing Policy or as otherwise stated in this Policy, as appropriate.

6.2 No party described in 6.1 may:

- give or promise any financial or other advantage to another party (or use a third party to do the same) on the Organization's behalf where that advantage is intended to induce the another party to perform a particular function improperly, to reward them for the same, or where the acceptance of that advantage will in itself constitute improper conduct;


Tauhedul Islam Shahazada
Executive Director
Prantojon, Barishal.


Rejvi-ul-Kabir
Chairperson
Prantojon, Barishal.

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- request or agree to receive any financial or other advantage from another party where that advantage is intended to induce the improper performance of a particular function, where the acceptance of that advantage will constitute improper conduct, or where the recipient intends to act improperly in anticipation of such an advantage.

7. The Organization's Responsibility towards Compliance with the Policy:

The Organization is committed to upholding the spirit of the policy through the implementation of the following steps of awareness & sensitization, prevention, reporting, and responding as well as consequences of the breach of the policy:

7.1 Awareness and Sensitization:

The Organization must create awareness regarding fraud, bribery, corruption, and other corrupt practices for its staff and other entities engaged by the following means-

- **Creating Access to the Related Policies:** All staff and partner organizations must get copies of the policies to read intensively and certify in writing the understanding of the policies with a commitment to upholding compliance aspects.
- **Providing Training on the Related Policies:** Staff and partner organizations must attend training courses/sessions on the related policies.

7.2 Prevention:

The Organization's priority is to prevent the incidences of wrongdoings and dishonest behaviors rather than responding to those after happening. To prevent corrupt practices, the Organization must undertake the following actions at the organizational level and individual level:

Organizational Response to Preventive Actions:

Establishing an Effective Control System: The pre-requisite for preventing wrongdoings and fraudulent behaviors at the organizational level is a well-established internal control system. The control system must comprise of the following settings and mechanisms in the Organization:

Risk Assessment at Multiple Levels: The management team will assess and identify potential fraud, bribery, and corruption risks and articulate those risks in an annual risk assessment system. A team of experts from departments of Programs, Accounts & Audit, and Human Resource Management & Development (HRMD), will help the management team to articulate the potential risk factors in the risk assessment system.

Internal Audit setting: The Organization will respond to corrupt and fraudulent practices through an internal Audit Section equipped with an experienced team of auditors, tools, and logistics. The Audit Section will execute periodic audit works followed by presentations of findings and recommendations to the management team.

Monitoring, Evaluation, Accountability, and Learning (MEAL) setting in Management Information System (MIS): The Organization will activate a responsive MEAL setting in the MIS for being informed of the ongoing activities.

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Executive Director
Prantojon, Barishal.


Rejvi-ul-Kabir
Chairperson
Prantojon, Barishal.

Periodic Compliance Review: A quarterly compliance review report will be produced before the Executive Director to take corrective measures against corrupt practices.

Coordination and Communication: To keep the compliance mechanism fully operational and result-oriented, coordination and communication among departments are the most important areas to be satisfied. All level staff will have access to communication channels regarding wrongdoings and fraudulent practices followed by protection for information disclosure.

Running by Example/Good Practice: The management team at any level must lead by example. Any good practice in the system must be documented, communicated, and replicated. The example-setters and the wrong-doers must be notified of the procedures and opportunities for reporting wrongdoings and dishonest behaviors through the established Whistle-blowing Policy and awarded and punished respectively. The culture of honesty and integrity practiced by the management team at any level can set an example for the workforce. This policy itself can guide the management to respond to corrupt and fraudulent practices.

Separation of Duties: The Organization must ensure the segregation of duties through a well-thought Job Description so that key functions are not vested in one hand. In addition, backlogs should not be allowed.

Individual Response to Preventive Actions:

Being Vigilant: Guided by awareness of merits and demerits, individual staff will avoid fraud, bribery, and corruption mentioned in no. 3.

Responding to the Fraudulent Practices: Guided by sensitization, Individual staff will be ready to respond to the illicit practices.

7.3 Reporting:

The reporting of any suspicion of unwanted incident(s) has multiple dimensions. Those dimensions are mentioned below:

7.1 Every employee must report any suspicious misconduct covered by this policy to the immediate Supervisor.

7.2 If an employee has any sort of fear of retribution, s/he must report the suspected misconduct to the Senior Manager of the own department/sector.


7.3 If his/her intelligence suggests, an employee can report the suspected misconduct to Executive Director, at prantojon.bd@gmail.com.

Channel-up of the Report of Suspicious Misconduct: In general, the report will follow a gradual pathway (from Employee to immediate Supervisor to Senior Manager of the team or department to Executive Director. But, employees, due to any reason, can reach any entity by passing anyone in the hierarchy.

Inherent Features of the Reporting: The reporting will possess the following aspects:

- **No Delay:** The report will be sent promptly to the responsible person(s).
- **The detail in Nature:** The report will retain all relevant information available.

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Executive Director
Prantojon, Barishal.


Rejvi-ul-Kabir
Chairperson
Prantojon, Barishal.

- **Value-guided:** The incumbent employee will not undertake unethical human traits of vengeance, partiality, or bias. S/he will be guided by conscience, relevant organizational policies, and values. The report will be factual.
- **Mode of Communication:** The incumbent employee can use any mode of communication-- in-person conversation, telephonic conversation, or e-mail communication.
- **No Failure:** An employee being informed of any suspicion of illicit practice, will undoubtedly report. If s/he does not report consciously, s/he is bound to face consequences.
- **Full Cooperation:** The employee will be ready to extend full cooperation in the investigation of the reported incident.
- **Confidentiality:** If asked, the employee must have a guarantee of being unanimous to save her/him from possible harm perceived.
- **Protection of the Employee (Whistle-blower Protection):** The Organization will take all possible measures to protect the employee who is to blow the whistle to alert the management about suspicion of fraudulent and corrupt practices. His/her concerns of retribution including punishment or harassment will be addressed with sufficient care. The report will be dealt with confidentially if the employee requests. If information disclosure of the whistle-blower is required, protection of the incumbent will be ensured to the full extent. The Organization forbids any retaliatory actions against the whistle-blower.

7.4 Responding:

The management will respond promptly to the reported incidents of fraud, bribery or corruption to ensure the best interest of the Organization. The response will include the following steps:


Investigation of the Allegation: The investigation team comprising members from the Program Division, Finance Division, and MEAL Division, investigates the case of suspicion with promptness. The management can alter the formation of the investigation team upon consensus.

Documentation: The team will document the investigative procedures, processes, and findings. The documentation will be in writing. The report will include recommendations for the prevention of such incidents in the future.

Sharing with the Management: The report will be submitted to the ED to take appropriate remedial actions.

Remedial Actions by the Management: The management team under the supervision of ED, will undertake corrective actions in response to cases of fraud, bribe, or corruption. The actions will be prompt and appropriate. The SMT will monitor the implementation of the actions.

Communicating the Stakeholders: The Executive Director will circulate the findings unearthed and actions taken to the staff for information. On the other hand, donors and/or relevant government departments will be informed of this as well.


 Tauhedul Islam Shahazada
 Executive Director
 Prantojon, Barishal.


 Rejvi-ul-Kabir
 Chairperson
 Prantojon, Barishal.

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Consequences of the Breach of the Policy: The breacher of the provisions of the policy will face the consequences mentioned below:

1. The person involved in fraud, bribery, and corruption will face serious criminal, and civil consequences along with dismissal from the job. The Organization can disclose his/her misdeeds to donors, government regulators, and others.
2. The person informed of the corrupt practices but prefers not to disclose to the competent authorities, will face suspension from the job until the completion of the investigation. S/he may also face legal action based on the weight of the offense.

8. Zero Tolerance and Exceptional Approvals:

The Organization maintains a "zero-tolerance" policy towards all forms of fraud, bribery, and corruption. No exceptions will be granted to any actions that violate this policy or the established rules and procedures.

Exceptional Approvals: While the Organization adheres to a strict "zero-tolerance" policy, it recognizes that unforeseen circumstances may arise that require exceptional approval for specific actions.

Requests for Exceptional Approvals: In such cases, employees may submit requests for exceptional approvals to the designated authority.

Approval Criteria: All requests for exceptional approvals will be carefully evaluated based on the following criteria:

Best Interests of the Organization: The proposed action must demonstrably serve the best interests of the Organization.

Merit of the Action: The proposed action must be justified by compelling reasons and supported by adequate evidence.

Important Note: The granting of exceptional approvals will be subject to rigorous scrutiny and will only be considered in extremely limited and justified circumstances.

This revised version: Clearly states the Organization's "zero-tolerance" policy. Acknowledges the possibility of exceptional circumstances. Outlines the criteria for granting exceptional approvals. Reiterates the importance of rigorous scrutiny for all exceptional approval requests.


Tauhedul Islam Shahazada
Executive Director
Prantojon, Barishal.


Rejvi-ul-Kabir
Chairperson
Prantojon, Barishal.