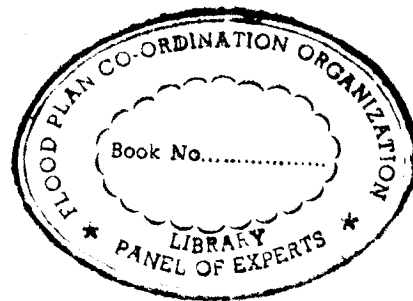


FAP-15/INT
BCIL-52 (Dup)

FAP - 15

INTERIM REPORT



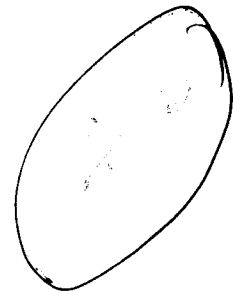
LAND ACQUISITION AND RESETTLEMENT STUDY

BN 416
A 641

1



August 1991



prepared by

HIFAB International and
Multidisciplinary Action Research Centre (MARC)

Contents

| | page |
|--|------|
| 1. INTRODUCTION | 1 |
| 1.1 Background | 1 |
| 1.2 Objectives | 1 |
| 1.3 Methodology | 2 |
| 1.4 Review of selected literature | 3 |
| 1.5 Report layout | 5 |
| 2. DESIGN OF EMBANKMENTS : A REVIEW | 6 |
| 2.1 Introduction : | 6 |
| 2.2 Methodology | 6 |
| 2.3 Literature review | 6 |
| 2.4 Design parameters | 8 |
| 2.5 Land acquisition for embankments | 11 |
| 2.6 Some preliminary findings | 12 |
| 2.7 Design of embankment and rehabilitation of displaced persons | 13 |
| 2.8 Conclusion | 14 |
| 3. LAND ACQUISITION, COMPENSATION AND ARBITRATION : A REVIEW OF THE REGULATORY FRAMEWORK. | 15 |
| 3.1 Objective | 15 |
| 3.2 Methodology | 15 |
| 3.3 Evolution of land acquisition/requisition legislation | 15 |
| 3.4 Salient features of current legislation on land acquisition/ requisition | 16 |
| 3.5 Preliminary comments on present LA legislation | 18 |
| 3.6 Land Acquisition by Local Government Authorities | 19 |
| 3.7 Selected Conclusions and Issues for Further Considerations | 19 |
| 4. SOCIO-ECONOMIC IMPACT OF LAND ACQUISITION | 22 |
| 4.1 Objectives | 22 |
| 4.2 Methodology | 22 |
| 4.3 Profile of Affected Population | 24 |

| | page |
|--|------|
| 4.4 Magnitude of land loss | 29 |
| 4.5 Consultation process : household experiences | 31 |
| 4.6 Considerations on Rational Compensation | 32 |
| 4.7 Household economic status in pre-and post-project periods | 37 |
| 4.8 Conclusions | 38 |
| 5. REVIEW OF GOVERNMENT AND NGO PROGRAMMES OF RURAL DEVELOPMENT | 40 |
| 5.1 Introduction | 40 |
| 5.2 Objectives | 40 |
| 5.3 Methodology | 40 |
| 5.4 NGO profile | 42 |
| 5.5 Socio-economic impact | 54 |
| 5.6 Programme comparisons | 60 |
| 5.7 Concluding remarks | 63 |
| Annex-1 An Analytical Framework on Land Acquisition | 67 |
| Annex-2 Typology of Land Owners Effected by Land Acquisition | 68 |
| Annex-3 List of some key officials met by engineer-consultant of FAP-15 | 69 |
| Annex-4 Main provisions regarding acquisition/requisition of land/property under different laws | 70 |
| Annex-5 List of sites and villages and size of samples under Socio-economic Survey | 73 |
| Annex-6 Questionnaires for socio economic survey | 74 |
| Annex-7 Questionnaires for rural development survey | 87 |



1. INTRODUCTION

1.1 Background

Two devastating floods in Bangladesh in 1987 and 1988, the latter acclaimed as the worst on record, caused considerable concern the world around. The need for some concrete action to solve this recurring problem was felt very urgently. Several studies followed, based on which, Flood Action Plan (FAP) emerged under the coordination of the World Bank.

The FAP has twenty six components of which the 15th one (FAP-15) is a study on land acquisition and resettlement. It is based on the rationale that if large scale embankments are to be built one must have a clear picture of the magnitude of its negative impacts on people whose land will be acquired, so that efforts can be made to minimise the negative impacts and provide fair compensation to the victims.

This study (FAP-15) is being financed by the Swedish Government who have engaged HIFAB International with the approval of GOB to provide the required consultancy services for the study. HIFAB appointed an expatriate adviser and entered into a contract with MARC to provide a Bangladeshi team, to conduct the study, which started officially on 22 January, 1991.

This is an Interim Report on the Study in fulfillment of a requirement under the ToR.

1.2 Objectives

This Study has five main objectives, namely

- o to assess the social and economic impacts of land acquisition (LA) on families whose land was acquired for the construction of water sector projects in the past;
- o to assess how land acquisition procedures and methods of payment may be streamlined to benefit households whose land is acquired in the future;
- o to identify ways in which displaced families can be resettled so that their economic viability can be assured;
- o to develop criteria and approaches for use in the design of Action Plan projects so as to minimise the land acquired and to facilitate rehabilitation of displaced families; and
- o to develop criteria, guidelines and procedures for land acquisition and resettlement in Action Plan projects.

1.3 Methodology

To meet the first four objectives, the Study divides very neatly into four major components, namely

- o a socio-economic survey
- o a review of land acquisition, compensation and arbitration processes
- o a review of resettlement and rehabilitation efforts at government and NGO levels
- o a review of embankment design criteria and procedures.

All these four components will provide the basis for responding to the fifth objective, namely developing criteria, guidelines and procedures.

The four components are not completely self-contained. For instance, the socio-economic surveys will contribute to an understanding of LA problems from the view point of the victims. Likewise, the engineering design component will supplement the rehabilitation component.

In order to have a common thread running through all the components, an analytical framework and a taxonomy of households according to the impact of an embankment have been developed.

1.3.1 Analytical framework

First, the overall process of land acquisition is conceived as consisting of four broad activities or sub-processes, namely project identification, land acquisition, project implementation and arbitration of protests, which brings about the interface between the people, affected or otherwise, and the technocracy, the bureaucracy and the judiciary.

Second, implementation of an embankment project leads to various impacts on individuals, economic sectors and the environment. Some of these impacts may be beneficial while others are detrimental. These impacts are not confined only to those who lose land or those who are inside the embankment.

Third, to cope with the adverse impacts and take advantage of the beneficial ones, there would be responses of different degrees and types from the government, the NGOs and the people themselves. The extent of success or failure of these responses would depend on how well-conceived, well-designed and efficiently implemented they are. This would constitute one of the important focuses of this study.

1.3.2 Household taxonomy

Households are categorised into eleven distinct categories based on the location of their land and homestead in relation to the embankment (chart-2 at Annex-2). The important thing to recognise is that, in the common usage of the term 'affected', not all affected persons are net losers, nor are all non-affected persons, for example those on the riverside, net gainers.

The methodology specific to each component will be further explained under the reports on these components.

1.4 Review of selected literature

Land acquisition legislation and procedures have been systematically investigated only in a number of studies. The main focus has been on acquisition of land by BWDB whereas little attention has been given to the performance of other government agencies such as local governments, Roads & Highway Department, the defence forces.

The most comprehensive study has been prepared for the World Bank by Professor M.A. Hamid of Rajshahi University¹. The report is based on a detailed study of two BWDB implemented projects viz. Brahmaputra Right Flood Embankment Project (DFC-1) and Chalan Bil Project - Polder-D (DFC-II). The former project was located in the old districts of Bogra, Pabna and Rangpur and the latter to the districts of Rajshahi and Naogaon. The acquisition of land was 1386.8 acres and 1750 acres respectively.

The purpose of the study was not only to review legal issues and procedural matters related to land acquisition but also to verify the mechanism of determining land values and 'to consider socio-economic dimensions of the local people including the rural elite'.

The second major study was commissioned by the Ministry of Irrigation, Water Development & Flood Control and undertaken by Mahabubul Islam². This study had a more restricted focus and was exclusively concentrated on legal, administrative and procedural matters. It was not in the Terms of Reference to study the socio-economic impact of the victims of land acquisition. Findings and recommendations in this report are based on field studies of three BWDB implemented projects (i) Balushair embankment on the right bank of the river Meghna in the present Narsingdi District, (ii) Pabna Irrigation and Rural Development Project and (iii) Teesta Barrage Project in Rangpur District. Total area acquired were estimated at 170 acres, 6 170 acres and 51 950 acres respectively.

Both studies are based on land acquisition procedures as per the Land Acquisition Ordinance of 1982 even if part of the area required for all three projects were acquired before 1982 on basis of earlier legislation (East Bengal (Emergency) Requisition of Property Act of 1948).

The observations on the legal framework and procedural matters are rather similar. In both studies the administrative procedures are considered as cumbersome and lengthy. It is noted that although there are time limits imposed at various stages in respect of the public's appeal against the decisions by the authorities, there is no time limit for the DC, the Divisional Commissioner or the Ministry for giving final decisions.

Both Hamid et al and Islam are critical of the fact that the notice about acquisition is not served to the concerned people but is to be displayed at 'convenient places or near the property'. There is no early consultations with the concerned people and invariably the local community gets to know about the loss of land at a very late stage. The system of determining the value of land and other assets is found to be both unfair and unnecessarily complicated causing delays in payment of compensation. The formulation in the Ordinance is found to be imprecise resulting in different interpretations. Hamid et al found that local government departments, which are supposed to assist in the valuation of property, are not consulted or, if consulted, are not providing necessary information. There is often non-cooperation from the local land registration office and the assessment of the market value of land is also hampered by poor maintenance of land records. Hamid also claims that the staff of the LA offices not seldom resort to illegal practices and he also found that the construction of embankment by BWDB without paying any compensation was the rule rather than the exception.

In respect of administrative procedures it was found that there were often delays in the finalization of engineering design causing further delays in project implementation (Islam). The proforma forming part of the request for land to be submitted to the DC by the Requiring Body was found to be confusing and over-burdened with demand for unnecessary information. Inadequately filled in proformas were one important reason for delays on the part of the DC in making decisions (Hamid). The composition and the role of the District Land Acquisition Committee was also questioned. There were also doubts regarding the number and qualifications of the staff attached to the District LA office (Hamid).

Only Hamid et al studied the impact on the affected people. With a few exceptions all affected people were of the opinion that they had been well underpaid. There was confusion as to what they had received for crops, land and homesteads. Moreover, all respondents claimed that they had to spend money to realize their compensation, but the amount varied from one person to the other. Many respondents stated moreover that they had to give up the land before compensation was paid.

Although construction of embankments affects all classes of land owners, the proportion of land lost increases with smaller land holdings. There were no attempts to rehabilitate those households which had been made totally homeless. In respect of the utilization of compensation, it was found that more than 50 percent of the respondents spent it on domestic consumption and repayment of loans. Few purchased any productive assets.

1.5 Report layout

This report presents the discussions, preliminary findings and concluding remarks under the four main components of the study, namely

Chapter 2 : Design of Embankment : a Review

Chapter 3 : Land Acquisition and Arbitration : a Review

Chapter 4 : Socio-economic Impact of Land Acquisition

Chapter 5 : Resettlement and Rehabilitation

As mentioned earlier, the methodology followed under each component is also included in the respective chapters.

A summary report is being circulated separately.

2. DESIGN OF EMBANKMENTS : A REVIEW

2.1 Introduction :

The Terms of Reference of FAP-15 specifies an investigation into the following engineering aspects relating to land acquisition :

review the design criteria used for embankments and other physical work with a view to recommend ways in which projects could be implemented so as to acquire minimum land, at the same time suggesting ways in which embankments could be constructed (e.g. with roads and associated new settlements for displaced households) to facilitate the rehabilitation of those whose land is acquired.

2.2 Methodology

Keeping in view the above objective, discussion meetings have been held with key officials of BWDB, FPCO and MPO. The officials of BWDB include those involved with the planning, design and implementation of projects as well as land revenue. Discussions have also been held with some consultants of BWDB and FPCO. A list of these personnel is at Annex-1.

In addition field visits have been made to the following projects

- a. Dhaka City Flood Protection Project
- b. Narayanganj Narsingdi Project

Field visits to a few more projects are planned to be undertaken during the second half of the Study.

Some relevant project reports of BWDB, MPO, the Institute of Flood Control and Research of BUET are being reviewed and studied.

2.3 Literature review

Earthen embankments are not a recent invention. They have been constructed since the early days of civilization. Many old works exist in central and southern India. Some of the oldest known works date back to the sixth century B.C.

Till recently the design of embankments was carried out by the rule of thumb. Consequently, the role and the confidence of the designer was limited, the slopes of embankment were very extended and heights modest.

However, with the development of soil mechanics the above picture changed radically. Techniques of determination of soil properties and their control during placement as well as rational methods of stability analysis have been developed so that the embankment is now an engineering structure whose safety can be predicted with almost the same degree of accuracy as for other engineering structures. This has, in turn, led to the design of embankment and ancillary structures with a greater degree of confidence.

It should nonetheless be understood that even with these developments, it is still not easy to find out mathematical solutions to the problems of design. Many of its components are still dependent on judgement and experience. With a large number of projects being implemented, many problems in the design of embankments are being encountered specially in respect of their stability. Earthen embankments are not rigid and hence more susceptible to failure. However, failures of embankments helps the engineers to improve their design procedures. Reasons for the failure of embankments may be contributed to various factors, namely improper design, faulty construction, lack of supervision during the construction, types of soil used in the earth fill of the embankment, lack of proper maintenance, etc.

Middlebrook in his book listed a number of reasons for the unsatisfactory performance of embankments in the United States and these have also been indicated by Mr. Sherard in his book 'Earth and Earth Rock Dams'. They have listed that the failures or damage due to overtopping, seepage effects through embankment creates seepage sloughs and removal of material from the toe. Piping through the embankment or foundation and excessive settlement which lead to crack openings exposing the embankments to leakage, sliding, damage to slopes etc. A high rate of rise of the water level in the rivers could also be a contributing factor in so far as the embankment did not get sufficient time to attain normal settlement under its own weight and its saturation to almost the full height immediately after construction could have resulted settlement of earthwork to some extent.

After the 1987 flood in Bangladesh the BWDB identified the following main causes of embankment failures in the country :

- i. Erosion of embankment due to wave action and current
- ii. Exceeding hydrologic design parameters during the flood
- iii. Inadequate section and poor construction of embankment
- iv. Lack of compaction of earth in the construction of embankment
- v. Lack of regular supervision and maintenance
- vi. Inadequate assessment of adjoining projects

In one of the field evaluation reports, the Master Plan Organisation (MPO) noted that the design parameters of the embankments used by the BWDB engineers were mostly sound and satisfactory

but the same can not be said about the operation and maintenance. Turfing made on the slopes are being removed by the farmers for their cattle. Moreover, cattle graze over the embankment damaging it and deep rain cuts are not being repaired. The MPO report also added that embankments being constructed under the supervision of the Upazila Nirbahi Officer (UNO) were deficient from standard specifications in all respects as they do not follow any approved design criteria and also they do not take any technical advice for the same. These are being constructed without any proper design specification and poor construction quality combined with inadequate or no maintenance at all.

Properly planned, designed and constructed embankments along with regular supervision and maintenance can go a long way in deriving benefits and achieving the objectives of the project.

2.4 Design parameters

Design parameters are mainly based upon identifying the magnitude of flood flows and corresponding flood levels and their frequency of occurrence. An embankment should be so designed that it remains safe and stable. So to achieve these an embankment must satisfy the following major criteria :

- i. Overtopping of the embankment must not be allowed during the design flood. This means that the embankment must have sufficient freeboard.
- ii. The seepage line should remain towards the base of the countryside face of the embankment to prevent sloughing of the face.
- iii. The embankment must remain stable against external forces and foundation failure during normal and critical conditions of loading. To ensure these, slopes of an embankment should be properly calculated considering all aspects of design specifications.
- iv. For the construction of embankment, soils should be properly selected as per design specifications.
- v. The alignment of an embankment should be properly decided on the basis of technical, morphological and socio-economic considerations. The alignment should be selected in such a way that the embankment is constructed as efficiently and economically as possible so that the earth fill is minimum and the land to be acquired is the least.

2.4.1 Alignment of the embankment

- i. Alignment should be fixed on the basis of safe distance or set back position considering the scouring of the river bank and the deep water channel flow during the past years for which data are available.

- ii. Alignment should avoid, as far as possible, passing over subsoil comprising of peat or organic soils. If unavoidable, suitable measures should be taken before the construction of the embankment.
- iii. The alignment should be fixed considering the availability of suitable soil for embankment construction.

2.4.2 Crest Level

The crest level should be calculated on the design flood level for the selected frequency of the same plus the freeboard.

The frequency of flood should be selected for the design of the embankment on the basis of damages due to an inundation of the flood plains

Generally, the following flood frequencies are considered :

- i. 1 : 20 years flood, where agricultural damage is primary.
- ii. 1 : 40; 1 : 50; 1 : 100, where loss of human lives is primary

2.4.3 Freeboard

Freeboard is dependent on the height and action of waves. The height of waves generated by winds on the surface of waterbodies, mainly depends on the velocity of wind, the fetch (the distance over which the wind can act on a water body being generally defined as the normal distance from the windward shore to the proposed embankment), depth of water and width of the water surface.

The United States Bureau of Reclamation recommends the freeboards as given below :

| Fetch | | Normal Freeboard | | Minimum Freeboard | |
|-------|---------|------------------|--------|-------------------|--------|
| km | (miles) | meter | (feet) | meter | (feet) |
| < 1.6 | (1) | 1.22 | (4) | 0.91 | (3) |
| 1.6 | (1) | 1.52 | (5) | 1.22 | (4) |
| 4 | (2.5) | 1.83 | (6) | 1.52 | (5) |
| 8 | (5) | 2.44 | (8) | 1.83 | (6) |
| 16 | (10) | 3.05 | (10) | 2.13 | (7) |

2.4.4 Embankment cross section

The design of an embankment generally involves the following stages :

- i. selection of a preliminary cross-section based on some basic parameter values

- 26
- ii. stability analysis of the preliminary design based on soil characteristics, wave action, seepage gradient, compaction factor etc; data may not be available on many of these factors and simulation may have to be resorted to.

In the design, a factor of safety is always an important consideration which is ensured through stability analysis.

There are various methods of computing embankment stability based upon shear strength of the soil and certain assumptions on the nature of the embankment failure. However, of these methods the Swedish Slip Circle method, which supposes the surface of rupture to be a cylindrical one, is comparatively simple for analysing embankment stability. In this method the factor of safety against sliding is the ratio of average shear strength to the average shear stress determined by statics on a potential sliding surface. The factor of safety is considered to be not less than 1.5.

2.4.5 Side slopes

Generally, in ascertaining side slopes for an embankment the following aspects are considered :

- i. Stability of the country side slope during steady seepage flow
- ii. Stability of the river side slope during sudden draw down
- iii. Resistance of the foundation to the shear failure
- iv. Stability of the foundation under the weight of the embankment.

Turfing on the side slopes and berms are made to protect the side slopes against waves and rain cuts. Turfing also increases the stability of the side slopes.

2.4.6 Seepage or phreatic line

The seepage, phreatic or saturation line is the line within the embankment section below which there is positive hydrostatic pressure.

It is essential to determine the position of the phreatic line because it :

- i. gives a divide line between the dry or rather moist and submerged soil
- ii. represents the top streamline and so helps in drawing the flownet
- iii. helps to ensure that it does not cut the down stream face of the embankment.

For the stability analysis of an embankment, determination of the phreatic line i.e. the seepage or hydraulic gradient, through the embankment cross-section is a prime requirement.

2.5 Land acquisition for embankments

Since the mid fifties land on both sides of the embankment, i.e. on the river side as well as on the country side, was acquired for taking soil for the construction of embankments. Soil was obtained by excavating earth which sometimes went upto a depth of 7 to 8 feet depending on the earth fill required for the embankment. These excavation pits are called borrow pits. After the completion of the projects, vast areas on both sides remained vacant. Subsequently, these acquired lands were encroached upon either by the cultivators of the adjoining lands or by others for their own purposes without any legal authority. Land used to be acquired throughout the whole length of the embankment. Furthermore, in consideration of the safety of the embankment, borrow pits were excavated at intervals. Only in a very few instances BWDB used to lease out this vacant land for a period of 2-3 years. But this practice was criticized on the ground of malpractices and leasing out to persons other than the original land owners.

Subsequently BWDB revised its policy of acquiring land for earth fill and decided to acquire only the land required as per the bedwidth of the embankment and another 5 feet of land as a right of way from its toe on both sides. Soil required for the construction of the embankment is to be obtained on payment of royalty to the landowners from both sides, but as far as practicable, mainly from the river side, as this would be silted up subsequently. The depth of the excavation was limited to less than 1m. In this way landowners would get payment for compensation immediately and land could also be used for cultivation later on. However, the payment procedure in this system whether through the contractors or departmentally, created complications.

Discussions with BWDB engineers made it clear that in the planning and design of projects of BWDB, the immense experience and expertise of the engineers working in different types of projects have helped them in evolving their present project preparation, planning and implementation of project system.

However, more discussions with other planning and design engineers of BWDB, who have since left the organisation, are proposed to be held. Discussions will also be held in detail with the remaining consulting engineers working on other activities under the Flood Action Plan besides the local and expatriate panel of experts and local consultants of FPCO. The main objective would be to closely examine and review the present planning and design criteria and procedure of BWDB for embankments and to find out whether there is any scope for improvement of these criteria and procedures. The scope for evolving new criteria for preparing typical designs for different types of soils and embankments by the Swedish Slip Circle method will be explored to see if reduction in land for embankments can be achieved.

2.6 Some preliminary findings

The BWDB engineers have developed considerable expertise and experience in the planning, design and implementation of projects. It may be safely stated that the design parameters of the embankments and structures followed by the design engineers of the BWDB are mostly sound and satisfactory. To a great extent this is also true in case of field engineers in charge of implementation of projects.

However, there is scope for improvement in the activities of both the design engineers as well as field engineers. For example, though the procedures adopted by the design engineers are sound, the embankments are designed on the basis of assumed characteristics of the soils rather than actual soil data along the alignment of the embankment. This may result in improper design of embankment at different locations. It could be improved if soil samples at different locations are obtained and tested in the soil Research Laboratory of BWDB and the results are furnished to the design engineers. In addition, design engineers should visit the field at specific locations to be selected by the field engineers where different soil types are encountered. These will help the design engineers to design the embankment properly and would ensure the stability of the same. In case of field engineers, there could be closer supervision of the alignment, prompt reporting on different types of soils at different locations, and a close supervision of the contractors to ensure proper earthfill. There is also room for a closer link and better coordination between the field engineers and the design engineers. To support the comments above, three specific problems can be cited in case of three different projects viz., Narayanganj-Narsingdi Project, Meghna-Dhonagoda Project and Dhaka City Flood Protection Project.

The case of Narayanganj-Narsingdi Project is a classic example. In the alignment of the embankment there was a segment which had pure sand. The contractor constructed the embankment with sand which resulted in a total breach in that portion during the next monsoon period. After 2/3 years' breaches this was brought to the attention of the design engineers who redesigned that portion of the embankment with a clay core and a clay cover along the slopes with turfing. This solved the problem effectively. Similarly, in case of the Meghna Dhonagoda Irrigation Project the alignment ran over the bed of an old river bed which was composed of fine silt. During the high stages of the river Meghna, there was piping through this fine silt below the base of the embankment and it failed. This was also corrected with the help of design engineers who advised removal of the fine silt before reconstruction of the embankment. In case of Dhaka City Flood Protection Project a portion of the embankment subsided after reaching half of the height of the embankment. Only then samples from the subsoil were taken by soil boring. It was found that the soil below the topsoil was unconfined clay, which could not withstand the load of the embankment and this resulted in subsidence. If soil samples were taken earlier, then the design could have been prepared accordingly.

2.7 Design of embankment and rehabilitation of displaced persons

One may consider three categories of displaced households namely

- o those who lose all their lands including homestead;
- o those who lose only their homestead but not all land;
- o those who lose only part of their land.

Obviously in terms of priority for resettlement, it is the first category who deserves the highest attention, followed by the second category. In considering resettlement for them their design options are somewhat limited. There is the obvious option of acquiring additional land to resettle them on the countryside along the embankment away from the right of the way. This however, is more of a socio economic solution than an engineering solution, which might result in more displacement.

The other option is not to settle them physically on or around the embankment but to allow them the right of utilization of the slopes and the land reserved for the right of way in a manner which does not threaten the safety and stability of the embankment. Such use may consist of growing vegetation which has a binding quality on the land such as vetiver grass, *babla* tree whose wood has valuable economic uses, etc.

The top of the embankment is generally used as a local road. The possibility of planting trees of the right species on the crest should also be explored in consultation with experts. In case the embankment is used as a regular road, the other opportunity of rehabilitation arises through the construction of shops and similar other structures on small projections out of the main section of the embankment. This would be particularly useful in areas where flooding on the riverside affect settled households, by providing a temporary flood shelter.

Resettlement of the most seriously affected households could also be done away from the embankment, on the countryside by acquiring land from those who have large land holdings and are not affected by land acquisition for the embankment. This will, however, be best achieved through a community consensus resulting from a consultative procedure carried out at the onset of the project proposal. If there is any khas land available in the area, then the displaced persons should be given priority in settling them.

Planting of trees on land adjacent to the embankment on the riverside is another activity which could provide an income generating opportunity for the displaced persons, if the plantation scheme is such that it does not result in heavy siltation endangering the embankment. It could in fact be beneficial by working as a barrier to wave action and the velocity of river flow. This concept, however, needs to be carefully planned and evolved through trial and error methods on the basis of experts' advice and analysis.

2.8 Conclusion

BWDB engineers have developed wide experience and expertise in planning, design and implementation. Their performance in these activities are mostly sound and satisfactory. However, there is some scope for improving their activities, specially in the field of construction of embankment and physical structures. While for the structure they always take soil samples upto a desired depth, there is not much of an effective practice of taking soil samples for the embankment. This practice should be modified. Soil borings should be made at regular intervals and at places where different kinds of soils are found and the same should be tested in the soil laboratory by taking soils at different depths, specially in case of constructing embankment over the dead bed of rivers. Results of soil samples should be provided to the design engineers, who then will find a suitable design for the different types of soils. This would result in effective stability of the embankment and would keep the base width to the minimum so that minimal land is acquired.

3. LAND ACQUISITION, COMPENSATION AND ARBITRATION : A REVIEW OF THE REGULATORY FRAMEWORK.

3.1 Objective

One of the main objectives of this study is to review in detail the legal, administrative and regulatory framework of land acquisition in Bangladesh (including, inter alia, the Acquisition and Requisition of Immovable Property Ordinance, 1982) as well as local government agencies and recommend ways to improve the land acquisition process, so that it is carried out in a timely way, and to ensure that the negative impacts (e.g., the acquisition of unnecessary land) are minimised.

3.2 Methodology

The first six months of the study were utilised in

- (i) reviewing and comparing major laws, rules, manuals, executive orders/ instructions governing land acquisition process in Bangladesh
- (ii) reviewing land acquisition cases pending at various stages with a view to identify reasons for the delay
- (iii) developing three proformas to be filled in by divisional and district level officials and circulating tentative suggestions (about 25 in number) to improve the existing LA Laws
- (iv) visiting a number of district and divisional head quarters to interview concerned officers with practical experiences of land acquisition and also meeting the concerned officials of the Ministry of Land
- (v) carrying out some preliminary investigations in the court of LA arbitration in Dhaka. The preliminary findings from the reviews are presented below.
- (vi) interviewing a sample of affected households covered by the socio-economic survey (see section 5) about their experience of the process of LA including compensation and arbitration.

3.3 Evolution of land acquisition/requisition legislation

The earliest piece of legislation relating to land acquisition in what is now Bangladesh is the Land Acquisition Act of 1870, later replaced by a revised Land Acquisition Act in 1894. According to this Act compensation for land being acquired would be based on an assessment of the market value of the land determined on the average value of properties of similar description in the vicinity during the preceding 24 months. The principle of payment of a just, fair and equitable compensation as a

precondition towards acquisition also became a precondition for acquisition of properties in the Government of India Act of 1939.

After the partition of this sub-continent, the government introduced the East Bengal (Emergency) Requisition of Property Act (Act XIII of 1948). Under the provisions of this Act requisition was defined as taking possession of property that is required for a public purpose or in public interest. The nature and amount of property that could be requisitioned were entirely left at the discretion of the Deputy Commissioner. Not only land but also movable property such as vehicles etc could be requisitioned under this Act. When a property was requisitioned, the owner would be offered a provisional compensation which, if agreeable, would be paid in advance. The final payment would however be made in accordance with the provisions in the LA Act of 1894.

Both the 1894 and the 1948 acts were replaced in 1982 by the Acquisition & Requisition of Immovable Property Ordinance (Ordinance II of 1982), which is now governing most acquisitions and requisitions of both land and buildings. In 1989 the Government passed Property Emergency Acquisition Act (Act IX of 1989) to provide for the acquisition of property both movable and immovable, on an emergency basis to control inundation, flood and upsurge caused by natural calamities and to prevent river erosion. The duration of this Act is restricted to five years. This Act is in force in parallel with the 1982 Act, but has so far only been applied in two cases, the Jamuna Bridge Construction Project covering some areas of Tangail and Sirajganj and the Dhaka Protection Embankment Construction Project.

In addition to the above mentioned legislation, there are a number of special laws relating to the acquisition of land of a particular nature and for particular purposes. One example is the East Bengal Acquisition of Waste Land Act of 1950 (Act XIX 1950) which provides for the acquisition of waste land. Acquisition of land by the Dhaka Improvement Trust (now RAJUK) is governed by the Town Improvement Act, 1953 (Act XIII of 1953). In the towns of Chittagong and Khulna, provisions for the acquisition of land is laid down in the Chittagong Development Authority Ordinance, 1959 (Ordinance II of 1959) and Khulna Development Authority Ordinance, 1961 (Ordinance II of 1961) respectively. The town improvement Act of 1953 follows the principles of LA Act set 1 of 1894 and KDA/CD ordinances are governed by the Act XIII of 1948.

3.4 Salient features of current legislation on land acquisition/ requisition

As mentioned above, land acquisition for water control, drainage and irrigation purposes is still mostly governed by the LA Ordinance of 1982. The 1989 Emergency Act has so far only been applied in two (albeit large) projects. Land acquisition of other Flood Control, Drainage and Irrigation schemes taken up even after 1989 follows the provisions and procedures of the 1982 LA Ordinance. Below the salient features of the 1982 LA Ordinance will first be outlined and later compared with the provisions made in the LA acts of 1948 and 1989 respectively.

The process starts with BWDB requesting the Deputy Commissioner to acquire a certain amount of land for a particular development purpose. The request is done on a specific proforma in accordance with an administrative order issued by the Ministry of Land Administration in the 1970s. The proposal is scrutinized by the DC and submitted to District Land Allocation Committee (DLAC) or the Central Land Allocation Committee (CLAC) as the case may be. If found correct and in accordance with regulations and approved by DLAC/CLAC the DC refers the case with his recommendation to the Government, the Ministry of Land Administration, in case the property exceeds 10 standard Bighas or the Divisional Commissioner if it is below 10 standard Bighas, for a decision. In 1989 the Government decided that approval of land acquisition cases of above 10 bighas should be referred to the Ministry of Land for approval of the Honb'le President. These procedures represent some extent of decentralisation of decision making powers in regard to acquisition of land as compared to the Act XIII of 1948, wherein all acquisition cases had to be referred to the Government along with the recommendation of the DC, based on his findings after hearing of objections and on making necessary inquiries, as deemed fit by him.

After the decision is made, the DC shall issue a Public Notice at convenient places inviting the affected people to claim compensation. On the basis of these claims the DC undertakes a joint inspection with the representatives of the Requiring Body, normally BWDB. The amount of compensation is to be based on the average value of the properties of similar description and with similar advantages in the vicinity during the last twelve months (as compared to 24 months before). Land value is based on information from the Land Records. The value of trees is to be collected from the Forest Department and the value of buildings from the Public Works Department. On the basis of these estimates, the DC offers the claimants compensation. Property is taken over by the authority after payment of compensation has been made and a declaration to that effect issued in the Official Gazette.

A person who does not accept the amount of compensation offered may appeal within 45 days to the Arbitrator for a revision of the award. The payment is then deposited with the Treasury. The Arbitrator is a person not below the rank of a Subordinate Judge. One may appeal against the decision of the Arbitrator to a specially constituted Arbitration Appellate Tribunal headed by a District Judge.

As compared to the LA Ordinance of 1982, the LA Act of 1989 represents an attempt to speed up the land acquisition process. The order to acquire property is issued by the DC on the condition of previous approval by the Government. An appeal against the order has to be placed with the government within ten days. The individuals have to submit claims of interests in the land for compensation also within 10 days. Within the same 10 days the DC will determine Provisional Compensation based on an assessment of 'appropriate market value'. Thereafter the payment of the provisional compensation is made in full and the authorities take possession of the property and

notification is made in the Government Gazette. In case the claimant refuses to accept the level of compensation or the owner of the property cannot be identified, money is deposited in the Treasury. The DC has then ninety days to calculate the final compensation based on the same qualifications as in the 1982 Ordinance. The claimants right to appeal against the level of final compensation is also the same as in the 1982 LA Ordinance, with the difference that the claimant may accept the payment 'on protest', without forfeiting his or her right to appeal against the decision.

3.5 Preliminary comments on present LA legislation

Land acquisition often turns out to be a long drawn out process, in particular when the concerned people are in for arbitration. In the middle of 1991, there were in only eight districts nearly 5 000 LA cases pending under the Act of 1948. There are many reasons for this, such as delays in determining estimates, in placement of funds, etc.

The Ordinance of 1982 includes provisions which both prolong and contract the land acquisition process. The power of decision making in all cases above 10 standard Bighas of land lying with either the Divisional Commissioner or the Ministry of Land Administration means a further prolongation of the LA process. In the 1989 LA Act, the decision making power is brought back to the DC, given there is a prior approval of the Government.

On the other hand, whereas the authorities previously had to issue notification of acquisition in two stages, only one is necessary in the 1982 LA Ordinance (as well as the 1989 Act).

To speed up the process, more rigorous time limits have been imposed on various stages of the acquisition process. Some are probably to the disadvantage of the claimants, whereas others will, if they are followed, benefit the victims of land acquisition. The time for making an appeal against the decision to acquire land has been cut from 15 to ten days. On the other hand, a time limit has also been imposed in the 1989 LA Act in respect of the time for the DC to determine the (provisional) payment, namely ten days. Earlier legislation contained no such time limit even if the 1982 LA Ordinance includes a provision which abates the decision to acquire land if compensation has not been paid or deposited within one year from the date of decision.

Neither in the 1982 LA Ordinance nor in the 1989 LA Act is there any reference to the resettlement of households losing land or homesteads due to acquisition of land by government authorities. This does not necessarily mean that arrangements for resettlement of the victims of land acquisition are never done. In the case of acquisition of land for the Jamuna Bridge construction, the Jamuna Bridge Authority is in the process of arranging for resettlement of households which have lost their homesteads.

The method of determining the level of compensation has largely remained the same since the 1948 LA Act. The difference is that compensation under the 1982 Act will be based on the average market value over the preceding 12 months of similar quality of land in the vicinity of the plot being acquired, as compared to an average of 24 months provided for in the 1948 LA Act. This again would work to the benefit of the claimants. But considerable changes have taken place in respect of payment of compensation to the victims of land acquisition. Whereas a claimant who did not accept the decision on compensation had to accept the provision of land acquisition by the government on depositing the compensation in the Treasury, the 1989 LA Act permits the claimant to receive preliminary payment 'in protest'.

Under the provisions of the 1948 LA Act, it was possible to determine the level of compensation on the basis of agreement. Subsequent laws do not contain any such provisions, although they may be beneficial.

The rules of arbitration remains largely the same with 45 days to appeal against a decision on compensation and the right to appeal against the decision of the Arbitrator at an Arbitration Appellate Tribunal. There are no time limits on arbitration, which tends to prolong the process.

3.6 Land acquisition by Local Government authorities

Land required for the construction of infrastructure by local government authorities (District administration, Upazila Parishad and Union Parishad) is normally not acquired in accordance with procedures laid down in the LA legislation. The exceptions are land required for offices and other official buildings and land for markets.

For other types of infrastructure such as roads, small embankments, bridges and structures, land is supposed to be provided free as a donation from the community. This means, among other things, that the authorities cannot take formal possession of the land.

Under pressure from the donors, the government has recently decided to formally acquire and pay compensation for land required in two feeder roads project, RD6 and RD7 in accordance with the 1982 LA Ordinance. So far less than 100 acres have been acquired for this purpose. For the future the question as to whether the local government authorities should also pay compensation for land needs to be carefully reviewed.

3.7 Selected conclusions and issues for further considerations

The decision-making process for land acquisition needs to be reconsidered. The restricted authority of the DC an LA legislation seems only to have resulted in a prolongation of the process. The referral of certain decisions to the President means an even further prolongation. It may be considered if the

provisions relating to large public projects made in the 1989 LA Act can be applied to all land acquisition cases. To speed up the land acquisition process it may be useful to introduce time limits for various stages along the lines of the 1989 LA legislation. A time limit for decision by the DC, Commissioner and the Ministry may also be considered.

It is felt that both the District Land Acquisition Committee (DLAC) and the Central Land Acquisition Committee (CLAC) add little to the quality of the land acquisition decisions. Rather they are another reason for further delays in the process. Both the role of these committees as well as their composition will have to be critically looked into.

The format of the proposal by the Requiring Body to the DC is very demanding and takes considerable time to complete. It will be considered if it is not possible to reduce the amount of information included in order to speed up the process.

There is little participation of the local people in the planning and preparation of the projects. Planning guidelines need to be amended to ensure more local consultations in the planning process. Notice of acquisition of land is issued only as a public notice. The feasibility to impose provisions in the legislation in respect of individual notice will be studied.

The system for determining the value of land and other assets is cumbersome and irrational. Poor record keeping and erratic registration of purchases and sales of land in combination with deliberate attempts by the people to understate sale values of the land often lead to under compensation. On the other hand, fictitious transactions with the purpose of artificially enhancing the market value of the land before acquisition is taking place may result in an over-compensation. During the second half of the project, land valuation system will be subject to a detailed study with the view to suggest a more rational, accurate and just system. In this process the feasibility to find ways and means to compensate the victims of involuntary land loss in other ways than through cash payment may also be considered.

The present ad-hoc system of acquisition of land for execution of infrastructure development projects by local governments may be less time consuming, but is not necessarily more just or fair for those whose land have been taken away. Although the need for land is smaller than in projects implemented by other government agencies, the case for not compensating those land owners appears not to be very strong. The advantages and the disadvantages of introducing the customary land acquisition procedures also for local governments must be carefully studied during the second phase of the study.

Some BWDB embankments are constructed with food aid. Even in these cases no compensation is paid for land acquisition. It is highly irrational if the mode of payment of labourers shall determine whether the households which are forced to give up land will be paid compensation or not.

It is sometimes found that constructions start before the land acquisition process has been concluded and payments made. In other cases it is claimed that the claimants are not paid in full before the work starts. The reasons for the latter is, according to information received so far, that BWDB has not disbursed the full amount to the concerned DC. This is clearly against the law, and it is the Study Team's intention to further investigate these cases to see what reasons may lie behind this practice.

There is no provision for resettlement or rehabilitation of displaced households in the present LA legislation. The feasibility to introduce such provisions will be determined during the second part of the study.

Assessment of the number of people being displaced by a particular development project is normally not done during the planning and appraisal phase. It is felt that the planning guidelines need to be amended on this account and the cost of relocation and/or rehabilitation of people included as a cost of the project in the economic analysis.

Illiteracy and powerlessness reduces the possibility of the poor victims of land acquisition to take advantage of the provisions in the present legislation. To improve this situation, there is a need to make arrangements for education on the rights of the people and the LA procedures before the proceedings start and perhaps legal services at the time of implementation of the programme. Such services could perhaps be provided by NGOs or other people's organisations if available in the area.

A large number of LA cases are kept pending under the 1948 LA Act. The total number in the country as a whole may exceed 30,000. Progress is very slow and it may be considered if the arbitration powers could be delegated to the level of Divisional Commissioner/Land Boards for a speedy disposal of these cases.

4. SOCIO-ECONOMIC IMPACT OF LAND ACQUISITION

4.1 Objectives

The socio-economic surveys of households affected by land acquisition for embankment construction had three major objectives behind them :

- o Provide a socio-economic profile of the affected households
- o Assess the efficacy of project implementation vis-a-vis community participation, community expectations and individual experiences, particularly in respect of land acquisition and arbitration processes
- o Assess the living standard and livelihood situation of affected households by comparing pre and post project periods

4.2 Methodology

The survey methodology had the following components

- o a selection of six sample project sites, first by selecting the projects and then selecting a specific segment of it with an adjoining village
- o a household census in the selected villages
- o a survey of affected households in the selected villages
- o an intensive survey of a sample of affected households and
- o a community consultation meeting at the selected sites.

The sample design and research instruments/guidelines appropriate for each component are briefly described below.

4.2.1 Selection of project sites :

The criteria for selection of the sites included the following:

- o coverage of ecological, and hence regional variation
- o coverage of different types of embankments, e.g. major rivers, EIP, submersible embankments, etc
- o variation in linkage to national and regional markets, indicative of opportunities for rehabilitation.

Based on the above, and in consultation with FPCO, the following six projects were selected:

- | | |
|--|----------------------|
| 1. Kurigram Irrigation Project | : North-western zone |
| 2. Brahmaputra Right Embankment Project (Enayetpur-Shahzadpur area) | : North-western zone |
| 3. Monu River Project | : North-eastern zone |
| 4. Dhaka City Flood Protection Project | : Central zone |
| 5. Kalidaskhali Arpara Project | : South-western zone |
| 6. Meghna Dhonagoda Irrigation Project | : South-eastern zone |

To select specific sites for the survey, the investigators made reconnaissance trips to the first five projects in the above list. A specific spot on each embankment, was selected, after analysing the reconnaissance data, in terms of distance from the project office (at least 5 km), distance from the nearest town (at least 10 km), the distribution of human settlement and agricultural land around the embankment and the depth of flooding prior to the embankment. The BWDB personnel were consulted about the 'typicality' of the selected sites.

The site of the Meghna Dhonagoda Irrigation Project (MDIP) was pre-selected because of an earlier study carried out by CIRDAP in the area. It is expected that the earlier data base would be helpful to understand the process of socio-economic change since the completion of MDIP, thus providing insights on the problems and opportunities of socio-economic rehabilitation in the project area. In case of MDIP, which is a polder, two diametrically opposite sites were selected, one on the erosion-prone Meghna side and the other on the more stable Dhonagoda side.

The names of the surveyed villages are shown in Annex-4.

4.2.2 Household census in selected villages

After a specific spot was selected in terms of a village touching the embankment, a complete household census was carried out in this village and in other villages along the embankment following a north-west corner principle till about 180-200 'affected' households, that is those whose land had been acquired, were obtained. From the six projects, 26 villages were selected which had a total of 3858 households. The schedule for household census, Module 1 (Annex 6), consisted of 8 quantitative variables on the households, excluding identification.

4.2.3 Survey of affected households

The affected households as identified through the household census were interviewed on a number of pertinent issues related to their experience of land acquisition, particularly their status in respect of

compensation, arbitration and resettlement. The questionnaire used for this survey, Module 2, (Annex 6) contains 29 items of quantitative and 1 of qualitative information. The households covered under this survey were 1407 in the six project sites.

4.2.4 Intensive survey of a sample of affected households

Approximately one quarter of the affected households were chosen to represent the relevant land configuration categories (see Chart 2 at Annex-2), including those who were on the river side, even if their land was not acquired. The total number of households covered by this survey was 318. The questionnaire used, Module 3 (Annex 6), had approximately 161 items of quantitative and 10 items of qualitative (descriptive) information.

4.2.5 Community Consultation meetings

The community survey aimed to obtain information which were essential characteristics of the community and were unlikely to be obtained accurately from individuals, such as land prices, number of migrants, project benefit to the community, etc.

The most important economic sectors in the surveyed villages were identified and one knowledgeable person for each was selected as a respondent. In addition, traditional leaders, such as Matbar, UP Chairman/Member, School teacher and Imam, as well as representatives from housewives and students (male and female) were also included as respondents. A meeting was held at some community centre, such as the UP office or a school, and discussions were held as per checklist and in accordance with the given guidelines. A separate meeting was held for women in communities where 'purda' was strong.

4.3 Profile of Affected Population

4.3.1 Proportion of households affected

Land acquisition on account of embankment construction has affected a substantial proportion of the population in the project sites. Table 4.1A describes for each site the proportion of households suffering land loss. The percentage of such households suffering land loss in no case is less than one-quarter (25 percent in case of Kurigram) and is as high as 90 percent in the case of Shahzadpur (Brahmaputra Right Embankment Project). If we consider population rather than households, the percentage affected is even higher for all project sites (column 2 in Table 4.1A).

Table 4.1B shows for each project site, the proportion of households affected by the land acquisition process in respect of losses of land, structures, crops, trees and business.

Table 4.1A
Magnitude of Population Affected by Land Acquisition

| Sites | % of households suffering land loss | % of population suffering land loss | % of households losing all land including homestead | % of house- holds wholly located out side embankment protection |
|-------------|--|--|--|---|
| | column 1 | column 2 | column 3 | column 4 |
| Kurigram | 25 | 30 | - | 38 |
| Shahzadpur | 90 | 91 | 1 | 4 |
| Magura | 46 | 52 | - | - |
| Mirpur | 38 | 42 | - | 1 |
| Matlab | 27 | 31 | - | 40 |
| Moulvibazar | 45 | 51 | 7 | 48 |
| All Sites | 36 | 43 | 5 | 33 |

Table 4.1B
Proportion of Households Suffering Different Types of Losses

| % of affected households suffering loss of | | | | | | |
|--|------|------------|-------|-------|----------|--|
| Sites | Land | Structures | Crops | Trees | Business | |
| Kurigram | 24 | 0.4 | 24 | 1 | - | |
| Shahzadpur | 90 | 10 | 57 | 8 | 1 | |
| Magura | 46 | 1 | 12 | 3 | - | |
| Mirpur | 34 | 1 | 19 | 2 | 0.3 | |
| Matlab | 24 | 1 | 19 | - | - | |
| Moulvibazar | 41 | - | - | - | - | |
| All | 34 | 1 | 19 | 2 | 0.1 | |

Source : FAP-15 Field Survey

It is possible that the magnitude of affected households indicated in column 1 of Table 4.1A may be an under-estimate to the extent that some of the affected households may have migrated out of the area and hence were lost to our survey. However, the community-level investigation did not reveal out-migration as a result of land loss due to acquisition as any significant phenomenon.

Columns 3 and 4 of Table 4.1A reveal some additional dimensions of the impact of land acquisition on the Project site population. The worst affected households are those who lose all their land including their homesteads. Column 3 of Table 4.1A shows that 2 percent of all households in the surveyed sites suffer such a fate though there is some variation in this percentage across the projects. The Monu River Project site in Moulvibazar has the highest percentages of such worst-affected households (7 percent).

4.3.2 Households on the riverside : an important category of losers

An important category of losers in embankment project sites are those households who suffer no land loss due to acquisition but whose vulnerability greatly increases because of the location of their homestead and cultivable land outside of the embankment towards the river-side. Not only do these households suffer a steep decline in the economic value of their property, their physical vulnerability from all types of river action also greatly increases. In some cases, many of these households eventually become squatters on the embankment; for example, in the case of Kurigram Project 48 percent of all households were reported as squatting on the embankment.

Column 4 of Table 4.1A shows the percentage of households who fall outside of embankment protection and hence become of vulnerable category even though they lose no land due to acquisition. With the exception of the Dhaka City Protection Embankment where this issue is not a relevant one, the percentage figures in every other case underline the gravity of this problem the percentages ranging from 38 percent in the case of Kurigram to 48 percent in the case of Moulvibazar. Such high percentages bring to light a relatively obscured dimension of the land acquisition and resettlement debate, namely, the emergence of a category of losers who have no legal claim to compensation technically having suffered to loss of land but who nevertheless suffer an immediate economic loss in the steep decline of their property values and whose physical vulnerability directly increase as a consequence of embankment construction.

4.3.3 Distribution of affected households by land ownership

Table 4.2A identifies affected households according to their landownership status. What is immediately noteworthy is that households who lose land do not derive exclusively

Table 4.2A
Landownership Profile of Households Subjected to Land Acquisition

| Sites | % of affected households | | | | | | Total |
|-------------|---|---------------------------------------|---------------------------------|------------------------------|-----------------------------|------------------------|-------|
| | Owning homestead land only (0-0.05 acres) | Functionally Landless (.06-.50 acres) | Marginal owner (.51-1.50 acres) | Small owner (1.51-2.5 acres) | Middle owner (2.51-5 acres) | Large owner (5+ acres) | |
| Kurigram | 4 | 22 | 26 | 20 | 22 | 6 | 100 |
| Shahzadpur | 5 | 13 | 23 | 21 | 28 | 10 | 100 |
| Magura | 2 | 5 | 20 | 19 | 38 | 16 | 100 |
| Mirpur | 19 | 32 | 20 | 11 | 13 | 5 | 100 |
| Matlab | 10 | 30 | 35 | 14 | 10 | 1 | 100 |
| Moulvibazar | 1 | 12 | 24 | 19 | 25 | 19 | 100 |
| All sites | 7 | 20 | 26 | 17 | 21 | 9 | 100 |

Source : FAP-15 Field Survey

Table 4.2B
Types of Losses Incurred by Affected Households in different Land ownership Categories

| Land ownership category | types of loss | | | | |
|-------------------------|---------------|------------|-------|-------|----------|
| | Land | Structures | Crops | Trees | Business |
| 0 - 0.05 | 100 | 16 | 58 | 9 | - |
| 0.06 - 0.50 | 100 | 5 | 58 | 8 | - |
| 0.51 - 1.50 | 100 | 4 | 62 | 6 | 1 |
| 1.51 - 2.50 | 100 | 1 | 58 | 3 | - |
| 2.51 - 5.00 | 100 | 3 | 52 | 5 | 0.3 |
| 5.01 + | 100 | - | 40 | - | - |
| All | 100 | 4 | 56 | 6 | 0.3 |



from land-poor categories. While the relative percentages vary between the projects, taking all projects together we see that 27 percent of affected households are from functionally landless categories, 43 percent are from marginal and small owner categories and 30 percent from middle and large owner categories.

Aside from the question of land loss due to acquisition, affected households may also suffer other categories of losses. Thus, Table 4.2B shows that 56 percent of households subjected to acquisition also suffered crop loss while 6 percent suffered tree loss and 4 percent suffered structure (housing) loss. While the burden of crop loss fell on all land-owning groups, the burdens of tree loss and structure loss is seen to fall mainly on land-poor households. In particular, the relatively few cases of structure loss lie almost wholly within functionally landless and marginal owner categories making such households a worst-affected category among the project area population.

Table 4.3
Impact of Land Acquisition on Different Land Ownership Categories

| Land ownership categories (in acres) | % of households affected in each category | | | | | |
|--|---|------------|--------|--------|--------|-------------|
| | Kurigram | Shahzadpur | Magura | Mirpur | Matlab | Moulvibazar |
| 0 - .05 | 3 | 7 | 6 | 13 | 7 | 2 |
| .06 - .50 | 17 | 20 | 12 | 61 | 26 | 18 |
| .51 - 1.50 | 36 | 26 | 49 | 67 | 49 | 74 |
| 1.51 - 2.50 | 48 | 17 | 58 | 76 | 61 | 85 |
| 2.51 - 5.00 | 75 | 21 | 79 | 78 | 75 | 86 |
| 5.00 + | 55 | 9 | 81 | 73 | 78 | 96 |

Source : FAP-15 Field Survey

Another dimension of inter-group distribution of the burden of loss can be seen in the landownership status of those households who are located outside of the area of embankment protection. 88 percent of such households belong to the functionally landless category while 10 percent belong to marginal and small owners and only 2 percent to middle and large categories. This would suggest that **while the principal burden of land loss is to a large extent distributed equitably across all landownership categories, other categories of losses and vulnerabilities arising from embankment construction tend to fall disproportionately on land-poor households.**

Table 4.4 identifies affected households according to their major occupational status. There are considerable variation among different project areas in this regard. In Kurigram, affected households are grouped in two major occupational categories, namely, cultivators and agricultural labourers, 53 percent and 35 percent respectively. In Shahzadpur, the dominant occupations among the affected

households are cultivation (58 percent) and business (24 percent). In the Magura Project site, affected households overwhelmingly belong to the single category of cultivators (82 percent). In Mirpur site, 44 percent belong to cultivators while 39 percent belong to business and service categories. In the Matlab site, the occupational profile of affected households is more heterogeneous with 39 percent being cultivators, 13 percent agricultural labourers and 40 percent belong to business and service categories. In the Moulvibazar site, 64 percent of affected households are cultivators, 19 percent belong to business and service categories and 14 percent are migrants abroad.

Table 4.4
Occupational Profile of Affected Households

| Principal Occupation Categories | % of affected households | | | | | | |
|---------------------------------|--------------------------|------------|--------|--------|--------|--------------|-------|
| | Kurigram | Shahzadpur | Magura | Mirpur | Matlab | Moulvi bazar | Total |
| Cultivation | 53 | 58 | 82 | 48 | 39 | 64 | 55 |
| Fishing | - | - | 4 | 1 | 2 | - | 1 |
| Artisan | 4 | 2 | - | - | - | - | 1 |
| Agricultural labour | 35 | 9 | 5 | 4 | 13 | 3 | 11 |
| Non-agri labour | - | - | - | 1 | 4 | - | 1 |
| Business | 1 | 24 | 4 | 21 | 13 | 9 | 12 |
| Service | 6 | 5 | 4 | 21 | 27 | 10 | 14 |
| Migrant Abroad | - | - | - | - | - | 14 | 2 |
| Destitute/Female headed | 2 | 2 | 1 | 4 | 2 | - | 2 |
| | 100 | 100 | 100 | 100 | 100 | 100 | 100 |

Source : FAP-15 Field Survey

4.4. Magnitude of land loss

Table 4.5 describes the magnitude of land loss due to embankment construction. Taking all surveyed sites as a whole, the magnitude of land loss on average stands at 15 percent of the total village land. If we consider only the land owned by affected households, the percentage loss of land comes out to be 19 percent on average. The relative percentages varies between the projects with the highest magnitude of loss in the case of the Moulvibazar site (26 percent) and the lowest in the case of Matlab (13 percent).

Table 4.5
Magnitude of Land Loss

| Site | No. of villages surveyed | % loss of total village land | % loss of affected household land |
|-------------|--------------------------|------------------------------|-----------------------------------|
| Kurigram | 5 | 17 | 22 |
| Shahzadpur | 5 | 18 | 19 |
| Magura | 3 | 15 | 17 |
| Mirpur | 3 | 13 | 14 |
| Matlab | 5 | 8 | 13 |
| Moulvibazar | 4 | 21 | 26 |
| All sites | 25 | 15 | 19 |

Source : FAP-15 Field Survey

Table 4.6
Inter-group Magnitude of Land Loss

| Site | % loss of land owned by | | | | |
|-------------|-------------------------|-----------------|--------------|---------------|--------------|
| | Functionally landless | Marginal owners | Small owners | Middle owners | Large owners |
| Kurigram | 37 | 20 | 15 | 13 | 10 |
| Shahzadpur | 57 | 18 | 18 | 16 | 9 |
| Magura | 37 | 20 | 15 | 32 | 10 |
| Mirpur | 75 | 60 | 50 | 21 | 14 |
| Matlab | 74 | 30 | 25 | 24 | 11 |
| Moulvibazar | 88 | 40 | 20 | 16 | 20 |

Source : FAP-15 Field Survey

Table 4.7
Consultation Process : Experiences of Affected Households

| site | column 1 | column 2 | column 3 |
|-------------|--|--|--|
| | % of affected households to whom project was explained | % of affected households with whom alignment was discussed | % of affected households to whom notice of acquisition was served properly |
| Kurigram | 18 | - | 28 |
| Shahzadpur | 21 | 3 | 77 |
| Magura | 4 | - | 72 |
| Mirpur | 14 | 4 | 46 |
| Matlab | 55 | - | 39 |
| Moulvibazar | 16 | 2 | 100 |
| All sites | 24 | 3 | 61 |

Source : FAP-15 Field Survey

Table 4.6 describes the magnitude of loss as distributed amongst various land-size categories. The relative severity of loss is clearly more pronounced for the land-poor households. There is, however, a variation in this as between the projects with the Mirpur, Matlab and Moulvibazar sites seen to be the worst-off. In the particular case of Mirpur, the severity of loss extends to marginal and small owners. In all cases, however, the relative proportion of land loss declines as one goes up the land-ownership scale (an exception being the case of middle owners in the case of Magura). Such a regressive picture suggests the need to consider the relative proportion of land loss as between land-ownership categories as a factor in calculating an equitable compensation for affected households.

4.5 Consultation Process : household experiences

From the perspective of democratic and efficient planning, a measure of consultation with the local community is both desirable and make very good sense. In particular, a well-determined alignment will have the double benefit of preventing unnecessary loss of valuable agricultural land and adding to the ranks of displaced households. Local opinions can also provide a very useful scrutiny of the relevance and utility of a project and thereby contribute to better designing of projects and caution

against wasteful expenditure. Table 4.7 describe the experiences of 6 selected projects in these regards.

Table 4.6 points towards a significant absence of the much talked-about decentralized planning with little or no effort on the part of the concerned authority to engage in adequate consultation with the local community. Considering all sites together, only 24 percent of affected households benefitted from a proper explanation of the project by the relevant authority. With regard to the more concrete matter of discussions about alignment, the situation is even more non-participatory with only 3 per cent of affected households benefitting from any discussions on the matter. The community level questionnaire revealed for example that in the case of the Dhaka Flood Control Embankment site at Mirpur, a more thoroughly discussed alignment could very well have greatly reduced the extent of property loss and displacement of households.

The lack of a participatory approach extends even to the manner in which people are officially served a proper notice of acquisition. Considering all sites as a whole, only about two-third (61 percent) were directly served with notice of acquisition. For the rest, serving of notice were either delayed or were received indirectly or a notice was simply posted up on the land. The manner in which the notice of acquisition is received, of course, has a bearing on the household's subsequent ability to pursue its legal rights.

4.6 Considerations on Rational Compensation

After the physical issues of alignment and quantum of land loss, the other major concern in project implementation is the issue of compensation. There are both an equity and an efficiency aspect of this issue. An adequate compensation serves the cause of social justice. It can also minimise protest and hence the need for arbitration and lengthy and wasteful legal proceedings. Evidence from the sample of project sites show major shortcomings in both these areas.

A majority of affected households in the surveyed sites considered the compensation offered as significantly inadequate. The clear expression of this dissatisfaction was in the proportion of households who sought arbitration. Table 4.8 shows a sizeable proportion of all affected households (40 percent) as seeking arbitration. In the individual project cases, this proportion was as high as 90 per cent in the Moulvibazar site and virtually no arbitration in the case of the Matlab and Shahzadpur sample sites.

Table 4.8
Arbitration

| Sites | % of affected households seeking arbitration |
|-------------|--|
| Kurigram | 63 |
| Shahzadpur | - |
| Magura | 5 |
| Mirpur | 75 |
| Matlab | - |
| Moulvibazar | 90 |
| All sites | 40 |

Source : FAP-15 Field Survey

Such a large percentage of arbitration cases point towards a basic flaw in project implementation. Ultimately, any savings which may arise from fixing of compensation at low levels is more than offset by the financial and social cost of lengthy legal and extra-legal proceedings. Table 4.9 gives an approximate idea of the extra-legal expenses which affected parties had to bear to expedite and resolve the arbitration cases in their favour.

Table 4.9
Extra-legal Expenditure on Arbitration and Compensation Procedures

| Site | % of affected households who had to bear extra-legal expenditure amounting approximately to | | | | | |
|-------------|---|-------------------|-----------------------|--------------------|-------------|-------|
| | no expen- diture | up to Tk.1,000 | Tk.1,000 - 5,000 - | Tk.5,000 10,000 | Tk.10,000 + | Total |
| Kurigram | 58 | 36 | 4 | 2 | - | 100 |
| Shahzadpur | 1 | 25 | 45 | 18 | 11 | 100 |
| Magura | 4 | 28 | 58 | 8 | 2 | 100 |
| Mirpur | - | 12 | 28 | 20 | 40 | 100 |
| Matlab | 14 | 11 | 41 | 27 | 7 | 100 |
| Moulvibazar | - | 12 | 78 | 6 | 4 | 100 |
| All sites | 13 | 21 | 42 | 13 | 11 | 100 |

Source : FAP-15 Field Survey

Table 4.10A
Time Gap between serving of Notice and Receipt of Provisional compensation

| Site | % of households reporting a time gap of | | | |
|-------------|---|------------|------------------|-----------------------|
| | 1 month | 1-6 months | 7-12 months 1 | More than 2 months |
| Kurigram | - | 34 | 2 | 2 |
| Shahzadpur | 10 | 34 | 44 | - |
| Magura | 6 | 84 | 4 | - |
| Mirpur | 84 | 16 | - | - |
| Matlab | - | - | - | - |
| Moulvibazar | 60 | 34 | - | 6 |
| All sites | 27 | 39 | 16 | 1 |

Source : FAP-15 Field Survey

For all sites as a whole, 87 per cent of affected households had to bear extra-legal expenditure of one amount to another, 42 percent had to bear expenses ranging between taka 1,000 to 5,000 while a not insignificant group of 11 percent had to bear expenses upward of taka 10,000. This last group in the particular case of Mirpur was as large as 40 per cent.

Table 4.10B
Time gap between serving of Notice and Receipt of Final compensation

| Site | % of households reporting a time gap of | | | | | |
|-------------|---|----------------|--------------|--------------|----------------------|-----------------------|
| | 0-6 months | 7-12 months | 1-2 years | 2-4 years | more than 4 years | Not recei- ved yet |
| Kurigram | - | 2 | - | - | 2 | 96 |
| Shahzadpur | 28 | 48 | - | - | - | 24 |
| Magura | 90 | 4 | - | - | - | 6 |
| Mirpur | 46 | 18 | 12 | - | - | 24 |
| Matlab | 79 | 5 | 2 | - | - | 16 |
| Moulvibazar | - | - | - | - | 22 | 78 |
| All sites | 42 | 13 | 2 | - | 4 | 39 |

Source : FAP-15 Field Survey

Another facet to the high economic and social cost of wasteful proceedings arising from inadequate compensation which invite across-the-board arbitration suits is the delay in completing compensation procedures. Tables 4.10A and 4.10B describe for the sample sites the extent and recurrent nature of such delays.

While individual project experiences vary, the picture on the whole is a stark one, namely, major and systematic delays in payment of total compensation often extending beyond 4 years. Indeed Table 4.10B shows that fully 39 percent of affected households had not as yet received their final compensation. The official distinction between provisional and final compensation often exacerbates the problem here because the physical loss of land can occur right after payment of provisional compensation and households then have to sustain a bitter and prolonged battle to obtain the remainder of their compensation.

The widespread perception of the inadequacy of compensation levels has in fact very good reasoning behind it. In the first stage, determination of land price by referring to Tahsil office documents of last twelve months often tends to provide an estimate significantly below the prevailing market price. This was the case for example with regard to the Monu River Project site in Moulvibazar. However, even if this source of undervaluation is ignored, there is a more pervasive and more pronounced source of undervaluation to consider. For a household about to lose all or a portion of its land, the operative consideration with regard to compensation is the cost of resettling in the locality in the changed environment of embankment protection. Land prices undergo significant increases consequent to embankment construction and the extent of this increase is clearly a factor in indicating a reasonable cost of resettlement. Table 4.11A provides some information on the immediate post-project and current period land prices vis-a-vis the price prevailing at the time of serving of notices of acquisition. Sixty percent of households taking all sample sites together reported an immediate increase of 1.5 - 2 times (Table 4.11A). With the passage of some time, this increase become more pronounced with 63 percent of households reporting an increase by a factor of 2 or more (Table 4.11B)

The information provided in Tables 4.11A and 4.11B suggest a possible basis for a more effective determination of compensation levels. The argument here is to collate the experience of other projects to arrive at an average notion of the rate of increase in land price in particular in the immediate post-project. This average rate of increase can then be used as a factor in calculating compensation levels for future projects. It may also be possible to develop regionally disaggregated average rates and apply these accordingly.

Table 4.11A
Extent of Rise in Land Price in Immediate Post-Embankment Period

| Site | % of households reporting a land price increase of | | | | |
|-------------|--|---------------------|--------|--------------|--------------|
| | same as before | less than double | double | 2-3 times | 3-5 times |
| Kurigram | 88 | 10 | - | 2 | - |
| Shahzadpur | 19 | 62 | 2 | 15 | 2 |
| Magura | 76 | 24 | - | - | - |
| Mirpur | - | - | 100 | - | - |
| Matlab | - | 98 | - | 2 | - |
| Moulvibazar | 38 | - | 62 | - | - |
| All sites | 36 | 35 | 26 | 3 | 3 |

Source : FAP-15 Field Survey

Table 4.11B
Current Land Price vis-a-vis Pre-Embankment Land Price

| Site | % of households reporting a land price increase of | | | | | |
|-------------|--|---------------------|--------|--------------|--------------|--------------|
| | same as before | less than double | double | 2-3 times | 3-5 times | 5 + times |
| Kurigram | 34 | 46 | 20 | - | - | - |
| Shahzadpur | 12 | 46 | 17 | 10 | 9 | 6 |
| Magura | 30 | 70 | - | - | - | - |
| Mirpur | - | - | 100 | - | - | - |
| Matlab | - | 48 | 27 | 23 | 2 | - |
| Moulvibazar | - | - | 38 | 36 | 26 | - |
| All sites | 7 | 34 | 37 | 15 | 6 | 1 |

Source : FAP-15 Field Survey

4.7 Household economic status in pre-and post-project periods

The construction of an embankment is a major intervention in the life of the local community. However, it is unlikely to be the only factor in this regard. More importantly, rural households are rarely mere passive actors in the changing economic environment. In a variety of ways, they take the initiative to cope with changes and identify and avail of new opportunities. In these senses, the temporal outcome in economic status of households who have lost land in project sites may not be a simple outcome of the fact of land loss but rather is reflective of all the above factors. Tables 11A. and 11B provide a summary comparison of some living standard indicators as applied to affected households in the pre- and post-project periods.

Table 4.12A
Summary Comparison of Household Living Standard
in Pre- and Post-Project Periods

| Site | Housing condition | | | Access to Potable water | | Access to Electricity | |
|------------------|-------------------|-----------------|----------|-------------------------|------------|-----------------------|-----|
| | Same | Improved (%) | Worsened | Before (%) | Now (%) | Before | Now |
| Kurigram | 76 | 16 | 8 | 48 | 90 | - | - |
| Shahzadpur | 46 | 15 | 39 | 84 | 100 | - | 18 |
| Magura | 90 | 6 | 4 | 84 | 84 | - | - |
| Mirpur | 86 | 10 | 4 | 28 | 46 | 72 | 90 |
| Matlab | 95 | 5 | - | 48 | 80 | - | - |
| Moulvi- bazar | 68 | 28 | 4 | 28 | 82 | - | 66 |
| All sites | 76 | 13 | 11 | 56 | 83 | 11 | 28 |

The picture on change in household economic status in pre- and post-project periods as it emerges from Table 4.12A and 4. 12B, is somewhat more sobering. Table 4.10A reports a modest improvement in the three living standard indicators of housing condition, access to potable water and access to electricity. However, Table 4.12B reporting on approximate monthly income estimates shows a relatively static condition in monthly household income for affected households with the percentage of household in the lowest income category declining from 29 per cent to 28 per cent when all sample sites are considered together. The picture, however, varies between the projects with Kurigram and Magura sites reporting a slight improvement while Mirpur and Matlab sites report a moderate and Shahzadpur and Moulvibazar sites a severe decline.

Table 4.12B
Summary comparison of Monthly Household Income
in Pre- and Post-Project Periods

| Site | % of affected households in each monthly household income categories (in takas) | | | | | | | |
|--------------|--|-----|-----------|-----|------------|-----|---------|-----|
| | 0-1000 | | 1000-5000 | | 5000-10000 | | 10000 + | |
| | Before | Now | Before | Now | Before | Now | Before | Now |
| Kurigram | 62 | 60 | 38 | 40 | - | - | - | - |
| Shahzadpur | 39 | 51 | 54 | 43 | 5 | 3 | 2 | 3 |
| Magura | 26 | 22 | 74 | 76 | - | 2 | - | - |
| Mirpur | 14 | 28 | 70 | 72 | 16 | - | - | - |
| Matlab | 23 | 34 | 77 | 66 | - | - | - | - |
| Moulvi-bazar | 22 | 58 | 68 | 36 | 8 | 6 | 2 | - |
| All sites | 29 | 28 | 65 | 65 | 5 | 5 | 1 | 2 |

Source : FAP-15 Field Survey

4.8 Conclusions

The foregoing review of household survey data underscores four major conclusions:

a. The burden of land loss tends to be distributed across all land-holding categories rather than on land-poor households only. However, vis-a-vis the average holding size in each category, the proportional loss is highest for the land-poor households.

b. Restriction of the definition of 'target group' to land-poor households who have lost land misses out a very important category of losers, namely, households who lose no land but whose livelihood vulnerability significantly increases as a consequence of becoming located outside of embankment

protection. Survey data shows this category to be a substantial one and it is from their ranks that many of the squatters on the embankment emerge. This calls for a serious re-examination of how 'target group' identification is made for programmes of assistance for the affected communities.

c. Current methods of calculating compensation levels represent a serious valuation problem. This in turn sets in motion a vicious chain of manipulations, procedural delays and arbitration suits. The net result is a high economic and social cost for all parties involved. This points towards a more rational

calculation of compensation levels as a key priority. There are two factors here which merit attention. **Firstly**, if the basis for compensation is conceived as the cost of resettling in the same community in the post-project period, a critical factor to consider here is the rate at which land prices increase in the immediate post- project period. National or regional averages on such rates of increase can be worked out by looking at land price histories of already completed project sites. Secondly, aside from the absolute size of land loss, an additional factor to consider in fixing compensation levels is the proportional land loss sustained by a household vis-a-vis its total ownership. If the proportional loss is above a critical percentage, such households may be considered for higher rates of compensation. A more rational compensation will invite few arbitration suits and thus prevent the vicious chains of procedural delays and extra-legal extractions..

d. If one distinguishes between two priority areas of concern with regard to minimising the direct and indirect social and economic costs of land acquisition, namely **minimising the negative features of acquisition procedures** on one hand and **expand on programmes of assistance for resettlement** on the other, the evidence from household experiences would tend to emphasise the benefits of the former over the latter. To the extent that resettlement programmes have as their target group only land-poor households, they leave out of consideration a substantial proportion of affected households. Furthermore, the fact of land loss by itself may not be the principal determinant of changes in a household's economic status subsequent to embankment constructions. A variety of other macro and micro factors may apply in this regard. The net outcome in terms of changes in household economic status show only tentative patterns. Given these considerations, assistance to affected communities may be better conceived in terms of minimising direct and indirect costs of acquisition for households through more streamlined and effective procedures along with the focus on resettlement assistance to worst-off households.

5. REVIEW OF GOVERNMENT AND NGO PROGRAMMES OF RURAL DEVELOPMENT

5.1 Introduction

Since it is anticipated that there will be displacement of a huge number of people due to the acquisition of substantial areas of land for the proposed construction of a system of embankments and compartments, a concern about provision for the resettlement and rehabilitation of all households has been expressed in the ToR.

In order to identify and recommend ways for the resettlement of potentially affected households a review of existing rural development projects was suggested so that the lessons learnt from these projects can be used to support the affected households.

As the letter of approval of the project from the Ministry came very late, approval and cooperation from the NGOs to review their projects were obtained through personal links. On receipt of the Ministry's letter of approval field work was resumed to review Government programmes of rural development. For the interim report, however, a review of only the NGO programmes will be presented.

5.2 Objectives

There are two main objectives of the review :

- a. To review the programmes of these organisations and assess their successes in respect of physical and economic rehabilitation of the landless and the poor; and
- b. To draw lessons from this review and make recommendations accordingly for future embankment projects where a large number of people will become affected by land acquisition in order to recommend ways in which such households become socially and economically viable and self-sustaining in their new location.

5.3 Methodology

5.3.1 NGO and GO Programmes for Review

| NGOs | GOs |
|--------------|--|
| BRAC | BRDB |
| Proshika MUK | LGEb |
| Nijera Kori | Operation Thikana and khas land redistribution |

NGOs, Programmes and the Sites are as follows :

| NGO | Sites | | Programmes |
|--------------|-------------------------------------|------------------------|---|
| | village | upazila | |
| BRAC | Tetulia Nakugaon | Jamalpur Sherpur | Income generation and credit |
| Proshika MUK | Athiabari Halhalia Khuthamara | Domar " Debiganj | Land distribution, credit and income generation |
| Nijera Kori | Nobogram | Noakhali sadar | Land reclamation and credit |

Among the NGOs, BRAC's income generating activities of one female and another male groups were selected for the review. For the land distribution programme of Proshika two female and one mixed groups, and the land reclamation programme of Nijera Kori among two male groups were studied along with their income generating activities through credit and management programmes.

For the household survey 30 households were selected for each programme from the groups (the unit of NGO programme implementation) functioning at least for 5 years. A detailed questionnaire for the household survey with scopes for open ended responses was administered. From among the 30 households 5 were purposively selected for indepth case studies. A community survey was carried out in group meetings of the members. A detailed questionnaire was also administered among the field officials of the NGOs.

5.3.2 Sample size

Fifteen poor women from a 5 year old BRAC Samiti in Tetulia in Jamalpur Sadar upazila and 16 male members from a 6 year old BRAC Samiti at Nakugaon in Nalitabari upazila, in Sherpur were selected for the review.

Seven female members from Athiabari, 14 female members from Halhalia of Domar upazila and 9 male and female members from Khutamara of Debiganj upazila were selected for the review of Proshika programme.

Eighteen male members from 'Sarathi' Samiti and 12 male members from 'Dhumketu' Samiti of Noakhali Sadar upazila were selected for Nijera Kori programme.

5.3.3 Sources of Information

The required information was gathered from the following sources:

- a. The beneficiaries, namely the members of various programmes mentioned above, through a detailed household survey and a community survey;
- b. Officials of the implementing bodies through a detailed questionnaire, discussions and interviews based on a checklist and guidelines;
- c. Various published and unpublished documents.

At the field level the interviews were held with the implementing officials of the projects. The information gathered from the officials includes mainly -

- a. Programme objectives;
- b. Programme components and related inputs;
- c. Their own assessment about the constraints and success of the programmes;
- d. Socio-economic impact of the programmes on the group members;
- e. Their own assessment about the replicability of the programmes in other areas.

5.4 NGO profile

5.4.1 Bangladesh Rural Advancement Committee (BRAC), 1972

BRAC's core programme aims to emphasise organisational efforts, solidarity among the poor, access to resources and in addition credit and income generation among the rural poor. In 1975 BRAC started to implement its programmes in Jamalpur district. Before launching the Rural Development (RD) programme, it started a programme of village organisation. The project includes sericulture, irrigation, horticulture and nursery, non-formal primary school (NFP), functional education, para-legal aid and vulnerable group development components. Apart from these components, Ayesha Abed Foundation, another project of BRAC, carries out an embroidery project. It is an income generating project and employs a sizable number of women.

a. Membership criteria

There are two criteria for membership.

The landless having a maximum of 0.50 acres land under the household ownership and the day labourers who sell at least 100 mandays of labour in a year. **The membership criteria is set by BRAC, and the group members have no role in this regard.**

b. Group formation

A baseline survey is carried out to identify the target group. After the survey, open discussions with the target groups are held to identify the target group more accurately. After the group formation, the

8/4

members have to attend the group meetings regularly and save Tk.2.00 weekly. Male groups can have access to a credit package six months after the group formation, while female groups need 3 months. However, during this period, the groups get all the services like vaccination and primary education from BRAC and the members are also acquainted with BRAC, its objectives and different programmes and training on different aspects.

c. Relationship between groups and the organisation

Every member of the group has to attend weekly meetings of the groups which is also attended by the Group Supervisors (GS). Every GS looks after 10 male and 10 female groups and a Programme Officer (PO) is expected to look after 30 to 35 groups. At the weekly meeting GSs administer oath to the group members, collect subscriptions, and instalment of loans from the group members. POs follow up on the works of GSs. Most of the members solve their problems within the groups. They discuss the problems in the weekly meetings. In some cases, reference may be made to higher stages. However, there is neither any rigid rule nor practice of referring to the higher stage step by step.

d. Group's role in programme determination

Groups play a minimal role in determining the programme package. The head office at Dhaka decides on every programme. However, the local office can identify programmes and feed back to the head office. Groups help the local office in identifying the projects through information about field level need for these programmes. Groups study the viability of the components of the programme package selected by BRAC and assess the credit needs and credit worthiness of an individual member. The group exerts pressure on the defaulters to pay back the loans.

e. Graduation

There is no graduation criterion in the programme. According to the Area manager 'There are many members who have improved economically, but none of them can survive without BRAC's assistance. In an optimistic situation, only 5 per cent members can sustain themselves without BRAC's credit assistance though they would need BRAC's guidance without which they will again go below the poverty level'.

5.4.1.1 Case studies

a. Tetulia Samiti of female members

29

In Tetulia there are three , one male and two female groups. There are 92 women members in two female groups. The first group consists of 54 members while the second group consists of 36 members.

The members of the Samiti hold meetings every week and make some savings. The members take loans from the Samiti and make repayments every week by instalments. If any member fails to repay, others combine to pay back. The collective effort in paying back loans follows from the threat of withdrawal of BRAC's support to the group due to the defaults of its members in adjusting loans.

Use of Loans

Lack of monitoring system contribute to indulgence in non-programme activities.

With the loans members are found to have been engaged in activities not all in the knowledge of BRAC, or ignored by BRAC field officials, like hoarding and money lending. The activities include starting a shop, paddy processing, cattle purchase, house building, land purchase for homestead and agriculture, releasing mortgaged lands, money lending at a higher interest rate and against mortgaged land, purchasing rickshaws, purchasing carts and also hoarding

Apart from the activities, the male members of Nakugaon purchased a power pump taking a loan from BRAC and are currently engaged in IRRI cultivation collectively.

Formation of group

BRAC had organised the women's group about 5 years back. Some women of Tetulia who worked in the Embroidery Centre of Rampur, an adjacent village, approached the Programme Organiser (PO) of BRAC to organise such a centre in Tetulia. The PO responded positively and organised the female groups. The success of this group encouraged the men to form the male group 3 years later.

Performance of the group

The group members are satisfied with the credit programme of BRAC. However, credit programmes for paddy husking and cow rearing, has not given the desired results so far as income and employment generation is concerned. Most of the members used these loans for consumption. BRAC's loan for purchase of homestead land has helped the beneficiaries to some extent, in severing the dependency relationship with the rich but has not increased their income. Shopkeeping is also a good programme as it is adding income to the families of the group members. However, it has not enabled the women members to use the loans as they wish. Rather they depend on the male members of the families to make use of the loan. It was also observed that some of the recipients of these loans were relatively well off.

The rickshaw programme of the male group seems to have yielded good results as it has not only increased income but also helped the beneficiaries to free themselves from the exploitation of the private rickshaw owners who are used to charge a high rent.

Recovery performance of the group

Recovery performance of the group is excellent. The female members get remuneration from the Ayesha Abed Foundation for making quilts after every 3 months. When they get the bill BRAC takes back the dues of instalment from them. Moreover, every member believes that default in repaying the loans will mean loss of job in the embroidery centre.

b. Nakugaon Samiti of male members

BRAC started its programme here in 1984. There are both male and female groups here. BRAC has a number of training programmes in the area that includes leadership, group management and functional education. BRAC also runs a school under its functional education programme for the poor children who have no access to formal schools due to poverty.

Performance of the group

The group members are satisfied with the credit programme of BRAC. However, credit programmes for paddy husking and cow rearing have not yielded desired results, so far as income and employment generation is concerned. Most of the members used part of these loans for consumption. BRAC has given rickshaw loans to the male group. The group distributed 4 rickshaws among 4 members. However, three of these four members have hired out these rickshaws to another 3 members of the group.

Irrigation scheme

The irrigation scheme failed to achieve the target production in the first year due to natural calamities. As a result, the group members suffered substantial crop damage. It has made the group members worried about the future of the scheme. The water management of the scheme in 1991 is worse off than the other two low lift pumps (LLP) of the private owners. The group LLP has regular mechanical troubles and no ready at hand service. However, the leading members of the group are optimistic about the irrigation project, and are mainly involved in water management. But this year's performance of the project can only be assessed after the harvest of crops.

Recovery performance

Recovery performance of the group is excellent. In the area, many poor people collect twigs and leaves from the forests of Bangladesh and India. Most of the group members are also engaged in twig collection and it is learnt from knowledgeable quarters, and confirmed by the group members, that a major chunk of the loans is paid by the group members from this income. Some reported that they have been paying back loans by selling crops because they used up the loan money for consumption and education..

Group's relationship with BRAC

Most of the group members consider BRAC as a source of credit for the poor and landless people who have little access to formal and informal credit sources. BRAC provides them with credit which they sometimes use for consumption and other urgent needs. The post-flood relief operation of 1988 has made the members more BRAC oriented.

5.4.2 Proshika Manobik Unnayan Kendra (1976)

The project in Domar upazila of Nilfamari district was commenced in 1981. The components of the project include group formation and its expansion, and formal and informal training for human resource development. Proshika's income and employment generation activities include nursery, agricultural activities, silk-worm cultivation, paddy husking, irrigation scheme, cow fattening, buying bullocks for ploughing, milch cow rearing, goat rearing, small trade and rickshaw pulling.

Proshika carries out special programmes on literacy campaign, adult education, child motivation for schooling, Bastuhara rehabilitation programme with land, housing, tube well and sanitary latrine, social forestry and vaccination of livestock and poultry.

a. Membership criteria

Proshika itself has determined the qualification for group membership. In determining the membership qualification the group plays no role. However, sometimes, the group plays a role in determining the membership of a particular person whether he is eligible or not to become group member. The size of the group varies from 20 to 30 for male groups and 15 to 25 for female groups. At initial stage group formation was difficult in terms of both motivation and availability of members. While in the past group formation was most important, now programme implementation is a major task

The target group includes the landless (one who sells labour for more than 50 percent mandays of the year), marginal farmers (one who produces crops in one's own farm that meets one's demand

for less than six months of the year), share-croppers, small traders, day labourers and rickshaw pullers.

At the beginning of the programme, Proshika started to form male groups because work with the female at that stage was socially difficult. However, now women groups are more enthusiastic than men in forming groups.

b. Relation between members and group

Members need approval of their group for getting any benefit from Proshika. No credit is given individually. If any member fails to repay loans the group exerts pressure on him. The group is obliged to Proshika for any individual loan and if it fails to collect money from the members the union committee, and, if needed, the upazila committee interfere in the matter.

c. Relation between groups and the organisation :

When a group is formed, it saves money by regular subscription of its members. At the same time, members get training on different aspects of human development. In this process, when a group becomes viable Proshika allows it to venture into income generating projects and makes credit available.

To get credit from Proshika for any project, a group submits a project proposal. The group members discuss the feasibility of the project among themselves and adopt resolutions and contact Proshika. The concerned DEW (Development Education Worker) studies the project and reports to the field workers meeting. After scrutinizing the reports of the DEW, the worker committee submits the reports to the Upazila Coordination Committee which finally approves the project.

d. Graduation

About 5 percent members have no credit demand. However, it does not mean that they have become self-sufficient. Rather, they consider credit as a complex deal. Proshika's credit policy allows a matured group to take credit three times only. In Domar there is no such matured group. However, the zonal coordinator claims that there are only about 5 per cent matured members .

5.4.2.1 Case study

a. Khutamara Bastuhara Samiti

Khutamara Bastuhara Samiti consists of both male and female Samities with 12 members each. The samiti members established this colony in 1989. Proshika advanced loans to the female group of

Bastuhara basti project for land purchase, cultivation, house building, latrine construction and income generating programmes like the Dhenki programme. The total amount of loan till April 1991 was Tk.147,600. The group has paid back Tk.29,400 only. The recovery performance is only 16.3 per cent.

Cultivation of the Samiti land

The group cultivates sugar cane on the land taking loans from Proshika. The male group members work on the land and the female group members help them. Last year they took a loan of Tk.12,700 from Proshika and a fertilizer loan of Tk.6,010 from sugar mill authority. The group earned a marginal profit of Tk.5,590 and they paid back all the loans taken from Proshika and the sugar mill authority.

Group performance

The colony had a bad start from the very beginning. The land quality is poor and except sugar cane no other crop is suitable for cultivation on this land. However, the yield of sugar cane is far below the average yield of the area. Though the group repaid the loan taken for sugar cane cultivation and earned a small amount of profit, yet it is not sufficient to pay other loans of Proshika. The Dhenki project has seemingly failed. The amount of loans piled up so high that Proshika stopped giving them loans any more.

Meanwhile, the group members lost employment opportunities and charity sources from their erstwhile patrons for coming to this colony; as a result, their income had declined. This led to frustrations among the members of both the groups about the future of the Samiti, particularly the colony. They do not have any income source to pay back the loans taken from Proshika for housing and latrines. Most of the members are day labourers and their income from wage labour is too meagre to sustain them.

Though land ownership was given to the female members, none of them have regular incomes excepting a little earning during the post harvest period by paddy husking. It is the male members who is to pay back the loans. **All these made the male members resentful against both Proshika and the female members. As a consequence the male members often misbehave with their spouses.**

b. Halhalia Bastuhara Samiti

The Samiti members established this colony in 1989. Halhalia Bastuhara Samiti has male and female Samities with 16 members each. Later, two male and two female members left the colony. Proshika gave female members of Bastuhara Basti project loans for similar activities as was found in

Khutamara. The total amount of loan till April 1991 was Tk.179,890. Of these loans, Tk.72,000 was for housing and latrine projects. There are 3 income generating programmes in Halhalia Samiti; these are dhenki (paddy husking), land cultivation and sericulture

The female members got a loan of Tk.88,250 for purchasing 3.00 acres of land of which about 0.40 acres were for homestead. The female group got another loan of Tk.19,640 for Dhenki programme. Every member got Tk.1,228 each. **However, the programme failed and the group members paid back a small part of the loan before using up all the money for consumption.**

Cultivation of group land

The group brought about 2.60 acres of land under cultivation. Last year every member got 2.5 maunds of paddy from this land after paying the loan taken from Proshika for land cultivation. The land was cultivated collectively. However, the group's cultivation performance was not satisfactory because all the members could not give equal efforts in cultivation. Since all the members of the Samiti are day labourers, they worked on this land after selling labour. To solve this problem, the group, with prior approval from Proshika, divided this land into 14 plots and gave each member a plot for cultivation individually. Proshika has plans to introduce banana plantation on this land instead of traditional crops. For this purpose there is a credit programme.

Kitchen gardening

The female members grow vegetables on their homestead land. They have also planted trees for silk-worm production. The male members cultivate paddy, jute and sugar cane on their homestead land.

Silk-worm cultivation

Some of the female members cultivate silk-worm with the technical support, storage, marketing and credit facilities of Proshika

Sustainability of the group

The land quality of Halhalia Samiti is medium but it is not unsatisfactory as it is in Khutamara. However, the quantity of land is economically unviable to pay back all the loans taken from Proshika. Their income from other sources is also meagre. **Before coming to this colony they had employment from the Jotdars from whom they do not get virtually any employment these days.** As a result, the members have been suffering from agonies regarding loan payment. **Two households have already left the colony and there are others who are pondering over similar prospects.**

*Dysfunctional
Programme*

c. Athiabari Mahila Samiti

The Athiabari Mahila Samiti is four and half a years old. It has 16 members. The Samiti has purchased 0.33 acres of land for silk-worm cultivation with a credit assistance of Tk.4,000 from Proshika. Four members of the Samiti got this land. As land was fallow, all the members of the female group and their counterpart male group voluntarily cleared it and made it cultivable. The female members who became land owners received help from their husbands for cultivating this land. Proshika also gives loan to those members for silk worm cultivation. It also provides technical support, marketing facilities and credit assistance for this programme. The other programmes are cow rearing, Dhenki (paddy husking), afforestation, cultivation and nursery

5.4.3 Nijera Kori (1976)

The Nijera Kori project in Thanar Haat sub-centre commenced its activities in 1986 following the 1985 cyclone and tidal surge popularly known as 'Urir Charer Jhar'. Thanar Haat sub-centre is under the Parisker Bazaar centre (10 miles away) which was started in 1979.

a. Programme components

The programme includes: Samiti formation with the target group people, training programme, liaison with the administration for khas land distribution among the target people, Coastal Area Development Programme (CADP), collective cultivation and legal aid support.

b. Membership criteria

- o landlessness
- o disadvantaged and poor
- o prepare to undergo any hardship for the sake of the Samiti
- o local resident
- o fellow feeling
- o commitment to the organisation.

c. Group formation

A benchmark survey is carried out by the programme officer for selecting the target people. It is the primary Samiti which implements the collective cultivation programme. Programmes like demonstration and representation to the administration are also implemented by the village Parishad and, sometimes, by the area Parishad.

d. Selection of programmes

Formally it is the primary Samiti that first initiates the discussion about a new programme. After the approval of the programme by the primary Samiti, it goes to the village Parishad which recommends it to the area Parishad that finally approves it. The programme officers of the Nijera Kori monitor the process of decision making. However, the reality is different. It is Nijera Kori which throws the idea of any programme and explains the programme. The Samiti approves it through every stage. In the group meetings the groups discuss the programmes thoroughly before implementation. If the programme/project is selected in this group meetings, a resolution is adopted. Since primary Samiti is the basic unit of implementation of any programme, its readiness and effort to implement the programme/project is vital. The group also explores new economic programmes for the individual members depending on the Samiti fund.

e. Programmes implementation

The Area Parishad and occasionally the Village Parishad implement the programmes. It is the primary Samiti that takes the decision about programme implementation and it has to get approval from the Village Parishad. **While the Samiti runs all the activities, Nijera Kori has only an advisory role regarding the socio/political and economic programmes.** Sometimes it also supervises the economic programmes.

f. Legal aid support

When the organised poor fight against the vested interests, the latter harass the poor in various ways, including the filing of false cases and police action. Nijera Kori renders legal aid support to the group people in such cases by hiring lawyers and influencing local administration, if possible.

5.4.3.1 Case study

a. Nobogram Sarathi Samiti

This is the pioneer Samiti with 31 members at Nobogram in Char Jubilee mouza, in Noakhali sadar upazila. It was later divided into five new mouzas. These are Nobogram, Dhaner-shis, Baishaki, Char kalmi and Gangchil. Char Jubilee reappeared in 1975/76 after about 65 years of its erosion and many people settled there from different areas of the mainland of Noakhali, Hatia, Swandip. They claimed their proprietorship over the char. Apart from them, Jotdars and Talukdars from Noakhali Sadar and Companiganj upazilas settled their Ryots (tenants) on these Chars including Nobogram. The Jotdars and Talukdars gave the latter rights of land use and share cropping. Some of the Talukdars took money to settle the Ryots on the land. In return, the Ryots served as the Lathial and

clients of the former. The Jotdars and Talukdars and their proteges exploited the Ryots in different ways including yearly extortion of illegal subscription for land use and arbitrary eviction from the land.

Against this backdrop, a section of the landless people and the Ryots of different villages adjoining Nobogram got organised by Nijera Kori in 1987 under different Samitis including Sarathi. In the last quarter of the same year the Sarathi Samiti convened a meeting at the local primary school premise which was attended by the members of the adjacent village Samities. **It was organised secretly and a boy of 14 years old presided over the meeting.** Such secrecy was necessary in order to escape the retaliatory actions of Jotdars to demobilise them. The meeting demanded a proper distribution of khas land among the landless.

Another meeting was called on the same venue for which they made use of the 'shinga foo' (blowing of buffalo horns) for gathering people from the adjoining villages. This was a big showdown of the Samiti. The Jotdars and other vested group were concerned about the Samiti's activities and they began a crusade against it and Nijera Kori in various ways. They termed them as agents of 'Firingi' (Christian) and ostracised the leaders of the Samiti. Schooling for their children was banned and the situation became worse with the episode of Salman Rushdie.

One day the followers of the Jotdars severely beat a member of the Samiti for being an alleged agent of Salman Rushdie. The Samiti men filed cases against the Jotdars and brought out a militant procession at the Upazila headquarters against those who had beaten up the member. The Jotdars became nervous and began to harass the leaders by filing false cases of looting, raping, robbery and keeping of illegal arms, and managed to send some of them into custody. The Jotdars got the support of the police administration in this regard. However, the civil administration seemed to be more sympathetic to the Samities.

The Samiti brought out demonstration marches on different issues against the Jotdars and the local administration and made representation and gave memoranda to the district and upazila administration on different issues like fair distribution of khas land, stopping of police action, torture and false cases against the Samiti members by the Jotdars.

Khas land distribution

The samiti played an important role in identifying the actual landless people for khas land distribution. They put pressures on the local administration by carrying out a militant procession before the day the Upazila Khas Land Distribution Board interviewed the applicants for khas land distribution. They put objections before the Board against many fictitious landless persons who were mainly the proteges of the Jotdars. The Upazila Land Distribution Board selected the landless people in an open meeting for distribution of khas land in Nobogram but published the list of

99

selected landless at the Upazila headquarters. In the list the Samiti found 34 false claimants and demonstrated against the list for it believed that the Jotdar in collaboration with the administration included those 34 false claimants in the list. The Upazila Nirbahi Officer (UNO) arranged reinterview of the applicants. The UNO published the list of the selected applicants on the spot as per demand of the Samiti.

However, the UNO included those 34 persons in the list on the condition that the document of land distribution and demarcation of land plots would be done in the presence of the selected landless. As a result, the Sarathi Samiti recovered 34.00 acres of khas land from the illegal occupation of the Jotdars.

Collective cultivation

This demonstrates that the poor whatever be their quality is affected by the rich

The Samiti has a collective cultivation programme. Last year all the individual holdings and the 34.00 acres of land, recovered from the Jotdars, were brought under collective cultivation. The share was equal. For cultivation, they borrowed Tk.786,279 from Nijera Kori. The success of the collective cultivation was mixed. Though the Samiti managed to pay back the loans taken from Nijera Kori, the production target was not reached, the reasons being bad weather and salinity. Apart from these, there were some other exogenous factors. They sold paddy immediately after the harvest at a lower price because the Jotdars threatened to loot the produce.

Women's role in the Samiti

The Jotdars also threatened to loot the harvested paddy of the recovered khas land from the common courtyard of the Samiti. The Jotdars filed a case against the members for forcibly harvesting paddy from the Jotdars' land. At their insistence a contingent of the police came in the area at night and arrested a few members of the Samiti. Other members went in hiding to avoid arrests. Since none of the male members of the Samiti were at home fearing police action, the Jotdars attempted to loot the paddy from the courtyard. The females of the households gathered at the courtyard and guarded the paddy at night with lathi and other traditional weapons. The Jotdars did not dare to attack. On the following morning the male members came home and blew the 'shinga' following which a large number of people of the Samiti got mobilised at the courtyard. They were ready for a showdown and the Jotdars retreated.

Nijera Kori and the Sarathi Samiti

The samiti members get conscientization training from Nijera Kori on five basic human rights, namely food, shelter, clothes, education and health. They also get lessons from Nijera Kori about how to be empowered. Nijera Kori informed them about different Acts about empowerment and specially about the khas land distribution policy of the Land Reform Committee. Sarathi Samiti got

loans from Nijera Kori for sinking rower pumps for drinking water. Apart from this, Nijera Kori managed for two members of the Samiti to get a loan of Tk.4,000 each from War on Want.

Nobogram Village Parishad built a village road on a voluntary basis and Sarathi Samiti, being an affiliated member participated in it. The literate members of the Samiti also teach the illiterate members of the Samiti voluntarily. Solidarity among members is quite evident in the activities of the Samiti.

5.5 Socio-economic impact

To assess the economic impact of the NGO programmes on the rural households changes in assets, occupation, income levels and living standard were looked at.

It is important to remember that accurate recall of household income data is difficult, if not impossible. A notional income figure of respondents may be useful in terms of understanding the member household's perception of economic mobility.

The Tables 5.1 and 5.2, one on monthly income level and the other on the mobility of income show the change in income levels of the members before and after joining the programmes.

Table 5.1
Monthly income level of the respondents of the 3 NGOs

(in number)

| Range of income level (in takas) | NGOs | | | | | |
|---|------|----|----------|----|-------------|----|
| | BRAC | | Proshika | | Nijera Kori | |
| | B | A | B | A | B | A |
| 1-100 | 10 | 2 | 9 | 6 | 1 | 1 |
| 101-300 | 5 | 2 | 15 | 16 | - | - |
| 301-500 | 4 | 8 | 3 | 7 | 5 | 1 |
| 5001-1000 | 8 | 9 | 1 | 1 | 16 | 17 |
| 1001+ | 4 | 10 | 2 | - | 8 | 11 |
| N= | 31 | | 30 | | 30 | |

B= before A = after

Table 5.2
Income mobility experience in each income category

| Monthly income categories (in takas) | No mobility | Downward mobility | Upward mobility\ |
|--------------------------------------|-------------|-------------------|------------------|
| | | | percentages |
| 0-100 | 25 | - | 75 |
| 101-300 | 55 | 15 | 30 |
| 301-500 | 33 | - | 67 |
| 501-1000 | 60 | 4 | 36 |
| 1000+ | 57 | 43 | - |

The BRAC sample showed 48 percent members as belonging to below Tk. 300 monthly income category. The corresponding figure for the Proshika sample was 80 percent. Nijera Kori sample had somewhat better initial conditions with only 3 percent below Tk. 300 monthly income category. The change in the income status in the post project period shows the BRAC and Nijera Kori samples to have registered some upward mobility while the Proshika sample showed little mobility. However, the levels of income improvement are not sufficiently strong to draw any definite conclusion on sustainability. When one looks at mobility patterns within each income category, one finds the lower categories to have done better than the higher income categories, thus indicating some signs of cyclical mobility in the programme areas.

The economic mobility of the member households will be reflected more in the change of asset structure.

Table 5.3
Per household landholding (in acres) of different categories of land in 3 NGOs.

| Categories of land | BRAC | | Proshika | | Nijera Kori | |
|--------------------|------|------|----------|------|-------------|------|
| | B | A | B | A | B | A |
| homestead land | 0.13 | 0.17 | 0.02 | 0.04 | 0.22 | 0.18 |
| arable land | 0.38 | 0.52 | 0.08 | 0.21 | 1.36 | 1.55 |
| orchard | 0.00 | 0.01 | * | * | 0.12 | 0.12 |
| water bodies | * | 0.01 | 0.00 | 0.00 | 0.17 | 0.13 |
| All categories | 0.52 | 0.72 | 0.11 | 0.26 | 1.87 | 1.97 |
| N= | 31 | | 30 | | 30 | |

*insignificant

Table 5.3 shows that per household landownership over time has increased in all NGO programmes. A significant increase has taken place in BRAC and Proshika programmes. In BRAC area this is a reflection of increase in income which was used for purchase of land. It is gathered through case studies that part of the credit available for other income generating activities was diverted to land purchase. Land based income opportunity was helpful in adjusting loans taken for other activities. But for Proshika land was purchased against credit for the members and Nijera Kori helped the members to reclaim khas land from the illegal occupation of the Jotdars.

Table 5.4
Per household trees of the respondents of 3 NGOs.

| types of trees | BRAC | | Proshika | | (in number) | |
|----------------|-------|------|----------|-----|-------------|-------|
| | ----- | | ----- | | Nijera Kori | |
| | B | A | B | A | B | A |
| fruits trees | 5.5 | 9.9 | 2.1 | 7.8 | 36.5 | 53.2 |
| timber trees | 0.4 | 0.3 | 0.1 | 0.1 | 19.6 | 48.0 |
| fuel trees | 2.0 | 3.1 | 0.2 | 0.9 | 22.0 | 41.5 |
| All trees | 7.9 | 13.3 | 2.3 | 8.9 | 78.1 | 142.7 |
| N= | 31 | | 30 | | 30 | |

Table 5.5
Asset per 100 households of the respondents of 3 NGOs
(in number)

| types of assets | BRAC | | Proshika | | Nijera Kori | |
|-----------------|-------|----|----------|---|-------------|----|
| | ----- | | ----- | | ----- | |
| | B | A | B | A | B | A |
| boats | 7 | 3 | - | - | - | - |
| rickshaw/vans | - | 3 | 3 | - | 7 | 3 |
| carts | - | 10 | - | - | - | - |
| cycles | 10 | 16 | 3 | 7 | 3 | - |
| radio | 10 | 13 | 3 | - | 20 | 10 |
| shop | 19 | 19 | - | - | 3 | - |
| N= | 31 | | 30 | | 30 | |



Table 5.4 indicates that in all NGO programmes the tree population has noticeably increased and Table 5.5 shows the ownership of durable assets per 100 households. It is seen from the table 5.5 that cycles, rickshaws, carts and radio sets have increased among BRAC members. From case

studies it was learnt that capital investment in shops has also increased though the number of shops have remained the same. Credit was helpful for the increase of rickshaws, carts and capital flow of the shops. But the increase of cycles and radio sets is significant in terms of the member's access to the outside world. Cycles and radios are indicators of both living standard and asset structure.

In Proshika, the number of cycles have increased whereas rickshaws decreased because of change of occupation of the rickshaw owners.

In Nijera Kori, the members are new settlers in the Char area and the initial cost of settling and survival forced them to resort to distress sales. That explains the depletion of assets over time. Their ownership of newly acquired land have just begun to reflect changes in the durable asset structure.

Table 5.6A
Housing conditions of respondents of the NGOs
(in percentage)

| housing condition | roof : wall | BRAC | | Proshika | | Nijera Kori | |
|----------------------|-------------|------|------|----------|------|-------------|------|
| | | B | A | B | A | B | A |
| tin | bamboo | 6.5 | 16.1 | - | 76.7 | - | - |
| thatch | mud | 3.2 | 6.5 | - | - | - | - |
| thatch | bamboo | 61.2 | 58.1 | 40.0 | 6.6 | 46.7 | 50.0 |
| thatch | thatch | 22.6 | 19.3 | 56.7 | 16.7 | 53.3 | 50.0 |
| | jhupri | 6.5 | - | 3.3 | - | - | - |
| Total | | 100 | 100 | 100 | 100 | 100 | 100 |

Table 5.6B
Distribution of households of the respondents according to the sources of drinking water

(in percentage)

| Sources of drinking water | BRAC | | Proshika | | Nijera Kori | |
|---------------------------------|------|------|----------|------|-------------|------|
| | B | A | B | A | B | A |
| tube well | 35.5 | 61.3 | 13.4 | 73.3 | - | 60.0 |
| well | 32.2 | 25.8 | 83.3 | 26.7 | 13.3 | 3.3 |
| pond | - | - | - | - | 86.7 | 36.7 |
| river | 32.3 | 12.9 | 3.3 | - | - | - |
| Total | 100 | 100 | 100 | 100 | 100 | 100 |

50

Table 5.6C
Sanitary conditions of the respondents' households of 3 NGOs
(in percentage)

| Categories of latrine | BRAC | | Proshika | | Nijera Kori | |
|-----------------------|------------|------------|------------|------------|-------------|------------|
| | B | A | B | A | B | A |
| non-fixed latrine | 77.4 | 35.4 | 76.6 | 16.7 | 13.3 | 13.3 |
| non-sanitary latrine | 22.6 | 61.3 | 23.4 | - | 86.7 | 86.7 |
| sanitary toilet - | 3.2 | - | 83.3 | - | - | - |
| Total | 100 | 100 | 100 | 100 | 100 | 100 |

Table 5.7
Distribution of members according to occupations before and after in 3 studied NGOs

| Before | primary | | | | secondary | | tertiary | | | | |
|-------------------|--------------|--------------|-------------|----------|-------------------|----------|------------|------------|------------|----------|-----------|
| After | Agri-culture | Seri-culture | Wage labour | Others | Carpentry Husking | Business | Trans-port | Embroidery | House-wife | Others | Total |
| Primary: | | | | | | | | | | | |
| Agriculture | 11 | - | 4 | - | - | - | - | - | - | - | 15 |
| Seri-culture | - | - | - | - | - | - | - | - | - | - | - |
| Wage labour | 5 | 1 | 27 | - | - | 4 | 1 | - | - | - | 38 |
| Others | 1 | - | 1 | 2 | - | - | - | - | - | - | 4 |
| Secondary: | | | | | | | | | | | |
| Carpentry Husking | - | - | - | - | - | - | - | 2 | - | 1 | 3 |
| Tertiary: | | | | | | | | | | | |
| Business | - | - | - | 1 | - | 2 | - | 1 | - | 1 | 5 |
| Transport | - | - | 2 | - | - | - | 1 | - | - | - | 3 |
| Embroidery | - | - | - | - | - | - | - | - | - | - | - |
| House-wife | - | - | 1 | - | 1 | - | - | 2 | 5 | - | 9 |
| Others | 1 | 1 | 3 | - | 1 | 1 | - | 5 | - | 2 | 14 |
| Total | 18 | 2 | 38 | 3 | 2 | 7 | 2 | 10 | 5 | 4 | 91 |

Tables 5.6A, 5.6B, and 5.6C, indicate the living standard of the members before and after joining the programmes. Housing, toilet condition and sources of drinking water have improved among the members of Proshika due to their specific programmes. In BRAC and Nijera Kori, improvement in living standard as indicated by the above Tables are taking place, though slowly. But living standard indicators suggest that the members are moving from absolute poverty to tolerable poverty.

Table 5.7 shows the occupational change. There has not been any significant occupational change among members except for females who were housewives before joining the programmes; but now some of them have taken up other occupations. The instances of change are more due to BRAC's programme of making embroidered quilts. This Table points to the importance of cultivation as an occupation. Numbers in that occupation have increased. This points either to the nature of rural economy which has not yet opened up to many other callings or to the desire of the dispossessed to return to agriculture.

Social impact of the programme :

For assessing the social impact of the programme on the female members the indicators of empowerment and change in social attitudes, and for male members indicators of empowerment in public sphere were used.

Table 5.8 shows that female members' participation in the decision making process that affects their economic and social life have improved since coming to the programmes. It is recognised that change is taking place in their lives.

Table 5.8
Participation of female members in household decision making process

| | BRAC | | Proshika | |
|---|------|------|----------|------|
| | B | A | B | A |
| Purchase/mortgage and sale of land | 61.5 | 84.6 | 41.7 | 100 |
| Purchase/mortgage and sale of ornaments | 46.2 | 81.8 | 62.5 | 73.3 |
| Loans | - | 100 | - | 100 |
| Marriage of children | 100 | 100 | 37.5 | 100 |
| Family planning | - | 100 | - | 100 |
| Children's' education | 100 | 100 | 20.0 | 100 |

Table 5.9 shows that there has been no empowerment among members of BRAC and Proshika in the public sphere; but a significant empowerment among Nijera Kori members is noticed. This is due to the adoption of enabling programmes for the members by Nijera Kori .

Table 5.9.
Number of group members participating in different issues
in the public sphere in 3 NGOs.

| | | BRAC | | Proshika | | Nijera Kori | |
|--|---|------|---|----------|---|-------------|----|
| | | B | A | B | A | B | A |
| Bargaining regarding wage rate | 0 | 0 | 0 | 0 | 0 | 0 | |
| Bargaining regarding wage rate in FWP | 0 | 0 | 0 | 0 | 0 | 0 | |
| Protest against social oppression & oppression by the family | | 0 | 0 | 0 | 0 | 0 | 30 |
| Movement for khas land distribution | | 0 | 0 | 0 | 0 | 0 | 30 |

5.6 Programme comparisons

5.6.1 The question of self-reliance

In looking for useful lessons from NGO experiences described above, it is pertinent to ask whether the development programmes of Proshika and BRAC among the poor and marginal sections of society eventually lead to economic self-reliance. This question becomes important when members operating in groups for quite some time fail to graduate and often report distress sales.

Admittedly, there has been some improvement in the economic profile of the members over time in BRAC. But it is difficult to say if this improvement is significant. At least, the beneficiaries and the programme implementers do not feel that they can independently pursue their economic activities without BRAC's help, and none of the members have graduated to a self-reliant situation. Indeed, continuous doses of credit and assets keep them above the level of poverty.

5.6.2 Unintended consequences

On the other hand, the credit programme of BRAC in Sherpur, which is apparently very successful in terms of repayment of installments, has led to some unintended consequences. The members continued to participate in deforestation activities in the nearby forests to augment income in order to repay their loans on time, so that their credit - worthiness enhances in the programme. This shows either the lack of understanding of the programme implementers regarding the members' ability to meet the terms of loan repayments or the willful ignorance of the fact of income generation through deforestation activities by members. It is possible that the performance rating of the programme had precedence over the phenomenon of the depletion of forest resources. Hence the programme's objective of improvement of member's economic life continued to generate an adverse effect on man-nature relationship in the locality.

Here what is argued for is the futility of applying narrowly conceived economic indicators in assessing the performance of any development programme. If other parameters of evaluation are used, it may be evident that the unintended consequences of these programmes may be more disastrous than anticipated.

5.6.3 Empowerment or new dependency

Our review of Proshika and BRAC programmes suggests that a new dependency on these organisations have replaced the old ones, generating mixed responses from the members and their kins. Proshika's land distribution programme for marginalised women in Domar contributed to the severance of dependency relationship of the households with the Jotdar in whose lands their spouses were share tenants and were involved in a network of relationship with land owners as clients in the socio-political domain of rural life. All these were severed as a result of ownership of land by their wives.

Since the women were recipients of poor quality lands and the credit package was inadequate to augment production to the level that could sustain them through out the year, not only did their economic condition deteriorated, their traditional credit and charity sources were also cut off, since they had withdrawn from their previous socio-economic networks.

Initially, land ownership of women members of marginal rural households were perceived by Proshika as a means of empowerment of the former. It is true that the women members owning the lands have been empowered by means of their ownership and they are no longer at the humiliating beck and call of the Jotdars. But it turned out to be a precarious alternative as this programme was externally conceived and delivered to the recipients thus producing mixed results.

In fact, the male members of the households have lost twice: they have lost the benefits accruing from previous social networks as tenants of Jotdars and lands received by their wives were also economically unviable. As a result, there is substantial resentment among the men. However, both the men and women members are now harbouring contradictory attitudes towards Proshika, the former for withdrawal from the programme and the latter for continuation with the programme for stabilising their newly acquired resources.

But the gains for the women members may be short-lived. The attempt of Proshika to empower marginalised women economically and by extension socially met with tensions. By not involving the target households in designing the programme, the conscientization necessary for such programme was wanting among men. As a result, when the programme faced difficulties the latter started to complain.

Consequently, there is plenty of resentment among the male members in sharing their income to pay back the loans which Proshika has advanced to the women members to carry out production in the land. One doubts if this conflict in the domestic sphere introduced by a Proshika programme will achieve the desired goal of empowerment of the women. On the contrary, it may lead to divisive ends both socially and politically. Instead of empowerment the women members will tend to be more dependent on Proshika to come out of this impasse and the males may intensify patriarchal oppression on the women out of resentment which is already evident in some cases. Elitist radicalism may be rewarding at the donor's end but it may sometimes yield totally different results at the implementation levels.

However, one may argue that tensions which the programme generate is a sign of change; as such the tensions that are evident in the land distribution programme of Proshika is already anticipated. It aims to empower the poor women by making them property owners as they are doubly oppressed because of gender disadvantage in a patriarchal society.

There is no quarrel with this argument if these contradictions could have led to a spontaneous proliferation of the programmes among other disadvantaged women thereby making a large constituency for the viability of the programme though a social movement for asserting the rights of landownership by women. But this aspect is dependent totally on Proshika's intention and capacity.

5.6.4 Lessons

The reason these two experiences have been illustrated is not to undermine the programmes but only to highlight the unforeseen effects of development on man and nature and man and woman relationships. It will be naive to assume that these relations will remain unaffected in the development process; but the sustainability of the programmes will depend on how the programme implementers handle these relationships.

55

The fact that the organisation has come from outside to the target group should not pose a limiting factor. When the organisation limits the space of involvement of the prospective 'beneficiaries' in the programme, there may be a possibility that the organisation and the beneficiaries will fall apart unless sustained by continuous doses of economic resources to the members from outside.

Again, what came out clearly from the review is the inadequate level of participation of group members in decision making. Apart from asserting their right to reflect and act upon aid flows which truly belong to group members, participation helps to make group members aware of national and international processes shaping their lives. Local level participation may identify problems and solutions which may be missed out at the national level. One sure way of avoiding this is by ensuring the participation of the 'beneficiaries' in the design, conceptualisation and implementation of the programme. Democratic decision making process and enhancement of the domain of accountability are the only means of creating space for such participation.

5.6.5 Empowerment by Nijera Kori

It is observed that the organisational and legal support accorded by Nijera Kori provided additional strength to the members of the Samities to confront the Jotdars in order to recover and establish their rights over the khas land which were distributed to them by the Government. The question, that is raised by these instances, is about the capacity of the poor to sustain state resources, when delivered, against the predatory power elites in the rural social world. **In the context of relocation of rural households with state and NGO resources the issue of holding on to the resources by the powerless assumes critical importance. It seems that Nijera Kori has thoughtfully touched on this important issue of empowerment of the rural poor.**

5.7 Concluding Remarks

5.7.1 Rehabilitation as an Issue

The objective of the present exercise is to look more into the aspects of rehabilitation than resettlement of the displaced people; though displacement through acquisition of land for development projects affect different sections of the community differently than anticipated. At least, it is true in a country like Bangladesh with an acute disharmony in resource ownership.

The economic impact of this loss on individuals and on household members is visible, calculable, measurable but the social and psychological impact is difficult to estimate. Indeed humans enter into a complex relationship with land through the maze of ownership systems that exist in a particular society at a particular time. The nature of land ownership ascribes to a person an identity and a place in the social world. Through compulsory dislocation not only land, but along with it is lost his

29

place in the society. As a consequence, the trauma of loss of land due to an external intervention is more than one normally expects to be.

It is perhaps possible to economically resettle households who lose lands due to compulsory dislocation by adequately compensating them or even if possible, giving them lands in a new location, but what is not possible is to recreate the social networks in which they were involved in a relationship of consent and conflicts in order to maximise their or their family's survival potentials as humans.

However, resettlement of displaced persons primarily means an award of a piece of land or equivalent monetary compensation against the same that has been acquired for public interests. Obviously, the concept has a limited social connotation. In fact, resettlement aims more at physically settling the displaced population than anything else, where as rehabilitation would mean not only resettlement but re-building the socio-economic life of the displaced.

Hence the need for reviewing the existing rural development projects in order to recommend programmes that can help rebuild the socio-economic life cycles of the displaced so that they can come out of the 'profound economic and cultural disruption' caused by compulsory relocation. It is not adequate then to state that 'development projects require the involuntary resettlement of people from areas where they live and work to other locations'. In fact, displacements are of more than one kinds. People are displaced locally and often regionally. Hence the issue of rehabilitation will mean 'resettling' of maximum number of people locally so that along with the lessening of socio-economic sufferings the psychological pains accruing from forced eviction can be minimised.

But if we take into account the issues of socio-economic empowerment and sustainable development of the relocated people in order to help the displaced persons to become socially and economically viable and self-sustaining in their new location, by identifying and introducing selective development programmes of the GOs and NGOs currently in practice; we are to look for such programmes as are having these goals.

It is almost a truism now that the NGOs are more effective than the government development agencies in pursuing the above goals of rural development. But the observation is seldom based on any rigorous analysis and/or detailed empirical evidence. This exercise intends to carry out a comparative study of the GO and NGO programmes in order to find out their relevance for the rehabilitation of displaced persons. However, the implicit assumption of the ToR regarding the rehabilitation programmes indicates that such programmes already exist.

5.7.2 A critique

When the state or any of its agencies compulsorily dislocate the marginalised by taking away lands or reduce their land holdings considerably for development needs and again when the same agencies bring them within the programmes of relocation, the latter find themselves at both ends of development; once by being dislocated and again by being relocated.

There may be assumptions among development experts that the pains of the first process may be obviated by reassuring alternatives. That the alternative can be another kind of uncertainty and imposition is recognised by very few in the game. If the process of resettlement depends on suitable programmes that can be used to support households whose land have been acquired, often it can be based on an elitist assumption of development. The other name of this being the 'top-down process' which is a much abused path of development and its results have been seriously questioned in the literature. Decisions of interventions of any kind from outside and by other people is always a suspect or even a threat to a society that does not participate in such decisions, even if it is meant to be doing good for the latter.

5.7.3 Need for redefinition of target group

The other issue that emerged from the review is the target group concept used by the NGOs. It is a good one in so far as it defines areas of activities. However, in a situation of large scale involuntary dislocation it may not be achieving the results which are desired. Moreover, in a community where a process of acute differentiation is at work, rural households above the level of defined categories of beneficiaries may find it difficult to adjust to the injection of new resources to a group with whom they have an established socio-economic relationship. Aid to the poorest may threaten their position and make them more vulnerable to pressures pushing them downwards. What may eventually transpire from this process is a continual swelling of the target groups. A process of cyclical mobility could also result, with individuals moving in and out of the groups as their fortunes change over time. The NGO, will therefore become a permanent feature, with a permanent clientele thus jeopardising the goal of self sustaining development of the poor.

The criteria of definition of target group should not, therefore, be too rigid, such as an amount of landholding. In any case, during involuntary dislocation of the households the target group definition may be made more flexible as wide spread distress is anticipated.

5.7.4 A case for enabling programmes

If the basis of compulsory dislocation and involuntary resettlement is a consequence of planned change generated by major development programmes of regional or national importance, then it can

27

be assumed that the programmes are to benefit the targeted people. The welfare assumption implicit in such premise can be misleading if it fails to address itself to people's notions of benefits and well-being. Obviously, there is a critical question of choice and the availability of socio-political space for the articulation of such a choice.

If this argument is tenable then one has to consider programmes offered both by GOs and NGOs in the rehabilitation of the affected people which are more enabling than interventionist. It is in the very nature of intervention that the people are treated as objects - they are acted upon; led, guided and targeted. The development experience of interventionist types are known to have generated another kind of dependency which may be different in form but not much in content.

In the context of large scale land acquisition for embankments and compartments enabling programmes that educate the target groups to organise themselves in order to ensure access to resources and institutions that are meant for them, may be more appropriate for the resettlement of the displaced. Enabling programmes can operate at two levels, one by creating appropriate socio-political climate in which unproductive and anti-productive forces operating in the society will be disadvantaged by juridical measures; and also by adopting a legal framework which will be intended to create political space for the affected to change their own lot. And second, by making use of these juridical space the affected will take initiative in order to regain or even improve their condition that existed prior to relocation.

Here is the space for NGOs to educate, animate and cooperate with the affected to familiarise and make use of the favourable legal rights to the latter's advantage and to demand appropriate legal rights for the easement of the pains of resettlement. The experience of Nijera Kori in helping to reclaim khas land, by providing legal and organisational support to the members from the locally powerful Jotdars, is worth serious attention.

Enabling programmes, if introduced prior to land acquisition, may also ensure participation in the feasibility analysis and planning of the project and the avoidance of wasteful land acquisition in the alignment process, adequate and quick compensation for land acquired and expediting the process of resettlement by economic programmes considered viable in the local and socio-economic context of the households.

Indeed, enabling programmes are expected to generate countervailing forces against bureaucratic hassles, wasteful and procrastinating, spread over the whole process of dislocation and relocation of households. Last but not least, enabling programmes will be expected to create appropriate space for interventionist programmes of income generation and skill development to yield better results than what were noticed

Chart 1

An Analytical Framework on Land Acquisition : Impact on People and Economy and Responses from Government, NGOs and People

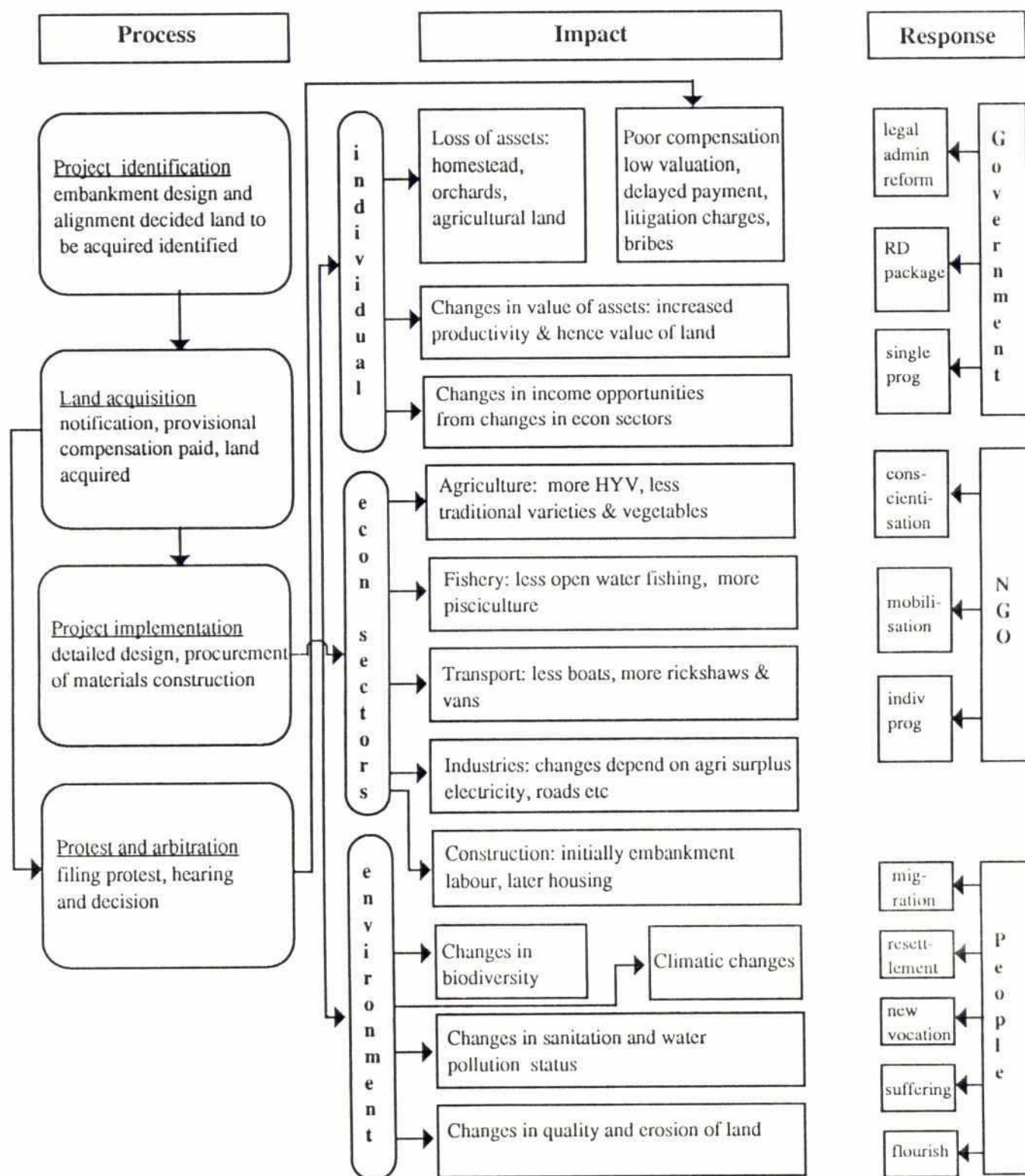
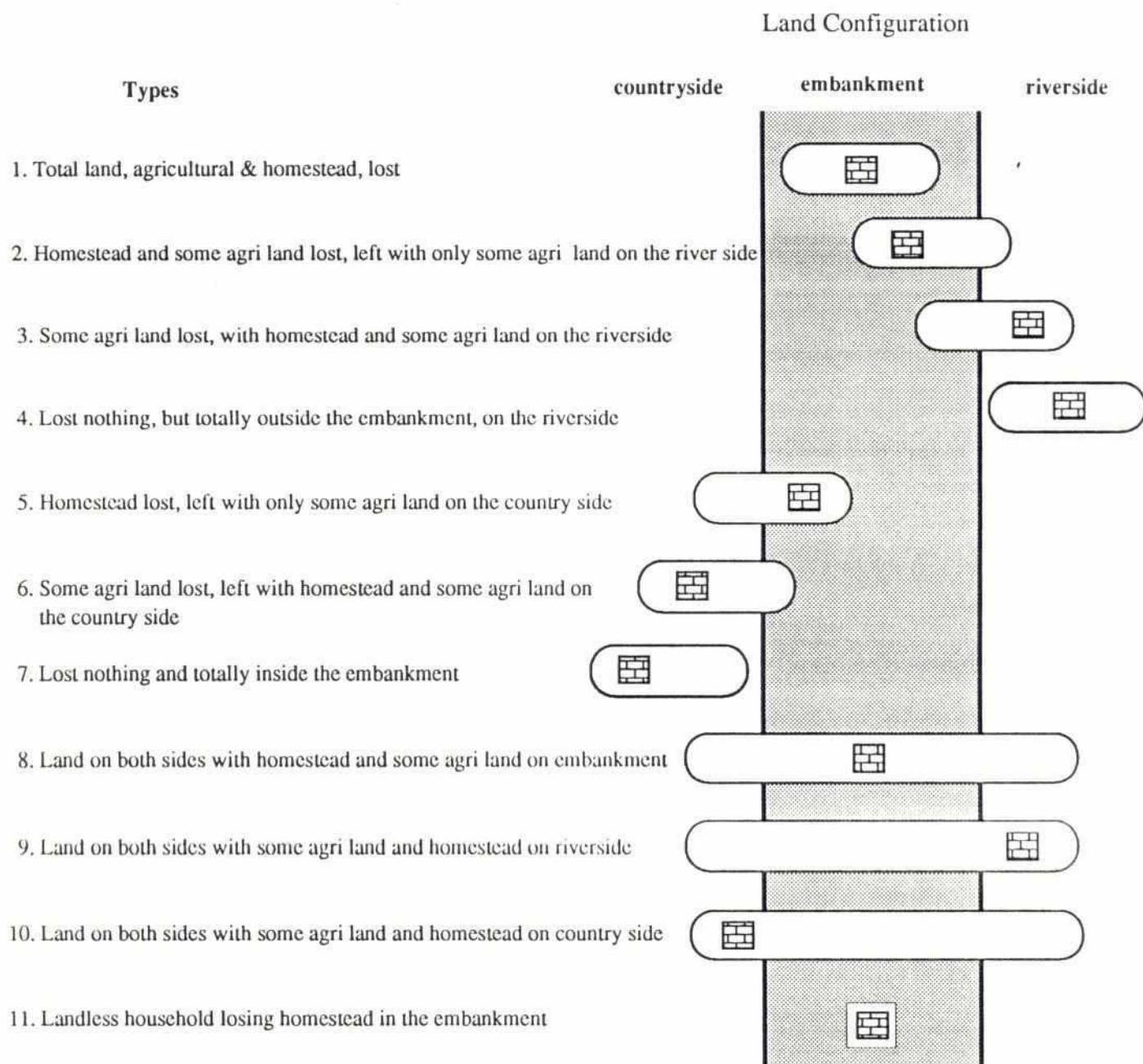


Chart 2

Typology of Land Owners Effected by Land Acquisition



Symbols:



= homestead



= agricultural land owned

List of some key officials met by engineer-consultant of FAP-15

| | | | |
|--------|----|------------------------------------|---|
| FPCO : | 1. | Mr. M. Nurul Huda | - Chairman |
| | 2. | Mr. A.M. Nurul Huq | - Chief Engineer |
| | 3. | Mr. A.M. Shafi | - Superintending Engineer |
| | 4. | Mr. Abdul Khaleque | - Executive Engineer |
| | 5. | Dr. Ainun Nishat | - BUET/POE |
| BWDB: | 1. | Mr. Arifur Rahman Khan | - Member Implementation/Planning in-charge |
| | 2. | Mr. Salam | - Chief Engineer, North Eastern Zone |
| | 3. | Mr. Afazuddin | - Chief Engineer, Design |
| | 4. | Mr. S.M. Bhuiya | - Superintending Engineer, Design |
| | 5. | Syed Shahadat Hossain Hydrology | - Director, Surface Water |
| | 6. | Mr. A.M. Sadeque Ahmed | - Executive Engineer, Design |
| MPO : | 1. | Mr. Tutiur Rahman | - Chief Engineer |
| | 2. | Mr. Khorshed Alam | - Superintending Engineer |
| | 3. | Mr. Mahboob Ali | - Consultant |

**MAIN PROVISIONS REGARDING ACQUISITION/ REQUISITION OF LAND/PROPERTY
UNDER DIFFERENT LAWS**

| Laws | LAND ACQUISITION ACT, 1894 | EAST BENGAL (EMERGENCY) REQUISITION OF PROPERTY ACT, 1948 | ACQUISITION & REQUISITION ON THE IMMOVABLE PROPERTY ORDINANCE-II OF 1982 | ACT IX OF 1989 |
|---|--|---|--|--|
| Stages | | | | |
| Preliminary notification for Acquisition /Requisition | Sec.4: When land is needed for public purpose preliminary notification, be Issued by Govt. and Collector to cause public notice of the substance of such notification in the locality. | Sec.3: DC may requisition property required for public purpose or in public interest by order in writing sec.5 Govt. may acquire requisition property. DC to cause publication of such acquisition on or near requisitioned property. | Sec.3: DC to cause preliminary notice of acquisition of immovable property on or near the property stating that it is proposed to be acquired. Sec.8: DC may with prior approval of Govt. requisition immovable property. | Sec.4: DC with prior approval of Govt. may acquire property by written order to take permanent measures for prevention or control of flood tidal bore or erosion. |
| Taking possession of requisitioned/ acquired property | Sec.16: Collector may take possession of land after award made by him under Sec.II. | Sec.4(2): DC may take possession of property when requisition order served. | Sec.II: DC will take over possession of acquired property after awarded compensation has been paid. | Sec.8: DC may take possession of acquired property on payment of provisional compensation. Where interested persons are unwilling to accept provisional compensation or dispute exists regarding shares of interested persons, DC may take possession of property after depositing the amount of |

MAIN PROVISIONS REGARDING ACQUISITION/REQUISITION OF LAND/PROPERTY UNDER DIFFERENT LAWS (contd)

| Laws | LAND ACQUISITION ACT, 1894 | EAST BENGAL (EMERGENCY) REQUISITION OF PROPERTY ACT, 1948 | ACQUISITION & REQUISITION ON THE IMMOVABLE PROPERTY ORDINANCE-II OF 1982 | ACT IX OF 1989 |
|---|---|---|--|---|
| Stages | | | | |
| Compensation/award | Sec.11-12: Award may be made by Collector and under Sec.15/23 amount of compensation determined; average value of 24 months preceding date of preliminary notification. | Sec.5B: Advance compensation based on provisional estimate prepared on rough & ready compensation. Sec.7: Final compensation based on average value during 24 months preceding date of notice of acquisition. Sec.6: Compensation of movable property to be paid by DC. | Sec.8: Amount of compensation to be determined by DC considering inter-alia, the average value of similar property in the vicinity during 12 months preceding date of publication of notice under Sec.3. Sec.20: Where property is requisitioned compensation be paid according to given principles. | compensation in the Govt. account. Sec.7: DC to determine provisional compensation within 10 days of acquisition subject to determination of final compensation. Sec.11-12: DC to determine final compensation within 3 months of acquired property being vested in Govt. average value of similar property during preceding 12 months should be considered to determine final compensation. |
| Appeal objection/revision against acquisition/requisition | Sec.5A: Interested persons may object, within 30 days, against acquisition to Collector who hears the objection and submits report to Govt. for final decision. | Sec.4A: Appeal against order under Sec.3 lies to Commissioner. Sec.4(2): Govt. may revise order passed by DC/ Commissioner. | Sec.4: Interested persons may object to requisition of property within 15 days of publication of notice. Govt. decision in this regard is final. | Sec.10: Aggrieved person may appeal to Govt. against acquisition within 10 days from the service of acquisition order. Govt. |

MAIN PROVISIONS REGARDING ACQUISITION/REQUISITION OF LAND/PROPERTY UNDER DIFFERENT LAWS (contd)

| Laws | LAND ACQUISITION ACT, 1894 | EAST BENGAL (EMERGENCY) REQUISITION OF PROPERTY ACT, 1948 | ACQUISITION & REQUISITION ON THE IMMOVABLE PROPERTY ORDINANCE-II OF 1982 | ACT IX OF 1989 |
|------------------------------------|--|---|---|--|
| Stages | | | | |
| Reference to court/ arbitration | Sec.18: Interested person if he does not accept award, may apply to Collector for referring the matter to Court for determination of compensation, apportionment, person payable etc. | Sec.7(a)(a)(a): Person interested not having accepted assessment may apply to Govt. for referring the matter to Arbitrator. | Sec.28: Interested person not having accepted award made by DC may, within 45 days from the date of service of notice of award, apply to Arbitrator for revision of award. | decision in this regard is final. Sec.18: Interested person not having accepted the award made by DC or having accepted with objection may apply to the Arbitrator within 45 days |
| Appeal against order of arbitrator | | Sec.7(f) and Rule 9(16): Appeal to High Court against award of arbitrator except where compensation awarded does not exceed Tk.5000/- in lump or Tk.250/- per person. | Sec.34: Appeal lies to Arbitration Appellate Tribunal against award of Arbitrator (no time limit). | Sec.23: Appeal lies to Arbitration Appellate Tribunal against award of Arbitrator (no time limit). |
| Remarks | Sec.35: Temporary occupation of use of waste or arable land if needed for public purpose or for company may be ordered by Govt. and Collector to occupy such land not exceeding 3 years. | Sec.8: If requisitioned property is released, DC may restore to person from whom requisitioned. Sec.8B: Acquired property, before payment of compensation, may be withdrawn from acquisition by Govt. and restored to owner. | Sec.12: When compensation not paid or deposited within 12 month from date of Govt. decision for acquisition, all proceedings shall stand abated, declaration to be given by DC in official Gazette. | Notwithstanding continuance of any other law, the provisions of this Act & Rules made thereunder come into operation. |

Annex-5

List of sites and villages and size of samples under Socio-economic Survey

| Project | Upazila | Union | Villages | Module 1 Total h'h | Module 2 Affected h'h | Module 3 Intensive Survey h'h |
|--|-------------|----------------------|---|-----------------------|-----------------------------|-------------------------------------|
| 1. Kurigram Irrigation Project | Rajarhat | Senai | Joykumar Purba Debuttar Kuliar Char Chatur Bhuz Budaru | 780 | 191 | 50 |
| | | Barabari | | | | |
| 2. Brahmaputra Right Flood Embankment Project | Shahzadpur | Khukni Jalalpur | Rupshi Sayedpur Dadpur Changterchar Enayetpur Khamargram | 239 | 218 | 62 |
| | Chowhali | Sodia- Chandpur | | | | |
| 3. Kalidaskhali Arpara Project | Shalika | Arpara | Dari Salai Anandanagar Chukinagar | 404 | 186 | 50 |
| 4. Dhaka City Flood Protection Project | Mirpur | Mirpur Pourashava | Nababer bagh PourashavaGoranchatbari Alopdi | 586 | 223 | 50 |
| 5. MDIP | Matlab | Baganbari | Rayer kandi Dhonagoda Nabipur Eklaipur | 1324 | 353 | 56 |
| | | Eklaipur | | | | |
| 6. Monu River Project | Moulvibazar | Akhailkura | Shampashi Norai Akhail kura Khargoa Pakuria | 523 | 236 | 50 |
| Total | 7 | 10 | 26 | 3858 | 1407 | 318 |

Annex-5

List of sites and villages and size of samples under Socio-economic Survey

| Project | Upazila | Union | Villages | Module 1 Total h'h | Module 2 Affected h'h | Module 3 Intensive Survey h'h |
|--|--------------------------------|--|---|-----------------------|-----------------------------|-------------------------------------|
| 1. Kurigram Irrigation Project | Rajarhat | Senai Barabari | Joykumar Purba Debuttar Kuliar Char Chatur Bhuz Budaru | 780 | 191 | 50 |
| 2. Brahmaputra Right Flood Embankment Project | Shahzadpur Chowhali | Khukni Jalalpur Sodia- Chandpur | Rupshi Sayedpur Dadpur Changterchar Enayetpur Khamargram | 239 | 218 | 62 |
| 3. Kalidaskhali Arpara Project | Shalika | Arpara | Dari Salai Anandanagar Chukinagar | 404 | 186 | 50 |
| 4. Dhaka City Flood Protection Project | Mirpur | Mirpur Pourashava | Nababer bagh PourashavaGoranchatbari Alopdi | 586 | 223 | 50 |
| 5. MDIP | Matlab | Baganbari Eklaipur | Rayer kandi Dhonagoda Nabipur Eklaipur | 1324 | 353 | 56 |
| 6. Monu River Project | Moulvibazar | Akhailkura | Shampashi Norai Akhail kura Khargoa Pakuria | 523 | 236 | 50 |
| Total | 7 | 10 | 26 | 3858 | 1407 | 318 |

Module 2

Village : _____ Union : _____

Upazila : _____ Zila : _____

| Type of Loss | Amount of loss | Authority which fixed compensation | Compensation status (code below) |
|---------------|----------------|------------------------------------|----------------------------------|
| a. Land | | | |
| b. Structure | | | |
| c. Crop/trees | | | |
| d. Business | | | |

1 = Compensation not acceptable
2 = Compensation not received due to title dispute
3 = Compensation not received due to bureaucratic hurdles
4 = Only provisional compensation received
5 = Final compensation received 6 = Others (specify)

1 - In the field 2 - In office

Status of arbitration :

a. How long ago was petition submitted ?

c. How far is the arbitration office
from your house ? _____

e. Number of times notice received

f. How many times hearing held

to

g. Whether any award made ?

/---\
| |
\---/

1 = yes 2 = no

h. By whom made ? _____

i. Whether accepted ?

/---\
| |
\---/

1 = yes 2 = no

j. How long did it take to get a verdict ? _____

k. How long did it take to get compensation ? _____

l. Were you satisfied with the verdict ? 1 = yes 2 = no

/---\
| |
\---/

m. If not, why ?

n. How much did you spend to get the compensation money after the verdict ?

5. Did you shift homestead subsequent to land loss for the embankment ? 1 = yes 2 = no

/---\
| |
\---/

If yes, how was new homestead acquired ?

1 = own land 2 = Govt. allotted land

3 = purchased 4 = gift 5 = exchange 6 = others

/---\
| |
\---/

Module 3
(Affected Household Intensive Survey)

Project Area : _____

Village : _____ Union : _____

Upazila : _____ Zila : _____

Name of Investigator : _____

Date of Investigation : _____

A. Household Information :

1. Head of Household : Name : _____

Age : _____

Principal occupation : _____

Educational Status : _____

2. Total size of family : _____ male _____ female _____

3. Housing condition : main dwelling unit (area in acre)

| types of housing | now | before embankment |
|-------------------------|-----|-------------------|
| pucca roof/pucca wall | | |
| tin roof/pucca wall | | |
| tin roof/tin wall | | |
| tin roof/bamboo wall | | |
| tin roof/mud wall | | |
| thatch roof/mud wall | | |
| thatch roof/bamboo wall | | |
| jhupri | | |

4. Is there any woman wage earner in the family ?

| | after | before |
|--------------------|-------|--------|
| number of women | | |
| remunerated income | | |

5. Source of Drinking Water : (tick)

| Categories | now | before embankment |
|--------------|-----|-------------------|
| Tap/Tubewell | | |
| Well | | |
| Pond | | |
| River | | |
| Others | | |

6. Toilet conditions : (tick)

| Categories | now | before embankment |
|---------------------|-----|-------------------|
| No fixed toilet | | |
| Non-sanitary toilet | | |
| Sanitary toilet | | |

7. Whether there is electricity in the house ? (tick)

| Period | yes | no |
|-------------------|-----|----|
| Now | | |
| Before embankment | | |

8. Land ownership : (in acres)

| Type | now | | before embankment | |
|----------------------|-----|----------|-------------------|----------|
| | own | tenanted | own | tenanted |
| Homestead | | | | |
| Arable land | | | | |
| Orchards | | | | |
| Water bodies | | | | |
| Land configuration : | | | | |
| inside | | | | |
| outside | | | | |

9. Ownership of other Assets : (number)

| Types | now | before embankment | comments, if any |
|----------------|-----|----------------------|---------------------|
| Fruit trees | | | |
| Timber trees | | | |
| Cattle heads | | | |
| Goats/sheep | | | |
| Ducks/chicken | | | |
| Boats | | | |
| Rickshaws/vans | | | |
| Carts | | | |
| Cycles | | | |
| Radios | | | |
| Shops | | | |

B. Consultation Process :

10a. How did you hear about the embankment ?

/---\
| |
\---/

1 = rumour 2 = gossip 3 = mass media
4 = concerned authority 5 = others

10b. Was Project explained/discussed before implementation? (tick)

yes /---\
| |
\---/

no /---\
| |
\---/

If yes, what was the form of discussion? (tick)

Open public meeting

/---\
| |
\---/

Informed through local leaders

/---\
| |
\---/

Others (narrate)

/---\
| |
\---/



11. Was alignment and the quantity of land to be acquired discussed with you ? (tick)

yes  no 

if yes, individually or in a public meeting : _____

(Amin's threat/tricks, if any, please note)

12. If alignment and size was discussed, did you object to the proposal ?

yes ☐ no ☐

a. If yes, what was the objection ?

b. homestead was involved

c. proportionately too much of loss

d. don't want embankment

e. any others ?

13. Was objection adequately heard? (tick)

yes ☐ no ☐

14. Any intermediary involved in making the protest?

1 = yes 2 = no

15. Did you receive notice of acquisition? (tick)

yes ☐ no ☐

16. If yes, how was notice received? (tick)

a. directly served

b. indirectly through others

c. notice posted on acquired land

d. others

C. Compensation :

17. Do you think compensation offered was adequate? (tick)

| | | | |
|-----|-------|----|-------|
| | /---\ | | /---\ |
| yes | | no | |
| | \---/ | | \---/ |

18. If no, what should have been an adequate compensation?

a. compensation offered : _____ takas

b. compensation should have been : _____ takas
(give reasons)

19. Extra legal expenditure for mutation :

| | | |
|-------------------------|-------|-------|
| a. mutation bureaucrats | _____ | takas |
| b. transport | _____ | takas |
| c. intermediary | _____ | takas |
| d. opportunity cost : | | |
| - labour (mandays) | _____ | takas |
| - accommodation | _____ | takas |
| - income lost | _____ | takas |

20. Extra legal expenditure for compensation :

| | | |
|-----------------------|-------|-------|
| a. LAO's bureaucrats | _____ | takas |
| b. intermediary | _____ | takas |
| c. transport | _____ | takas |
| d. opportunity cost : | | |
| - labour (mandays) | _____ | takas |
| - accommodation | _____ | takas |
| - income lost | _____ | takas |

21. Unnecessary (usually perceived by the respondent) expenditure:

| | | |
|-------------------------|-------|-------|
| a. mutation | _____ | takas |
| b. land tax and revenue | _____ | takas |
| c. transport | _____ | takas |
| d. others | _____ | takas |

22. Between acquisition notice received and land acquired (1st or provisional payment) what was the time ?

_____ months _____ days

23. Between acquisition notice received and compensation payment what was the time ? (tick if compensation not yet received)

| | |
|------------------|-------|
| | /---\ |
| Not received yet | |
| | \---/ |

24. provisional compensation : _____ months _____ days

25. final compensation : _____ months _____ days

26. Write brief history of compensation procedure

27. Use of compensation money, actually received : (in takas)

| | | |
|---|-------|-------|
| a. consumption | _____ | takas |
| b. land purchase : homestead | _____ | takas |
| arable | _____ | takas |
| c. rebuilding/reconstruction of dwelling | _____ | takas |
| d. rennovation and improvement of housing | _____ | takas |
| e. loan repayment | _____ | takas |
| | | |
| f. investment : | | |
| - money lending | _____ | takas |
| - business | _____ | takas |
| - livestock | _____ | takas |
| g. other assets | _____ | takas |

28. Did you go for arbitration? (tick)

| | | | |
|-----|--------------------------|----|--------------------------|
| yes | /---\ \---/ | no | /---\ \---/ |
|-----|--------------------------|----|--------------------------|

29. If yes, how much was the time :

a. Between filing of complaint and serving of notice,
how long was the time?

_____ months _____ days

b. Between filing of complaint and final hearing,
how long was the time?

_____ months _____ days

c. Between filing of complaint and hearing, how many
times did you have to attend the arbitration court?

30a. no. of times of rescheduled hearing _____

b. no. of hearing _____

c. who helped you in the arbitration process ?

31. How much cost did you incur for arbitration?

a. lawyer _____ takas

b. clerks/officials _____ takas

c. transport _____ takas

d. intermediary _____ takas

e. other _____ takas

32. please note on the role of intermediary, if any

33. What was the arbitration award? _____ takas

34. Was arbitration accepted? (tick)

a. yes

/---\

| |

\---/

b. not accepted by respondent

/---\

| |

\---/

c. not accepted by government

/---\

| |

\---/

35. If not accepted by either party, describe what happened afterwards?

D. Displacement - Relocation :

36. Have you lost homestead land due to acquisition? (tick)

yes

/---\

| |

\---/

no

/---\

| |

\---/

37. If yes, have you relocated to a new homestead? (tick)

yes

/---\

| |

\---/

no

/---\

| |

\---/

38. If yes, answer (a) - (f)

a. How long did you take to resettle in the new homestead?

_____ months _____ days

b. How was the new homestead land acquired? (tick)

- own land

/---\

| |

\---/

- government allotted land

/---\

| |

\---/

- gift from kin/villagers

/---\

| |

\---/

- purchase

/---\

| |

\---/

- squatting by permission on other's land

/---\

| |

\---/

- squatting on embankment land

/---\

| |

\---/

c. If the new homestead was purchased, how was purchase financed? (tick)

- compensation money /---\
| |
\---/
- own savings /---\
| |
\---/
- loan /---\
| |
\---/
- others /---\
| |
\---/

d. How much cost was incurred in building the new house (excluding any materials saved from earlier house)?

_____ takas

e. How was this cost met? (tick)

- compensation money /---\
| |
\---/ (%)
- own savings /---\
| |
\---/
- loan /---\
| |
\---/
- others /---\
| |
\---/

f. How distant is new homestead from old?

_____ miles _____ yards

39. Principal occupations of earning members :

| Earning members | sex | Principal Occupation | |
|------------------------|-----|----------------------|-------|
| | | before | after |
| Head of Household | | | |
| Other earning member 1 | | | |
| Other earning member 2 | | | |
| Other earning member 3 | | | |

40. Approximate monthly income of earning members :

| Earning members | sex | Approximate monthly earning | | |
|------------------------|-----|-----------------------------|-------|-----|
| | | before | after | now |
| Head of Household | | | | |
| Other earning member 1 | | | | |
| Other earning member 2 | | | | |
| Other earning member 3 | | | | |

41. Describe your experience of economic hardships and economic opportunities arising from embankment construction.

42a. Did you get any employment during the construction of the embankment?

yes ☐ no ☐

b. If yes, how many mandays : _____

43a. Did you get any other opportunity during the construction of the embankment?

yes ☐ no ☐

43b. If yes, describe the nature of opportunity with income volume

44a. Did you lose any share cropped land due to the embankment ?

yes ☐ no ☐

44b. If yes, how you have compensated your loss (give brief note)

45a. Did any of your family members migrate outside the village after embankment ?

yes ☐ no ☐

45b. If yes, write a brief note on him/her/them

46. What response did you get from the different institutions, namely samaj, faction, GO, NGO, etc to your dislocation due to land loss

47. What do you think can be done to expand economic opportunities in the area ?

48. What do you think should be done for your economic improvement ?

49. Information on land price :

a. Price of land before embankment : _____ takas/acre

b. Price of land immediately after embankment: _____ takas/acre

c. Price of land now : _____ takas/acre

Annex-7 : Questionnaires for Rural Development Survey

Member Household Survey

Name of Programme : _____

Project Area : _____

Village : _____ Union : _____

Upazila : _____ Zila : _____

Name of Investigator : _____

Date of Investigation : _____

A. Household Information :

1. Name of Member : Name : _____

Age : _____

Sex : _____

Principal occupation : _____

When did you join the programme ? _____

2. Total size of family : Now _____ Before joining the group _____

3. Education status of household members :

| Household members | Education status | |
|-------------------|------------------------------------|-----|
| | before joining the programme | now |
| Head of Household | | |
| Member 1 | | |
| Member 2 | | |
| Member 3 | | |
| Member 4 | | |
| Member 5 | | |
| Member 6 | | |
| Member 7 | | |



4. Housing condition : (tick)

| types of housing | programme | |
|-------------------------|-----------|--------|
| | after | before |
| pucca roof/pucca wall | | |
| tin roof/pucca wall | | |
| tin roof/bamboo wall | | |
| tin roof/mud wall | | |
| thatch roof/mud wall | | |
| thatch roof/bamboo wall | | |
| jhupri | | |

5. Source of Drinking Water : (tick)

| Categories | programme | |
|--------------|-----------|--------|
| | after | before |
| Tap/Tubewell | | |
| Well | | |
| Pond | | |
| River | | |
| Others | | |

6. Latrine condition : (tick)

| Categories | programme | |
|----------------------|-----------|--------|
| | after | before |
| No fixed latrine | | |
| Non-sanitary latrine | | |
| Sanitary latrine | | |

7. Whether there is electricity in the house ? (tick)

| Period | yes | no |
|------------------|-----|----|
| Now | | |
| Before programme | | |

8. Land ownership : (give in acres)

| Types | programme | |
|--------------|-----------|--------|
| | after | before |
| Homestead | | |
| Arable land | | |
| Orchards | | |
| Water bodies | | |

9. Ownership of other Assets :

| Types | programme | |
|-----------------|-----------|--------|
| | after | before |
| Fruits trees | | |
| Timber trees | | |
| Fuel wood trees | | |
| Cattle heads | | |
| Goats/sheep | | |
| Duck/chicken | | |
| Boats | | |
| Rickshaws/vans | | |
| Cart | | |
| Cycle | | |
| Radio | | |
| Shop | | |

10. Principal occupation of earning members of the respondent's h'h'

| Earning members | Principal Occupation | |
|------------------------|----------------------|-----------------|
| | before programme | after programme |
| Respondent | | |
| Head of Household | | |
| Other earning member 1 | | |
| Other earning member 2 | | |
| Other earning member 3 | | |

11. Status of Employment of the Respondent :

| Period | fully employed | | patially employed | | unemployed | self employed |
|------------------|----------------|-----------|-------------------|-----------|------------|---------------|
| | self | by others | self | by others | | |
| Now | | | | | | |
| Before programme | | | | | | |

12. Earning levels of household members :

| Earning members | Approximately monthly earning | |
|------------------------|-------------------------------|-----|
| | before joining the programme | now |
| Respondent | | |
| Head of Household | | |
| Other earning member 1 | | |
| Other earning member 2 | | |
| Other earning member 3 | | |

13. What was the wage rate ?

| Period | Peak | Lean |
|------------------|------|------|
| Now | | |
| Before programme | | |

14. Source of credit of the Respondent : (tick)

| Period | kins | money lender | employer | group member | bank |
|------------------|------|--------------|----------|--------------|------|
| Now | | | | | |
| Before programme | | | | | |

15. Have you received any credit from this programme ?

| | | | |
|-----|-------------------------|----|-------------------------|
| yes | /---\ \---/ | no | /---\ \---/ |
|-----|-------------------------|----|-------------------------|

If yes, how many times have you got loans since you have joined the programme ?

- What was the amount of first loan ? _____

- How have you used your first loan ?

When did you receive your last loan ?

- What is the amount of the current loan ? _____

- How have you used your current loan ?

- What was your capital before you invested the first loan under the programme ?

- a. Structure
- b. Implements
- c. Furniture
- d. Running capital
- e. Others

16. What other benefits you derived from the programme ?
1st three in order of significance

1st

2nd

3rd

17. Have you received any training from the programme ?
Mention three in order of importance

1st

2nd

3rd

18. When did you take your last vocational training ?

19. What are the collective enterprises of the members of the group ?

20. Is any member of the household involved in any other programme of GO and NGO ?

yes  no 

If yes, what is the name of the organisation ?

If the member himself involved ?

yes ☐ no ☐

21. What benefits have you got from this/other programme in order of priority ?

1st

2nd

3rd

22. What are the training you have got from this/other programme?

1

2

3

4

23. How many times you have got loans, if any, from this/other programme?

| Loans | GO | NGO |
|--------------------------|----|-----|
| Total amount of loans | | |
| Total unpaid instalments | | |

24. Opinion regarding programmes (under evaluation)

a. What is your opinion about the success of your group activities ? (tick)

| | | | |
|-----------|-------|------|-------|
| | /---\ | | /---\ |
| very good | | good | |
| | \---/ | | \---/ |
| | /---\ | | /---\ |
| well | | bad | |
| | \---/ | | \---/ |
| | /---\ | | /---\ |
| very bad | | | |
| | \---/ | | \---/ |

b. What is the state of cooperation among the group members?

| | | | |
|------|-----------------------|-------------|-----------------------|
| good | /---\ \---/ | not so good | /---\ \---/ |
| bad | /---\ \---/ | | |

c. Who takes decisions regarding new activities of the group?

| | | | |
|--|-----------------------|--|-----------------------|
| Group leader | /---\ \---/ | Members of the group collec- tively | /---\ \---/ |
| Field worker of the organisation | /---\ \---/ | Field worker of the organisation & the group leader jointly | /---\ \---/ |
| Field worker & all the members of the group together | /---\ \---/ | | |

25. Socio-political impact :

a. Did you ever take part in any arbitration committee (shalish) as a member before joining the group ?

| | | | |
|-----|-----------------------|----|-----------------------|
| yes | /---\ \---/ | no | /---\ \---/ |
|-----|-----------------------|----|-----------------------|

b. Did you ever take part in any arbitration committee (shalish) as a member after joining the group ?

| | | | |
|-----|-----------------------|----|-----------------------|
| yes | /---\ \---/ | no | /---\ \---/ |
|-----|-----------------------|----|-----------------------|

c. Were you ever a member of the Mosque/Temple Committee before joining the group ?

| | | | |
|-----|-----------------------|----|-----------------------|
| yes | /---\ \---/ | no | /---\ \---/ |
|-----|-----------------------|----|-----------------------|

d. Were you ever a member of the Mosque/Temple Committee after joining the group ?

| | | | |
|-----|-----------------------|----|-----------------------|
| yes | /---\ \---/ | no | /---\ \---/ |
|-----|-----------------------|----|-----------------------|

e. Did you ever contest the Union Parishad elections before joining the group ?

| | | | |
|-----|-----------------------|----|-----------------------|
| yes | /---\ \---/ | no | /---\ \---/ |
|-----|-----------------------|----|-----------------------|

f. Did you ever contest in the Union Parishad elections after joining the group ?

yes ☐ no ☐

g. Did you individually or collectively lead any delegation or submit any memorandum to the Union Parishad Chairman before joining the group ?

yes ☐ no ☐

h. Did you individually or collectively lead any delegation or submit any memorandum to the Union Parishad Chairman after joining the group ?

yes /---\
 | |
 \---/
no /---\
 | |
 \---/

26. Empowerment : (tick any three)

| Empowerment : (tick any three) | before | | after | |
|---|--------|----|-------|----|
| | yes | no | yes | no |
| Did you ever | | | | |
| a. Bargain regarding wage rate with the employer | | | | |
| b. Bargain regarding wage rate in the Food for Works Program | | | | |
| c. Oppose usuary | | | | |
| d. Resist arbitrary eviction of share-tenants by the landowner | | | | |
| e. Reclaim land from share tenancy | | | | |
| e. Campaign for fair distribution of government relief | | | | |
| f. Participate in group economic activity like irrigation | | | | |
| g. Protest against social oppression and oppression by the family | | | | |
| h. Others (mention) | | | | |

27. Civic Rights :

A. Are you aware of the following Government Ordinance ?

i. Land Reform Laws of 1982

yes  no 

ii. If yes, how did you know about it ?

What has been stated in this law regarding the following:

Share of the land owner in a share tenancy arrangement

Eviction of the Share-tenant

Wage rate

B. Are you aware of the Debt Settlement Board ?

When was it established ?

How did you know about it ?

Do you expect any benefit from the Debt Settlement Board ?

| | | | |
|-----|--------------------------|----|--------------------------|
| yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

If yes, how

If no, why not

C. What is the amount of khas land in your village ?

Khas land _____ Khas pond _____

Do you have access to khas water bodies of the village/union ?

| | | | | | |
|-----|--------------------------|----|--------------------------|----------------|--------------------------|
| yes | <input type="checkbox"/> | no | <input type="checkbox"/> | not applicable | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|----------------|--------------------------|

If no, why

D. Are you in favour of private leasing of khas waterbodies in your village ?

| | | | |
|-----|--------------------------|----|--------------------------|
| yes | <input type="checkbox"/> | no | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

If yes, why

If no, why

E. What are the difficulties in getting khas land/khas pond ?

- Obstacles created by village leaders, chairman and elite
- Lack of unity among the members of the group
- Non-cooperation of the local government personnel
- Weakness of the Organisation to which the group belongs
- Others
- Not applicable

28. Empowerment of women :

- a. Do you feel economically more secured after joining the group ?

1 = yes 2 = no 3 = can't say

- b. If your husband treated you badly before joining the group ?

1 = did it worsen 2 = as before

3 - changed for the better

4 = does not do it any more

5 = did not misbehave before

- c. Do your parents/parents-in-law misbehave with you after you have joined the group ?

1 = yes 2 = no 3 = same

4 = little less now 5 = not any more

6 = not applicable



- d. Does your group support you when your husband and the inlaws misbehave with you ?

yes

no



29. What kind of difficulties you face in interacting with outsiders after joining the group ?

1 = no difficulties 2 = do not interact

3 = feel shy 4 = members of the family

do not like

5 = members of the family obstruct

30. Empowerment : (tick any three)

Did you ever take part in the following decision: (tick)

- a. Purchase, mortgage and sell of land
- b. Purchase, mortgage and sell of ornaments
- c. Loans
- d. Marriage of children
- e. Family Planning
- f. Children education

[illegible]

31. Did you have any savings before joining the group ?

yes

no

$$\begin{array}{c} / \text{---} \\ | \\ \backslash \text{---} \end{array}$$

32. Did you have any savings after joining the group ?

| | | | |
|-----|-------|----|-------|
| | /---\ | | /---\ |
| yes | | no | |
| | \---/ | | \---/ |

33. Have your savings increased after joining the group ?

| | | | |
|-----|-------|----|-------|
| | /---\ | | /---\ |
| yes | | no | |
| | \---/ | | \---/ |

34. Can you use your savings as you like ?

| | | | |
|-----|-------|----|-------|
| | /---\ | | /---\ |
| yes | | no | |
| | \---/ | | \---/ |

35. Women enjoy certain legal rights. Are you aware of those ?
(tick)

| | |
|--|-------|
| a. Regarding second marriage of the husband | /---\ |
| | |
| | \---/ |
| b. Regarding dowry | /---\ |
| | |
| | \---/ |
| c. Regarding divorce | /---\ |
| | |
| | \---/ |
| d. Regarding physical torture | /---\ |
| | |
| | \---/ |
| e. Regarding throwing acid | /---\ |
| | |
| | \---/ |
| f. Regarding maintenance after divorce | /---\ |
| | |
| | \---/ |
| g. Regarding forcing to comit anti-social activity | /---\ |
| | |
| | \---/ |
| h. Others | /---\ |
| | |
| | \---/ |

Use code : 1 = knows that such laws exist
2 = knows the laws

36. What do you think should be done for your economic improvement ?

37. What do you think can be done to expand economic opportunities in the area ?

(Supplementary Questions on Land Settlement
Programmes by GO and NGOs)

1. When did you settle in this village ? year _____

2. Are you an immigrant to this village ?

yes

no

If yes,

3. Why did you come to this village ?



1 = social linkages 2 = employment 3 = NGO programme
4 = GO programmes 5 = others

4. Who helped you in settling in this village ?

1 = kins 2 = employer 3 = NGO
4 = GO 5 = others

5. As a member of GO/NGO programme,



What help did you get ?

1 = credit to buy land 2 = land 3 = homestead
4 = skill training 5 = employment 6 = others

6. Did you pay any extra money to GO/NGO officials to get the land ?

yes



no

$$\begin{array}{c} / \text{---} \\ | \\ \backslash \text{---} \end{array}$$

If yes, how much takas

/ ---
 |
 \ ---

If yes, who did you pay it through ?

```
1 = self 2 = kin 3 = friend 4 = tout
5 = local leader 6 = employer 7 = NGO officials
8 = others
```

7. How long did it take to complete necessary formalities to own the land ?

8. Did you have to wait a long to get the land after necessary formalities were done ?

yes

no

$\begin{array}{c} / \text{---} \\ | \\ \backslash \text{---} \end{array}$

If yes, how long ? months _____ years _____

9. Do you have a choice to make use of the allotted land as you please ?

yes ☐ no ☐

10. What are the terms of use of the land ?

11. How were the terms fixed ?

| | oral | formal |
|------------|------|--------|
| unilateral | | |
| bilateral | | |

12. What is the quality of the land ?

☐

1 = superior 2 = mediocre 3 = inferior

13. How did you procure the land you own ? (in acre)

inherited _____

gift _____

purchased _____

Govt allotted _____

NGO credit _____

14. If purchased, what was the price ? _____ takas

15. When did you purchase ?

16. How was purchase financed ? (in takas)

savings _____ sale of assets _____

informal loan _____ bank loan _____

NGO loan _____ others _____

17. If purchased through loans, how much did you borrow ?

_____ takas

18. What were the terms of repayment ?

19. Was there any difficulty in getting the loan ?

| | | | |
|-----|-------|----|-------|
| | /---\ | | /---\ |
| yes | | no | |
| | \---/ | | \---/ |
| | | | /---\ |
| | | | |
| | | | \---/ |

If yes, how did you overcome it ?

- 1 = bribing 2 = persuasion 3 = tadbir
4 = help from NGO worker 5 = others

20. If allotted by Govt or purchased through NGO programme, What use have you made of the land ? (in acre)

| | homestead | cultivation | business estab | pond |
|------|-----------|-------------|----------------|------|
| GOVT | | | | |
| NGO | | | | |

21. If the land is under cultivation who provided you the following :

| | own | purchased | loan | | | |
|------------|-----|-----------|------|-----|--------------|------|
| | | | GO | NGO | money lender | kins |
| Bullocks | | | | | | |
| Implements | | | | | | |
| Seeds | | | | | | |
| Irrigation | | | | | | |
| Fertilizer | | | | | | |
| Cash | | | | | | |

22. Who did you purchase the land from ?

/---\
| |
\---/

1 = kins 2 = neighbours 3 = absentee land owner
4 = government 5 = others

23. What was the economic condition of the seller ? (tick)

| | | | |
|--------------|---------------------------|----------------|---------------------------|
| rich peasant | /---\ \---/ | middle peasant | /---\ \---/ |
| poor peasant | /---\ \---/ | businessman | /---\ \---/ |
| others | /---\ \---/ | | |

24. Are you a member of any village faction ?

| | | | |
|-----|---------------------------|----|---------------------------|
| yes | /---\ \---/ | no | /---\ \---/ |
|-----|---------------------------|----|---------------------------|

If yes, why did you choose the faction ?

/---\
| |
\---/

1 = kins 2 = neighbours 3 = employer
4 = members of the programme 5 = others

25. Do you experience any hostility for joining the GO/NGO programme from non-members of the village ?

| | | | |
|-----|---------------------------|----|---------------------------|
| yes | /---\ \---/ | no | /---\ \---/ |
|-----|---------------------------|----|---------------------------|

If yes, give a short description of the hostility.

26. As a new resident in the village, do you experience any hostility from the older residents ?

| | | | |
|-----|---------------------------|----|---------------------------|
| yes | /---\ \---/ | no | /---\ \---/ |
|-----|---------------------------|----|---------------------------|

If yes, give a short description of the nature of hostility.



