



# **Land Management and Services in Bangladesh: Governance Challenges and Way-forward**

## **Executive Summary**

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# **Land Management and Services in Bangladesh: Governance Challenges and Way-forward\***

## **Executive Summary**

### **1. Background and Rational**

Land is closely connected with our livelihood, social norms and economic activities. Article 42(1) of the Constitution of Bangladesh gave rights to every citizen to acquire, possess and transfer of properties. However, despite its importance in our daily lives and economic activities, land sector in Bangladesh has been replete with numerous anomalies and corruption. They include bribery in different land services and usurpation of state and private properties through collusion of land officials, vested-interest groups and influential people alienated with power structure, deprivation of landless people in distribution of khas land and eviction from their land etc. According to National Household Survey on Corruption 2012 conducted by Transparency International Bangladesh (TIB) 59% households experienced corruption while receiving services and nationally estimated total amount of bribe given by Bangladeshi households was found to be Tk. 22610 million.

Over the decades, the government has taken numerous policy measures to reform land administration and management and make land services friendly. However, different studies have shown that still there are lope-wholes and governance deficits in different areas of land administration and service provisions. Governance challenges in land sector have become major concerns for relevant stakeholders. Rapid urbanization, industrialization and climate change on land have augmented those concerns. In this context, the government has indentified land as one of its priority areas in the upcoming 7<sup>th</sup> Five Year Plan. Therefore, understanding governance challenges in land sector would help stakeholders to take further policy measures on land sector. Given the paramount importance of land sector, TIB has decided to work on land sector and pursue advocacy campaign both at local and national levels

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\* Findings of this study were released through a press conference on August 23, 2015 at head office of Transparency International Bangladesh (TIB), MIDAS Center, Dhamondi, Dhaka

to bring necessary policy changes to fight against corruption and improve governance in land sector. Therefore, this research might help to pursue intended advocacy campaigns.

## **2. Objectives**

The main objective of this study is to explore governance challenges in land management and service provisions in Bangladesh and provide a set of recommendations to overcome those challenges.

The specific objectives are:

- To identify legal, structural, policy challenges of land management and service provisions and their operational difficulties;
- To identify nature and extent of corruption and irregularities in land services; and
- To provide recommendations to overcome governance challenges in land management and service provisions.

## **3. Methodology and scope**

This is a qualitative study in nature. Information was collected from both primary and secondary sources and analyzed them in line with study objectives. The methods applied to collect information include key informant interviews, in-depth interviews, group discussions, review of reports, laws, government circulars and physical observations. The study was conducted during October 2014 -July 2015.

Land management and services are quite broad involving 13 major services and areas. This study covered major land services and issues with which majority people interact most. They include land surveys, mutation, registration, land development tax, agricultural khas land distribution, management of hat and bazar, withdrawal of different documents and civil case resolutions relating to land.

## **4. Main findings of the study**

### **4.1 Legal Challenges**

There are numerous laws, rules, polices and circulars through which land administration and management and land dispute resolutions are done. However, the study identified three major limitations on laws and policies relating to land and land dispute resolutions. First, the State Acquisition and Tenancy Act 1950 gave a provision to establish one member bench for Land Survey Tribunals to resolve land disputes arising from surveys. And no timeline was given by which the Tribunal would deliver its verdict. Because of these provisions dispute resolutions from Land Survey Tribunals take inordinate time and service recipients are deprived of due justice. For much delay service recipients instead are virtually forced to pay bribe to court officials in every stage of judicial process. Second, the government in 2012 enacted Alternative

Dispute Resolution (ADR) Act 2012 and made it mediatory for civil cases. But, the rules for the Act have not been produced yet. So, Judges and lawyers are reluctant to follow ADR in adjudicating land disputes. Third, in the Agricultural Khas Land Distribution Policy 1997, the government made widow and deserted women with adult sons eligible for getting agricultural khas land. As a result, widow and deserted women are deprived of their legitimate rights from getting agricultural *khas* land.

## **4.2 Limitations and Challenges in Institutional Framework of Land Administration and Management**

### **4.2.1 Coordination gaps in land administration and management**

Land administration and management are mostly run by institutional mechanisms of three ministries- Ministry of Land, Ministry of Public Administration, Ministry of Law, Justice and Parliamentary Affairs. In addition, six other ministries are also indirectly involved in land management. Because of this fragmentation different institutions and processes have been established for policy formulation and implementation. However, there have been many instances of coordination gaps among institutions particularly in human resources management, land survey conduction, registration and mutation services. This fragmentation has created multiple offices and processes at field level for which service recipients need to go to one office to another that result in their additional time, visits and cost.

### **4.2.2 Limited participation of other stakeholders in land policy formulation and implementation**

The existing structure of land administration and management is mostly run by hierarchical accountability through different administrative framework. On the other hand, horizontal accountability through different committees is found to be weak as political leadership and government officials at different levels dominate them. There are only few members from other stakeholders in those committees. Moreover, committee meetings do not take place regularly and considerable numbers of members do not attend those meetings. There no other mechanism to create stakeholder participation. Thus, horizontal accountability is found to be weak and corruption risks in land services persist. But, horizontal accountability through stakeholder participation at different levels would strengthen overall land management considerably where collusive corruption is found to be quite prevalent.

### **4.2.3 Frequent transfer and deputation of Administrative Cadre officers**

Administrative Cadre officers of Bangladesh Civil Service (BCS) are made responsible to manage land administration and implement polices at district and upzilla levels. Their job nature entails frequent transfer and deputation from one place to another. Normally, they stay in a place for normally three years. Therefore, because of their frequent transfers and deputations, their skill on land management and polices do not flourish adequately and some them developed less

ownership. Thus, land administration and management have been suffering from adequate skilled manpower. When these officials are placed in different ministries and departments they cannot contribute adequately in regards to policy formulation and implementation on land issues.

#### **4.2.4 Other engagements of ADC (Revenue) and AC land outside of land issues**

The Additional District Commissioners (ADC)-Revenue and Assistant Commissioners (AC) -Land are responsible to manage land at district and upazilla levels respectively. However, District Commissioners (DC) and Upazilla Nirbahi Officers (UNO) frequently assign them to attend different meetings and public functions, recruitment committees and extend protocol during visits of ministers and senior government officials. Thus, a considerable portion of their time is lost for which they cannot spend adequate time for land management and fail to make adequate field visits to Upazilla Land Offices and Tahsil Offices.

#### **4.2.5 Inadequate of professional experience and skills of AC land**

AC-land is given a major role in land management and administration at upzilla level. When they are deputed in that position, they normally have maximum three years professional experience. However, being relatively novice professional, in most cases they do not have adequate knowledge on numerous and complex land laws and policies and skills to deal with political and socially influential people. As a result, they have to depend on Kanungo and Surveyors to manage land issues. As Kanungo and surveyor are accustomed to corrupt practices and develop nexus with local power structure, they sometimes cannot control them. Moreover, they sometimes face challenges to deal with influential people aligned with power structure.

#### **4.2.6 Inadequate field visits and monitoring**

There are distinct provisions to perform field visits by Land Reform Commissioners, ADC-Revenue, AC-Land to monitor Upzilla Land Offices and Tahsil Offices. However, they do not perform field visits in most cases mostly because of their apathy, engagement in other activities and lack of transport facilities. As a result, accountability of subordinate offices becomes weaker and corruption risks in those offices increase.

#### **4.2.7 Lack of verification of field reports**

There are provisions to send compiled reports on mutation, leasing of khas land and water-bodies etc from field level offices to the Land Ministry every month. Purpose of these reports is to monitor field activities and make field level offices accountable. These reports are compiled by DC Offices and sent to Land Reform Board at the Ministry. However, because of their manual

nature and lack of adequate manpower they cannot be scrutinized properly. Thus, accountability of subordinate offices becomes weaker for proper land management.

### **4.3 Institutional limitations and challenges**

#### **4.3.1 Inadequate budget allocation for the Ministry of Land**

The budget for land administration and management has been perennially low over the years. In FY 2014-15, the allocated budget for the Land Ministry was BDT 8342.5 million out of which BDT 1633.9 (20%) million was development budget. The allocation is only 0.3% of the National Budget. Considering allocations to some important sectors like local government, education and health, this allocation is extremely low. For this low allocation, modernizations of land management and people friendly land services could not be made.

Due to low allocation of budget major reform measures, infrastructure development, logistic supports and stationeries to land offices have been neglected. For digitalization of land sector huge amount of money would be required. According to Senior Officials of Land Ministry, for digitalization of entire land administration and management around BDT 1000 billion would be required for the next 10 years.

#### **4.3.2 Huge manpower shortages**

Huge manpower shortages are observed under land administration and management. Overall, 8800 positions are vacant under management side which is around 60 of approved positions. It is to be noted that upgrade of Kanungo and Tashilder positions from Third Class to Second Class provoked many litigations for which recruitments in these positions have been stalled for many years. On the other hand, 43% First Class positions and 47% Second Class positions remain vacant in the Department of Land Survey and Records. Vacancies are also observed in registry department where 18% positions of Sub-registers are vacant. Because of vacancies of many positions and manifold increase of works due to rapid industrialization and increased land use, service recipients are deprived of desired services.

#### **4.3.3 Lack of skilled manpower**

According to the respondents working land administration and management and experts in this sector, there is a lack skill and expertise in a section of officials and employees. As a result, policy formulation and implementation in land sector have been hampered and service recipients are not getting efficient services. The government has taken the decision to digitalize land sector. However, there is a lack of skilled manpower to provide digital services. Moreover, there is a lack of skilled manpower for land surveys and their management.

#### **4.3.4 Lack of effective training**

There is a lack of adequate training on land management and services and land surveys among officials and employees working at district, upazilla and union levels. As a result, there is a lack of skill and expertise among them on land management and service provisions and survey conduction. Moreover, officials and employees need training to provide digital land services to service recipients.

#### **4.3.5 Deficits in infrastructures**

Infrastructure deficit is another problem in land sector. Despite construction and renovation of some upazilla and union land offices over recent years, there exist large numbers of dilapidated and less spacious land and registry offices for which friendly services to service recipients cannot be ensured and large number of registers cannot be properly accommodated. Moreover, some unions do not have union land office. In larger number of upzillas, settlement offices are housed in rented places.

#### **4.3.6 Inadequate logistics, technical equipments and transport facilities**

Land offices at upazilla and union and Sub-registry offices suffer from inadequate supply of logistics like different forms, register (*balam*) books and *dakhila* book (receipt for land development tax). Because of these inadequate supplies, officials sometimes fail to ensure friendly services and maintain information in a proper manner. Moreover, there are storages of relevant and modern equipments and technologies for conduction of land surveys. For field movement, there are provisions of motorcycles for AC Land and cycles for Tahsilders. Furthermore, most of AC-Lands do not find it convenient to use motorcycle for their field movement.

#### **4.3.7 Manual record keeping and information management**

Record keeping and information management in entire land sector are done manually. All land surveys (CS, SA and RS) over more than 100 years were done manually. Upzilla and union land offices maintain more than dozens of manual registers for maintaining land records and office operations. All periodic reports are prepared and managed manually. Because of manual record keeping and information management upazilla and union land offices cannot serve their clients in efficient manner. Moreover, manual information management system unwittingly prevents proper monitoring of field operations and is a major hindrance to ensure accountability.

#### **4.3.8 Fragmented and slow digitalization**

Digitalization is considered a panacea to bring efficiency in land sector, improve client services and prevent anomalies and corruption. However, the digitalization efforts are still in a nascent state. The government has not produced any strategic plan how to digitalize the entire land

sector. They are somewhat sporadic initiatives without taking into consideration of a master plan. Some were taken to address some short term goal. There is a lack of integrated approach in these initiatives. Monetary allocation for digitalization initiatives has been quite minimal. Most of existing initiatives are being implemented with the support from some donors.

Because of above reasons digitalization process has been impaired in different ways. There are shortages of adequate skilled manpower for digitalization initiatives. Besides, some officials and employees suffer from enthusiasm and are reluctant to provide digitalized services. Some officials and employees have repulsion towards digital services as they would reduce their scope to indulge in corruption and anomalies.

#### **4.3.9 Absence of Citizen's Charter in large number of Sub-registry and Union Land Offices**

The government in 2008 instructed all government offices to implement Citizen's Charter with the aim of informing service recipients on the range of available services and enhancing service providers' accountability. They were found available in all Upazilla Land Offices. However, they were not found available in most of Sub-registry and Union Land Offices.

#### **4.3.10 Absence of assigned Information Officers in many Upazilla and Union Land and Sub-registry Offices**

Under Rights to Information Law 2010, every government offices need to assign someone as Information Officer to provide information to service recipients. However, they were not found in many Upazilla and Union Land and Sub-registry Offices.

#### **3.3.11 Courts' limitations in resolving civil suits relating to land**

Formal courts in Bangladesh are inhibited with some institutional limitations that effect resolving land disputes lodged at courts as well. They include inadequate number of judges and courts, lack of necessary infrastructure and manual informational management and lengthy legal procedures. Apart from courts' limitations, there are limitations with lawyers as well. Some lawyers are not knowledgeable and efficient enough to run and comply with different legal processes. As a result, resolutions of land disputes take inordinate delays in most the cases; thus, number of pending cases in courts has been increasing day by day.

#### **4.4 Limitations in different land service systems and processes**

##### **4.4.1 Time-consuming lands surveys and use temporary and unskilled manpower**

Land survey process in Bangladesh is quite lengthy. It involves ten steps to finish involving multiple levels- field surveys, review processes, editing and final printing of records. According to the Survey Rule 1940, land survey in a district is required to be completed five years. But experiences have shown that it took 15-20 years to finalize and print survey records. Possible

reasons are corruption and anomalies committed by surveyors during field surveys, use of temporary and unskilled manpower, lack of proper technologies and interference of influential people in review processes.

#### **4.4.2 Multiple steps in mutation process and provision to submit of multiple documents as attachment**

The mutation of land transfer in Bangladesh requires at least eight steps. Because of these mutation processes increase workload of AC land and Tahsil Offices and mutation khatian cannot be issued instantly. Another issue is that although all survey records are available at AC Land and Tahsil Office, service recipients are required to submit duplicate or certified copies all records. Submission of these documents requires mutation applicants to go to different offices to collect them that increase their additional time, visits and cost.

#### **4.4.3 High mutation fee**

From July 1, 2015, the government is taking Tk. 1000 as mutation fee for each khatian (RoR). This amount is much larger than the earlier one of Tk 245. This increased rate would discourage land owners in rural areas to do mutation of their land that would put land management and determination of land ownership in jeopardy. Moreover, this increased rate would increase corruption as well.

#### **4.4.4 High registration fees and limited differentiations**

The registration fees for transfer of land are found to be very high. As land prices in some areas are quite high, purchases have to pay handsome amount as registration fees. This is particularly applicable in urban areas. Because of high registration fees most of the purchasers in connivance of deed writers and registry officials show lower land price to avoid tax. Thus, the government is deprived of its legitimate revenues and unwittingly encourage tax evasion and corruption. Moreover, there exists limited differentiation in existing registration fees as well - only rural and urban differentiations. However, there is a high variability in land prices of municipalities across the country particularly in Dhaka, Gazipur, Narayangonj and Chittagong.

#### **4.4.5 Provision to have mutation and payment of land development tax before registration**

For registration land sellers have to have mutation of their land and pay all due land development tax. Although they are legitimate processes to prevent forgeries, these systems compel land owners to go to AC Land and Tahsil Offices for doing so. However, these provisions incur service recipient's additional time and cost and unwittingly encourage corruption.

#### **4.4.6 Submission of multiple documents as attachment for registration**

Similar to mutation, service recipients need to submit multiple documents during registration as different survey records are not available in Sub-registry Offices. For provision of these documents, service recipients need to go to different offices like Record Room, Upazilla land office and local government bodies to collect them. This system also incurs their additional time, visits and cost.

#### **4.4.7 Coping of registration deed on *balam* book**

After completion of registration, the deed needs to be truly copied in a register called as *balam* book. For doing these copies each Sub-registry office needs to employ dozens of temporary staff who make copies of deed in the *balam* book. Because of delay in producing true copies, Sub-registry offices cannot produce original deed within a shortest possible time for which service recipients have to wait for two to three years for the final deed.

#### **4.4.8 Low rates of land development tax**

Land development tax rates in Bangladesh are quite low. The government has made land development tax rates double from July 1, 2015 compared to earlier one. However, the rates are still quite low. Rates are ludicrous ones in case of metropolitan areas. One Assistant Land Office said people living multi-storied apartments in Dhaka pay nominal amount say Tk. 10-15 whereas travel cost is Tk. 300 by three-wheeler. Because of these low rates the revenue generation from land development tax has been quite low. In FY 2014-15, the government generated BDT 3560 million from land development tax which is 0.002% of the revenues the government generated. However, there is a huge potentiality to generate revenue from this source.

#### **4.4.9 Withdrawal of Certified Copies of Khatians (RoR) from District Record Room**

Sometimes, people need certified copies of *khatians* particularly for pursuing legal matters. Those certified copies of land documents are only issued from District Record Room. As district Record Room is located far distance for most of people's places, this provision incurs service recipients' additional time, visits and cost. Recently, the government under A2I project has introduced e-filling of those requests from Union Digital Center (UDC), thus people do not need to go to District Record Room for collecting certified copies of documents.

#### **4.4.10 Dual authority in hat-bazaar management**

According to hat-bazar policies, DCs were given the supremacy on overall administrative and management of hat-bazaar. On the other hand, concerned local governments are given the authority to lease and maintain hat-bazars. This dual policy inhibits local government's ability to prevent and evict illegal occupations.

#### **4.5 Corruption and irregularities in different land services**

According to the findings of the study, land services are found to be extremely corruption prone. Corruption in land sector has become institutionalized; there is hardly any service for which service recipients do not experience corruption and irregularities. Because of high incidence of corruption in land services, it has got infamous reputation and lost public trust and confidence. People have become accustomed with corruption in land sector that they find corruption in land sector inevitable. A section of officials and employees of land and sub-registry offices in collusive manner are involved in corruption. As a result, ordinary people have endured enormous losses in terms of money, time and mental agony and land owners and state are losing their land to influential land grabbers. Corruption in land sector is believed to have increased land disputes in the country for which legal system has become overburden with backlog cases. Different types of corruption and irregularities that service recipients experience in different land services are presented below:

##### **4.5.1 Land surveys**

- Force landowners to pay bribe during surveys through threat of less measurement and distortion of records;
- Not handing over of *mat-parcha* in the field as per rule. Rather, handing them over from Settlement Office and or other secret places;
- Making deal with influential people and produce records of government khas land, *arporti-sampatti*, abandoned and Court of Ward properties on the behalf of individuals in exchange of hefty bribe amount;
- Taking bribe for correcting records during review process under Article 30 and 31;
- Making records without proper investigation on the behalf of the government for absence of tenants; and
- Create inordinate delay and obstruction during review processes by politically and socially influential people to materialize their self interests.

##### **4.5.2 Mutation or *namjari***

- By violating the rule receiving of mutation applications by Tahsil offices instead of AC Land Offices;
- Corruption elements in Tahsil Offices make package deal with service recipients for mutation;

- Issue mutation Khatians (RoR) of khas land, arporti-sampatt i(vested-interest properties), abandoned and Court of Ward properties on the behalf of individuals by colluding with politically and socially influential people; and
- Issue mutation khatian beyond official deadline and receive bribe for faster issuance.

#### **4.5.3 Registration of land transfers**

- Sub-registers' collusive corruption with the help of deed-writers and indulge in different forms of corruptions and in some cases issue of fake deeds and present false information in deeds;
- Deed-writers encourage buyers and sellers to present lower buying price and evade registration fees in collusion with registry officials;
- Violating the rules registry officials do registrations by without mutation and dakhila (receipts of land development tax);
- Most Sub-registry offices do not display different fees for public;
- Sub-registers do not monitor activities of deed-writers despite they are given the authority to monitor them; and
- Receiving of very high service fees from service recipients by deed-writers in violation of set fee.

#### **4.5.4 Payment of Land Development Tax (LDT)**

- Collection of Land Development Tax by Tahsilders not following Rule 1976;
- Receiving of Extra LDT from ordinary tenants;
- By taking bribe Tahsilders reduce tax by changing the nature of commercially used land;
- Pressure from local influential people not to issue Certificate Cases for default of LDT; and
- Irregular field visits by Tahsilders to identify potential tax payers.

#### **4.5.5 Information collection and documents withdrawal**

- Record Room officials and employees provide certified copies of khatians and maps to service recipients in exchange of bribe;
- Some employees of Upazilla land offices and Tahsil Offices provide khatians and other land related records by taking bribe;
- Some officials and employees of Record Rooms distort records or tear pages from registers in collusion with land grabbers and vested interest groups;
- Some employees of Upazilla and Tahsil offices act as broker to collect records from Record Rooms; and
- Settlement Offices provide khatains and mouza maps in exchange of bribe.

### **Box 1: Presence of 'Umeder' (lower level temporary staff) and Brokers in Land Services**

Some people work at Union Land Offices known as 'Umedar' because lack of adequate manpower, stalled recruitment in different positions for many years and increased work load for increase of land related activities for urbanization and social and economic progress. These 'Umeders' receive money for exchange of the work. Besides, brokers' presence is also visible in some services like mutation, registration, payment of land development tax, withdrawal of *khatains* and different documents etc. from different land offices and sub-registry offices. Some employees of these offices, Umedars, a section deed- writers and stamp vendors work as brokers to facilitate services for the service recipients. And they make package deal with service recipients in exchange of money.

#### **4.5.6 Agricultural Khas Land Distribution**

- Selection of landless people through nepotism and favoritism in line with part affiliation by political leaders aligned with ruling party and UP Chairman and Members;
- Inadequate campaign to inform landless people;
- AC land and Tahsil Office do not evict illegal occupant from distributed khas land rather assist illegal occupants by taking bribe to hold khas land illegally;
- Receiving of bribe during handover of kabuliati of khas land to landless people;
- Inadequate efforts by AC land and Tahsil Offices to identify khas land under their jurisdiction as per instructions and include them in registers;
- Assist powerful and influential people to take lease of khas land by taking bribe;
- Prolong holding of khas land by taking order from courts by some influential people. On the other hand, retain occupation by violating court order in collusion with the help of local land officials, police and influential people; and
- Not taking steps by AC Land and Tahsil Offices to conduct diyara survey to register alluvial and diluvium land.

#### **4.5.7 Management of Hat Bazaar Land and Leasing**

- Syndication of local governments (Mayor, Chairman), businesspersons and powerful and politically influential people to lessen lease money;
- Less valuation of hat bazaar lease money by those syndicates;
- Lack of campaign of tender notices or less wider campaign to favor preferred people;
- Construction of permanent structures or residential buildings by occupying hat bazaar land;
- Illegal occupation of hat bazaar land and prepare khatians by giving bribe to corrupt local land officials;
- Inadequate use of legitimate portion of lease money for maintenance of hat bazaar;
- Inadequate monitoring to hat bazaars by District Administration; and
- Collection of toll beyond approved one by collusion with District Administration.

#### **4.5.8 Land Dispute Resolutions**

- Officials and employees of court collect money from service recipients at every stage of legal procedures of civil suits;

- Some lawyers extort their clients by taking additional money by intentionally changing hearing dates;
- In some cases, some Government Pleaders receive bribe from opponent clients sacrificed government interest; and
- Giving importance to political affiliations than skills to appoint Government Pleaders.

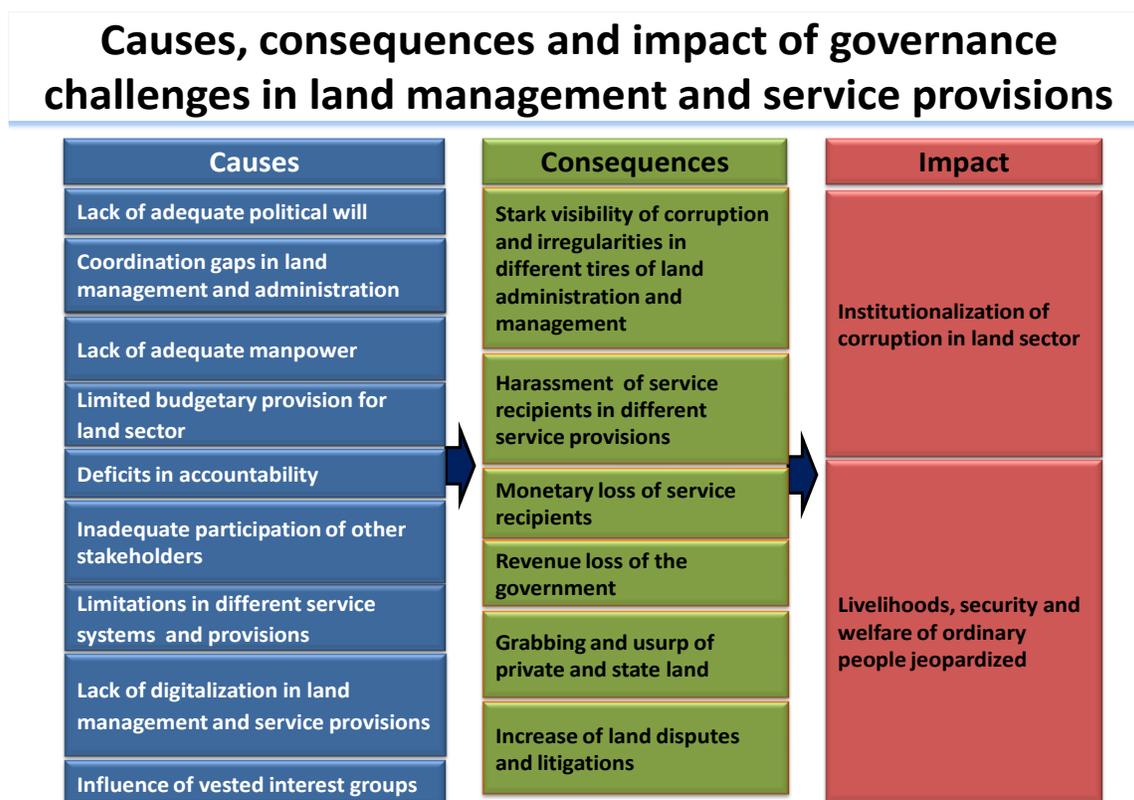
#### 4.6 Status of women in land sector

For social and cultural reasons, women have been worst victims on land rights. There has been no major initiative under land administration and management to promote women's rights on land. Moreover, their access to land offices is quite low. There is no guideline for gender responsive service provisions at local land offices. As a result, women always depend on brokers or their close relatives to access land services. The Corruption and Gender Study conducted by TIB revealed that women are compelled to more bribe to land offices compared to their male counterpart.

**Table 1: Bribery Rates in Different Land Services and Civil Suits Relating to Land Disputes**

<b>Types of Services</b>	<b>Bribe Amount (in Taka)</b>
Land Development Tax (LDT)	100-10,000
Mutation	3,000- 2,00,000
Registration	1,000-50,000
Withdrawal of Records and Maps	200-1,000
Withdrawal of Certified Copies of Records and Maps	200-1,000
Withdrawal of Registrations Deeds	800-1,000
Land Survey -Urban (Per Decimal)	3,000-5,000
Land Survey -Rural (Per Bigha)	500-1,000
Corrections of Records under Tenancy Rules 30 & 31	4,000-5,000
Leasing of <i>Hat-bazar</i>	10,000-20,00,000
Bribery for Preventing Any Administrative Measures and Investigations against Collection of Toll at Hat-bazars beyond Approve Rates	10,000-2,00,000
Bribery at Different Stages of Civil Suits Relating Land Disputes ( <i>Filing of case, Summon of Accused, Farming of Issues, Fixing of Hear Date, Hearing and Issue of Decree</i> )	300-1,000

Figure 1



## 6. Conclusion

The findings of the study reveal that there are numbers of structural and institutional limitations in existing land administration and management and service provisions. Land service are made through multiple institutions from an institutional framework involving there ministries. As a result, some coordination gaps are visible in policy formulation and implementation relating to land. Moreover, as service recipients have to receive service from different offices and institutions, they have to endure additional time, visits and cost.

There are deficits in infrastructures, logistics, equipments and technologies and adequate and proper transport facilities for which client friendly services and monitoring of field activities cannot be done properly. Budgetary allocation has been perennially low for which major reform measures to modernize land sector has been neglected for many years. On the other hand, all land records and information management are done manually for which people friendly services cannot be delivered and monitoring of field activities remain largely unattended. Digitalization of land sector is believed to be a panacea to overcome these limitations. But,

digitalization is at an initial stage. The strategic and land term plan is absent how digitalization would be done across the country.

Land sector has become one of the most corrupt sectors. Service recipients have to experience corruption in almost every stage and are compelled to spend hefty amount. The monopolistic nature of this sector and discretionary power enjoyed by different revenue officers might aggravate corruption. Therefore, a strong and effective accountability mechanism would be counter balancing factor to prevent corruption. However, existing administrative structure fails to prevent corruption in land sector for presence of collusive corruption involving a section of different levels officials and employees. In this context, stakeholders' participation at different levels might strengthen accountability to considerable extent. However, stakeholder's participation in land sector has been quite low. Therefore, stakeholder's participation at different levels needs to be enhanced to prevent corruption in land sector.

The governance challenges in land sector are quite old. However, there has been apparent lack of political will to solve these challenges. Recently, the government has realized its importance and included it as one of the priority areas for in the Seventh Five Year Plan to be implemented from FY 2015-16 to 2019-2020. On the other hand, given the complexities of land sector and diverse interests of different stakeholders, policy solutions for any land issue have always been found very difficult to make. This study has tried to identify major governance and policy challenges in land sector. It is hoped that the government, the Ministry of Land and other stakeholders take into cognizance of the findings of the study and make concerted efforts to solve governance changes in land sector.

## **6. Recommendations**

### **Key recommendations**

1. Single department under the Ministry of Land needs to be established to operate administrative and management operations of land sector
2. A long term strategic plan for digitalization of land sector needs to be developed and integrated digitalization of entire land management, registration and land surveys have to be ensured
3. Adequate budgetary allocation in land sector need to be ensured to implement digitalization initiatives, developing of infrastructure, procuring modern equipments and meeting daily logistical needs

### **Other recommendations**

4. Adequate manpower in land administration, land survey department, registry department and civil courts need to be ensured

5. Officials who have worked in land administration and management should be transferred and deputed within certain cluster where they can apply acquired skill and expertise on land
6. One-stop services need to be ensured at upazilla level mainly the services of mutation, registration and documents withdrawals
7. Land Survey Tribunals should be comprised of three members involving representation from judiciary, settlement department and land administration
8. Rule for Alternative Dispute Resolution 2012 should be prepared immediately
9. Participation of other stakeholders (NGOs, professional organizations, citizen's groups) in policy formulation and implementation of land should be ensured. And public hearing on land services at upazilla level need to be organized in regular intervals.
10. Land Fair at district and upazilla levels need to be organized to educate ordinary people on land services, laws and rules, administrative processes and different fees
11. The new mutation fee that has been in effect since July 1, 2015 should be annulled and rational fees should be set keeping the realities into consideration
12. The provision to have adult sons for widow and deserted women for getting agricultural khas land needs to be annulled

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