

Final

**INDEPENDENT REVIEW OF THE RESETTLEMENT PROGRAMME
UNDER RURAL TRANSPORT IMPROVEMENT PROJECT**

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Dhaka-1207
March 2010**

Abbreviations and Acronyms

AB	:	Acquiring Body
ARC	:	Accident Research Centre
BIDS	:	Bangladesh Institute of Development Studies
BWDB	:	Bangladesh Water Development Board
CO	:	Community Organizer
CUL	:	Compensation-under-law
DC	:	District Commissioner
DF	:	Department of Forestry
DLAC	:	District Land Allocation Committees
DSM	:	Design Supervision Monitoring
GoB	:	Government of Bangladesh
GRCs	:	Grievance Redress Committees
LAPs	:	Land acquisition plans/proposals
LGED	:	Local Government Engineering Department
MoL	:	Ministry of Land
MoLGRD&C	:	Ministry of Local Government, Rural Development and Cooperatives
MPS	:	Market Price Survey
PAPs	:	Project Affected Persons
PWD	:	Public Works Department
RAP	:	Resettlement Action Plan
RDP	:	Rural Development Programme
RF	:	Resettlement Framework
RPF	:	Resettlement Policy Framework
RTIP	:	Rural Transport Improvement Project
UE	:	Upazila Engineer
WB	:	The World Bank
XEN	:	Executive Engineer

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Executive Summary

Background

The Local Government Engineering Department (LGED) under the Ministry of Local Government, Rural Development and Cooperatives (MoLGRD&C) has been engaged since 2003 in improving 89 Upazila Roads with total length of nearly 1200 km in 21 districts under its Rural Transport Improvement Project (RTIP). The project has mainly been confined in widening the existing road alignment. For this purpose, the project has acquired in total 425 acres of private lands from more than 15000 landowners (PAPs) and some public lands from 280 squatters who were residing and/or holding small business by the side of some of the roads. The government has taken up a social safeguard policy with its own fund to protect the interest of these affected people (PAPs/squatters) who cannot absorb the risk and cost of rural road improvement.

Following WB's Operational Policy (OP 4.12) and the Acquisition Ordinance of the GoB (1982), the LGED adopted a Resettlement Framework (RF) with detailed guidelines and Principles for mitigating losses of different types of property (land and non-land) that might have been caused by the programme of land acquisition. For implementating the programme, LGED also developed Resettlement Action Plan (RAP) separately for each of the three phases. Due to complex nature of the programme, it was considered imperative to carry out an independent evaluation of the whole programme of land acquisition and resettlement under Rural Transport Improvement Project (RTIP).

Objectives of the Study

In view of the above consideration, the main objective of the study is to analyse the whole process of land acquisition and resettlement programme under RTIP in terms of adoption and implementation of RAPs based on guidelines and principles of RF of LGED for mitigating the adverse effects of the project.

To this end, the study has attempted to identify and analyse the underlying factors that are responsible for constraining the extent of project benefit and/or enhancing adverse impact of the projects. This indicates that the study has evaluated the programme of land acquisition and resettlement not in isolation, but as an integral part of the whole project.

Methodology and Sources of Data

For the study, we have purposively selected one-third of the districts (i.e. 7 out of 21 districts) covering all the 3 types of districts (with high, medium and low concentration of PAPs) in all of the three implemented phases. We have chosen our districts (7), roads (10), PAPs (455) and squatters (25) in such a way that selected districts, roads, and sample households (PAPs/squatters) may be treated as representative of the whole project. Finally, our sample PAPs constitute nearly 21% of PAPs, cover nearly 23% of acquired land and 11% of squatters in our selected roads.

The study is based on a combination of both primary and secondary data and information available with the LGED and World Bank. Short structured questionnaires (see Appendix II) have been administered for obtaining necessary primary data relating to

occupation, land ownership, losses of land and other assets, replacement value/market value of those assets, compensation payment etc. Further information have been obtained through field visits, interviews of relevant key informants and most importantly Focus Group Discussion (FGD) and Participatory Rural Appraisal (PRA) to capture collective opinions and wisdom. The field survey was undertaken during November – December, 2008. The effort of revisiting the project sites during December, 2009 has enabled us to verify/confirm our earlier data vis-à-vis LGED data particularly on land acquisition, market/replacement value of land and other assets and compensation payment.

Major Findings

The programme of land acquisition and resettlement has been observed to be concentrated in the district of Bogra and thus can be considered as the polarizing factor of a development project of LGED. It has been evident that acquired land per PAP as well as acquired land as the percentage of owned land is the highest in roads located in Bogra. This shows greater incidence of land acquisition in the district of Bogra than in other districts. The programme, nevertheless, appears to be consistent with the principles and guidelines of Resettlement Framework of LGED, since on average land acquired per PAP and acquired land as percentage of owned land by PAPs have been found minimal.

Different types of land (e.g. agricultural, homestead, orchard/garden, pond/ditch, fallow etc.) are acquired for improving existing roads, rather than creating new roads. It has been observed that on average 81% and 11% of land owned are agricultural and homestead respectively, while percentages of agricultural land and homestead to total acquired land stand at nearly 77% and 20% respectively. This indicates that land acquisition is proportionately higher for homestead than for agricultural land. This has, however, far reaching implications for mitigation.

All categories of farms, irrespective of size and tenure, surrender their land in the process of land acquisition. It is very likely that smaller farms would contribute smaller amount of acquired land which may apparently indicate equity in the incidence of land acquisition. But if we relate the issue of acquired land to the whole distribution pattern of land ownership, which is highly skewed, we find that smaller farms compared to their larger counterparts contribute much higher portion of their own land to the process of land acquisition. This indicates that the distribution pattern of acquired land remains inequitable, due to inequalitarian land distribution system.

Evidence shows that in most cases PAPs got the message of land acquisition through notice (under section 3) much before the civil works were initiated. In spite of that there are still some cases who got the message during the time of civil works due to the reasons that they remained outside villages or resided abroad and their heirs on their behalf received the notice so that actual owners failed to get the message in time. Under these circumstances, these events are not treated as serious deviations from RF or Act.

Apart from the loss of land, there is a wide spectrum of losses suffered by the PAPs. The most important of these losses, in terms of percentage of responses, is felling trees (nearly 66%) followed in order by shifting of houses (17.62%) and loss of crops (9.11%). Among other losses are job or income loss, change in the workplace and loss of other assets. For all these losses of land and non-land assets, mitigation policies as per RPF are adopted.

Land acquisition has also displaced households and businesses that had been squatting on LGED and other public (*khas*) land. It has been observed that the amount of surrendered land per squatter (5.40 decimals) is much higher than that for shop/business (1.20 decimal).

We have studied the squatters in three selected roads – one in Bogra and two in Chandpur. By and large, the squatters in Bogra have been displaced from their residential places and squatters in Chandpur from their workplace in shops/businesses.

There had been serious adverse impacts on livelihood pattern of squatters due to restoration of public land from them. It has been observed that 68% of respondents (with multiple responses) had to shift their houses, 38% to change their workplaces and 20% to reduce their income flow and employment. The squatter got a paltry amount of cash compensation (more than Tk. 3000 per squatter) from LGED for being evicted from their residential and workplaces and mostly disappeared from the site to be resettled elsewhere on their own. In Land Acquisition Ordinance or in RPF, there were no provisions for restoring their livelihood through providing with relocation site with all civic amenities. For this reason, there had not been any remarkable attempt to improve their livelihood condition.

It has been observed that none of the PAPs other than squatters was virtually evicted, since their homestead was slightly affected by land acquisition programme. For that matter, resettlement in its truest sense of the term is only applicable to the squatters who have, as mentioned above, got cash compensation which is too inadequate to restore their livelihood with all civic amenities. In this regard, adequacy of compensation as well as its timely payment matters most in the context of resettlement and mitigation of losses and suffering of PAPs.

The CUL and top-up constitute total compensation. CUL is usually estimated on the basis of sales price recorded in the previous year of acquisition allowing an additional 50% value for making the compensation an adequate one. The top-up, on the other hand, is paid directly by the LGED to PAPs for making up shortfall so that compensation remains equivalent to replacement value/market price. Our study shows that for the loss of land, CUL is predominant constituting 84% and 81% of total compensation in BIDS survey data and LGED data respectively for all roads taken together, with significant variations over the roads in different districts.

The assessment of compensation payment shows that PAPs remain underpaid which, however, is attributable to the gross underreporting of deed value of land made by the PAPs themselves for evading sale tax. The underpayment could have been at a much higher extent, had there been no arrangements by the DC office through allowing an addition of 50% to the underreported deed value and by the LGED office for providing top-up for making up or at least narrowing down the shortfall. This study, nevertheless, demonstrates that land prices have increased enormously as a positive impact of the project so that they have been able to derive substantial social and economic benefits.

Following the guidelines and principles of Resettlement Framework (RF), LGED, for mitigation purposes, must fulfill that WB's compliance requirements through making compensation payment to the affected owners before the lands are used for civil works. This study, however, reveals that it is difficult, though not impossible, to accomplish this requirement, since many affected landowners remain unpaid most often due to the fact that they are unable to produce various legal evidence and/or the amount of compensation is not large enough to cover the costs for compensation payment. In such cases, according to the acquisition ordinance, the DC keeps the amount of compensation in a special deposit account which is deemed as payment for the purpose of taking over the possession of the property. In this way, the compliance requirement of the World Bank may be fulfilled, but the PAPs in the real sense of the term remain unpaid in the years of civil work. As land acquisition takes a considerable time, the unpaid compensation for fulfilling the compliance requirement may be

added to those of the payable compensation in the subsequent years which ultimately can lead to slowing down the payment of compensation.

Grievance Redress Committees (GRCs) were found to exist and function in our sample districts during the preparation and implementation of land acquisition, compensation and resettlement programme. BIDS field survey indicates that they could effectively resolve disputes over non-legal issues quickly in order to expedite the receipt of compensation without resorting to expensive and time-consuming legal actions.

This study shows that road improvement has considerably improved the access of rural communities (including PAPs) to various economic and social opportunities. This improvement, however, manifests that objectives of the project (RTIP) remain largely realized, since civil works in most of our study roads have recently been completed so as to enable the local people to get maximum possible benefits from the project.

Policy Recommendations

Keeping in view the above findings, it is now imperative to take necessary measures for similar development projects for bringing appropriate institutional arrangements for providing maximum benefit of the project to the people. To this end, ambiguities in the 1982 ordinance must be removed, land administration rules and regulations need to be simplified, adequate and timely compensation are to be paid and grievance redress mechanism as an integral part of the programme must be ensured.

Independent Review of the Resettlement Programme under Rural Transport Improvement Project

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Chapter 1 Introduction

1.1 Background

By now it is widely acknowledged that infrastructure constitutes an essential element of rural development strategy and is usually conceptualized as an instrument for enhancing productive employment and income in both farm and non-farm sectors. Recent evidence from various studies (i.e., Ahmed and Hossain, 1990, Rahman 1996(ed.), BIDS, 2004, 2009) indicate that development of rural infrastructure has far-reaching implication for the alleviation of poverty by generating income through enhancement of production and productive employment. Thus these findings point to the critical role of infrastructure in promoting rural development.

Basing on its experiences of infrastructure development projects particularly those of road and market improvements, the Local Government Engineering Department (LGED) under the Ministry of Local Government, Rural Development and Cooperatives (MoLGRD&C), Government of Bangladesh has been implementing the Multi-component Rural Transport Improvement Project (RTIP) with financial support of the World Bank. The RTIP is, nevertheless, a follow-up project to the Regional Roads Network Study for prioritisation under RRMIMP-II. The project is initially planned to improve and maintain nearly 1200 km of Feeder Road-B and 500 km of Rural Road 1, 150 growth centre markets, 45 river jetties and 15,000 m of small bridges/culverts, physical works of which have mostly been completed. By using the participatory approach, LGED is now completing the project in 21 districts in 3 phases. It is also expected that the project will help to reduce rural poverty by enhancing productivity, opening up employment opportunities and improving access to innovation and gainful marketing facilities.¹

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¹ This expectation is based on findings of studies on some earlier projects of the LGED. For example, due to road improvement projects of LGED, poverty has recently been reduced by nearly 5-7% in RDP and RRMIMP project villages (see Khandker *et al.* 2006). Considering 5 years as the road pavement period, one can argue that poverty falls by nearly 1-1.4% each year solely due to rural road improvement.

The project improvements have mainly been confined to widening the existing road alignment, which in turn, has made necessary acquiring lands from private individuals and resuming public land from private uses. The project documents show that acquisition of land has now been to the extent of 425 acres. This acquisition has also affected a large number of landowners (more than 15,000) so much so that per capita acquisition of land appears to be very small.² The act of acquisition has displaced many households and businesses that might have been squatting on LGED and other public lands.

Thus acquisition of land for alternative uses leads to the displacement of people who earn their livelihood from the land based traditional occupations. The involuntary acquisition may be justified on the ground that the alternative uses of land provide a more productive utilization of land and labour. Even this type of “development induced displacement” without provision for compensation is considered unjust as much as it denies the basic human rights i.e. the right to live with dignity. For this reason, the displacement in modern democratic society is usually associated with provision for compensation.

In view of the above consideration, the LGED decided to include a resettlement component into the project design. Following the World Bank’s Operational Policy on Involuntary Resettlement (OP 4.12, WB, 2001) and the Acquisition and Requisition of Immovable Property Ordinance, 1982 of the Government of Bangladesh (GoB, 1982); LGED prepared a Resettlement Framework (RF) for the entire project for mitigating adverse impacts due to land acquisition and displacement at the household and community levels. The RF provides detailed guidelines and principles and develops a safeguard policy matrix (based on entitlement issues) for mitigating losses of different types of property that might have been caused by the programme of land acquisition. In the RF, the principle of compensating the full cost of resettlement has been adopted so that the legal part of compensation (CUL: Compensation Under Law) would be paid by the office of the DC and if the CUL payment is lower than the replacement value/market price, the LGED project office would directly pay the difference (top-up) to make up the shortfall. Accordingly, the detailed Resettlement Action Plans (RAPs) were prepared separately for each phase. Due to the complex nature of the programme, it was considered imperative to carry out an independent study to evaluate the whole process of land acquisition and resettlement programme and to suggest for taking up better course of action.

² Due to high population density, it is difficult to obtain land without displacing people in large number. Data relating to acquisition of land and persons affected by the project (PAPs) in project areas (21 districts) may be seen in Table A.1.1 in Appendix.

1.2 Objectives and Scope of the Study

In view of the above consideration, the main objective of the study is to assess land acquisition programme in terms of adoption and implementation of RAPs for mitigating the adverse effects of the project in line with the principles and guidelines stipulated in the RF. The specific objectives are the following:

- i) to identify adverse impact of the project and to stipulate mitigating policies to address those impacts for gaining insights into the adequacy of RF;
- ii) to assess/verify how effectively and efficiently LGED has been implementing the RAPs on the ground;
- iii) to examine whether the methods of compensation payment (i.e. CUL, Top-up) and the mechanism of their adoption are effective and efficient for meeting the full cost of resettlement;
- iv) to assess the institutional arrangements for preparation and implementation of RAPs for removing adverse effects and smooth running of the project;
- v) to review the risk mitigation plan of LGED for bringing social safeguard issues into sharp focus.

In fulfilling the above objectives, an attempt has been made to identify and analyse underlying factors (both technical and social) that are responsible for constraining the extent of project benefit and/or enhancing adverse effects of the project within the particular context of the projects objectives. This has encompassed the knowledge about the attitude, expectations, experiences and opinion of the local people affected/benefited by the project. Within the scope of the study, regional specificities (at the district level) and structural specificities of individual components of the project have been captured to arrive at general conclusions on problems pertaining to the performance of the Resettlement Programme of the whole project. That is to say, the Land Acquisition and Resettlement Programme has been evaluated not in isolation, but as an integral part of the whole project.

1.3 Methodology and Sources of Data

There are two types of methodological issues. One relates to the selection procedure of districts, PAPs (including squatters) and official personnel to be brought under the purview

of the study and the other to the method of data collection and analysis. Details of the two aspects are given below.

1.3.1 Selection Procedure

1.3.1.1 Selection Procedure of Districts

As mentioned earlier, the whole project (RTIP) covers 21 districts of Bangladesh. In terms of concentration of PAPs, the districts were categorized into 3 types, such as districts with high, medium and low concentration of PAPs. While it was desirable to study each type in each district to capture all specificities, such exercise was avoided due to time and resource constraints. Thus we had selected only one-third of the districts (i.e. 7 districts) covering all the 3 types of districts so that selected districts can be treated as representative for the whole area (districts) under the Land Acquisition and Resettlement Programme of RTIP. The districts/roads had been chosen purposively so that we could cover the programme implemented in all 3 phases and get maximum possible logistic support for undertaking the fieldwork. The selection of districts and roads had, nevertheless, been finalized after examining the computerized official data followed by consultation with the PMU and local (district and upazila) officials of the LGED.

Basic information relating to our selected roads (10 roads in 7 districts) can be seen in Table A.1.2 in Appendix. Amongst selected districts, Bogra has the highest concentration of PAPs (nearly 52%) who provided highest percentage of acquired land (nearly 61%), whereas Joypurhat has the lowest concentration of PAPs (1.01%) and lowest percentage of acquired land (0.67%) (see Table A.1.3 in Appendix). B. Baria and Moulvibazar are the two selected districts each of which has more than 10% of PAPs, whereas other selected districts (such as Gazipur, Chandpur and Natore) have lower concentration (less than 10%) of PAPs (see Table A.1.3 in Appendix).

1.3.1.2 Selection Procedure of PAPs

After completing the selection process of 7 districts, we have attempted to select PAPs in those selected districts. The project documents show that there are more than 15000 PAPs (including more than 200 squatters) in the whole project areas. We presume that in our selected districts, we would have nearly 5000 PAPs (i.e. nearly 1/3rd of 15,000 PAPs). From

each selected district, we selected at most 10% of the PAPs so that our sample size of PAPs did not exceed 500. From each district, PAPs were selected purposively so that all logical categories of PAPs (i.e. PAPs with both CUL & ‘Top-up’ payment and PAPs who have not been paid at all) were covered from all 3 phases of the programme. We expect that after completion of the resettlement programme, most of the squatters might have disappeared from the project areas. So we initially selected 20 PAPs from squatters. There was also a need to reconsider the unpaid category of PAPs who were likely to be incorporated in the sample of PAPs.

There are, however, some differences in the *ex ante* and *ex post* sample by road/district that can be seen in Table 1.1. Initially we wanted to select 480 PAPs out of 2216 PAPs and 20 squatters out of 224 squatters (see Table 1.1). Thus, our *ex ante* sample households stand at 500 (480 PAPs +20 Squatters). The *ex ante* sample for each road/district was chosen proportionately using Sample Number Table. During our field survey, some sample PAPs could not be traced and data obtained from some other PAPs were found unreliable. For these reasons, our *ex post* sample size has been reduced from 480 to 455 and for squatter we could have 5 more sample households so that *ex post* sample for squatter stands at 25 instead of 20 (see Table 1.1).

Table 1.1
***Ex ante* and *Ex post* Sample (PAPs/Squatter) Selection Process**

Name of the Road (upazila, district)	No. of PAPs	No. of Squatter	<i>Ex ante</i> Sample		<i>Ex post</i> Sample		
			PAPs	Squatter	PAPs	Squatter	Total
Sonahata-Bagbari Road (Dhunat, Bogra)	269	-	58	-	58	-	58
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	311	154	67	14	68	18	86
Dhunat-Sariakandi Road (Saraikandi, Bogra)	210	-	46	-	45	-	45
Kalai-Moslemgonj Road (Kalai, Joypurhat)	59	-	13	-	13	-	13
Laxmiipur-Dorappur Road (Natore sador, Natore)	212	-	46	-	46	-	46
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	177	-	38	-	38	-	38
B Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	401	-	87	-	80	-	80
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	206	31	45	3	42	4	46
Ibrahim B.T. Road (Chandpur sador, Chandpur)	99	39	21	3	19	3	22
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	272	-	59	-	46	-	46
Total	2216	224	480*	20	455	25	480

Source: LGED Computer Based Data

Note:

* We select 480 PAPs as sample (*ex ante*) out of 2216 PAPs (census), the ratio of sample to census being 0.217. This ratio has been maintained to select sample PAPs for each of the selected roads.

Now turning to our selected districts, roads and sample households (PAPs and squatters), we find that our selected districts (7 districts) cover 38% of roads, 43% of PAPs, 53% of acquired land and 82% of squatters (see Table 1.2).

As a matter of fact, squatters are concentrated in few districts such as Bogra, Chandpur, Joypurhat, Narashingdi and Munshiganj. We have selected sample squatters from two districts (Bogra and Chandpur) out of 3 chosen districts (in remaining 4 selected districts, squatters do not exist) where squatters are concentrated. From Table 1.2, we can also observe that our selected roads (10 roads) cover 29% of roads, 32% of PAPs, again 32% of acquired land and 97% of squatters in our selected districts. Finally, our sample PAPs (455) constitute nearly 21% of PAPs, cover nearly 23% of acquired land and 11% of squatters in our selected 10 roads (see Table 1.2). Nevertheless, we have chosen our study districts, roads, PAPs and squatters in such a way that selected districts, roads and sample households (PAPs/squatters) may be treated as representative of the whole project.

Table 1.2
Number and percentage of PAPs and amount and percentage of acquired land by districts and roads

Districts/roads	Number of roads	Number of squatters	Number of PAPs	Amount of acquired land (acre)
1. All project districts (21 districts)	89	280	15758	425.68
2. Selected districts (7 districts)	34	230	6852	225.65
3. Selected roads	10	224	2216	73.05
4. Sample households from 10 selected roads		25	455	16.78 (17.03)
	% of roads	% of squatters	% of PAPs	% of acquired land
2 as % of 1	38.20	82.14	43.48	53.01
3 as % of 2	29.41	97.39	32.34	32.37
4 as % of 3		11.16	20.53	22.97 (23.31)

Source: LGED Computer Based Data

Note: Figures in parentheses indicate data obtained from field survey.

1.3.1.3 Selection of Project Personnel

We have also closely interviewed some selected project personnel particularly XENs, UEs, District Sociologists (DSs), DSM Resettlement Specialists, Community Organizers (COs) of LGED, officials from DC office, and elected representatives of the local UPs who are involved in the preparation and implementation of the programme.

The whole sample selection (e.g. selection of districts, roads, PAPs/squatters and project personnel) has been made and finalized after some initial visits in the project area and

consultation with some informed persons who are involved in preparation and implementation of the project. The initial visits and consultations constitute the reconnaissance survey that was adopted in August 2008.

1.3.2 Method of Data Collection and Analysis

The present exercise has been based on a combination of both secondary and primary data and information. It draws upon secondary data and information recorded in published and unpublished materials available with the LGED and World Bank. Primary data and information have been generated through a one-shot field survey. The survey tools include a pre-designed and pre-tested questionnaire to elicit information from the PAPs. Further information have been obtained through field visits, interviews of relevant key informants and most importantly Focus Group Discussion, Rapid Rural Appraisal and/or Participatory Rural Appraisal.

In view of the objectives and scope of the work, the method of data collection and analysis relate to the following tasks:

- a) We have consulted all available secondary documents and archives of the LGED that provide a broad framework for understanding the whole process of land acquisition and resettlement programme.
- b) We have used data on occupation, landownership and selected socioeconomic characteristics that have led to the preparation of the RAPs.
- c) We have undertaken a sample survey of 480 affected households (PAPs and squatters) who have been paid their compensation: CUL, top-up and other entitlements (selection procedure of samples has been spelled out in 1.3.1.2). Short structured questionnaires have been administered for getting necessary data relating to occupation, landownership, losses of land and other assets, replacement value/market prices of those assets and compensation payment.³ This survey undertaken during November – December 2008 enables us to verify LGED census (survey) data.
- d) Project personnel and key informants at the local level have intensively been interviewed using simple checklist/questionnaire for getting necessary information

³ See Survey Questionnaire in Appendix II.

relating to their experiences of project preparation and implementation.⁴ In this exercise, DCs and district land acquisition officials have been considered as the most relevant of all key informants.

- e) We have also undertaken field verification of payment of compensation/entitlement stipulated for both landowners and squatters.
- f) The verification of the computerized database on compensation payment has been done on the basis of field level assessment.
- g) For gaining further insights into the process of land acquisition and compensation payment, we had an opportunity to revisit the project sites in our selected roads during December 2009. This effort of revisiting the project site enabled us to verify/confirm our earlier data in comparison with the LGED data particularly on land acquisition, and replacement value of land and other assets and compensation payment.

1.4 Structure of the report

The report is structured in seven chapters. With usual introduction of the study in chapter one, the second chapter provides an analysis of the broad guidelines and principles of Resettlement Frame (RF) and implementation procedure of Resettlement Action Plans (RAPs) in order to enable us to assess the application of RF and RAP on the ground. The third chapter analyses socio-economic characteristics (e.g. land ownership, occupation pattern, income and education status etc.) of the households affected by the project (PAPs including squatters) to gain insights from the experience of the local people in relation to the process of land acquisition and resettlement programme. In chapter 4, an attempt has been made to assess the land acquisition programme of RTIP through identifying its adverse impacts by way of gaining empirical insights in the light of Resettlement Framework (RF). Chapter 5 attempts to assess efficacy of the mitigation policy measures and illustrates how effectively the RAPs are being implemented on the ground for meeting the full cost of resettlement. In chapter 6, we assess the institutional arrangement for preparation and implementation of RAPs for smooth running of the project. The final chapter (ch. 7) brings forth major conclusions and draws some policy recommendations.

⁴ See Checklist for intensive consultation with key informants in Appendix III.

Chapter 2

Land Acquisition and Resettlement Programme

2.1 The Programme under RTIP

The Local Government Engineering Department (LGED) under the Ministry of LGRD and Cooperatives has been engaged since 2003 in improving 89 Upazila Roads with total length of nearly 1200 km in 21 districts under its Rural Transport Improvement Project (RTIP). The main objective of the project is to enhance transport efficiency through reducing travel time and costs considerably. The project, being combined with improved market facilities, is expected to be a catalyst for the growth of both farm and non-farm activities in the selected project districts, and would introduce new skills, knowledge and innovations in rural areas. Furthermore, by adopting participatory approach, the project aims to bring about greater involvement by local government, communities, and people at the grass-root level in planning and management of rural infrastructure. This would in turn bring fourth continuous enhancement of output, income and employment opportunities ultimately leading to a sustainable rural development.

Needless to say that it is difficult to accomplish any development project without adversely affecting, displacing or uprooting people in the project area. It is also true for the Rural Transport Improvement Project (RTIP) which has acquired in total 425 acres of private lands from more than 15000 land owners (persons affected by project – PAPs) and some public lands from 280 squatters who were residing and/or holding small business by the side of some of the roads. The total cost for land acquisition and resettlement programme for mitigating the adverse impacts of the project has been estimated to the extent of nearly 60 crores (nearly 3% of total cost of the entire project), all of which is to be met by the GoB fund. Thus the implementation of this programme may be treated as the social compliance requirement for getting fund from WB for the entire project.

It is imperative to safeguard the interest of these affected people who cannot absorb the risk and cost of rural road improvement. The safeguard policy is, thus, in place for assisting the affected/displaced persons to improve their livelihoods and standards, or at least to restore them to the pre-displacement levels.

In line with the above arguments, the GoB recognizes the rights of the affected, displaced and/or uprooted persons by development projects and takes necessary action for developing sustainable safeguard method for protecting their interest and livelihoods.

For RTIP, lands are acquired in accordance with the current land acquisition ordinance (Acquisition and Requisition of Immovable Property Ordinance, 1982) and adverse impacts are mitigated in terms of the OP 4.12 (World Bank's Operational Policy on Involuntary Resettlement). Accordingly, LGED has adopted a Resettlement Framework (RF) for the entire project containing the mitigation policies and measures which have been agreed between GoB and WB. In order to fulfill the donor's resettlement requirements, this RF provides the basis for land acquisition and mitigation of associated adverse impacts. Based on this RF, a Resettlement Action Plan (RAP) is prepared and implemented as roads and improvement works are selected for each phase of the project.

This chapter, however, attempts to provide the broad guidelines and principles of RF and implementation procedure of RAPs in the following paragraphs.

2.2 Resettlement Framework (RF) and Resettlement Action Plans (RAPs): Guidelines, Principles and Implementation Procedures

The main objective of RF is to develop the principles and guidelines for land acquisition, impact mitigation and institutional/organizational arrangement for implementing and monitoring them under certain processes that lead to RAP preparation and implementation under phase-wise work programme.

The RF mainly contains the following:

- i) a legal framework outlining the principles and guidelines which are used to acquire lands and mitigate adverse impacts;
- ii) a detailed mitigation policy matrix;
- iii) an organizational framework to plan and implement the mitigation measures;
- iv) a grievance redress procedure for the project affected persons (PAPs);
- v) a framework to monitor progress in land acquisition and RAP implementation; and
- vi) a planning process defining the tasks for phase-wise land acquisition and RAP preparation and implementation.

Given the magnitude of the acquisition and the impact details of the project, the LGED prepared a Resettlement Framework (RF) for the entire project, where RAPs were prepared separately for each phase after determining the location specific needs of land acquisition with detailed consequential implications. Thus, RF provides an understanding of the general nature and magnitude of the project's overall potential impacts, while RAPs provide basically the location specific impact details incorporating mitigation measures, resettlement budget and implementation schedule. Some of the general guidelines and principles of RF and implementation procedures under RAP are given below:

1. The RF has both legal and operational aspects. Under 1982 Ordinance, lands are acquired and the affected persons can receive legally stipulated cash compensations which seem to be grossly inadequate to deal with the adverse impacts associated with land acquisition and involuntary displacement. In essence, the law (ordinance) is largely indifferent to the landowners' existing socio-economic conditions and/or the long-term changes that the affected persons and households might undergo in the post-acquisition period. That is to say, the question of socio-economic resettlement and rehabilitation of the involuntarily displaced persons is totally absent in the legal regime of the policy. The World Bank's Operational Policy (OP 4.12) is, however, complementary to the acquisition law (ordinance) in ways to assess, mitigate and monitor the adverse impacts that the affected landowners may suffer. The RF, thus, encapsulating the legal and operational instruments tends to provide a sound basis for making institutional arrangements for safeguarding the interest of these affected persons who are unable to absorb the risk and cost of 'development induced displacement'.

2. The law implicitly discourages unnecessary acquisition, as lands acquired for one purposes cannot be used for a different purpose. However, there are no mechanisms to monitor whether these conditions are actually adhered to. From the operational point of view (following World Bank's Operational Policy), RTIP adopts measures to avoid or minimize land acquisition and displacement to use lands of lower value (in terms of productivity and use), to avoid permanent structure/building for business and commercial activities as well as places used for educational purposes, religious worship, graveyard, or cremation ground.

3. The law stipulates compensation only for those who are legal title holders of land and other objects built and grown on them (structure, trees, orchards, crops, etc). It does not recognize the rights of those who do not possess legal title to the land they live in. These unauthorized users (e.g. squatters) are not eligible for compensation for land, since from legal

point of view, there is no provision to mitigate the adverse impacts they suffer. Moreover, there is no provisions to assess and restore lost income stream or income sources that acquisition may cause to the affected persons, be they legal title holders or non-title holders like squatters. But from the operational point of view (based on World Bank's Operational Policy), the RF suggests that they (whether title holders or not) are eligible for losses which are covered by the mitigation policies.

4. The law (1982 ordinance) contains a detailed procedure of conducting the process of land acquisition and payment of compensation systematically and by stages.⁵ Consequent upon the receipt of the Land Acquisition Proposal (LAP), Deputy Commissioner (DC), following steps in the land acquisition process, makes a physical verification of the proposal to serve a legal notice (under section 3) in the prescribed manner to the effect that a particular property be acquired by the government and as such the persons with interests in land and non-land assets would claim their compensation. After making proper enquiry of the claims, the DC finalizes the award of compensation and serves a legal notice (under section 6) to the concerned persons for receiving stipulated compensations. Thus, DC's decision is final, since no court can entertain any suit or application against any order passed and any court in respect of any action can grant no injunction in pursuance of any power conferred by the 1982 Ordinance (under 44 section).

5. According to the law (ordinance), compensation is paid on the basis of the 'market price of land' (under section-8) which is estimated by averaging the sales price (deed price) recorded in the previous year in the administrative unit (*mauza*). It is widely recognized that prices determined in such a fashion can hardly reflect the true market value of the land, since sale/purchase prices are grossly underreported to evade sale taxes. For that matter, assessment of legal compensation remains far too short of the real market prices. At present an additional 50 per cent is paid over and above the determined value by the DC office so that compensation to the property owners may be somewhat adequate. If this legally stipulated payment (better termed as compensation under law – CUL) is still lower than the replacement value/market price, the LGED office pays the difference (top-up) directly to the project affected persons (PAPs) for making up the shortfall.

The compensations/entitlements due to all other PAPs, such as squatters, business employees, and the like (who are not recognized as affected persons by law) are also directly

⁵ A detailed procedure appears in *The Acquisition and Requisition of Immovable Property Ordinance, 1982*.

paid by LGED project office. It is to be mentioned here that the influential squatters/encroachers who are not vulnerable and who use public properties for free are not qualified for compensation or any other form of assistance.

6. The ‘awards’ or CULs are determined in terms of *Mauzas* (administrative unit). Accordingly, a person is entitled to as many ‘awards or CULs as the number of *mauzas* where his properties are acquired. At the time of top-up payment, the person would be counted once and the top-up would be paid together. The amount of top-up due to a PAP is determined by comparing the total amount of CUL paid by the DC office for all acquired lands and other assets in all *mauzas* with total replacement cost/market prices thereof.

7. As recognized widely, the acquisition process under the current ordinance is a very long process and always found to be one of the greatest constraints to implementing land-based development projects. The Acquiring Bodies (ABs) take unduly long time to complete the acquisition process, which result in persistent delays in various project implementation activities. As under RTIP, where acquisition involves narrow strips of land from numerous landowners, acquisition in itself becomes a highly tedious and time-consuming activity. Valuation of the affected land and other assets, which also require participation of other GoB agencies like PWD, Forestry, Fisheries, etc., has become highly questionable in terms of time and costs.⁶

8. The LGED (GoB) is committed to take concrete measures to gradually expedite the compensation payment so that the project (RTIP) remains compliant with the World Bank’s Operational Policy (OP 4.12). One of the most important compliance requirements of the OP 4.12 is that LGED *cannot* carry out any civil works on the private lands until the owners are paid the compensation stipulated in the land acquisition ordinance and other applicable impact mitigation measures are fully implemented.

If the awardees, on the other hand, do not receive the compensation in stipulated time, the DC keeps the amount of compensation in a special deposit account and this would be deemed as payment for the purpose of taking over the possession of the property. When the compensation is paid, the property remains acquired and vested in the government.

9. According to the principle of RF and implementation procedure of RAP, Grievance Redress Committee (GRC) comprising representatives of all key stakeholder groups would

⁶ The involvement of these GoB agencies has led to wastage of time, exaggeration in compensation assessment and misuse of land acquisition fund (see World Bank Mission Report, May 2006).

be constituted at the project implementation stage. The GRC would have mandatory roles to consider and dispose of all complaints relating to land acquisition, resettlement and rehabilitation, compensation and livelihood assistance. The committee may issue such directives as it may deem proper for the redress of such grievances. Efforts would be made so that that GRC functions efficiently and independently to assure proper implementation of the RAP. Decisions made by GRC through adopting this mechanisms would in principle be binding on LGED.

10. Now let us turn to the process of RAP preparation. It includes undertaking census of the affected assets and their owners, survey of current market prices/replacement costs of the various affected items, preparation of the mitigation budget and working out monitoring and implementation schedules. Assisted by the DSM consultants, Resettlement Specialist and project staff, the XENs remain in close touch with DCs and monitor progress in both land acquisition and RAP implementation. Monitoring consists of an array of steps that are related to land acquisition, phase-wise RAP preparation and implementation, as well as those involved in the process leading to commencement of the civil works.

The above analysis demonstrates the broad guidelines and principles of RF and implementation procedure of RAP. The examination of these guidelines, principles and implementation procedure at the field level would, nevertheless, provide a clear understanding of their adequacy and efficiency for identifying and mitigating the adverse impact of the project to which we would turn in forthcoming chapters (chaps. 4-5).

Chapter 3

Socio-economic Conditions of the PAPs and Squatters under Study

This chapter analyses some socio-economic characteristics of the households affected by the project (PAPs including squatters). This analysis attempts to provide an understanding of the experiences of the local people in relation to the process of land acquisition and resettlement programme which are being implemented and monitored at the grassroots level.

3.1 Socio-economic Profile of the Project Affected Households

We have conducted, as mentioned earlier, a structured sample survey of the PAPs (including squatters) to collect relevant socio-economic information in order to enable us to assess the adverse impacts of land acquisition and efficacy of the resettlement policies. Socio-economic characteristics of our sample households particularly in respect of land ownership, education, occupation and income are analysed below.

3.1.1 Land ownership pattern

We have chosen the households who have lost their land due to acquisition for improving the roads by among other things, widening them. Sample households are landowners of different types (e.g. small, medium and large) who have lost their land along the roads which pass through 5-10 mouzas/villages. The landless can only be affected or displaced, if they are squatting on LGED or other public lands.

The distribution pattern of landownership of the affected households (PAPs) can be seen in Table 3.1. Very small farms with land up to 150 decimals constituting 56.3% of households are observed to own 16.67% of land (all types of land) and 13.96% of agricultural land. The large farms owning 500 decimals and above, on the other hand, constituting 9% of farm households are observed to own 37.71% of land (all types) and 39.38% of agricultural land. This indicates that land distribution pattern by size categories is highly skewed, even though the landless households are not included here. If they were included according to the usual practice, the distribution pattern might have been more skewed.

From Table 3.1, it can also be seen that the average size of land per PAP is very small – above 2 acres for all types of land and nearly 1.7 acre for agricultural land.⁷ The percentage of agricultural land to total land is observed to have positive relation with the size of farm, i.e. larger farms have higher percentage of agricultural land.

Table 3.1
Land distribution pattern of PAPs by farm-size

Farm size (decimal)	No. of PAPs	%	Amount of land owned (decimal)	%	Average land per PAP	Amount of agricultural land owned (decimal)	%	Average agricultural land per PAPs	% of agricultural land to total land
Upto 50	114	25.1	2445.80	2.57	21.45	954.90	1.24	8.37	39.00
50-100	89	19.6	6681.49	7.03	75.07	4705.34	6.12	52.88	70.40
100-150	53	11.6	6720.87	7.07	126.80	5083.37	6.60	95.91	75.60
150-250	79	17.4	15514.90	16.32	196.39	12813.50	16.66	162.19	82.60
250-500	79	17.4	27840.05	29.30	352.40	23088.25	30.00	292.25	83.00
500 & above	41	9.0	35840.00	37.71	874.14	30281.00	39.38	738.56	84.50
Total	455	100.0	95043.11	100.0	208.88	76926.36	100.0	169.06	81.00

Source: Field Survey

There are different types of land (e.g. agricultural, homestead, ponds etc.) owned by our sample households (PAPs) in selected ten roads as seen in Table A.3.1 in Appendix. This table shows that more than 80% of land owned by our sample households are agricultural followed by homestead (11%) and orchard/garden (3%) respectively. These types of land owned by PAPs are also shown for each individual selected road. The share of agricultural land varies from 66% (in Kaliganj-Jangalia Road, Gazipur and Ibrahim BT Road, Chandpur) to 90% (in Sonahata-Bagbari Road, Bogra). These variations, however, appear to be contingent upon the strategic location of the road. In roads nearer to urban centre, somewhat smaller portions of land appear to have been found to be agricultural. The existing type of land has also relation to the acquisition of land and compensation there of. We shall turn to this point later on.

⁷ The average size of agricultural land has been found to be 1.42 acre in the 2005 BIDS Survey of 64 villages in Bangladesh (see Saha and Shahabuddin 2006). This indicates that data relating to average size of land of our present survey do not vary significantly from our earlier survey of 2005.

3.1.2 Occupation Pattern

Agriculture is the primary income source of majority (nearly 57%) of the heads of households (PAPs)⁸ followed by other occupations (e.g. fishing, rikshapulling, salaried employment etc. constituting 17%), business/trading (14.4%) and agricultural/non-agricultural labour (nearly 6%) (see Table 3.2). From this table, it can be seen that more than 5% of PAPs who are engaged in household works are usually the female-headed households who are mostly poor. A considerable portion (32.50%) of household heads of PAPs have secondary occupations.⁹ This indicates that there exists a moderate level of occupational diversification. In fact, most of the heads of households are cultivators and labourers (agricultural/non-agricultural) who are so poor that they are unable to maintain their livelihood on a single source of income. For this reason, they are forced to adopt the survival strategy of livelihood by diversifying their occupation for their existence at the subsistence level.

Table 3.2
Occupation pattern of household heads of PAPs in selected roads

Name of the Road (upazila, district)	Agriculture	Agri. labour	Industry & Trade	Transport & non-agri. worker	Household Workers	Others	Total	No. of PAPs with Secondary Occupation	% of PAPs with Secondary Occupation
Sonahata-Bagbari Road (Dhurat, Bogra)	33 (56.9)	2 (3.4)	5 (8.6)	0 (-)	5 (8.6)	13 (22.4)	58 (100.0)	20	34.50
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	46 (67.2)	0 (-)	10 (14.9)	0 (-)	4 (6.0)	8 (11.9)	68 (100.0)	23	34.00
Dhurat-Sariakandi Road (Saraikandi, Bogra)	31 (68.2)	2 (4.5)	3 (6.8)	1 (2.3)	3 (6.8)	5 (11.4)	45 (100.0)	5	11.10
Kalai-Moslemgonj Road (Kalai, Joypurhat)	10 (76.9)	0 (-)	1 (7.7)	0 (-)	1 (7.7)	1 (7.7)	13 (100.0)	3	23.00
Laxmiipur-Dorappur Road (Natore sador, Natore)	23 (50.0)	4 (8.7)	6 (13.0)	0 (-)	6 (13.0)	7 (15.2)	46 (100.0)	19	41.30
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	14 (37.8)	1 (2.7)	6 (16.2)	2 (5.4)	3 (8.1)	12 (29.7)	38 (100.0)	13	34.20
B. Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagar, B. Baria)	47 (58.8)	6 (7.5)	10 (12.5)	1 (1.3)	1 (1.3)	15 (18.8)	80 (100.0)	19	23.80
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	23 (54.8)	2 (4.8)	9 (21.4)	2 (4.8)	0 (-)	6 (14.3)	42 (100.0)	23	54.80
Ibrahim B.T. Road (Chandpur sador, Chandpur)	7 (36.8)	0 (-)	4 (21.1)	0 (-)	1 (5.3)	7 (36.8)	19 (100.0)	6	31.60
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	25 (54.3)	2 (4.3)	11 (23.9)	3 (6.5)	0 (-)	5 (10.9)	46 (100.0)	16	34.80
Total	259 (56.9)	19 (4.2)	65 (14.4)	9 (2.0)	24 (5.3)	79 (17.3)	455 (100.0)	147	32.50

Source: Field Survey

⁸ Census Surveys of PAPs in three phases by the LGED show that 62-70% households are engaged in agriculture as the primary occupation (see LGED 2003, 2004 and 2006).

⁹ The percentage of households with secondary occupation (i.e. occupational diversification) is significantly higher than what could be found in the data of Census Surveys of PAPs by LGED. Occupational diversifications are found at the extent of 22%, 18% and 11.12% in the first, second and third phases of the LGED Census Surveys (for results of the surveys, see LGED 2003, 2004 and 2006).

Now if we look at Table 3.2 to make further scrutiny of occupational pattern by our selected roads, we can find that agriculture as the primary occupation varies from nearly 37% in Ibrahim B.T. Road (Chandpur) to nearly 77% in Kalai-Moslemgonj Road (Joypurhat). Munshi Bazar-Mokam Bazar Road (Moulvi Bazar) and Ibrahim B.T Road (Chandpur) have no female-headed households (PAPs), while Sonahata-Bagbari Road (Bogra) has the highest incidence of female-headed households (nearly 9%) (see Table 3.2).

Considering occupation pattern of all members of our sample households (PAPs), as is shown in Table A.3.2 in Appendix, we find that nearly 43% of members are primarily engaged in household activities. This is, however, obvious due to predominance of females in household work which is followed by the occupations of agriculture (nearly 29%), business/industry (nearly 9%) and agricultural/non-agricultural labour (more than 4%) (see Table A.3.2 in Appendix). Occupational diversification (percentage of working members with secondary occupation) is now reduced to 14% indicating that heads of households (PAPs) have more responsibility to maintain the households at the subsistence level through adopting surviving strategy of livelihood. The occupational diversification of all working members, however, varies from 3% (in Dhunat-Sariakandi Road, Bogra) to 23.3% (in Sepaikandi-Kalir Bazar Road, Chandpur) (see Table A.3.2 in Appendix).

3.1.3 Income Level, Earning and Family Members of Households

The households can be categorized by monthly income groups (see Table 3.3). From this table, it can be seen that nearly 70% of households may be treated as poor categories who are at the level of monthly income of Tk. 5000 and below and remaining 30% of household belong to somewhat richer groups with monthly income of above Tk. 5000. It can also be seen that more than 34% of members of all income groups of households are the earning members and each household has 1.72 earning members.¹⁰ The higher income groups have, however, higher earning member per households as well as higher percentage of earning members to total number of members (see Table 3.3).

¹⁰ In LGED Census Surveys of three phases, estimates of earning member per family vary from 1.25 to 1.36 which are, however, somewhat lower than our own estimate.

Table 3.3
PAPs by monthly income groups

Monthly Income group (Tk.)	Number of PAPs (including squatter)	% of PAPs	Number of total members	Number of earning members	Earning member as % of total members	Earning member per PAP
Upto 1000	11	2.42	33	9	27.27	0.82
1001-2000	52	11.45	223	59	26.47	1.13
2001-3000	54	11.89	260	76	29.23	1.40
3001-4000	57	12.56	272	81	29.78	1.42
4001-5000	58	12.78	292	90	30.82	1.55
5001-6000	40	8.81	201	72	35.82	1.80
6001-7500	29	6.39	147	51	34.70	1.76
7501-8500	38	8.37	197	65	33.00	1.71
8501-10000	23	5.07	125	42	33.60	1.82
above 10000	92	20.26	519	237	45.67	2.57
All	454*	100.0	2269	782	34.46	1.72

Source: Field Survey

Note: * Information missing for one PAP.

From Table A.3.3 in Appendix, one can see that our estimate of average size of family (5 members) is nearer to national average of 4.8 members (2001 Population Census).¹¹ Now to turn to family members and earning members by farm size category, we find that smaller size of farms have somewhat lower size of family as well as lower size of earning members per family (see Table A.3.3 in Appendix).

3.1.4 Education Level

Nearly 60% of heads of the survey households are literate. Literacy, however, varies from 80% in Ibrahim BT Road, Chandpur to 48% in Sonahata-Bagbari Road, Bogra (see Table 3.4). Our heads of households in Ibrahim BT Road (Chandpur) appear to have achieved the highest position and the households at Munshigong Bazar – Mokam Bazar Road (Moulvi Bazar) are at the lowest position, in respect of educational achievement particularly above secondary level (see Table 3.4).

¹¹ In the LGED Census Surveys of three phases, average family size varies from 6.31 to 7.98. This indicates that the LGED estimates of average size of family are much higher than national and our estimates.

Table 3.4
Education level of PAPs (heads of households) in selected roads

Name of the Road (upazila, district)	Education level				
	Illiterate	Primary	Secondary	Above secondary	All
Sonahata-Bagbari Road (Dhumat, Bogra)	30 (51.8)	13 (22.4)	4 (6.9)	11 (18.9)	58 (100%)
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	24 (35.3)	12 (17.6)	12 (17.6)	20 (29.5)	68 (100%)
Dhumat-Sariakandi Road (Saraikandi, Bogra)	23 (51.1)	7 (15.6)	4 (8.9)	11 (24.4)	45 (100%)
Kalai-Moslemgonj Road (Kalai, Joypurhat)	3 (25.0)	3 (25.0)	3 (25.0)	4 (25.0)	12 (100%)
Laxmiipur-Dorappur Road (Natore sador, Natore)	19 (41.3)	11 (23.9)	7 (15.2)	9 (19.6)	46 (100%)
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	9 (24.3)	11 (29.7)	8 (18.9)	10 (27.0)	38 (100%)
B_Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	34 (42.5)	19 (23.8)	18 (22.5)	9 (11.3)	80 (100%)
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	12 (28.6)	15 (35.7)	3 (7.1)	12 (28.6)	42 (100%)
Ibrahim B.T. Road (Chandpur sador, Chandpur)	4 (21.1)	1 (5.3)	3 (15.8)	11 (57.9)	19 (100%)
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	21 (45.7)	12 (26.1)	7 (15.2)	6 (13.0)	46 (100%)
All	179 (39.4)	104 (22.9)	69 (15.2)	102 (22.5)	454 (100%)

Source: Field Survey

If we consider the level of education of all members, we find the similar pattern, though a somewhat higher percentage (nearly 63%) of literacy is observable (see Table A.3.4 in Appendix). This indicates that over generations literacy rate has somewhat increasing tendency (from 60% to 63%). Again, if we look at the level of education of all members of households by farm size categories, we find the larger farms, particularly at secondary and above secondary levels, remain much ahead (see Table A.3.5 in Appendix) for obvious reasons.

3.2 Socio-economic Profile of the Squatters

In addition to 455 affected households (PAPs), we selected 25 squatters who being poor (landless or near landless), were squatting on LGED or other public lands. They were severely affected or displaced from the land they were occupying to use for residence and

small shops on the sides of the roads. Socio-economic conditions of the squatters particularly in respect of land and other assets, occupation pattern, income and education levels are analysed below.

3.2.1 Land and other Assets

Amongst 25 squatters, 18 squatters were chosen from Tarnihat-Chandonbaisha Road, Bogra, 4 squatters from Sepaikandi-Kalir Bazar Road, Chandpur and the remaining 3 squatters from Ibrahim BT Road of Chandpur. Due to erosion of Jamuna and Meghna rivers, the households of nearby villages lost their lands. These uprooted households were residing over the polder of BWDB beside the road of Tarnihat-Chandonbaisha in the upazila of Sariakandi in the district of Bogra. These evicted households who lost their own land due to river erosion and turned into landless have surrendered the public land and again have been displaced due to efforts of improving Tarnihat-Chandonbaisha road. Most of the squatters in Chandpur (in Sepaikandi-Kali Bazar road and Ibrahim BT Road) have marginal lands of their own and had to surrender the lands they were using for running their business in small shops. The displacement from their residence, and shop/business have adverse impacts on their livelihood and occupation pattern, though there are some efforts from the LGED to resettle them. However, we are now analysing their occupation and livelihood pattern below so as to provide an understanding of their existing livelihood at the moment when they were being affected or displaced for improving the road.

3.2.2 Occupation and Livelihood Pattern

Agricultural labour, trading and household works are the main occupations of the squatters. From Table 3.5, it can be seen that 7 (28%) household heads are primarily small traders, another 7 (28%) household heads and 5 (20%) women headed households are engaged in selling their labour power in agricultural activities and self-employed in household works respectively. The noteworthy point is that in Bogra, squatters (household heads) are mainly agricultural labours and in Chandpur they are mainly small traders. Women headed households (squatters) are observed in both Bogra and Chandpur.

Table 3.5
Main occupation of squatters (head of the household)

Types of occupation	Tarunihat- Chandonbaisha road	Shepahikandi- Kalirbazar road	Ibrahim BT road	Total	%
Trading	2	3	2	7	28
Own land cultivation	1	-	-	1	4
Fishery/catching & selling fish	1	-	-	1	4
Poultry raising	1	-	-	1	4
Agricultural labor	7	-	-	7	28
Rickshaw/van driver	2	-	-	2	8
Household work	3	1	1	5	20
Servant	1	-	-	1	4
Total	18	4	3	25	100
No. of squatter with secondary occupation	4	2	2	8	
% of household with secondary occupations	22.22	50.00	66.67	32.00	

Source: Field Survey

From Table 3.5, it can also be seen that percentage of households with secondary occupation is moderate albeit, it is higher in Chandpur than in Bogra. It is, however, difficult to generalize with very small sample. During our field work, we have seen that agricultural labourers are supplementing their income and employment through diversifying their occupation by involving in activities of tenant farming (mainly sharecropping) and poultry raising. In Chandpur, small traders supplement their income through further involvement in own cultivation. In both Bogra and Chandpur, small cultivators are observed to adopt survival mechanism through selling their labour power in agricultural activities and in renting some land for supplementing their income and employment.

Similar finding holds good, if we look at data relating to occupational pattern of the all earning members of the squatters (see Table A.3.6 in Appendix). The point to be made here is that occupational diversification is much less for all earning members than for heads of squatter (households). This indicates that heads of households are more responsible for earning their subsistence through adopting survival strategy for supplementing their income and employment.

3.2.3 Income and Education Level

The squatters (households) are largely in lower income groups and none of them belongs to the monthly income group of above taka 6000 (see Table A.3.7 in Appendix). More than 38% of members of all income groups of squatters are the earning members whose number per household stands at 1.36 (see Table A.3.7 in Appendix). The squatters, who are relatively poor compared to the PAPs, are observed to have higher percentage of earners (see Table 3.3 and Table A.3.7 in Appendix), but the family size of squatters are still lower than that of PAPs (see Table A.3.3 and A.3.8 in Appendix). The education level of heads of squatter (household) is very low (40%) (see A.3.9 in Appendix) and is observed to have improved to more than 60% for the next generation, when education level of all family member of squatters is considered (see Tables A.3.10 in Appendix).

Chapter 4

Land Acquisition and Identification of Adverse Impacts

Although development projects like RTIP are usually planned for their beneficial impacts and are commonly viewed as ‘engines’ of economic growth, these projects have risks associated with loss of land, homes, properties and livelihoods. Indeed, due to high population density and low land-man ratio, land acquisition for development projects affects adversely a large number of people through enhancing landlessness, homelessness, food insecurity and a host of many other social and economic costs including disruption of community, social and cultural networks.

This chapter attempts to assess the impact of land acquisition programme of RTIP through identifying as well as mitigating its adverse impacts by way of gaining empirical insights in the light of Resettlement Framework (RF).

4.1 Land Acquisition and PAPs

4.1.1 Magnitude of Land Acquisition

As already mentioned, the Land Acquisition and Resettlement Programme of RTIP is highly concentrated in Bogra. As evident from A. Table 1 in Appendix, considering the whole project area in 21 districts, Bogra has the highest concentration of PAPs (more than 22%) who provided nearly one third of the acquired land under the programme. Amongst the selected 7 districts, Bogra covers nearly 52% of PAPs and nearly 62% of acquired land, considering our sample households (PAPs), we have nearly 38% of PAPs who provided nearly 57% of acquired land in Bogra.¹² Thus, it is evident that this programme of land acquisition and resettlement is largely based (concentrated) on the district of Bogra and can be considered as the polarizing factor of a development project of LGED.

Now based on BIDS field survey of 455 sample PAPs, we find that reported figure of acquired land for those sample PAPs is somewhat higher (nearly 2%) in BIDS survey data than in LGED data (see Table 4.1). This discrepancy, though insignificant, can be attributed to the ambiguities involved in the ownership of acquired land (e.g. co-ownership). In both cases, acquired land per PAP is the highest (6.60 decimals) in Dhunat-Sariakandi Road followed by Sonahata-Bagbari Road (6.10 decimals) reflecting greater incidence of land acquisition in these roads than in other roads. Be that as it may, the incidence of land

¹² Based on BIDS field data. According to LGED data, this figure of acquired land stands at nearly 55% indicating that there are some differences between BIDS and LGED data.

acquisition is contingent not only upon the location of the road but also upon the technical requirements of the road improvement (e.g. straightening, curvature etc.). To all intents and purposes, RTIP is an improvement upon the existing roads and not creating new roads. This largely explains the differences in the amount of land acquisition across different roads and thus in the amount of land acquired per PAP.

Table 4.1
Acquired Land in the Survey Roads

Name of the Road (upazila, district)	No. of PAPs	% of PAPs	Field data		LGED data		Acquired land (decimal) per PAP		% difference* between LGED & field data
			Acquired land (decimal)	% of Acquired land	Acquired land (decimal)	% of Acquire d land	Field data	LGED data	
Sonahata-Bagbari Road (Dhumat, Bogra)	58	12.75	354.00	20.78	342.48	20.41	6.10	5.90	-3.36
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	68	14.95	299.54	17.59	278.77	16.62	4.40	4.10	-7.45
Dhumat-Sariakandi Road (Saraikandi, Bogra)	45	9.90	311.82	18.31	296.49	17.67	6.93	6.60	-5.17
Kalai-Moslemgonj Road (Kalai, Joypurhat)	13	2.86	17.17	1.00	17.52	1.04	1.32	1.34	2.00
Laxmiipur-Dorappur Road (Natore Sadar, Natore)	46	10.11	112.40	6.60	116.67	6.95	2.44	2.54	3.66
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	38	8.35	60.80	3.57	57.38	3.42	1.60	1.51	-5.96
B_Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagar, B. Baria)	80	17.58	206.21	12.11	208.22	12.41	2.58	2.60	0.97
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	42	9.23	96.09	5.64	88.52	5.28	2.30	2.10	-8.55
Ibrahim B.T. Road (Chandpur Sadar, Chandpur)	19	4.18	36.93	2.17	64.03	3.82	1.94	3.37	42.32
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	46	10.11	208.36	12.23	207.58	12.37	4.53	4.52	-0.38
All	455	100.0	1703.32	100.0	1677.66	100.0	3.75	3.68	-1.53

Source: Field Survey and LGED Computer Based Data

Note:

* Method of calculation:

% difference = ((lged-field)/lged)*100

Different types of land (e.g. agricultural, homestead, orchard/garden, pond/ditch, fallow etc.) used and owned by our sample PAPs are acquired for improving the roads. From Table A.4.1 in Appendix, it can be observed that on average the largest proportion of land acquired is agricultural (76.9%) followed in order by homestead (19.7%). Respective share of orchard/garden, pond/ditch and fallow land in total land acquired is insignificant. However, the share of agricultural land ranges from 33.2 percent in Kaligonj-Jangalia Road to 94.4 percent in Sonahata-Bagbari Road and 94.3 percent in Munshi Bazar-Mokam Bazar via Sonatiki Road. Similarly, the proportion of homestead land varies from 4.6 percent in Sonahata-Bagbari Road to 63.9 percent in B.-Baria-Nabinagar Via Sadekpur Road (Table

A.4.1 in Appendix). In roads nearer to urban area/centre, somewhat lower percentage of acquired land is agricultural and higher percentage is homestead. The impact of land acquisition across different categories as well as different areas is, therefore, expected to be different primarily due to differences in the value of land. Different location and use of land acquired require different mitigation principles.

It is to be noted here that on average 81.10% and 11.10% of land owned are agricultural and homestead respectively (Table A.3.1 in Appendix), while percentages of agricultural land and homestead to total acquired land stand at nearly 77% and 20% respectively. This indicates that land acquisition is proportionately higher for homestead than for agricultural land.

Looking at Table 4.2, one can observe that on average land acquired as percentage of land owned by PAPs amounts to only 1.8 ranging from 0.55 in Kalai-Moslemgonj Road to 3.5 in Dhunat-Sariakandi Road. The incidence of land acquisition is thus minimal which appears to be consistent to the principles and guidelines of Resettlement Framework (RF) of LGED. However, average acquired homestead land to owned land amounts to 3.2 percent compared to 1.7 percent agricultural land (Table 4.2). Thus land acquisition is proportionately somewhat higher for homestead land than for agricultural land with far-reaching implications for mitigation.

Table 4.2
Land acquired as percentage of land owned by PAPs by road (field data)

Name of the Road (upazila, district)	Land acquired as % of land owned by PAPs						
	Agricultural	Homestead	Orchard/ Garden	Pond/ Ditch	Fallow	Others	Total
Sonahata-Bagbari Road (Dhunat, Bogra)	2.60	1.80	0	3.75	-	-	2.50
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	2.00	1.40	0.60	-	-	-	1.80
Dhunat-Sariakandi Road (Saraikandi, Bogra)	3.40	4.70	3.50	-	5.80	-	3.50
Kalai-Moslemgonj Road (Kalai, Joypurhat)	0.50	0.70	0.60	1.40	-	-	0.55
Laxmiipur-Dorappur Road (Natore Sadar, Natore)	0.70	6.90	1.80	-	-	-	1.40
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	0.30	1.50	0.80	-	0.80	-	0.60
B. Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	0.60	8.60	-	-	-	-	1.50
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	1.50	1.00	-	1.60	-	-	1.40
Ibrahim B.T. Road (Chandpur sador, Chandpur)	1.00	2.30	-	4.00	-	-	1.30
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	2.50	1.30	-	-	-	-	2.20
All	1.70	3.20	1.00	1.00	0.50	-	1.80

Source: Field Survey

Land acquisition was prolonged for several reasons. The main reasons that caused delays in land acquisition plan/proposal (LAP) were extremely slow progress in topographic survey and determining acquisition needs for the individual roads and their demarcation on the ground. Both of these factors are, however, prerequisites for LAP preparation and undertaking census of the affected persons/households and their assets.

4.1.2 Distribution Pattern of Acquired Land

The distribution pattern of acquired land by farm size category can be seen in Table 4.3. This table shows that PAPs owning lower amount of land surrender lower than average amount of acquired land per PAP. This indicates that average acquired land per PAP tends to increase with increase of farm size. This result obtained from both BIDS survey and LGED data apparently indicate equity in the incidence of land acquisition.

Table 4.3
Distribution of acquired land by farm size category

Farm size (decimal)	No. of PAPs	Field data			LGED data		
		Acquired land (decimal)	%	Average acquired land per PAP	Acquired land (decimal)	%	Average acquired land per PAP
upto 50	114	257.09	15.10	2.26	284.32	16.95	2.49
50-100	89	300.76	17.66	3.38	337.83	20.14	3.80
100-150	53	202.49	11.90	3.82	188.42	11.23	3.56
150-250	79	297.93	17.50	3.77	268.52	16.00	3.40
250-500	79	449.27	26.38	5.69	413.12	24.62	5.23
500 & above	41	195.78	11.50	4.78	185.46	11.05	4.52
All	455	1703.32	100.0	3.75	1677.66	100.0	3.68

Source: Field Survey and LGED Computer Based Data

But this impression does not hold good, if we relate the question of equity with the whole distribution pattern of land ownership. If we adopt this approach, we can find that larger farms (PAPs) constituting a smaller segment of households own a larger portion of land, but contribute lower and insignificant portion of their own land to the acquisition of land. For example, large farms (PAPs) constituting 9% of households own nearly 38% of land (Table A.3.1 in Appendix) contribute more than 11% of acquired land which is equivalent to nearly 0.55% of his own land (Table 4.4). On the other hand, near landless or functionally landless households (PAPs owning up to 50 decimals) constituting 25% of households own nearly 2.6% of land (Table A.3.1 in Appendix), but contribute more than 15% of acquired land which is equivalent to nearly 11% of his own land (see Table 4.4). This leads one to argue that the larger farms compared to their smaller counterparts contribute much smaller portion of their own land to the process of land acquisition. One cannot, therefore, avoid the conclusion that due to inequalitarian land distribution system, the distribution pattern of acquired land remains inequitable.

Table 4.4
Owned and acquired land distribution pattern by farm size category

Farm size (decimal) (1)	No. of PAPs (2)	% of PAPs (3)	Amount of owned land (4)	% of owned land (5)	Amount of acquired land (decimal) (6)	% of acquired land (7)	Acquired land as % of owned land (8) = (6/4)x100
upto 50	114	25.1	2445.80	2.57	257.09	15.10	10.51
50-100	89	19.6	6681.49	7.03	300.76	17.66	4.50
100-150	53	11.6	6720.87	7.07	202.49	11.90	3.01
150-250	79	17.4	15514.90	16.32	297.93	17.50	1.92
250-500	79	17.4	27840.05	29.30	449.27	26.38	1.61
500 & above	41	9.0	35840.00	37.71	195.78	11.50	0.55
All	455	100.0	95043.11	100.0	1703.32	100.0	1.79

Source: Field Survey

4.1.3 Process of Land Acquisition

According to the Land Acquisition Ordinance of 1982 it is stipulated that the DC office must give notice (under section 3) to the concerned persons for acquiring the land. Evidence at field level demonstrates that nearly 91% of PAPs got this notice from the concerned authorities of land acquisition, and nearly in 10% of cases the message of land acquisition was communicated through people and mike announcement (see Table 4.5). This table also shows that in most cases (76.20%) PAPs got the message of land acquisition much before the civil works were initiated, though there are substantial number of cases who got the message of land acquisition during the time of civil works and in some cases after the completion of civil works. This could have occurred mainly due to two reasons. Firstly, PAPs remained outside the villages and some of them resided abroad. Secondly, on behalf of the PAPs, their heirs received the notice so that in most of such cases actual owners (PAPs) could not get the message in time. Under these circumstances, these events, therefore, can be not treated as serious deviations from the RF or Act.

Table 4.5
Frequency of When and How Received News of Land Acquisition

When	Total Number of responses (including squatters)	%
Before civil works	426	76.20
During civil works	124	22.30
After the civil works	7	1.30
Others	1	0.20
All Responses of When	558	100
Number of cases	474	
Number of response per case	1.180	
How		
Through people	23	4.60
Through government notice	451	90.60
Through mike announcement	23	4.60
Others	1	0.20
All Responses of How	498	
Number of cases	474	
Number of response per case	1.050	

Source: Field Survey

This indicates that the principles and guidelines of the RF based on the 1982 Ordinance and WB's Operational Policy are largely followed by the concerned authorities of land acquisition, though evidence shows that principles and guidelines contained in the RF could not be fully followed due to some compelling reasons as mentioned above.

Contrary to this opinion of the respondents (PAPs), the technical personnel of the LGED who were involved in preparation and implementation of the project expressed their expert view that the alignments were fixed considering technical, social and environmental criteria. And for that matter, there was no scope for violating the given criteria. The modifications of the design of the road could, nevertheless, have taken place, had there been any need of strengthening rather than violating the criteria under certain rules and regulations.

In spite of the above objective condition, some of PAPs raised their complaints (as can be seen in Table 4.6) to DC office in writing and one of them (in Laxmipur-Dorappur Road in Natore) appealed to the court and another person (PAP in Tarnihat – Chandanbaisha Road, Bogra), in collaboration with other persons, attempted to protest against acquisition of his land. These are, nevertheless, few cases to raise complaints due to adverse impacts caused by land acquisition, where so many are aware of beneficial impacts of the acquisition of land for improving the roads through widening them to which we shall turn later on.

Table 4.6
Frequency of Complaint at Land Acquisition by Reasons and Measures

Reasons for Complaint	Number of responses from PAPs who had complained	% of responses	% of all sample PAPs (455)
Inconvenient for cultivation	3	25.00	0.66
Could be better if bypassed	3	25.00	0.66
Others	6	50.00	1.32
All Responses of Reasons	12	100.00	2.64
Measures Taken:			
Informed DC office in writing	6	50.00	1.32
Appealed to the court	1	8.30	0.22
Protested in collaboration with likeminded people	1	8.30	0.22
Others	4	33.40	0.88
All Responses of Measures	12	100.00	2.64

Source: Field Survey

4.1.4 Losses other than Land

Apart from the loss of land, there is a wide spectrum of losses suffered by the PAPs. As shown by Table 4.7, the most important of these losses in terms of percentage of responses, is felling trees (nearly 66%) followed in order by shifting of houses (17.62%) and loss of crops (9.11%). Among other losses are job or income loss, change in the workplace and loss of other assets. However, while felling trees has environmental implications, shifting of houses disrupts shelter with a moderate bearing upon the livelihood of the PAPs. In this regard, it must be kept in mind that for all these losses of land and non-land assets, mitigation policies as per RPF are adopted to which we shall turn in the next chapter.

Table 4.7
Other Ways of being affected than Loss of Land

Other Ways of being Affected	Number of responses	% of responses	% of Total Number of respondents (260)
House had to be shifted	58	17.62	22.30
Workplace had to be changed	5	1.51	1.92
Income/employment has reduced	7	2.12	2.70
Loss of rented land	1	0.30	0.38
Loss of crops	30	9.11	11.54
Felling trees	217	65.95	83.46
Other assets	11	3.34	4.23
All Responses	329	100.00	126.53

Source: Field Survey

4.2 Restoration of Public Land: Impact on Squatters

Apart from private land acquisition, Acquiring Body (AB) has taken over the public lands that were being used by unauthorized persons for their residence or business. Thus, land acquisition has also displaced households and businesses that had been squatting on LGED and other public lands. The process of restoration of such land and its adverse impact thereof are analyzed below.

4.2.1 Magnitude of Surrendered Land by Squatters

We have studied 25 squatters who used public land on the side of roads for their houses and shops/businesses. It can be seen from Table 4.8 that 101.50 decimals of land had to be surrendered by 25 squatters so that on an average more than 4 decimals of land had been surrendered by a squatter. This table also shows that more than 90% of land surrendered by 68% of squatters was previously used as residential places, whereas the remaining nearly 10% of land was occupied by 32% of them for the use of shops/businesses. Thus the amount of surrendered land per squatter for the previous use for residence is much higher than that for shop/business.

Table 4.8
Previous use of surrendered land

Previous use of land	Amount of land (Decimal)	%	Number of PAPs	%	Amount of land per PAP
House	92.00	90.60	17	68	5.40
Shop/Business	9.50	9.40	8	32	1.20
All Cases	101.50	100.00	25	100	4.06

Source: Field Survey

We studied the squatters in three selected roads in Bogra and Chandpur. The previous use of surrendered land by squatters by road can be seen in Table A.4.2 in Appendix. Average surrendered land per squatter is much higher in Tarnihat – Chandanbaisha Road in Bogra than any of the two roads (Sepaikandi – Kalibazar Raod and Ibrahim BT Road) in Chandpur. By and large, the squatters in Bogra are observed to have been displaced from their residence and the squatters in Chandpur from their workplace in shops/businesses (see Table A.4.2 in Appendix).

4.2.2 Process of Restoration of Public Land

For restoration of public land from the possession under the squatters, no legal notice was issued to them. But they were usually informed by the LGED officials who were supported by the people at the community level, particularly the UP chairmen and members. In spite of this participatory approach followed by the LGED officials, Table A.4.3 in Appendix shows that most of the squatters had got the message of acquiring the public land much before the civil works began on the road indicating that they did not face much trouble in surrendering the land.

Moreover, 76% of the squatters (with multiple responses) could know about surrendering the possession of land through officials and the remaining 24% of them through people at the time of civil works (see Table A.4.4). This indicates that a substantial number of squatters suffered a lot, though the principle of participatory approach as per RPF was largely followed.

4.2.3 Adverse Impacts on Squatters

The restoration of public land through surrendering the possession of land by squatters has serious adverse impacts of displacement which has been revealed by Table 4.9. This table shows that 68% of respondents (with multiple responses) had to shift their houses, 38% to change their work places and 20% to reduce their income flow and employment. This manifests serious adverse impacts on livelihood pattern of squatters/PAPs. There were, however, attempts by LGED to overcome these adverse impacts through adopting strategic policy of mitigation (e.g. resettlement programme) to which we shall turn in the next chapter.

Table 4.9
Impact of Surrendering the Possession of Land

Impact	Number of responses	% of responses	% of Total number of respondents (25)
House had to be shifted	17	45.95	68.00
Workplace had to be changed	8	21.62	32.00
Income/employment has reduced	5	13.51	20.00
Loss of tenant land	0	0.00	0.00
Loss of crops	0	0.00	0.00
Felling trees	6	16.22	24.00
Loss of other assets	1	2.70	4.00
All responses	37	100.00	148.00

Source: Field Survey

Chapter 5

Mitigation of the Adverse Effects of the Projects

In the preceding chapter, we have analysed the process of land acquisition programme and identified the adverse impacts of the project through gaining insights from Resettlement Framework (RF). This Chapter attempts to assess efficacy of the mitigation policies and measures and demonstrates how effectively they had been and were being implemented. In doing so, we shall analyse the whole process of land acquisition in order to enable us to identify the main impediments that are responsible for delay in land acquisition. In this chapter, an attempt will also be made to review the implementation process of the Resettlement Action Plans (RAPs) of LGED on the ground.

5.1 Mitigation Policies and Principles

In an earlier chapter (ch. 2), we have provided an outline of rules and regulations pertaining to land acquisition and resettlement. At the risk of being somewhat repetitive, this section reviews the mitigation policies and principles as laid down in the project documents in the light of their adequacy to rise to the mitigation needs.

5.1.1 Resettlement Policy Framework

The impact of land acquisition and displacement was planned to be mitigated according to the Resettlement Policy Framework (RPF) prepared for the entire project and the phase-wise Resettlement Action Plans (RAPs). The resettlement impact arises from the acquisition of private lands, and displacement of people who have been squatting by the existing roads. In principle, the compensation process should be completed before the civil works begins.

According to the Resettlement Framework (RF) of the RTIP (LGED, 2003a), the key objectives of the RF are: (i) to avoid or minimize the hardship and impoverishment that land acquisition and displacement would cause, and (ii) to mitigate any adverse impact at the household and community levels.

5.1.2 Minimizing Adverse Impact

The project will consider alternative engineering designs to avoid or minimize land acquisition in order to minimize its adverse socioeconomic impact on the people and communities. Under unavoidable circumstances, consideration will be given to (a) avoid or minimize displacement from homesteads; (b) avoid or minimize displacement from buildings/structures used for permanent business/commercial activities; (c) use least productive lands; and (d) avoid acquisition of community facilities like educational institutions, places of worship, cemeteries, buildings/structures that are historically/ culturally significant, and the like.

5.1.3 Mitigation Principles

Where displacement is unavoidable, resettlement of the project affected persons (PAPs) will be planned and developed as an integral part of the project, and will be implemented as a development programme. In addition, the RF has used the following principles to determine the nature of impact that would require mitigation and the PAPs who would be entitled to assistance: (i) absence of legal title will not be considered a bar to assistance, especially for the socially and economically vulnerable persons and groups; (ii) losers of homestead (including the households/persons squatting on public lands) will be given the options of physical relocation in designated sites or any location they choose, and will be assisted with relocation; (iii) the project will rebuild or provide access to alternatives, where community facilities are affected; (iv) economically well-off persons who use their social and political influence to use public lands will not qualify for assistance; and (v) the project will not be used to collect arrear land development or any other taxes.

5.1.4 Impacts to be mitigated

The compensation for lands will be fixed at their replacement value, and for other affected properties at replacement costs or market prices, which will be determined by land market surveys. The following are the types of losses which will qualify for compensation/assistance: (i) lands of all kinds; (ii) all non-land assets, such as houses/structures, trees, crops and other immovable assets, that are situated on the acquired lands; (iii) physical relocation in cases of homestead loss; (iv) temporary income loss by business operators and their employees; (v) loss of rental income from houses/structures built

on acquired private lands; and (vi) loss of use of vested and nonresident properties, which are not under lease. No compensation will, however, be paid for (a) acquired lands for which the affected persons do not possess legal titles acceptable to the Deputy Commissioners (DCs); (b) equipment, machinery or parts, which can be dismantled and moved away intact; (c) loss of use of vested and nonresident properties under lease; and (d) loss of rental income from houses/structures built on public lands.

5.1.5 Compensation Payment

Given that existing laws will be used to legalize the acquisitions, a part of this compensation will be assessed and paid to the title-holding PAPs by the DCs responsible for the acquisitions. If this payment – compensation-under-law (CUL) – is lower than the replacement value/market price, LGED project office will directly pay the difference (top-up) to make up for the shortfall. The compensations/entitlements due to all other PAPs, who are not recognized by the law, will also be directly paid by the LGED project office. LGED will ensure that the compensations/entitlements due to the PAPs are paid in full before they are evicted from the acquired private and public lands.

5.1.6 Grievance Redress

In accordance with the RF, the LGED will establish a grievance redress procedure to deal with various non-legal issues that may arise during preparation and implementation of the resettlement activities. These issues are usually intricate and more often than not involve PAPs or affected assets missed by census or baseline surveys, and minor disputes relating to co-ownership, co-inheritance, etc of the affected properties. By rule, a Grievance Redress Committee (GRC) under each contract will try to resolve such issues amicably by bringing together the contestants. But the GRC will not provide any legal advice to the contestants. The proceedings of GRC will be recorded and monitored. Decisions taken by the GRC will be binding on the LGED.

5.2 Volume, Nature and Process of Compensation Payment

5.2.1 Compensation for Loss of Different Types of Land

According to the existing laws of the land, compensation is a part and parcel of land acquisition. Table A.5.1 in Appendix presents the total amount of land acquired and the total amount of compensation due to selected PAPs in the survey areas. It shows that for selected PAPs total land acquired amounts to 1703.32 decimal for which total compensation works out at Tk.7381074. As expected, agricultural land accounts for the largest share (76.87%) of total land acquired and the largest share (66.97%) of total compensation followed in order by homestead land with a share of 19.69 percent of acquired land and 28.69 percent of compensation. It implies that land acquisition for RTIP has a rather heavy claim on the income and livelihood of the PAPs who depend primarily on agriculture.¹³

Average amount of compensation per decimal stands at Tk.4333 with Tk.3775 for agricultural land, Tk.6316 for homestead land, Tk.2544 for garden, Tk.9536 for pond and Tk.900 for fallow land (see Table A.5.2 in Appendix). Surprisingly, the rate of compensation for pond looks exceedingly high due to concentration of ponds in those survey areas where land price is surpassingly high (e.g. Chandpur) compared to other survey areas. This is corroborated by the fact that the rate of compensation for agricultural land and for that matter the price of land is the highest in Chandpur Sadar followed by Uttar Matlab of Chandpur district. One may reasonably argue that loss of high income generating ponds especially in the urban centres necessarily deserves high compensation rate compared to other categories of land acquired and the respective compensation.

5.2.2 Compensation other than for Loss of Land

Apart from the compensation for the loss of land, felling trees accounts for the largest share (61.07%) of non-land compensation followed in order by shifting of houses (32.51%). Among other notable heads of compensation are change in workplace and loss of crops (Table 5.1). Felling trees involves not only economic costs but also social costs. Although economic costs are partly met by compensation, social costs remain fully unmet. In the future RTIP, these aspects of compensation need to be taken into account (e.g. planting trees along the roadsides and their maintenance).

¹³ For analyses of occupational pattern of PAPs, see ch. 3.

Table 5.1
Compensation other than for loss of land

Ways of being Affected	Compensation	
	Amount of Taka	%
Felling trees (N = 217)	1568960	61.07
House had to be shifted (N = 58)	835363	32.51
Workplace had to be changed (N = 5)	105000	4.09
Income/employment has reduced (N = 7)	5800	0.23
Loss of tenant land (N = 1)	2200	0.08
Loss of crops (N = 30)	30400	1.18
Other assets (N = 11)	21500	0.84
All Cases (N = 329)	2569223	100.00

Source: Field Survey

5.2.3 Two Types of Compensation: Compensation Under Law (CUL) and Top-Up

As noted earlier, the CUL and top-up constitute total compensation. CUL on the acquired land is estimated by the DC office and top-up (difference between CUL and actual market price) is calculated for all roads by LGED district offices¹⁴. There are other entitlements like stamp duty to purchase replacement lands, house transfer and construction grants, grants for acquisition-induced vulnerability, rental allowance for the homestead losers who are unable to find relocation lands before eviction, etc, are required to be processed. Field evidence indicates that this exercise takes much longer time than needed which leads to further delay in compensation payment.

If we consider two types of compensation (CUL and top-up) for acquired land, BIDS survey data demonstrates that CUL is predominant constituting 84% of total compensation for all roads taken together. There are, however, significant variations ranging from nearly 50% in Kalia – Moslemganj Road in Joypurhat to 88% in B. Baria-Nabinagar Road in B. Baria (see Table A.5.3 in Appendix). According to LGED computerized data, CUL is also predominant and constitutes nearly 81% of total compensation for all roads taken together (see Table A.5.4 in Appendix). From this table in Appendix, significant variations ranging from 45% in Kalai-Moslemganj Road in Joypurhat to 86.40% in Dhunat-Sariakandi Road in Bogra are, however, discernible. This indicates that the LGED computerized data relating to compensation (both CUL and top-up) are consistent and similar when compared with data collected from the field.

Now let us turn to the estimation process of CUL and top-up. As is usually practiced, CUL is estimated on the basis of sales price recorded in the previous year of acquisition in

¹⁴ For the method and rationale of calculations, see ch. 2.

the administrative unit allowing an additional 50% value for making the compensation an adequate one. The top-up is directly paid by the LGED to the PAPs for making up shortfall so that compensation remains equivalent to replacement value/market price. Our field experience, nevertheless, indicates that the sales price of land is grossly underreported by the sample PAPs to evade sale tax so that it remains to the extent of 30-40% of the market price. By adding 50% over the sale (deed price) the market value determined and paid by the DC office stands at 45-60% of the actual market price/replacement value. Considering 16% top-up (as is found in BIDS survey) the PAPs get 61-76% of the actual market/replacement value of their land as compensation. And considering 19% top-up (as is found in LGED data), they get 64-79% of the actual market value as compensation on the acquired land. This indicates that the PAPs remain significantly underpaid to the extent of 21-39% of the actual market value of their land.

This estimate of under payment basing on the logical sequence of the event is, nevertheless, attributable to the gross under reporting of deed value of land made by the PAPs themselves for evading sales tax. The efforts of DC office through allowing an addition of 50% value and those of LGED office for adopting a liberal approach for arranging for top-up to remove the further shortfall have, no doubt, significantly reduced the extent of underpayment which could have been to the extent of 60-70% in absence of policy intervention by the DC and LGED offices.

Now it is a moot question how market price/replacement value is determined. For determining the market price of land, we are reported that LGED undertook Market Price Survey (MPS) and accordingly collected market price of different types of land from cross section of people (e.g. farmers, businessmen, school teachers, doctors, lawyers, UP members/chairman, deed writers, land brokers etc.). Methodologically, MPS appears to be in the right track, but data (land price per decimal) derived from this exercise does not seem to be consistent. It is not found to be equivalent to the compensation either paid by the government (through DC and LGED offices) or received by the PAPs (see A.5.5. in Appendix). For example, in Kaliganj-Jangalia Road in Gazipur, market price of land (per decimal) determined by MPS is much higher than compensation paid by DC/LGED office and/or received by the PAPs. In Sonahata-Bagbari Road in Bogra, on the other hand, MPS rate (market price per decimal) is somewhat lower than the compensation paid by the DC/LGED offices, but somewhat higher than what is received by the PAPs (see Table A.5.5. in Appendix). Moreover, our assessed market price (per decimal of land) through

consultation with PAPs and local people appears to be much higher than that of compensation paid by DC/LGED offices and received by the PAPs in our study areas. For example, in Munshi Baza–Mokam Bazar Road in Moulvi Bazar, per decimal of acquired land, the PAPs received Tk. 1113, the DC/LGED offices paid Tk. 1316, Market Price Survey (MPS) of LGED determines at Tk. 1629, while our assessed market price is Tk. 30,000.

The market price of land reported in LGED survey of 2004-05 and compensation paid by the DC and LGED offices during this period appears to be much lower than the actual price of land that prevailed during the same period¹⁵. BIDS field study during December 2008 and restudy during December 2009 demonstrate that land prices have increased enormously after improvement of the road. So at the cost of the paltry amount of land that has been acquired for improving the road, the PAPs in addition to the compensation for the acquired land, have been able to derive much benefit through substantial enhancement of the value of land after improvement of the road.

It is to be mentioned here that for valuation of affected non-land assets (e.g. houses/structure, machinery, trees, ponds, etc), the participation of other GoB agencies, such as PWD, Forestry, Fisheries, etc is also required. It has been observed that services of these agencies are never available in time and they more often than not interpret certain provisions of the acquisition ordinance in such a manner that compensation for non-land affected assets remains exorbitantly inflated.¹⁶ In such circumstances, compensation for non-land assets is paid to the PAPs at significantly higher value, though for some reasons (as mentioned above) they may be underpaid for affected land. This indicates that the compensation process as a whole is highly tedious, costly and time-consuming.

Now considering compensation for losses of both land and non-land assets, the composition of the two types of compensation (CUL and top-up) appears to be somewhat different. According to BIDS field survey, on average CUL accounts for 89.6 percent as against the top-up of only 10.4 percent. This ratio, however, differs significantly from 60.3: 39.7 in the case of Kalai-Moslemgonj Road to 96.3: 3.7 in the case of B. Baria-Nabinagar Via Sadekpur Road (see Table A.5.6 in Appendix) depending primarily upon the magnitude and values of the CUL and top-up components. For all practical purposes, the amount of top-up essentially follows from the amount of CUL.

¹⁵ Through focus group discussions (FGD) with the PAPs during our field survey in December 2008 and resurvey in December 2009, we collected usual market price of land over the last few years (including the year before and after land acquisition).

¹⁶ For similar observations, see LGED (2007) and WB Mission Report (December 7-21, 2006).

These findings corroborate the LGED data which show that on average CUL accounts for 86.3 percent and top-up only 13.7 percent. In close correspondence to BIDS survey findings, this ratio differs significantly from 53.30: 46.70 in the case of Kalai-Moslemgonj Road to 96.50 : 3.50 in the case of B. Baria-Nabinagar Via Sadekpur Road (see Table A.5.7 in Appendix).

LGED, on its part, undertook the process tasks more or less on time to determine and pay the top-up and other entitlements to the landowners and made the payments due to the squatters. LGED, as mentioned before, had undertaken the market price surveys of land and other assets required to determine the top-up, and had processed other entitlements like stamp duties and special assistance to the severely affected households. Nevertheless, as we have already seen, it remains unclear how the survey data were used in figuring out the amount of compensation and making payment of compensation. Payment to the displaced squatters also remained pending for quite long time.

BIDS field survey, however, reveals that it is difficult, though not impossible, to accomplish this requirement, since many affected landowners remain unpaid most often due to the fact that they are unable to produce various legal evidence and/or the amount of compensation is not large enough to cover the costs involved in the process of compensation payment.¹⁷ In such cases, according to the acquisition ordinance, the DC keeps the amount of compensation in a special deposit account which is deemed as payment for the purpose of taking over the possession of the property. In this way, the compliance requirement of the World Bank may be fulfilled, but the PAPs in the real sense of the term remain unpaid in the years of civil work. As land acquisition takes a considerable time, the unpaid compensation for fulfilling the compliance requirement may be added to those of the payable compensation in the subsequent years (as indicated in RF, p. 29) which ultimately can lead to slowing down the payment of compensation. We shall turn to this point a bit later on.

5.2.4 Reasons for Non-Payment and/or Slowing Down the Payment of Compensation

The study finds that out of 455 PAPs a significant number of them (18.46%) did not get compensation (Table A.5.8 in Appendix). This finding, however, does not agree with LGED record which reports that only 3.3 percent of the PAPs did not get compensation (Table A.5.9 in Appendix). According to LGED, all PAPs in Sonahata-Bagbari Road,

¹⁷ This observation is substantiated by evidence provided by LGED, 2007, *op. cit.* and WB Mission Report (May, 2006).

Ibrahim B.T. Road and Munshigonj Bazar-Mokambazar via Sonatiky Road have got compensation while BIDS field survey reveals that 23 PAPs (5.05%) of these roads did not get compensation. This discrepancy arises possibly because the amount of money the PAPs do not receive as compensation is kept in abeyance by the DC office in a special deposit account and this money is deemed as payment for taking over the possession of the property.

BIDS field survey reveals that on average 79.4 percent of the total assessed compensation (CUL + Top-up) has been paid ranging from 64 percent in B.Baria-Nabinagar Via Sadekpur Road to 94 percent in Dhunat-Sariakandi Road. On average 80 percent of the CUL has been paid spreading from 64 percent in B.Baria-Nabinagar Via Sadekpur Road to 97 percent in Dhunat-Sariakandi Road. On average 74 percent of the top-up has been paid extending from 60 percent in Tarnihat-Chandonbaisha Road to 92 percent in Laxmiipur-Dorappur Road (Table A.5.10 in Appendix).

In contrast, according to LGED, payment of total assessed compensation on average amounts to 98 percent ranging from 87 percent in Tarnihat-Chandonbaisha Road to 100 percent in Sonahata-Bagbari Road, Ibrahim B.T. Road and Munshi Bazar-Mokam Bazar via Sonatiki Road. On average 98 percent of the CUL has been paid spreading from 86 percent in Tarnihat-Chandonbaisha Road to 100 percent in Sonahata-Bagbari Road, Ibrahim B.T. Road and Munshi Bazar-Mokam Bazar via Sonatiki Road. Top-up payment on average amounts to 95.5 percent ranging from 85 percent in Sepaikandi-Kalir Bazar Road to 100 percent in Sonahata-Bagbari Road, Kaligonj-Jangalia Road, Ibrahim B.T. Road and Munshi Bazar-Mokam Bazar via Sonatiki Road (Table A.5.11 in Appendix). Inter-road variation in the payment of CUL and top-up is attributable primarily to differences in the time of land acquisition and compensation assessment.

However, the discrepancy between the BIDS and LGED figures of compensation payment¹⁸ is attributable partly to the leakage of compensation money at both DC and LGED offices, and partly to underreporting of compensation payment by the PAPs.¹⁹ There are diverse reasons for which all the PAPs did not get compensation payment. From Table 5.2, it can be seen that the most significant reason is the negligible amount of land surrendered by individual PAPs (38.3% of responses for non-payment of compensation) followed by the

¹⁸ On an average the difference between compensation paid by the LGED/DC office and received by the PAPs is estimated at the extent of 18.8% (for total compensation taken for all roads) and 11.41% (for average land per decimal for all roads taken together) (see Table A.5.12 in Appendix).

¹⁹ The PAPs received compensation 2/3 years back. So it was difficult for them to recall the exact amount of compensation. So the recall data was likely be susceptible to some errors.

failure to produce legal land documents (19.5%), lack of interest due to influence of brokers/corrupt people and difficulties relating to succession of land (12.3%).

Similar findings for reasons of non-payment and/or delayed payment of compensation have been reported in the WB Mission Report (May 2006).²⁰ The only exception is that in BIDS survey, a few respondents (with nearly 3% of responses for non-payment) (see Table 5.2) have been found to reside abroad so that they have failed to get the payment of compensation, whereas the Mission reported that a substantial number of the affected owners lived abroad and did not come home or authorized others to claim the compensation.

Table 5.2
Reasons for not getting compensations for acquired land

Reasons	Number of response	% of response
Little amount of land	59	38.30
Documents could not be produced	30	19.50
Some other person has taken away the money	3	1.90
Not interested due to influence of brokers/corrupt people	22	14.30
Litigation relating to land	1	0.60
Difficulties relating to succession	19	12.30
Real owner lives outside	4	2.60
Other reasons	16	10.50
Total number of response	154	100.0

Source: Field Survey

Notes: Number of cases not getting compensation = 107, and number of response per case = 1.44.

In line with the findings of the WB missions, the present study finds that the slow progress in CUL payment had been caused by the delays in assessing the affected houses/structures and trees by the Public Works Department (PWD) and the Department of Forestry (DF). Yet, they often produced highly controversial assessments requiring further review and verification that in turn resulted in further delays. Executing legal actions like mutation on the acquired land has been made incredibly expensive by the concerned land administration officials. Reportedly, where the usual charge for a mutation is only Taka 42, the affected landowners were asked to pay Tk.4000 to 5000 which, in many cases, exceeded the amount of CUL.

Initially, there was little progress in the top-up payment by the LGED. Subsequently, however, it has improved significantly. Besides, there are other entitlements stipulated for EPs who may have been made vulnerable by the acquisitions. These are related to loss of

²⁰ In WB Mission Report (May 2006), four reasons of non-payment or delayed payment are documented: (a) compensations are relatively small and not attractive; (b) substantial member of PAPs live abroad; (c) disputes amongst the co-sharers; and (d) lack of required legal documents.

substantial proportion of the total land owned by the affected households, and transition assistance where homestead losers are unable to find relocation lands before eviction. In addition, many of the affected landowners were yet to be paid the stamp duties required to purchase replacement lands equaling the amount acquired. The compensation is stipulated in the Resettlement Policy Framework (RPF).

5.2.5 Adequacy of Compensation

BIDS field survey reveals that on average majority (68%) of the PAPs did not get adequate compensation. Inadequacy of compensation is found most acute in the case of Kaligonj-Jangalia Road (94.6%) followed by B.Baria-Nabinagar Via Sadekpur Road (91.1%), Torunihat- Chandonbaisha Road (73.1%) and Dhunot-Sariakandi Road (71.1%). Only in Sonahata- Bagbari Road, majority of the PAPs (63.8%) reported receipt of adequate compensation (Table 5.3). Overall, inadequacy of compensation figures very prominently reflecting inadequate assessment of compensation or faulty payment.

Table 5.3
Compensation receiving status of PAPs for acquisition of land in selected roads

Name of the road (upazila, district)	Number of PAPs		
	No. of PAPs with adequate compensations	No. of PAPs with inadequate compensations	Total
Sonahata-Bagbari Road (Dhunat, Bogra)	37 (63.80)	21 (36.20)	58 (100)
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	18 (26.90)	49 (73.10)	67 (100)
Dhunat-Sariakandi Road (Saraikandi, Bogra)	13 (28.90)	32 (71.10)	45 (100)
Kalai-Moslemgonj Road (Kalai, Joypurhat)	7 (58.30)	5 (41.70)	12 (100)
Laxmiipur-Dorappur Road (Natore Sadar, Natore)	18 (43.90)	23 (56.10)	41 (100)
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	2 (5.40)	35 (94.60)	37 (100)
B. Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	7 (8.90)	72 (91.10)	79 (100)
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	16 (40.00)	24 (60.00)	40 (100)
Ibrahim B.T. Road (Chandpur Sadar, Chandpur)	7 (36.80)	12 (63.20)	19 (100)
Munshi Bazar-Mokam Bazar via Sonatiki (Rajinagar, Moulvibazar)	17 (37.80)	28 (62.20)	45 (100)
All Roads	142 (32.00)	301 (68.00)	443 (100)

Source: Field Survey

Notes: (i) 12 cases give no response. (ii) Figures in the parentheses represent percentages.

It has been alleged that for determining compensation PAPs were not consulted and for that matter the question of inadequate assessment arose. As a matter of fact, according to the acquisition ordinance and RPF, there is no scope for consultation with the PAPs for determining compensation under law (CUL). In spite of that CUL may be inadequate due to large underreporting of the deed value of land to evade sale tax on the part of the landowners (as mentioned above). It has been claimed by the LGED that necessary consultation with the PAPs was duly carried out, while determining top-up. In this regard, the question of inadequacy in compensation (top-up) payment may arise due to variation between replacement value of land as per RPF and the replacement value assessed by the PAPs themselves.

Moreover, the question of inadequacy may arise due to prevailing complicity in determining the replacement value of land. As can be seen from Table 5.4, for more than 50% of the PAPs the assessment of compensation is difficult to understand since the matter is complicated, while 34.7% of the PAPs were not informed from the office (Table 5.4). Most of the PAPs (84.6%) did not know how the price of land was determined (Table 5.5). It appears that replacement cost was not always taken into account in the assessment of compensation. In cases where it was considered, it remained undervalued due to underreporting. Besides, in few cases, first listing of PAPs was reportedly not accurate because first alignment of road was subsequently revised due to technical and social reasons (e.g. power relations). But the list of PAPs for compensation was not revised accordingly. Consequently, some of the genuine PAPs due to revised land acquisition were deprived of compensation while those who appeared in the first list but did not surrender land received compensation. All this points to the need for improving the procedure of compensation assessment.

Table 5.4
Frequency Distribution of PAPs who do not Know how the
Price of Land was Determined by Reasons

Reasons	Number of responses	%	% of Total Number of respondents (385)
Self not willing	58	14.0	15.1
Not informed from the office	144	34.7	37.4
Difficult to understand since the matter is complicated	211	50.8	54.8
Others	2	0.5	0.5
All responses	415	100.0	107.8

Source: Field Survey

Table 5.5
Frequency Distribution of PAPs by Knowledge of how the
Price of Land was Determined

Knowledge	Number of PAPs	%
PAPs Who Know about how the Price of Land was Determined	70	15.4
PAPs Who do not Know how the Price of Land was Determined	385	84.6
All Cases	455	100.0

Source: Field Survey

Faulty payment of compensation may be explained by the difficulties faced by the PAPs in receiving compensation. BIDS field survey reveals that 61 percent of the PAPs suffered loss of time and became subject to harassment and another 36 percent had to make unofficial payment (Table 5.6) in receiving compensation money. In this regard, the support received from LGED and DC offices took various forms. This appeared in the surface, though in most cases (68%), LGED office assisted in preparing papers and in many cases (24.6%) it assisted in withdrawing money (see Table 5.7). It can also be seen from this table that in a few cases (7.3%), LGED apprised the PAPs of the rules and regulations involved in withdrawing compensation money. All this reinforces our earlier argument that PAPs faced much troubles to draw compensation money, in spite of the efforts of LGED to help them out.

Table 5.6
Frequency of Difficulties faced in Receiving Compensation for Land Acquisition

Difficulties Faced	Number of responses from PAPS Facing Difficulties	% of Responses	% of Total Number of respondents (475)
Loss of time and harassment	352	61.0	74.1
Amount of money was less	16	2.8	3.4
Additional money was paid	207	35.9	43.6
Others	2	0.3	0.4
All Responses	577	100.0	121.5

Source: Field Survey

Table 5.7
Frequency of Support from LGED for Receiving
Compensation for Land Acquisition

Type of Support from LGED	Number of responses from PAPS who Received Assistance from LGED	% of responses	% of Total Number of respondents (114)
Assisted in preparing papers	94	68.1	82.5
Assisted in withdrawing money	34	24.6	29.8
Apprised of rules and regulations	10	7.3	8.8
All Responses	138	100.0	121.1

Source: Field Survey

As regards support from the DC office, 52.6 percent of the PAPs reported that they were informed about compensation payment on time through notice under section – 3, while

only 33.8 percent of them reported that compensation money was paid properly (Table 5.8). All this means that in receiving compensation money most of the PAPs were not aware enough so that mitigation of sufferings could surface. Their suffering were not mitigated significantly, though LGED made some concerted and pragmatic steps including the conduct of door-step campaigns in compensation payment in some areas. This could happen, because the PAPs could not avail of the opportunity opened by the LGED due to complicity of the ownership of land and other properties (co-sharing) and non-availability of necessary documents for getting compensation.

Table 5.8
Frequency of Assistance from DC Office for Receiving Compensation for Land Acquisition

Type of Assistance from DC Office	Number of responses from PAPS who Received Assistance from DC Office	% of responses	% of Total Number of respondents (131)
Informed on time	81	52.6	61.8
Listened to opinion	21	13.6	10.4
Paid money properly	52	33.8	39.7
Others	0	0.0	0.0
All Responses	154	100.0	111.9

Source: Field Survey

5.3 Review of Resettlement Action Plan

Major tasks involved in the preparation of Resettlement Action Plan (RAP) are social screening of the roads, census of the PAPs and affected assets and fixing the cut-off dates, market land surveys, preparation of land acquisition and resettlement budgets and a RAP implementation schedule. It is absolutely necessary that all these tasks, including LAP preparation and ground location of acquisitions, are accordingly scheduled and completed.

Work on certain process tasks could be started on the roads for which LAPs had been ready and where alignment could be demarcated on the ground, even prior to administrative and DLAC approval. According to its experience and the fact that lands were acquired in small amounts, the risks that LGED would be unable to obtain administrative and DLAC approval, were very low.

Following the topographic surveys and demarcation of the acquisitions on the ground, PAP census and land market surveys were the crucial tasks in the RAP preparation process. Market price surveys for land were needed to prepare the resettlement budget and determine top-up eligibility and amount. These surveys, however, were required to be conducted along

with the PAP census. In this regard, LGED immediately undertook the required market price surveys for the roads where PAP censuses were underway, and made arrangements for those where censuses were already completed. These surveys were to be based on interviews of key informants preferably consisting of recent land sellers and buyers and people known to be agents in land deals.

The most time-consuming legal activity is LAP approval by District Land Acquisition Committees and the ML (when needed), as well as field verification and valuation of the affected assets before issuance of the acquisition notices. The perennial shortage of land acquisition officials seems to be more acute by frequent transfers and assignment of additional responsibilities.

The LGED emphasized the urgency to undertake the resettlement programme. In this regard, the LGED made an all-out effort to expedite the CUL payment process and make significant improvements in the monsoon period when no civil works were carried out on the ground. In this regard, the LGED XENs remained proactive with the DCs and other acquisition officials in most of the districts particularly in those where the volumes of acquisition were larger. The Resettlement Specialists closely assisted the XENs and supervised the functions of the district sociologists and other LGED staff engaged in RAP implementation. Moreover, LGED attempted to make it certain that civil works would be carried out on road sections after completing the task of the payment of compensation and other entitlements to the affected landowners. In fact, LGED prepared a mitigation plan for minimizing financial abuse and expediting the CUL assessment and payment processes, though LGED field officials were not found to be uniformly proactive in all districts in the process of implementing the resettlement action plan.²¹

The squatters who were seriously affected through displacement from their residence and workplace (as noted earlier) could satisfy the eligibility criteria adopted in the Resettlement Framework. As can be seen from Table 5.9, a paltry amount of money (more than taka three thousand per squatter) had been paid to them as compensation for shifting of their residence and workplace. None of them got compensation for loss of their income and employment and for felling trees, though a substantial percentage of them faced such losses. As a matter of fact, there is no provision in RPF to provide compensation for loss of squatters' income and employment and for felling trees. The incorporation of this provision

²¹ This finding is based on our field level observation and is supported by observations documented in WB Mission Report (WB, May 2006, *op. cit.*).

for mitigating these losses could generate additional efforts for enhancement of livelihoods of the displaced people in post-resettlement period.

Furthermore, in most cases, the squatters got cash compensation for being evicted from their residence and workplace and mostly disappeared from the site or resettled on their own. As a matter of fact, the initiative from LGED or any other agencies was inadequate for restoring their livelihoods through providing them with relocation site with all civic amenities. The adoption of mere compensatory measures, therefore, can seldom be treated as resettlement *per se*. In this regard, adequacy of compensation as well as its timely payment must be taken into consideration for resettlement and mitigation of the loss and sufferings of the PAPs/squatters.

Table 5.9
Steps Taken for Compensation for Surrendering the Possession of Land

Ways of being Affected	Steps Taken for Compensation		Average per Squatter
	Amount of Taka	%	
House had to be shifted (N = 17)	60587	79.10	3563.94
Workplace had to be changed (N = 8)	16011	20.90	2001.38
Income/employment has reduced (N = 5)	0	0.00	
Loss of tenant land (N = 0)	-	-	
Loss of crops (N = 0)	-	-	
Felling trees (N = 6)	0	0.00	
Other assets (N = 1)	0	0.00	
No. of respondents (25)	76598	100.0	3063.92

Source: Field Survey

5.3.1 Problems Involved in Compensation Assessment and Payment

The BIDS study team took cognizance of serious abuses of the guidelines related to valuation of the affected assets, especially trees and houses/structures by those involved in joint verification and assessment. They include the land acquisition, PWD, DF and LGED officials, as well as the owners of the affected assets. Not only they took an unduly long time, they as often as not coalesced to exaggerate the losses and valuation by taking advantage of certain ambiguities in the acquisition ordinance, and abusing the intents of the mitigation policies. The practice resulted in the wastage of time, and incredibly exaggerated assessments and misuse of land acquisition funds.²² To overcome the weaknesses of this practice LGED often requested reassessment, but unfortunately it prolonged the acquisition

²² Similar observations have been documented in LGED (2007) and WB Mission Report (WB, May, 2006, *op. cit.*).

process further. This repulsive state of affairs coupled with other issues resulted in persistent delays in compensation assessment and payment.

More specifically, the slow progress in CUL payment was initially caused by delays in assessing the affected structures and trees by the PWD and the DF which continued to produce highly exaggerated and controversial assessments that required further review and verification on the ground. The other important reasons slowing down CUL payment were that many landowners were reluctant to claim and collect the compensation that are relatively small and not that attractive compared to the time and money to be spent on traveling to the DC offices. Related to this was the fact that many landowners did not have or were unable to produce all the legal documents (e.g., mutation) required to claim CUL. On top of this, execution of such legal instruments was often purposefully made very difficult and highly expensive, which exceeded the assessed compensation. Thus some specific reasons that have also contributed to the delays in CUL payment are the following:²³ (i) in some cases, the CULs were quite small that were not commensurate with the various expenses and difficulties involved in traveling to the DC offices; (ii) ownership and co-sharer disputes had led to an unknown, but considerable, number of complaints in the courts of law; (iii) in some districts many of the affected landowners had been living abroad; and (iv) execution of legal actions like mutations on the acquired land continued to remain difficult and expensive that sometimes exceeded the CUL.

As mentioned earlier, the DC makes payment of an additional 50 percent over and above the determined value to finally ensure adequate compensation. As the owners are also entitled to retain the trees, the compensation for trees eventually becomes incredibly high. In consideration of these practices and the complexity and time requirement, LGED proposed that LGED would no more make an effort to determine the market price of the individual trees. Instead, the GRCs would consider grievances where the owners are not satisfied with valuation by the DF.

LGED identified the EPs whose payments had thus far remained pending, in terms of various reasons and: (a) arranged with DCs to make spot payment to those, whose CULs are relatively small or unable to travel to the DC offices, LGED district offices coordinating with the EPs about the venue, date and time; (b) informed by postal mail the EPs who were living abroad about the acquisition and explaining how compensation from the DCs could be

²³ These reasons have been obtained from our field observation and similar observations have been documented in WB Mission Report (2006, *op. cit.*).

claimed. For all such EPs, LGED kept on record the mailing evidence which, as and when necessary, would be available for verification by IDA or the EPs themselves. However, BIDS field survey reveals that spot payment has taken place in Kaliganj-Jangalia Road in Gazipur, but could make some improvements in compensation payment. These improvements, nevertheless, were not significant and thus could not make any headway primarily due to very small size of the compensation and/or inability of the PAPs to produce valid land documents. This indicates that the LGED's concerted efforts and pragmatic steps for expediting the compensation payment could not lead to substantial progress due to prevailing complicated system in the mode of acquisition and compensation which remain beyond the control of LGED.

5.4 Effectiveness and Efficiency of the Mechanism of Compensation Payment

This section examines whether the methods of compensation payment (i.e. CUL, Top-up) and the mechanism of their adoption are effective and efficient for meeting the full cost of resettlement.

As noted earlier, there are three main reasons which in many cases had slowed down the CUL payment process: It was hard to get the PWD and the DF in time to assess the affected houses/structures and trees on the acquired lands. The two departments had also been exceedingly generous in assessments by interpreting the law to the landowners' advantage. Their assessments often turned out to be many times more than actual value of the losses, which required further verification by LGED. Many of these estimates were revised by DCs at LGED's request. But such generous estimates by the PWD and the DF officials kept on coming and causing waste of time.

During our field survey, it has been reported by the LGED officials that progress in the compensation payment was adversely affected by the recent Parliamentary and Upazila elections in which the district administration including the land acquisition officials were actively involved. In this regard, the World Bank Mission (WB, 2009) maintains that while this could be a plausible reason for the delay in CUL payment, the same reason can not explain the delay in the payment of stamp duty/registration costs and top-up which are paid by the LGED itself. But one should not lose sight of the fact that top-up payment is tied to CUL payment. There is no room for making separate top-up payment before CUL payment. It follows that improvement in the CUL-Top-up nexus is critically important for expediting top-up payment.

Now the DCs have the authority to appoint any government agencies with the expertise to assess the value of structures. LGED was in fact given the responsibility to do this job. Certain guidelines were also recommended to determine what trees and plants are of value. This points to more pro-activeness of the delegated authority.

Slow disbursement of fund also contributed to the delay in compensation payment. Besides, payments in Phase-I and II were affected by the onslaught of floods in 2004 and 2007. The 2007 floods consisted in two waves, the first wave of floods hit the project area during end July to early August whereas the second wave of floods started in early September and continued till late October 2007. Out of 21 districts in the project area, 20 districts were affected by flood, minor damages have occurred in six districts and major damages in others.

5.4.1 Risk Mitigation Strategy

Given the persistent difficulties with land acquisition and RAP implementation, LGED drafted a strategy to minimize abuse risks of mitigation policy, resettlement funds, and expedite the CUL assessment and payment processes. The strategy was broad-based and required *inter alia* amendments to the present land acquisition ordinance in line with the provisions of the WB OP 4.12. As this would require participation of other government agencies that often deal with resettlement issues, the WB suggested that LGED concentrate on the actions that could be accomplished during the project period. As noted earlier, the ML initiated preparation of a 'National Resettlement Policy' with a TA from the ADB. Reportedly, the policy would seek, among other changes, amendments to the present land acquisition ordinance. LGED prepared a draft brief explaining the present situation and seeking clarifications to certain ambiguities in the ordinance, which are often interpreted by the land acquisition officials to prolong the assessment process and escalate the acquisition costs. The ambiguities, nevertheless, needed to be reduced to the minimum possible extent.

5.5 Constraints of the Resettlement Programme

This section identifies and analyses the technical and social constraints of the Resettlement Programme.

5.5.1 Technical Constraints

Technical constraints relate to the given technical/engineering specifications and rigidities which are unavoidable in rural transport improvement. However, to overcome the technical constraints, alternative engineering designs may be conceived and discussed threadbare with full participation of all the stakeholders including the local communities in order at least to minimize the adverse impact.

Engineering designs are not only the pre-requisites for LAP preparation, but also for starting the RAP preparation process with PAP census which, in addition, requires ground location of the acquisitions. Beginning of the preparation process as a whole, and the quality of the engineering designs in particular would very much matter for the amount of time available and spent for LAP preparation and, in turn, for land acquisition and RAP preparation and implementation.

All road alignments were selected by the LGED after conducting techno-economic feasibility study and consultation with the people of local communities. In spite of its sincere efforts, LGED experienced difficulties in justifying road improvement alignments especially for technical reasons. Some of the LAPs had been revised several times because of the mismatch between engineering designs and actual road conditions. These revisions were made for removing or minimizing the discrepancies between engineering designs and actual alignment following consultation with the general people of the local communities.

5.5.2 Social Constraints

In this section, attempt has been made to identify and analyze the underlying social factors including the interface of technical and social constraints that are responsible for constraining the extent of project benefit and/or enhancing adverse effects of the project in the light of the projects objectives. This captures the attitude, expectations, experiences and opinion of the local people affected/benefited by the project. Regional peculiarities and structural specificities of individual components of the project have been captured to arrive at general conclusions on problems pertaining to the performance of the Resettlement Programme. That is to say, the Land Acquisition and Resettlement Programme have been evaluated not in isolation, but as an integral part of the whole project.

For the process tasks, such as community consultation and screening of the roads, to be useful for project design and implementation, there is a need to perform them in proper

sequence. The updates show that engineering designs for most of the roads (18 of 26 roads with land acquisition) were finalized prior to community consultation and screening. This raises questions about what consultation and screening inputs the engineering designs have taken into account, whether or not this caused the discrepancies between designs and the road conditions and, consequently, wastage of time to revise some of the LAPs. Above all, the task sequence as followed in all phases appear to undermine the project's objective of community participation because of the predominance of local power relations in the engineering designs of the roads.

Although the LAPs were finalized in time, the preparation process substantially slowed down as discrepancies in engineering designs and existing road alignments started to surface. In view of the overall situation, LGED faced much difficulties in overcoming these constraints through: (a) becoming extremely proactive with the concerned DCs to expedite issuance of Notice-6 on the LAPs in right time; (b) assisting the acquisition officials with joint verification and CUL budgets; and expediting Notice-7 (informing the PAPs to claim CUL) and the CUL payment process; (c) instructing its field staff (district sociologists, community organizers and others) to assist the affected landowners, who had received Notice-6 and others, in procuring any missing legal documents that were required to make compensation claims from the DCs; and (d) making arrangements with DCs for spot payment of CUL, considering distance between DC offices and project localities, and other factors that might help expedite the process. In cases of spot payment, LGED field staff informed the PAPs in advance and made them aware of the legal documents required to claim the CUL.

5.6 Achievement and Benefit of the Project

In spite of the above constraints, BIDS field survey reveals that the project has considerably improved the access of the rural communities (including the PAPs) to various economic opportunities and social services (e.g. increase in the advantages of transport, increase in trading and commercial activities, increase in the price of land in the locality, increase in employment and income of the local people, and increase in access to education and health services). The overall objective of the project seems to have been largely achieved. BIDS field observation also reveals that major objective has been largely realized, since civil works in all of the roads under study, except the Sonahata Bagbari Road in Bogra and B-Baria-Nabinagar Road, have recently been completed. The worst condition is demonstrated by B. Baria-Nabinagar Road where nearly 20% of civil works have so far been completed. This indicates that the LGED has to go ahead to provide benefits of the project to the local people.

Chapter 6

Assessment of the Institutional Arrangements for Preparation and Implementation of RAPs

This chapter assesses the institutional arrangements including all the actors involved for the preparation and implementation of RAPs for removing adverse effects and smooth running of the project. It closely examines LGED and DC office compensation payment arrangements in terms of their strengths and weaknesses in the delivery of their services.

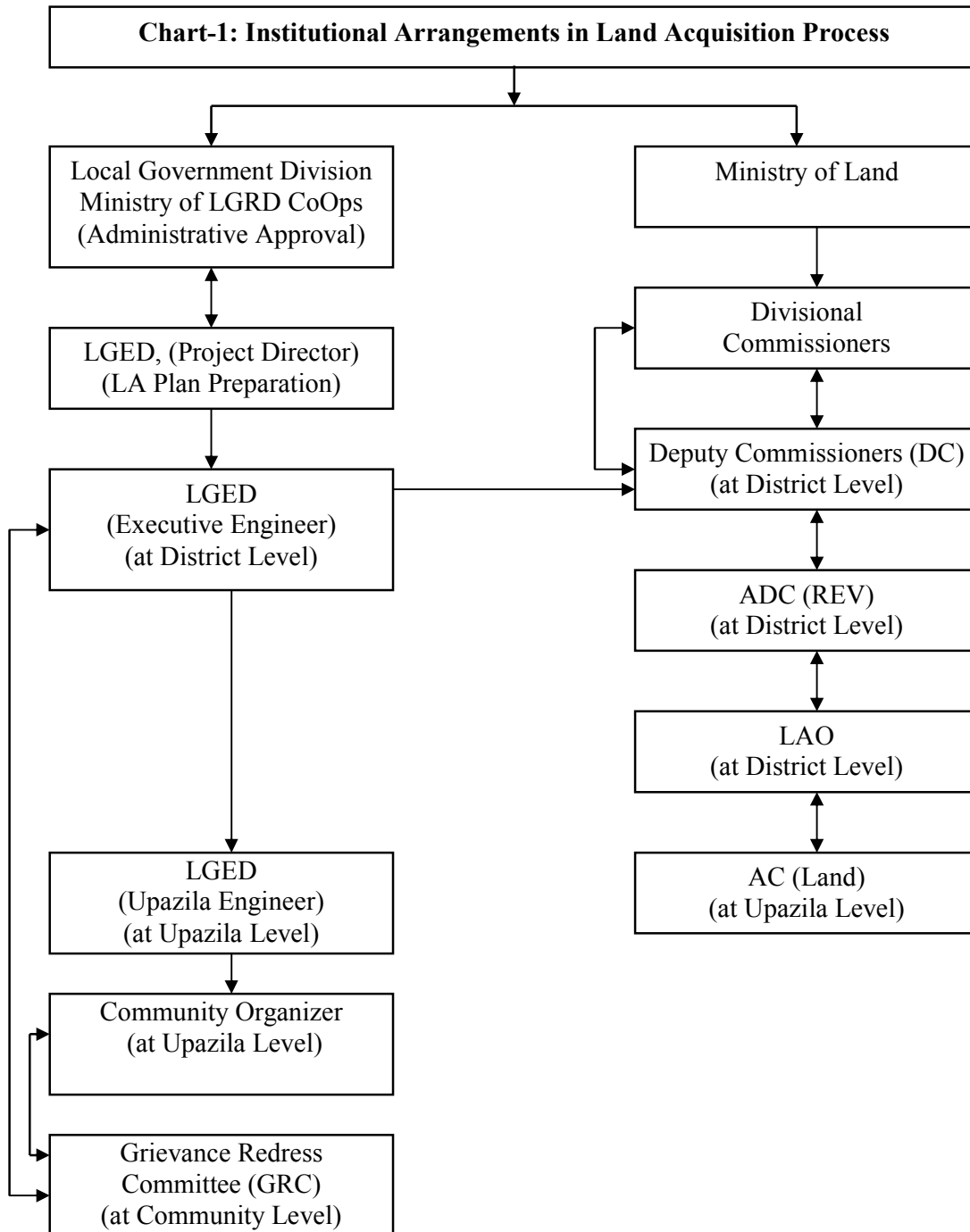
6.1 Existing Institutional Arrangements

The LGED, on behalf of the Ministry of Local Government, Rural Development and Cooperatives (MOLGRDC), has prepared the project and taken up the overall responsibility of implementing it. For this purpose, a Project Management Unit (PMU), headed by a Project Director (PD) has been set up within LGED. Organizationally, the PD remains accountable to the LGED Chief Engineer and the Secretary of the Local Government Division of MOLGRDC and manages the entire project. The PD ensures that the engineering designs are done properly through identification of location and magnitude of acquisition so as to enable him to prepare and submit the acquisition proposal to the DCs with necessary arrangement of acquisition fund allowing sufficient time to complete the acquisition process in time.

The PD and PMU are actively assisted by the Design, Supervision and Monitoring (DSM) consultants in carrying out the project preparation and implementation. At the field level, the LGED Executive Engineers (XENs) play a pivotal role to maintain close ties with the DCs who coordinate the distinct level activities of various ministries, including land acquisition and facilitation of various development programmes. The XENs are directly assisted by Upazila Engineers (UE) who in turn are assisted by the Community Organizers (CO).

Thus, at the top for preparation and implementation of land acquisition and resettlement programme, the Ministry of Local Government, Rural Development and Cooperatives (MoLGRDC) has come in touch with the Ministry of Land (MoL). The land acquisition plan (LAP) is prepared by the PD in collaboration with the PMU of LGED and the administrative approval is given by the MoLGRDC with prior consent of the MoL. At the

implementation level, the LGED (XEN) and DC offices being closely interrelated, have to play the pivotal role. In this regard, the Deputy Commissioner (DC) is supported by the Additional Deputy Commissioner (ADC), Land Acquisition Officer (LAO) and Assistant Commissioner (AC-Land). The whole interacting process for preparation and implementation of the land acquisition and resettlement programme can be shown in a chart (see Chart 1) which is very simple and self-explanatory.



In preparation and implementation of land acquisition and resettlement programme, a participatory approach has been adopted to form Grievance Redress Committees (GRC) at the community level (under the guidance of XEN as convener). GRC attempts to resolve the issues relating to disputes over ownership and inheritance of affected land and non-land assets for expediting the process of land acquisition and compensation without resorting to expensive and time-consuming legal actions.

In accomplishing its task, the GRC ensures fairness and transparency through keeping records of the grievances and reasons that lead to acceptance or rejection of the particular grievance(s). The composition of the GRC is as follows:

Executive Engineer, LGED	-	Convener
Local UP/Paurashava Chairman/Member	-	Member
Resettlement Specialist (DSMC)	-	Member
Representative of a Local/National NGO	-	Member
Representative from the PAP Group	-	Member

6.2 Evidence and Field Level Experience

6.2.1 DC and LGED Offices

BIDS field survey reveals that the time taken by the LAPs to reach the DCs varied in the region of 30-300 days taking on average 30 days by MLGRDC to approve the LAPs, and so many days as average by LGED to submit them to the concerned DCs. However, it remains unknown how much time was wasted to revise some of the LAPs because of the mismatch between engineering designs and actual road conditions. On the other hand, the DCs took 30 to 90 days to hold meetings of the District Land Allocation Committees (DLAC); 7 to 52 days to issue Notice-3, and 30 to 90 days to issue Notice-6. Nevertheless, encouragingly proactiveness on the part of LGED might have saved time for some LAPs to obtain MLGRDC approval and go through the legal process more quickly than most others.

In all the BIDS survey areas, LGED field offices were found to have been interactive with the land acquisition officials. They seemed to be able to ensure that PAPs were not displaced before they were paid their compensation/entitlement. However, LGED was found to be pro-active through: (i) an all-out effort to expedite the CUL payment process and make significant improvements in the monsoon period when no civil works would be carried out on the ground; (ii) interactive role of XENs with the DCs and other land acquisition officials in all districts particularly in those where the volumes of acquisition were relatively large; (iii)

role of Resettlement Specialists in closely assisting the XENs and supervising the functions of the district sociologists and other LGED staff engaged in RAP implementation; and (iv) remaining alert so that civil works were not carried out on road sections without making full payment of compensation and other entitlements to the PAPs.

6.2.2 Efficacy of Grievance Redress Procedure

This sub-section examines whether LGED grievance redress practices were apt to produce desired outcome in the light of their strengths and weaknesses.

In order to achieve desired outcome of grievance redressal of the PAPs, LGED had put in place 21 District Sociologists (DSs) in the project districts. The DSs played a key role in the implementation of RAP and in gathering inputs for RAPs that were to be prepared for subsequent phases of the civil works. During October 2003, an intensive two-day training session on process tasks (e.g. census and market price surveys) and other RAP preparation and implementation issues for the entire key field staff were conducted. For smooth and timely implementation of grievance redressal of the PAPs, LGED completed: (i) the formation of all Grievance Redress Committees (GRCs) and briefing of the members; and (ii) market price surveys for lands and other affected assets, by the end of 2003. Market price surveys were required to determine the PAPs' eligibility for and calculate the 'top-ups', payable directly by LGED in cases where CUL fell short of the market prices. All these activities were put in place as scheduled.

Following participatory approach, Grievance Redress Committees (GRD) were formed in all districts before the BIDS field survey was put on board. From our field survey in our sample districts, we could know that GRC played effective roles in addressing complaints and issues relating to disputes over ownership and inheritance of affected land and non-land assets, identifications of PAPs and affected assets, distribution of compensation amongst the PAPs and their heirs. To all intents and purposes, GRCs existed and functioned only during the preparation and implementation of the resettlement activities and ceased to exist once the jobs were complete. According to the PAPs, GRCs were found to effectively resolve the non-legal issues that surfaced during the preparation and implementation of the resettlement activities.

By and large, the progress of both CUL and top-up payment fared well. But there might have been some ambiguities in the application of the policy and guidelines adopted to

determine top-up eligibility, most importantly, the registration costs and stamp duty that were supposed to be paid to all affected landowners (WB, 2009). In spite of these limitations raised by the WB Mission Report (2009), LGED concentrated most efforts in the districts where CUL payment rates remained lower than the overall average and assisted the unpaid landowners with processing of mutations and other legal documents that were required for claiming CULs from the DCs. As regards top-up payment, LGED made objective assessments for determining and paying up the top-ups in order to improve upon the existing practices.

6.3 Institutional Changes

In this section, an attempt has been made to work out better institutional arrangements that can more effectively respond to the variety and severity of adverse impacts that land-based development project usually causes at the household and community levels.

BIDS field survey reveals that currently the DCs have given the LGED engineers the responsibility of assessing the values of affected houses and other structures. This change in institutional responsibility is most likely to significantly save on time compared to what is usually taken by the PWD. According to the impact mitigation provisions, the values of houses and other structures are to be assessed for top-up in terms of costs to rebuild them at the current market prices of materials. Where LGED engineers are given the responsibility by the DCs for value assessment, there may not be a further need to assess them again. However, LGED can assess the values in a manner so that DCs' payment, which includes additional 50 percent of the assessed value, equals the rebuilding costs at current market prices. In this regard, LGED should avail the opportunity to assess the values of houses and other structures wherever possible, and assess their values most realistically so that the assessed value and 50 percent of the amount added by the DCs, do not exceed the current replacement costs of the houses and other structures.

By the same token, LGED may get directly involved in land acquisition in order to save on time and state resources. This is particularly important for RTIP of LGED which involves narrow strip acquisition from a large number of landowners along the existing roads. Arguably, for the sake of greater coherence and efficiency, land acquisition and resettlement should be blended together.

Chapter 7

Conclusions and Policy Recommendations

In the foregoing chapters, we have analysed the whole process of land acquisition and resettlement programme under RTIP in terms of adoption and implementation of RAPs for mitigating the adverse effects of the project through gaining empirical insights in the light of RF of LGED. In doing so, we have attempted to identify and analyse the underlying factors (both technical and social) that are responsible for constraining the extent of project benefit and/or enhancing adverse effects of the projects. Within the scope of the study, regional specificities (at the district level) and structural specificities of individual components of the project have been captured to provide general conclusions relating to the performance of land acquisition and resettlement programme of the project. This indicates that we have evaluated the programme not in isolation, but as an integral part of the whole project.

This final chapter brings forth the major conclusions on the basis of which some of policy recommendations have been made.

7.1 Major Conclusions

It has been evident that this programme of land acquisition and resettlement is largely concentrated in the district of Bogra and can be considered as the polarizing factor of a development project of LGED. It has also been observed that acquired land per PAP as well as acquired land as the percentage of owned land is the highest in roads located in Bogra indicating greater incidence of land acquisition in the district of Bogra than in other districts. The noteworthy point is that on average land acquired per PAP and acquired land as percentage of owned land by PAPs are minimal and thus consistent with the principles and guidelines of Resettlement Framework of LGED.

Different types of land (e.g. agricultural, homestead, orchard/garden, pond/ditch, fallow etc.) are acquired for improving existing roads, rather than creating new roads. Though on an average the largest portion of acquired land is agricultural (nearly 77%) followed in order by homestead (20%), proportion of acquired land to owned land is somewhat higher for homestead land than for agricultural land which has, nevertheless, far reaching implications for mitigation.

Average acquired land per PAP tends to increase with the increase in farm size. This result apparently indicates equity in the incidence of land acquisition. But if we relate the issue of acquired land to the whole distribution pattern of land ownership, which is highly skewed, we find that larger farms compared to their smaller counterparts contribute much smaller portion of their own land to the process of land acquisition. This indicates that due to inequalitarian land distribution system, the distribution pattern of acquired land remains inequitable.

The field survey reveals that nearly 91% of PAPs were served notice (under section 3) from the concerned authorities of land acquisition (DC office). Most of them got the message of land acquisition much before the civil works were initiated and a few (nearly 3%) had complaints due to inconveniences for cultivation. And as such, there were no serious deviations from RF or Act. By and large, local people are aware of the beneficial impacts of the acquisition of land for improving the roads through widening them.

Apart from the loss of land, there is a wide spectrum of losses suffered by the PAPs. The most important of these losses in terms of percentage of responses, is felling trees (nearly 66%) followed in order by shifting of houses (17.62%) and loss of crops (9.11%). Among other losses are job or income loss, change in the workplace and loss of other assets. However, while felling trees has environmental implications, shifting of houses disrupts shelter with a moderate bearing upon the livelihood of the PAPs. In this regard, it is to be mentioned that for all these losses of land and non-land assets, mitigation policies as per RPF are adopted.

Land acquisition has also displaced households and businesses that had been squatting on LGED and other public (*khas*) land. We studied 25 squatters who surrendered 101.50 decimals of land so that on average (per squatter), more than 4 decimals of land had been surrendered by them. It has been observed that the amount of surrendered land per squatter (5.40 decimals) is much higher than that for shop/business (1.20 decimal). We have studied the squatters in three selected roads – one in Bogra and two in Chandpur. By and large, the squatters in Bogra have been displaced from their residential places and squatters in Chandpur from their work place in shops/businesses.

There had been serious adverse impacts on livelihood pattern of squatters due to restoration of public land from them. It has been observed that 68% of respondents (with multiple responses) had to shift their houses, 38% to change their work places and 20% to

reduce their income flow and employment. There were, however, some attempts by LGED to overcome these adverse impacts through adopting strategic policy of mitigation (e.g. resettlement programme). The squatter got a paltry amount of cash compensation (more than taka three thousand per squatter) from LGED for being evicted from their residential and work places and mostly disappeared from the site to be resettled elsewhere in their own way. In Land Acquisition Ordinance or in RPF, there were no provisions for restoring their livelihood through providing with relocation site with all civic amenities. For this reason, there had been no attempts to improve their livelihood condition. Under these circumstances, it is now a moot question whether such compensatory measures adopted by LGED can be treated as resettlement *per se*.

No doubt compensation is a part and parcel of land acquisition. BIDS field survey reveals that agricultural land accounts for the largest share (nearly 77%) of total acquired land and largest share (nearly 67%) of total compensation followed in order by homestead land with a share of nearly 20% of acquired land and 29% of compensation. This implies that land acquisition for RTIP has a rather heavy claim on the income and livelihood of the PAPs who depend primarily on agriculture.

Apart from the compensation for the loss of land, felling trees accounts for the largest share (61.07%) of non-land compensation followed in order by shifting of houses (32.51%). Among other notable heads of compensation are change in workplace and loss of crops. Felling trees involves not only economic costs but also social costs. Although economic costs are partly met by compensation, social costs remain fully unmet. In the future RTIP, these aspects of compensation need to be taken into account (e.g. planting trees along the roadsides and their maintenance).

The CUL and top-up constitute total compensation. CUL is usually estimated on the basis of sales price recorded in the previous year of acquisition allowing an additional 50% value for making the compensation an adequate one. The top-up, on the other hand, is paid directly by the LGED to PAPs for making up shortfall so that compensation remains equivalent to replacement value/market price. By examining the composition of the two types of compensation, it has been observed that for the loss of land CUL is predominant constituting 84% and 81% of total compensation in BIDS survey data and LGED data

respectively²⁴ for all roads taken together, with significant variations over the roads in different districts.

In our analysis, we have observed that the market price of land reported in LGED survey and compensation paid by the DC and LGED offices are significantly lower than the actual price of land during the period of land acquisition and/or compensation (e.g. during 2004-2005). This indicates that PAPs remain underpaid which, however, is attributable to the gross underreporting of deed value of land made by the PAPs themselves for evading sale tax. The underpayment could have been at a much higher extent, had there been no arrangements by the DC office through allowing an addition of 50% to the underreported deed value and by the LGED office for providing top-up for making up or at least narrowing down the shortfall. BIDS study, nevertheless, demonstrates that land prices have increased enormously as a positive impact of the project so that they have been able to derive substantial social and economic benefits. Moreover, for the loss of non-land assets, the PAPs received significantly higher value than the prevailing market value so that underpayment for the loss of land might have been outweighed in most cases.

Thus, BIDS field survey reveals that on average majority (68%) of the PAPs did not get adequate compensation. Inadequacy of compensation is found most acute in the case of Kaligong-Jangalia Road (94.6%), B.Barua-Nabinagar Road via Sadekpur (91.1%), Tornihat-Chandonbaisha Road (73.1%) and Dhunat-Sariakandi Road (71.1%). Only in Sonahata-Bagbari Road, majority of the PAPs (63.8%) reported receipt of adequate compensation. The question of inadequacy in compensation payment may, however, arise due to variation between replacement value of land as per RPF and the replacement value assessed by the PAPs themselves.

Following the guidelines and principles of Resettlement Framework (RF), LGED, for mitigation purposes, must ensure that WB's compliance requirements are fulfilled through making compensation payment to the affected owners before the lands are used for civil works. BIDS field survey, however, reveals that LGED faced much difficulties to fulfill this requirement due to the prevalence of various ambiguities relating to the entitlement and/or ownership of acquired land and intricacies involved in the payment of compensation and also due to the slow or non-response of some PAPs with negligible entitlement of payment. These factors ultimately led to the slow progress in compensation (both CUL and top-up) payment

²⁴ These figures stand at nearly 90% and 86% in BIDS and LGED data respectively for the loss of both land and non-land assets.

and implementation of the safeguard risk management strategy, which were put in place as central issues in Resettlement Action Plans (RAPs).

It needs to be mentioned here that valuation of affected land and non-land assets which calls for participation of GoB agencies like PWD, Forestry, Fisheries, etc., has become highly questionable in terms of time and costs. This practice of valuation of land and non-land assets of these Departments has not only raised the cost of acquisition and resettlement enormously, but also prolonged the process of acquisition.

It has been observed that none of the PAPs other than squatters was virtually evicted, since their homestead was slightly affected by land acquisition programme. For that matter, resettlement in its truest sense of the term is only applicable to the squatters who have, as mentioned above, got cash compensation which is too inadequate to restore their livelihood with all civic amenities. In this regard, adequacy of compensation as well as its timely payment matters most in the context of resettlement and mitigation of losses and suffering of PAPs.

Following the participatory approach, Grievance Redress Committees (GRCs) were formed in all districts and in some of our sample districts they were found to exist and function only during the preparation and implementation of land acquisition, compensation and resettlement programme and after completion of the programme they ceased to exist or remained non-functional. BIDS study, nevertheless, indicates that they could effectively resolve disputes over non-legal issues quickly in order to expedite the receipt of compensation without resorting to expensive and time-consuming legal actions.

BIDS survey reveals that road improvement has considerably improved the access of rural communities (including PAPs) to various economic and social opportunities. This improvement, however, manifests that objectives of the project (RTIP) remain largely realized, since civil works in most of the study roads have recently been completed. In course of time, the LGED has to go ahead to provide benefit of the project to the local people.

7.2 Implications of Findings and Policy Measures

The above findings demonstrate that the Programme of land acquisition, compensation and resettlement under RTIP of LGED can claim superiority over similar programme(s) undertaken by other organizations at least on three grounds as noted below:

Firstly, LGED develops a set of principles better termed as ‘Resettlement Framework’ (RF) for allowing the project (RTIP) to entail additional measures (top-up) to usual legal part of compensation (CUL) so as to cover the full cost of resettlement.

Secondly, LGED’s concerted attempts and door-step campaign for expediting compensation payment and restoration of livelihood are pragmatic and direct additional efforts for safeguarding the interest of the affected owners of land and non-land assets who are unable to absorb the risk and cost of ‘induced development’.

Finally and most importantly, LGED’s participatory approach of forming GRCs could ensure impartiality and transparency through resolving disputes over non-legal issues at the time of both preparation and implementation of the programme.

By now, LGED has almost completed its programme of Land Acquisition and Resettlement Programme under RTIP. The evaluation of the programme, as we have done, brings forth some significant achievement for which there is no room for complacency. It is now imperative to streamline the points of the achievements/success of the programme in order to apply those for similar development projects for bringing appropriate institutional arrangements for providing maximum benefit to the people. To this end, the following policy measures are suggested:

- (a) Ambiguities in the 1982 ordinance relating to acquisition must be removed in order to prevent its arbitrary interpretation and abuses. By now, Ministry of Land (ML) has prepared the Draft National Resettlement Policy which is likely to bring amendments to the ordinance to remove those ambiguities for expediting the land acquisition and resettlement processes. It is, nevertheless, advisable that the New National Resettlement Policy Document must incorporate the experiences of LGED with land acquisition and resettlement as depicted above.
- (b) At the national level, land administration rules and regulations need to be simplified in order to mitigate the risks and sufferings of the PAPs. Side by side, a full-fledged involuntary resettlement policy embodying more effective mitigation principles as well as methods of compensation assessment and payment needs to be put on board.
- (c) Steps must be taken so that compensations are adequate and timely, and the mode of payment is not complicated. The method of valuation should be set in such a way that the affected landowners (PAPs) get the correct value of land and non-land assets. For the purpose of valuation, an asset (land/non-land) valuation committee may be formed

to determine the market value/replacement value of the property and mode of payment of the compensation (whether at the market or more than market rate) so as to minimize the fraudulent practices of assessment and compensation payment.

- (d) Poor and vulnerable informal settlers who use government land should be considered case-by-case for compensation for their lost assets and assistance for resettlement. Since these poor settlers do not have legal titles, they are not eligible to receive formal notification as per the 1982 ordinance. For minimizing the trouble of vacating the land by the poor settlers, at least 3 months of notification period may be allowed for them. Powerful land grabbers and *mastans* should not be eligible for any compensation, rather they should seriously be dealt with for evicting them from the government land.
- (e) Livelihood restoration and improvement programmes should be implemented through appropriate local income and employment generation schemes under the project. Resettlement programme for providing relocation site with all civic amenities should be undertaken to improve their livelihood and standards, or at least to restore their pre-displacement level.
- (f) A grievance redress mechanism as an integral part of the programme of land acquisition, compensation payment and resettlement management must be improved and strengthened. The mandatory role of the GRC must be expanded to consider and dispose of all complaints relating to land acquisition, compensation, resettlement and livelihood assistance without replacing legal aspects of all these issues.

Appendix

Appendix I: Tables

Table A.1.1
Distribution of PAPs and Acquired Land in Several Districts under RTIP

Districts	No. of PAPs	Percentage of PAPs	Amount of Acquired Land (in acre)	Percentage of Acquired Land	Amount of Acquired Land (in acre) per PAP
B. Baria	1039	6.59	33.1137	7.78	0.0319
Bogra	3544	22.49	137.4106	32.28	0.0388
Chandpur	591	3.75	15.0723	3.54	0.0255
Comilla	1023	6.49	27.4465	6.45	0.0268
Dhaka	236	1.50	2.6678	0.63	0.0113
Gazipur	635	4.03	10.1640	2.39	0.0160
Habigonj	192	1.22	5.4290	1.28	0.0283
Joypurhat	69	0.44	1.5205	0.36	0.0220
Manikgonj	1364	8.66	32.2160	7.57	0.0236
Moulvibazar	762	4.84	22.6014	5.31	0.0297
Munshigonj	359	2.28	18.7272	4.40	0.0522
Naogaon	37	0.23	2.9500	0.69	0.0797
Narayangonj	1246	7.91	13.9930	3.28	0.0112
Narshingdi	1083	6.87	9.4037	2.21	0.0087
Natore	212	1.35	5.7640	1.35	0.0272
Nawabgonj	215	1.36	6.8008	1.60	0.0316
Pabna	315	1.99	9.8830	2.32	0.0314
Rajshahi	718	4.55	12.7070	2.98	0.0177
Sirajgonj	892	5.67	20.1500	4.73	0.0226
Sunamgonj	1140	7.23	35.6632	8.38	0.0313
Sylhet	86	0.55	1.9920	0.47	0.0232
Total	15758	100.00	425.6757	100.00	0.0270

Source: LGED Computer Based Data

Table A.1.2
Basic Information of Selected Roads and Sample (PAPs/Squatter) Selection Process

Sl. No.	District	Upazila	Name of the Road	Length (km)	No. of Squatter	No. of PAPs	% of PAPs	(<i>Sample PAPs</i>)	Acquired Land (acre)	% of Acquired Land
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
01.	Bogra (S1)	Dhunat	Sonahata-Bagbari Road via Berebari (Ph.2)	7.14	-	269	12.14	(58)	15.83	21.67
02.	Bogra (S1)	Sariakandi	Tarnihat-Chandonbaisha (Ph.2)	11.19	154 (14)	311	14.03	(67)	12.47	17.07
03.	Bogra (S1)	SariaKandi	Dhunat-SariaKandi (Part 3) (Ph..3)	6.00 (approx.)	-	210	9.48	(46)	9.80	13.41
04.	Joypurhat (S1)	Kalai	Kalai-Moslemgonj (Ph.2)	8.07	-	59	2.66	(13)	0.78	1.07
05.	Natore (S1)	Natore-Sadar	Laxmipur-Dorappur(Ph.1)	5.70	-	212	9.57	(46)	5.76	7.88
06.	Gazipur (S1)	Kaligonj	Kaligonj-Jangalia(Ph.1)	6.50	-	177	7.99	(38)	2.24	3.07
07.	B. Baria (S2)	Nabinagar	B. Baria-Nabinagar via Sadekpur Road(Ph.2)	14.00	-	401	18.09	(87)	9.86	13.50
08.	Chandpur (S2)	Matlab Uttar	Sepaikandi-Kalir Bazar-Baoshia-Baushic Ferry Ghat-Dhaka(Ph.2)	20.00	31 (3)	206	9.30	(45)	4.12	5.64
09.	Chandpur (S2)	Chandpur-Sadar	Ibrahim B.T. Road(Ph.2)	10.56	39 (3)	99	4.47	(21)	1.92	2.63
10.	Moulvibazar (S2)	Rajnagar	Munshi Bazar-Mokam Bazar via Sonatiki(Ph.1)	10.66	-	272	12.27	(59)	10.27	14.06
Total				99.82	224 (20)	2216	100.00	(480)*	73.05	100.00

Source: LGED Computer Based Data

Note:

Figures in parentheses indicate the sample numbers.

* We select 480 PAPs as sample (ex-anti) out of 2216 PAPs (census), the ratio of sample to census being 0.217. This ratio has been maintained to select sample PAPs for each of the selected roads. *The selected sample numbers of PAPs are given in parentheses.*

Table A.1.3
Distribution of PAPs and Acquired Land in Selected Districts

Selected Districts	No. of PAPs	Percentage of PAPs	Amount of Acquired Land (in acre)	Percentage of Acquired Land
B. Baria	1039	15.16	33.1137	14.68
Bogra	3544	51.72	137.4106	60.90
Chandpur	591	8.63	15.0725	6.68
Gazipur	635	9.27	10.1640	4.50
Joypurhat	69	1.01	1.5205	0.67
Natore	212	3.09	5.7640	2.55
Moulvibazar	762	11.12	22.6014	10.02
Total	6852	100.00	225.6467	100.00

Source: LGED Computer Based Data

Table A.3.1
Types of land owned by PAPs

Name of the Road (upazila, district)	Types of land owned by PAPs Owned land (in decimal)						Total
	Agricultural	Homestead	Orchard/ Garden	Pond/ Ditch	Fallow	Graveyard & jungle	
Sonahata-Bagbari Road (Dhunat, Bogra)	12839.50 [90.20]	917.15 [6.40]	374.00 [2.60]	80.00 [0.60]	24.00 [0.20]	-	14234.65 (100)
Torunihat-Chandonbaisha Road (Sariakandi, Bogra)	13818.75 [81.60]	1513.80 [8.80]	450.00 [2.50]	351.50 [2.10]	776.00 [4.50]	11.00 [0.50]	16921.05 (100)
Dhunot-Sariakandi Road (Sariakandi, Bogra)	7623.10 [86.00]	847.50 [9.50]	223.00 [2.50]	114.00 [1.30]	52.00 [0.70]	-	8859.60 (100)
Kalai-Moslemgong Road (Kalia, Joypurhat)	2345.00 [75.00]	221.00 [7.00]	240.00 [7.70]	141.00 [4.50]	172.00 [5.50]	12.00 [0.30]	3131.00 (100)
Laxmipur-Dorappur Road (Natore Sadar, Natore)	6571.00 [80.00]	806.90 [9.80]	594.00 [7.20]	213.00 [2.60]	29.00 [0.40]	-	8213.90 (100)
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	7047.00 [66.50]	2267.30 [21.40]	579.00 [5.50]	391.00 [3.70]	308.00 [2.90]	-	10592.30 (100)
B Baria-Nabinagor Road Via Sadekpur (B.Baria Sadar & Nabinagor, B.Baria)	12049.25 [86.80]	1530.10 [11.03]	6.00 [0.05]	233.00 [1.70]	59.00 [0.42]	-	13877.35 (100)
Sepaikandi-Kalirbazar Road (Uttar Matlab, Chandpur)	4726.86 [67.60]	953.00 [13.60]	160.00 [2.30]	939.50 [13.40]	46.00 [0.70]	170.00 [2.40]	6995.36 (100)
Ibrahim B.T. Road (Chandpur Sadar, Chandpur)	1893.40 [66.30]	606.50 [21.20]	135.00 [4.70]	127.00 [4.50]	82.00 [2.80]	12.00 [0.5]	2855.90 (100)
Munshigong Bazar- Mokambazar Road Via Sonatiki Road (Rajnagar, Moulvibazar)	8012.50 [85.60]	930.50 [10.00]	200.00 [2.00]	205.00 [2.20]	-	14.00 [0.2]	9362.00 (100)
All	76926.36 (81.10)	10563.75 (11.10)	2961.00 (3.10)	2795.00 (2.90)	1548.00 (1.60)	219.00 (0.20)	95043.11 (100)

Source: Field Survey

Note: Figures in parentheses are in percentages

Table A.3.2
Occupation pattern of all members of PAPs (households) in selected roads

Name of the Road (upazila, district)	Agriculture	Agri. labour	Industry & Trade	Transport & non-agri. worker	Household Workers	Others	Total	No. of PAPs with Secondary Occupation	% of PAPs with Secondary Occupation
Sonahata-Bagbari Road (Dhunat, Bogra)	53 (33.0)	4 (2.5)	10 (6.2)	3 (2.0)	71 (44.0)	20 (12.4)	161 (100.0)	29	18.00
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	78 (37.3)	0 (-)	17 (8.1)	0 (-)	87 (41.6)	27 (12.9)	209 (100.0)	29	13.90
Dhunat-Sariakandi Road (Saraikandi, Bogra)	46 (37.1)	2 (1.6)	3 (2.4)	1 (0.8)	58 (46.8)	14 (11.3)	124 (100.0)	6	5.00
Kalai-Moslemgonj Road (Kalai, Joypurhat)	18 (46.1)	0 (-)	1 (2.5)	0 (-)	19 (48.7)	1 (2.5)	39 (100.0)	3	7.70
Laxmiipur-Dorappur Road (Natore sador, Natore)	38 (27.7)	8 (5.8)	11 (8.0)	5 (3.6)	65 (47.4)	10 (7.3)	137 (100.0)	25	18.20
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	20 (14.6)	1 (0.7)	15 (10.9)	4 (2.9)	57 (41.6)	40 (29.2)	137 (100.0)	16	11.70
B_Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagar, B. Baria)	69 (23.2)	11 (3.7)	28 (9.4)	5 (1.7)	108 (36.2)	77 (25.8)	298 (100.0)	28	9.40
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	33 (27.5)	4 (3.3)	13 (10.8)	3 (2.5)	57 (47.5)	10 (8.3)	120 (100.0)	28	23.30
Ibrahim B.T. Road (Chandpur sador, Chandpur)	11 (19.6)	0 (-)	7 (12.5)	0 (-)	27 (48.2)	11 (19.6)	56 (100.0)	8	14.30
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	49 (31.6)	7 (4.5)	17 (11.0)	5 (3.2)	63 (40.6)	14 (19.0)	155 (100.0)	28	18.0
Total	415 (28.9)	37 (2.6)	122 (8.5)	26 (1.8)	612 (42.6)	224 (15.6)	1436 (100.0)	200	14.0

Source: Field Survey

Table A.3.3
Size of family and earning members of PAPs by farm size category

Farm size categories	No. of PAPs	No. of family members	Family size	No. of earning members	Earning member per PAP
Upto 50	117	555	4.90	188	1.61
50-100	89	413	4.60	139	1.56
100-150	50	244	4.60	86	1.72
150-250	78	405	5.10	135	1.73
250-500	79	454	5.70	153	1.94
500 & above	41	198	4.80	81	1.98
All farm	454*	2269	5.00	782	1.72

Source: Field Survey

Note: * Information missing for one PAP.

Table A.3.4
Education level of all PAPs family members excluding children and students in selected roads

Name of the Road (upazila, district)	Education level				
	Illiterate	Primary	Secondary	Above secondary	All
Sonahata-Bagbari Road (Dhunat, Bogra)	76 (47.1)	36 (21.3)	20 (12.6)	30 (18.4)	162 (100.0)
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	64 (33.7)	53 (27.9)	44 (23.2)	33 (17.4)	190 (100.0)
Dhunat-Sariakandi Road (Saraikandi, Bogra)	68 (54.3)	20 (15.7)	12 (9.4)	27 (20.5)	125 (100.0)
Kalai-Moslemgonj Road (Kalai, Joypurhat)	14 (31.6)	12 (26.3)	12 (26.3)	5 (15.8)	43 (100.0)
Laxmiipur-Dorappur Road (Natore sador, Natore)	55 (39.9)	41 (29.7)	22 (15.9)	19 (14.5)	137 (100.0)
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	28 (22.7)	26 (21.3)	36 (29.1)	34 (27.0)	124 (100.0)
B_Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagar, B. Baria)	100 (35.1)	89 (31.2)	68 (23.7)	28 (10.1)	285 (100.0)
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	30 (25.0)	40 (33.3)	20 (16.7)	30 (25.0)	120 (100.0)
Ibrahim B.T. Road (Chandpur sador, Chandpur)	9 (15.5)	11 (19.0)	25 (43.1)	13 (22.4)	58 (100.0)
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	56 (34.8)	63 (39.0)	30 (18.3)	13 (7.9)	162 (100.0)
All	520 (36.9)	394 (28.1)	287 (20.4)	205 (14.6)	1406 (100.0)

Source: Field Survey

Table A.3.5
Education level of PAPs by farm size category

Farm size categories	No. of PAPs	No. of family members excluding students and children	No. of member (%) with level of education			
			Illiterate	Primary	Secondary	Secondary and above
Upto 50	117	338 (100)	175 (51.9)	92 (27.3)	50 (14.8)	21 (6.0)
50-100	89	253 (100)	96 (38.0)	84 (33.1)	47 (18.7)	26 (10.2)
100-150	50	155 (100)	41 (26.4)	48 (30.9)	41 (26.2)	26 (16.5)
150-250	78	245 (100)	70 (28.7)	70 (28.5)	57 (23.4)	48 (19.4)
250-500	79	283 (100)	77 (27.1)	83 (29.3)	70 (24.6)	54 (19.0)
500 & above	41	132 (100)	51 (38.5)	17 (13.0)	31 (23.8)	33 (24.7)
All farm	454*	1406 (100)	520 (36.9)	394 (28.1)	287 (20.4)	205 (14.6)

Source: Field Survey

Note: Figures in parentheses are in percentages.

* Information missing for one PAP.

Table A.3.6
Main occupation of all members of squatters (households)

Types of occupation	Tarunihat-Chandonbaisha road	Shepahikandi-Kalirbazar road	Ibrahim BT road	Total	%
Trading	2	4	3	9	15.80
Own land cultivation	1	-	-	1	1.75
Fishery/catching & selling fish	2	-	-	2	3.51
Poultry raising	1	-	-	1	1.75
Agricultural labor	10	-	-	10	17.54
Rickshaw/van driver	3	-	-	3	5.26
Household work	17	6	4	27	47.40
Govt./Non-Govt. employee	1	-	-	1	1.75
Provisional	1	-	-	1	1.75
Tailor	1	-	-	1	1.75
Servant	1	-	-	1	1.75
Total	40	10	7	57	100
No. of squatter with secondary occupation	5	5	3	13	
% of households with secondary occupations	12.5	50.0	42.86	22.81	

Source: Field Survey

Table A.3.7
Squatters by monthly income groups

Monthly Income group (Tk.)	Number of Squatters (households)	% of Squatters	Number of total members	Number of earning members	Earning member as % of total members	Earning member per PAP
upto 1000	4	16.0	7	5	71.42	1.25
1001-2000	3	12.0	10	3	30.00	1.00
2001-3000	4	16.0	13	4	30.77	1.00
3001-4000	6	24.0	20	8	40.00	1.33
4001-5000	4	16.0	18	8	44.44	2.00
5001-6000	4	16.0	21	6	28.58	1.50
6001-7500	0	0	0	0	0	0
7501-8500	0	0	0	0	0	0
8501-10000	0	0	0	0	0	0
Above 10000	0	0	0	0	0	0
All	25	100.0	89	34	38.20	1.36

Source: Field Survey

Table A.3.8
Size of family and earning members of Squatters by farm size category

Farm size categories	No. of Squatters (households)	No. of family members	Family size	No. of earning members	Earning member per PAP
Upto 50	19	69	3.63	27	1.42
50-100	2	5	2.50	2	1.00
100-150	1	4	4.00	1	1.00
150-250	3	11	3.67	4	1.33
250-500	0	0	0	0	0
500 & above	0	0	0	0	0
All farm	25	89	3.56	34	1.36

Source: Field Survey

Table A.3.9
Education level of Squatters (heads of households) in selected roads

Name of the Road (upazila, District)	Education level				
	Illiterate	Primary	Secondary	Above secondary	All
Torunihat Chandonbaisha Road (Sariakandi, Bogra)	13 (72.22)	2 (11.11)	3 (16.67)	0 (-)	18 (100%)
Sepaikandi-Kalirbazar Road ((Uttar Matlab, Chandpur)	2 (50.00)	1 (25.00)	0 (-)	1 (25.00)	4 (100%)
Ibrahim B.T. Road (Chandpur Sadar, Chandpur)	0 (-)	0 (-)	3 (100.0)	0 (-)	3 (100%)
All	15 (60.00)	3 (12.00)	6 (24.00)	1 (4.00)	25 (100%)

Source: Field Survey

Table A.3.10
Education level of all Squatters family members excluding children and students in selected roads

Name of the Road (upazila, district)	Education level				
	Illiterate	Primary	Secondary	Above secondary	All
Torunihat Chandonbaisha Road (Sariakandi, Bogra)	28 (47.1)	9 (21.3)	5 (12.6)	0 (18.4)	42 (100.0)
Sepaikandi-Kalirbazar Road ((Uttar Matlab, Chandpur)	5 (25.0)	3 (33.3)	2 (16.7)	2 (25.0)	12 (100.0)
Ibrahim B.T. Road (Chandpur Sadar, Chandpur)	1 (15.5)	1 (19.0)	5 (43.1)	1 (22.4)	8 (100.0)
All	34 (36.9)	13 (28.1)	12 (20.4)	3 (14.6)	62 (100.0)

Source: Field Survey

Table A.4.1
Types of land acquired in selected Road

Name of the Road (upazila, district)	Land acquired (in decimal)						
	Agricultural	Homestead	Orchard/ Garden	Pond/ Ditch	Fallow	Others	Total
Sonahata-Bagbari Road (Dhunat, Bogra)	334.3500 (94.40)	16.4000 (4.60)	.2500 (0)	3.0000 (1)	.0000 (-)	-	354.00 (100)
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	275.6400 (92.00)	21.1500 (7.10)	2.7500 (1)	.0000 (-)	.0000 (-)	-	299.54 (100)
Dhunat-Sariakandi Road (Saraikandi, Bogra)	261.5700 (83.90)	39.5000 (12.70)	7.7500 (2.50)	.0000 (-)	3.0000 (1)	-	311.82 (100)
Kalai-Moslemgonj Road (Kalai, Joypurhat)	12.1700 (70.90)	1.5000 (8.70)	1.5000 (8.70)	2.0000 (11.60)	.0000 (-)	-	17.17 (100)
Laxmiipur-Dorappur Road (Natore Sadar, Natore)	46.0140 (40.90)	55.7400 (49.60)	10.6500 (9.50)	.0000 (-)	.0000 (-)	-	112.40 (100)
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	20.2000 (33.20)	33.6000 (55.30)	4.6000 (7.60)	.0000 (-)	2.4000 (3.90)	-	60.80 (100)
B. Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	74.4100 (36.10)	131.8000 (63.90)	.0000 (-)	.0000 (-)	.0000 (-)	-	206.21 (100)
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	70.8800 (73.80)	9.7200 (10.10)	.0000 (-)	15.4900 (16.10)	.0000 (-)	-	96.09 (100)
Ibrahim B.T. Road (Chandpur sador, Chandpur)	17.8300 (48.30)	13.9600 (37.80)	.0000 (-)	5.1400 (13.90)	.0000 (-)	-	36.93 (100)
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	196.4100 (94.30)	11.9500 (5.70)	.0000 (-)	.0000 (-)	.0000 (-)	-	208.36 (100)
All	1309.4740 (76.90)	335.3200 (19.70)	27.5000 (1.60)	25.6300 (1.50)	5.4000 (0.30)	-	1703.32 (100)

Source: Field Survey

Table A.4.2
Previous use of surrendered land

Previous use of land→ Road ↓	House			Shop/Business			Total		
	No. of PAPs	Amount of land (decimal)	Amount of land per PAP	No. of PAPs	Amount of land (decimal)	Amount of land per PAP	No. of PAPs	Amount of land (decimal)	Amount of land per PAP
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	17	92.0	5.4	1	2.0	2.0	18	94.0	5.2
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	0	-	-	4	5.0	1.3	4	5.0	1.3
Ibrahim B.T. Road (Chandpur sador, Chandpur)	0	-	-	3	2.5	.83	3	2.5	.83
All	17	92.0	5.4	8	9.5	1.2	25	101.5	4.06

Source: Field Survey

Table A.4.3
Time of Notice for Surrendering the Possession of Land

Time of Notice	Number of respondents	% of respondents
Moment before the civil works	14	56.00
In course of civil works	11	44.00
After the civil works	0	0.00
Others	0	0.00
All	25	100.00

Source: Field Survey

Table A.4.4
Ways of Knowing about Surrendering the Possession of Land

Ways of knowing	Number of responses	% of responses	% of Total Number of respondents (25)
Through people	11	36.70	44.00
Through LGED officials	19	63.30	76.00
Through mike announcement	0	0.00	0.00
Others	0	0.00	0.00
All Responses	30	100.00	120.00

Source: Field Survey

Table A.5.1
Compensation for different types of land in selected roads

Name of the Road (upazila, district)	Land acquired (decimal)							Compensation (in TK.)						
	Agricultural	Home- stead	Orchard/ Garden	Pond/ Ditch	Fallow	Others	Total	Agricultural	Home- stead	Orchard/ Garden	Pond/ Ditch	Fallow	Others	Total
Sonahata-Bagbari Road (Dhunat, Bogra)	334.35	16.40	.25	3.00	-	-	354.00	1602687	54900	0	0	-	-	1597587
Farnihat-Chandonbaisha Road (Saraikandi, Bogra)	275.64	21.15	2.75	-	-	-	299.54	762959	70059	2600	-	-	-	892708
Dhunat-Sariakandi Road (Saraikandi, Bogra)	261.57	39.50	7.75	-	3.00	-	311.82	717586	134015	30200	-	0	-	897801
Kalai-Moslemgonj Road (Kalai, Joypurhat)	12.17	1.50	1.50	2.00	-	-	17.17	39200	9400	3600	6100	-	-	60300
Laxmiiipur-Dorappur Road (Natore sador, Natore)	46.01	55.74	10.65	-	-	-	112.40	186640	126260	16522	-	-	-	288402
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	20.20	33.60	4.60	-	2.40	-	60.80	64500	263910	17030	-	4863	-	369943
B_Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	74.41	131.80	-	-	-	-	206.21	226092	579866	-	-	-	-	805958
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	70.88	9.72	-	15.49	-	-	96.09	601930	122841	-	111329	-	-	844100
Ibrahim B.T. Road (Chandpur sador, Chandpur)	17.83	13.96	-	5.14	-	-	36.93	536950	728412	-	127000	-	-	1392362
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	196.41	11.95	-	-	-	-	208.36	203862	28050	-	-	-	-	231912
All	1309.4	335.3	27.50	25.63	5.40	-	1703.32	4942985	2117755	69960	244429	4863	-	7381074

Source: Field Survey

Table A.5.2
Compensation per decimal for different types of land in selected roads

Name of the Road (upazila, district)	Average Compensation (per decimal) (in Tk.)					
	Agricultural	Homestead	Garden	Pond	Fallow	Total
Sonahata-Bagbari Road (Dhumat, Bogra)	4793	3348	0	0	-	4513
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	2768	3312	-	-	-	2980
Dhumat-Sariakandi Road (Saraikandi, Bogra)	2743	3393	3897	-	0	2780
Kalai-Moslemgonj Road (Kalai, Joypurhat)	3221	6267	2400	3050	-	3512
Laxmiipur-Dorappur Road (Natore sador, Natore)	4057	2265	1551	-	-	2566
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	3193	7854	3702	-	2027	6084
B_Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	3038	4400	-	-	-	3908
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	8492	12634	-	7187	-	8784
Ibrahim B.T. Road (Chandpur sador, Chandpur)	30115	52180	-	24708	-	37703
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnaragar, Moulvibazar)	1038	2347	-	-	-	1113
All	3775	6316	2544	9536	900	4333.35

Source: Field Survey

Table A.5.3
Compensation for acquired land in selected road

Name of the Road (upazila, district)	Acquired land (decimal)	Total Compensation (in TK)			CUL as % of Total	Compensation per decimal
		CUL Total	Top-Up	Total		
Sonahata-Bagbari Road (Dhumat, Bogra)	354.00	1327820	269767	1597587	83.10	4513.00
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	299.54	722384	170324	892708	80.92	2980.26
Dhumat-Sariakandi Road (Saraikandi, Bogra)	311.82	798421	99379	897801	88.93	2779.22
Kalai-Moslemgonj Road (Kalai, Joypurhat)	17.17	30000	30300	60300	49.80	3511.90
Laxmiipur-Dorappur Road (Natore sador, Natore)	112.40	251751	36651	288402	87.30	2565.85
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	60.80	322693	47250	369943	87.22	6084.60
B_Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	206.21	710187	95771	805958	88.10	3908.43
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	96.09	612800	231300	844100	72.60	8784.50
Ibrahim B.T. Road (Chandpur sador, Chandpur)	36.93	1224162	168200	1392362	87.90	37702.70
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnaragar, Moulvibazar)	208.36	199162	32750	231912	85.90	1113.00
Total	1703.32	6199381	1181692	7381074	84.00	4333.35

Source: Field Survey

Table A.5.4
Compensation for acquired land in selected road

Name of the Road (upazila, district)	Acquired land (decimal)	Total Compensation (in TK)			CUL as % of Total	Compensation per decimal
		CUL Total	Top-Up	Total		
Sonahata-Bagbari Road (Dhunat, Bogra)	342.48	1428353	311510	1739863	82.10	5080.20
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	278.77	690883	259608	950491	72.70	3410.00
Dhunat-Sariakandi Road (Saraikandi, Bogra)	296.49	799104	126500	925604	86.40	3121.90
Kalai-Moslemgonj Road (Kalai, Joypurhat)	17.52	29057	41900	70957	45.00	4050.00
Laxmiipur-Dorappur Road (Natore Sadar, Natore)	116.67	296906	37387	334293	88.80	2865.30
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	57.38	304128	78055	382183	79.60	6660.60
B Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	208.22	726136	144475	870611	83.40	4181.20
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	88.52	605648	284048	889696	68.10	10050.80
Ibrahim B.T. Road (Chandpur sador, Chandpur)	64.03	1511457	258362	1769819	85.40	27640.50
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	207.58	225032	48092	273124	82.40	1315.75
Total	1677.66	6616704	1589937	8206641	80.60	4891.70

Source: LGED Computer Based Data

Table A.5.5
Market price and compensation (per decimal) paid by DC/LGED offices and received by PAPs for
different types of land in selected roads

Name of the Road (upazila, district)	Sources	Agricultural	Home- stead	Fallow	Others	Total
Sonahata-Bagbari Road (Dhunat, Bogra)	MPS* by LGED	4184.21	5410.53	-	-	4797.37
	Compensation paid by DC/LGED					5080.20
	Compensation received by PAPs (Field data)	4793	3348	-	-	4513
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	MPS by LGED	3645.83	5654.17	-	-	4650.00
	Compensation paid by DC/LGED					3410.00
	Compensation received by PAPs (Field data)	2768	3312	-	-	2980
Dhunat-Sariakandi Road (Saraikandi, Bogra)	MPS by LGED	5,733	9,320	-	-	7,527
	Compensation paid by DC/LGED					3121.90
	Compensation received by PAPs (Field data)	2743	3393	-	3897	2780
Kalai-Moslemgonj Road (Kalai, Joypurhat)	MPS by LGED	2927.78	4577.78	-	3700.00	3735.20
	Compensation paid by DC/LGED					4050.00
	Compensation received by PAPs (Field data)	3221	6267	-	2700	3512
Laxmiipur-Dorappur Road (Natore Sadar, Natore)	MPS by LGED	1700.00	2170.00	1150.00	-	1673.33
	Compensation paid by DC/LGED					2865.30
	Compensation received by PAPs (Field data)	4057	2265	-	1551	2566
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	MPS by LGED	7916.67	21791.67	-	18041.67	15916.67
	Compensation paid by DC/LGED					6660.60
	Compensation received by PAPs (Field data)	3193	7854	2027	3702	6084
B_Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	MPS by LGED	1748.48	7396.97	-	2062.50	3736.00
	Compensation paid by DC/LGED					4181.20
	Compensation received by PAPs (Field data)	3038	4400	-	-	3908
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	MPS by LGED	8603.06	11723.47	6534.69	9508.16	9092.35
	Compensation paid by DC/LGED					10050.80
	Compensation received by PAPs (Field data)	8492	12634	-	7187	8784
Ibrahim B.T. Road (Chandpur sador, Chandpur)	MPS by LGED	20061.29	36137.90	14970.16	23833.06	23750.60
	Compensation paid by DC/LGED					27640.50
	Compensation received by PAPs (Field data)	30115	52180	-	24708	37703
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	MPS by LGED	1780.37	2578.70	528.70	-	1629.26
	Compensation paid by DC/LGED					1315.75
	Compensation received by PAPs (Field data)	1038	2347	-	-	1113

Source: Field Survey and LGED Computer Based Data

Note: *MPS = Market Price Survey

Table A.5.6
Different types of compensation to PAPs in selected road

Name of the Road (upazila, district)	Types of compensation (in Tk.)									Grand Total (100%)
	CUL					Top-Up				
	Land	Structure	Tree	Others	Sub-Total	Land	Registra- tion	Other grants	Sub-Total	
Sonahata-Bagbari Road (Dhurat, Bogra)	1387820 (76.40)	29600 (1.60)	126200 (6.95)	3200 (0.20)	1546820.7 (85.15)				269767 (14.85)	1833987 (100)
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	679784 (66.40)	75500 (7.40)	91200 (8.90)	21800 (2.10)	868284.0 (84.80)				155834 (15.20)	1024118 (100)
Dhurat-Sariakandi Road (Saraikandi, Bogra)	780421 (84.10)	31700 (3.40)	5000 (0.50)	9500 (1.00)	826621.5 (89.00)				101379 (11.00)	928001 (100)
Kalai-Moslemgonj Road (Kalai, Joypurhat)	28000 (36.70)	18000 (23.60)	- (-)	- (-)	46000 (60.30)				30300 (39.70)	76300 (100)
Laxmiipur-Dorappur Road (Natore sador, Natore)	295182 (52.10)	- (-)	237210 (41.90)	- (-)	532391.8 (94.00)				34240 (6.00)	566632 (100)
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	300753 (42.40)	148141 (20.90)	197225 (27.90)	13000 (1.80)	659119 (93.00)				49550 (7.00)	708669 (100)
B Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagar, B. Baria)	710187 (27.50)	1698250 (65.80)	76833 (3.00)	- (-)	2485270 (96.30)				95771 (3.70)	2581041 (100)
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	604800 (41.00)	573900 (39.00)	43000 (2.90)	20000 (1.40)	1241700 (84.30)				231300 (15.70)	1473000 (100)
Ibrahim B.T. Road (Chandpur sador, Chandpur)	1224162 (82.60)	50000 (3.40)	39200 (2.60)	- (-)	1313362 (88.70)				168200 (11.30)	1481562 (100)
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	199162 (39.30)	149972 (29.60)	124800 (24.60)	- (-)	473934 (93.50)				32750 (6.50)	506684 (100)
Total	6210272 (55.60)	2775063 (24.90)	940668 (8.40)	67500 (1.00)	9993503 (89.60)				1169092 (10.40)	11162594 (100)

Source: Field Survey

Table A.5.7
Different types of compensation to PAPs in selected road

Name of the Road (upazila, district)	Types of compensation (in TK)									Grand Total (100%)
	CUL					Top-Up				
	Land	Structure	Tree	Others	Sub-Total	Land	Registra- tion	Other grants	Sub-Total	
Sonahata-Bagbari Road (Dhurat, Bogra)	1428353 (73.00)	45566 (2.30)	135894 (6.90)	35788 (1.80)	1645602 (84.0)	172180 (8.80)	133843 (6.80)	4147 (0.40)	311510 (16.0)	1957112 (100)
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	667519 (58.00)	88825 (11.70)	41881 (8.50)	- (-)	798225 (78.20)	130515 (11.30)	80001 (7.40)	31840 (3.10)	242357 (21.80)	1040583 (100)
Dhurat-Sariakandi Road (Saraikandi, Bogra)	796184 (81.40)	36236 (3.70)	20333 (2.10)	0 (-)	852754 (87.20)	17625 (1.80)	78161 (8.00)	29929 (3.00)	125716 (12.80)	978470 (100)
Kalai-Moslemgonj Road (Kalai, Joypurhat)	28564 (32.30)	18894 (21.00)	- (-)	- (-)	47458 (53.30)	31483 (35.60)	6304 (7.20)	3464 (3.90)	41253 (46.70)	88711 (100)
Laxmiipur-Dorappur Road (Natore sador, Natore)	294760 (46.60)	- (-)	301281 (47.50)	- (-)	596041 (94.10)	6679 (1.00)	30454 (4.90)	- (-)	37133 (5.90)	633174 (100)
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	302280 (39.20)	159689 (20.60)	199390 (28.30)	14700 (1.90)	696060 (90.00)	42299 (5.50)	35487 (4.50)	- (-)	77786 (10.00)	753846 (100)
B Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagar, B. Baria)	701241 (18.00)	2736527 (67.70)	259278 (6.40)	178125 (4.40)	3875172 (96.50)	- (-)	42920 (1.10)	90334 (2.40)	133254 (3.50)	4008426 (100)
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	558346 (30.80)	981844 (49.90)	70161 (3.80)	19074 (1.00)	1629427 (85.50)	- (-)	76759 (4.30)	165255 (10.20)	242015 (14.50)	1871442 (100)
Ibrahim B.T. Road (Chandpur sador, Chandpur)	1511457 (67.00)	53058 (2.40)	45407 (2.00)	- (-)	1609923 (71.40)	- (-)	501467 (22.20)	146010 (6.40)	258361 (28.60)	1868285 (100)
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	225032 (41.10)	150156 (27.50)	123702 (22.60)	- (-)	498890 (91.20)	- (-)	25442 (4.70)	22650 (4.10)	48092 (8.80)	546982 (100)
Total	6513740 (45.80)	4270767 (29.90)	1197330 (8.90)	247688 (1.70)	12229555 (86.30)	400784 (2.80)	1010842 (7.10)	493632 (3.80)	1517482 (13.70)	13747037 (100)

Source: LGED Computer Based Data

Table A.5.8
Compensation per PAP by road

Name of the Road (upazila, district)	Number of PAPs			Total Compensation (in TK)			Compensation (in Tk) per PAP	
	Got Compensation	Did not get Compensation	Total	CUL Total	Top-Up	CUL + Top-Up	Including those who got compensation	Including all
Sonahata-Bagbari Road (Dhunat, Bogra)	53	5	58	1546820.70	269767.00	1816587.7	34275.2396	31320.4776
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	66	2	68	868284.00	155834.00	1024118.0	15516.9394	15060.5588
Dhunat-Sariakandi Road (Saraikandi, Bogra)	44	1	45	826621.50	101379.75	928001.2	21090.9364	20622.2500
Kalai-Moslemgonj Road (Kalai, Joypurhat)	12	1	13	46000.00	30300.00	76300.0	6358.3333	5869.2308
Laxmiipur-Dorappur Road (Natore sador, Natore)	38	8	46	532391.78	34240.00	566631.7	14911.3605	12318.0822
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	28	10	38	659119.00	49550.00	708669.0	25309.6071	18649.1842
B Baria-Nabinagar Via Sadekpur Road (B. Baria sador & Nabinagor, B. Baria)	54	26	80	2485270.00	95771.00	2581041.0	47797.0556	32263.0125
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	29	13	42	1241700.00	231300.00	1473000.0	50793.1034	35071.4286
Ibrahim B.T. Road (Chandpur Sador, Chandpur)	17	2	19	1313362.00	168200.00	1481562.0	87150.7060	77976.9474
Munshi Bazar-Mokam Bazar via Sonatiki Road (Rajnagar, Moulvibazar)	30	16	46	473934.00	32750.00	506684.0	16889.46667	11014.8696
Total	371	84	455	9993502.98	1169091.7	11162594	30087.8545	24533.1752

Source: Field Survey

Table A.5.9
Compensation per PAP by road

Name of the Road (upazila, district)	Number of PAPs			Total Compensation (in TK)			Compensation (in Tk) per PAP	
	Got Compensation	Did not get Compensation	Total	CUL Total	Top-Up	CUL + Top-Up	Including those who got compensation	Including all
Sonahata-Bagbari Road (Dhunat, Bogra)	58	-	58	1645602.53	311510.44	1957112.97	33743.33	33743.33
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	63	5	68	798225.53	242357.87	1040583.40	16517.20	15302.70
Dhunat-Sariakandi Road (Saraikandi, Bogra)	44	1	45	852754.60	125716.24	978470.84	22237.97	21743.80
Kalai-Moslemgonj Road (Kalai, Joypurhat)	12	1	13	47458.25	41253.37	88711.62	7392.64	6823.97
Laxmiipur-Dorappur Road (Natore sador, Natore)	45	1	46	596041.02	37133.52	633174.54	14070.55	13764.67
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	37	1	38	676059.44	77786.70	753846.14	20374.22	19838.06
B Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	76	4	80	3875172.38	133254.60	4008426.98	52742.46	50105.34
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	40	2	42	1629427.10	242015.67	1871442.77	46786.07	44558.16
Ibrahim B.T. Road (Chandpur sador, Chandpur)	19	-	19	1609923.65	258361.82	1868285.47	98330.81	98330.81
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	46	-	46	498890.55	48092.05	546982.60	11890.93	11890.93
Total	440	15	455	12229555.05	1517482.28	13747037.33	31243.2667	30213.27

Source: LGED Computer Based Data

Table A.5.10
Payment of compensation by road

Name of the Road (upazila, district)	Total Compensation (in TK)								
	CUL Total		Payment as % of assessed	Top-Up		Payment as % of assessed	CUL + Top-Up		Payment as % of assessed
	Assessed	Paid		Assessed	Paid		Assessed	Paid	
Sonahata-Bagbari Road (Dhunat, Bogra)	1645602	1546820	94.0	311510	269767	87.0	1957112	1816587	93.0
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	930765	868284	93.0	259608	155834	60.0	1190374	1024118	86.0
Dhunat-Sariakandi Road (Saraikandi, Bogra)	855674	826621	97.0	126499	101379	80.0	982173	928001	94.0
Kalai-Moslemgonj Road (Kalai, Joypurhat)	47951	46000	96.0	41900	30300	72.0	89851	76300	85.0
Laxmiipur-Dorappur Road (Natore sador, Natore)	599777	532391	89.0	37387	34240	92.0	637164	566631	89.0
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	697908	659119	94.0	78055	49550	63.0	775963	708669	91.0
B. Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	3900066	2485270	64.0	144475	95771	66.0	4044542	2581041	64.0
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	1682054	1241700	74.0	284047	231300	82.0	1966101	1473000	72.0
Ibrahim B.T. Road (Chandpur sador, Chandpur)	1609923	1313362	82.0	258361	168200	65.0	1868285	1481562	79.0
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	498890	473934	95.0	48092	32750	68.0	546982	506684	93.0
Total	12468613	9993502	80.0	1589938	1169091	74.0	14058552	11162594	79.4

Source: Field Survey

Table A.5.11
Payment of compensation by road

Name of the Road (upazila, district)	Total Compensation (in TK)								
	CUL Total		Payment as % of assessed	Top-Up		Payment as % of assessed	CUL + Top-Up		Payment as % of assessed
	Assessed	Paid		Assessed	Paid		Assessed	Paid	
Sonahata-Bagbari Road (Dhunat, Bogra)	1645602	1645602	100.0	311510	311510	100.0	1957112	1957112	100.0
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	930765	798225	86.0	259608	242357	93.0	1190374	1040583	87.0
Dhunat-Sariakandi Road (Saraikandi, Bogra)	855674	852754	99.0	126499	125716	99.0	982173	978470	99.0
Kalai-Moslemgonj Road (Kalai, Joypurhat)	47951	47458	99.0	41900	41253	98.0	89851	88711	99.0
Laxmiipur-Dorappur Road (Natore sador, Natore)	599777	596041	99.0	37387	37133	99.0	637164	633174	99.0
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	697908	676059	97.0	78055	77786	100.0	775963	753846	97.0
B. Baria-Nabinagar Via Sadekpur Road (B. Baria sador & Nabinagor, B. Baria)	3900066	3875172	99.0	144475	133254	92.0	4044542	4008426	99.0
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	1682054	1629427	97.0	284047	242015	85.0	1966101	1871442	95.0
Ibrahim B.T. Road (Chandpur sador, Chandpur)	1609923	1609923	100.0	258361	258361	100.0	1868285	1868285	100.0
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	498890	498890	100.0	48092	48092	100.0	546982	546982	100.0
Total	12468613	12229555	98.0	1589938	1517482	95.5	14058552	13747037	98.0

Source: LGED Computer Based Data

Table A.5.12
Percentage Difference in Compensation and Acquired
Land between LGED and BIDS Data

Name of the Road (upazila, district)	% difference in compensation		% difference in total acquired land
	Total	Per decimal	
Sonahata-Bagbari Road (Dhunat, Bogra)	7.18	11.16	-3.36
Tarnihat-Chandonbaisha Road (Saraikandi, Bogra)	1.58	12.60	-7.45
Dhunat-Sariakandi Road (Saraikandi, Bogra)	5.16	10.98	-5.17
Kalai-Moslemgonj Road (Kalai, Joypurhat)	13.99	13.29	2.00
Laxmiipur-Dorappur Road (Natore sador, Natore)	10.51	10.45	3.66
Kaligonj-Jangalia Road (Kaligonj, Gazipur)	5.99	8.65	-5.96
B Baria-Nabinagar Via Sadekpur (B. Baria sador & Nabinagor, B. Baria)	35.61	6.52	0.97
Sepaikandi-Kalir Bazar Road (Uttar Matlab, Chandpur)	21.29	12.60	-8.55
Ibrahim B.T. Road (Chandpur sador, Chandpur)	20.70	-36.40	42.32
Munshi Bazar-Mokam Bazar via Sonatiki (Rajnagar, Moulvibazar)	7.37	15.41	-0.38
All	18.80	11.41	-1.53

Source: Field Survey and LGED Computer Based Data

Method of Calculation:

$$\% \text{ difference} = ((\text{lged-field})/\text{lged})*100$$

Appendix II: Survey Questionnaire

Rural Transport Improvement Project: Review of the Resettlement Programme
Questionnaire for the Project Affected Persons (PAPs/Squatters)
Bangladesh Institute of Development Studies
E-17 Agargaon, Dhaka-1207

Name of the Field Surveyor:

Date of Survey:

Day	Month	Year			
		2	0	0	8

Name of Respondent:

Sample Number:

Father's Name:

Village:

Union:

Upazila:

Zila:

Project Area:

Name of the Road:

Village:

Mouza:

Union:

Upazila:

Zila:

1. Identify the respondent according to the nature of loss:

PAP = 1, Squatter = 2, Both = 3

2. Family Information of the Respondent

Serial No.	Name of the Household Member	Age (years)	Sex	Education Level	Profession		Approximate Monthly Income (Tk.)
					Primary	Secondary	

(Sex Code: Male = 1, Female = 2; Education Code: Cannot read and write = 1, Primary = 2, Secondary = 3, SSC pass & above = 4, Student (indicating class) = 5, Profession Code: (a) agriculture = 1, Own land cultivation, Tenant farming = 12, Nursery/forestry = 13, Fishery/catching & selling fish = 14, Poultry raising = 15, agricultural labor = 16; (b) Industry = 2; (c) Construction = 3; (d) Transport = 4, Rickshaw/van driver = 41, Autorickshaw/Tempu Driver = 42, Boat rowing = 43, Other transport worker = 44; (e) Trading = 5; (f) Others = 7, Household work = 71, Apprentice/Intern = 72, Income from house rent = 73, others (indicate))

3. Land of the Family (Owned)

Description	Amount of Land (Decimal)		Taka Received as Compensation		
	Owned	Acquired for Road	From DC Office	From LGED Office	Total
1. Agricultural Land					
2. Homestead Land					
3. Garden					
4. Pond/Ditch					
5. Fallow Land					
6. Others (indicate)					
7. Total Land					

4. If compensation not received, why not ?

(Code: Little amount of land, that is why not willing to take the trouble = 1, Documents could not be produced = 2, Some other person has taken away the money = 3, Was not interested due to influence of brokers/corrupt people = 4, Litigation relating to land = 5, Difficulties relating to succession = 6, Real owner lives outside = 7, Others (indicate) = 8)

5. (a) When did you get the news of land acquisition ?

(Code: Before the civil works of the road = 1, In course of the civil works of the road = 2, After the civil works of the road = 3, Others (indicate) = 4)

(b) How did you get the news of land acquisition ?

(Code: Through people = 1, Through government notice = 2, Through mike announcement = 3, Others (indicate) = 4)

6. (a) Did you complain at land acquisition ? Yes/No (Code: Yes = 1, No = 2)

If Yes, what were the reasons?

(Code: Inconvenient for cultivation = 1, Could be better if bypassed = 2, Others (indicate) = 3)

(b) Have you taken any measure?

(Code: Informed DC office in writing = 1, Appealed to the court = 2, Protested in collaboration with likeminded people = 3, Others (indicate) = 4)

7. What were the difficulties you faced in receiving money for compensation ?

(Code: Loss of time and harassment = 1, Amount of money was less = 2, Additional money was paid = 3, Others (indicate) = 4)

8. Did you get support from LGED office ? Yes/No (Code: Yes = 1, No = 2)

If Yes, how?

(Code: Assisted in preparing papers = 1, Assisted in withdrawing money = 2, Apprised of rules and regulations = 3, Others (indicate) = 4)

9. Did you get assistance from the DC office ? Yes/No (Code: Yes = 1, No = 2)

If Yes, how?

(Code: Informed on time = 1, Listened to opinion = 2, Paid money properly = 3, Others (indicate) = 4)

10. Do you know how the price of land was determined for making compensation ? Yes/No

(Code: Yes = 1, No = 2)

If Not, why not?

(Code: Self not willing = 1, Not informed from the office = 2, Difficult to understand since the matter is complicated = 3, Others (indicate) = 4)

11. Was the compensation adequate? Yes/No (Code: Yes = 1, No = 2)

If Not, how could this be improved?

12. Are you affected in any other way than loss of land? Yes/No (Code: Yes =1, No =2)

If yes, how?

(Code: House had to be shifted = 1, Workplace had to be changed = 2, Income/employment has reduced = 3, Loss of rented land = 4, Loss of crops = 5, Felling trees = 6, Loss of other assets (indicate) = 7)

13. What steps have been taken for compensation ? Indicate Taka figures chronologically for loss as indicated in 12.

Code Number (in accordance with 12)	Amount of Taka	Other Compensation

14. Did you surrender the possession of land for the development of the road ? Yes/No (Code: Yes = 1, No = 2)

If Yes, state the following:

Description of Land	Amount of Land (Decimal)	Previous Use
Land of LGED Office		
Other State Land (<i>Khas</i> Land)		
Other Lands (indicate)		

15. (a) When did you get the notice for surrendering the possession of land ?

(Code: The moment before the civil works = 1, In course of civil works = 2, After the civil works = 3, Others (indicate) = 4)

(b) How did you know about surrendering the possession of land ?

(Code: Through people = 1, Through government notice = 2, Through mike announcement =3, Others (indicate) = 4)

16. What is your reaction to land acquisition for road ?

17. How were you affected for surrendering the possession of land ?

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(Code: House had to be shifted = 1, Workplace had to be changed = 2, Income/employment has reduced = 3, Loss of rented land = 4, Loss of crops = 5, Felling trees = 6, Loss of other assets (indicate) = 7)

18. What steps have been taken for compensation? Indicate Taka figures chronologically for loss as indicated in 17.

Code Number (in accordance with 17)	Amount of Taka	Other Compensation

19. Are you satisfied with the compensation money you have received? Yes/No (Code: Yes = 1, No = 2)

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20. What else could be done for the better ?

21. How have you benefited from the road improvement ?

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(Code: Advantages of transport have increased = 1, Trading and commercial activities have increased = 2, Employment and income of the people of the locality have increased = 3, Price of land adjoining the road has increased = 4, Price of land in the locality as a whole has increased = 5, Literacy rate has increased = 6, Advantages related to health services have increased = 7, Others (indicate) = 8)

22. How would you feel the necessity or evaluate all such programmes (infrastructure development in terms of land acquisition) for overall development?

Appendix III: Checklist for Consultation

**Rural Transport Improvement Project: Review of the Resettlement Programme
Checklist for Consultation with Key Informants/Project Personnel on Selected Issues
Bangladesh Institute of Development Studies
E-17 Agargaon, Dhaka-1207**

[This checklist has been used to collect necessary information through consultations with Project Personnel such as senior LGED staff (including PD), XENs, UEs, District Sociologists, DSM Resettlement Specialist, Community Organizers (CO) of LGED, officials from DC office, elected representations of the local UPs, NGO workers etc. who are involved in the preparation and implementation of the programme.]

Selected Issues:

1. The role of the concerned persons (as mentioned above) for selection and implementation of the project/programme.
2. Interdepartmental roles and influence of the donor agencies for selecting and implementing the programme.
3. Data collection and data management system (computerized) of LGED which would be verified by and integrated with the BIDS field level data.
4. Experiences of various persons in the office and field level in integrating their works relating to land acquisition and resettlement programme to which various departments of different ministries are involved.
5. People's participation in taking up and implementing the Land Acquisition (LA) Plan.
6. Critical observations on the activities of LGED, DC office and other governmental (administrative) departments in determining and implementing CUL and Top-up.
7. How the principles and guidelines of RF and RAP are taken up and how and whether local representatives (UP members/chairmen), project affected persons (PAPs/squatters) are involved in the process of implementing the said principles and guidelines.
8. Effectiveness of Grievance Redress Committee (GRE) and the relevance of the participatory approach suggested in GRE.
9. Observations on the activities of the rural touts and elites and their followers in the process of land acquisition and resettlement programme.
10. Effectiveness of the training programme for the LGED and other departmental workers/officials for land acquisition and resettlement programme.
11. Market Price of different types (agricultural, homestead, ponds etc.) of land in the year before the acquisition, in the year of acquisition and also in the year of the BIDS survey.
12. Difficulties faced by the PAPs/squatters to get compensation (CUL, Top-up).
13. The dynamic process of conflicts, legal cases and their resolutions centering round land acquisition and resettlement.
14. Whether tenants and agricultural labourers get any compensation for the loss of crops and employment opportunities in the acquired land and whether they face any impediment in getting compensation.
15. How many structures of houses and business estates, trees etc are affected by the programme? How decisions relating to compensation and resettlement are taken up?
16. Impact of the project/programme on agricultural output, agricultural and non-agricultural income, employment generation and poverty alleviation.
17. Administrative problems relating to land acquisition and resettlement programme.
18. Alternative and sustainable institutional mechanism (as suggested by the key informants/concerned persons) for determining and implementing the process of land acquisition and resettlement.

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