

## **Land governance & Infrastructure Development: Challenges in the Perspective of Land Acquisition and Resettlement Addressing Social Safeguards**

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### **Abstract:**

Growing development planning in recent decades in the developing countries requires more lands for the construction of infrastructures under the different development projects with the Technical Assistance receiving from World Bank, ADB and JICA. Infrastructure development is significantly required for the improvement of communication, urbanization and industrialization which have a multiple impacts on promoting social and economic mobilization in case of improving supplying chain management, importing-exporting agricultural products and commodities; in the long run, it will also create significant changes in the daily lives of rural and urban citizens.

Due to rapid urbanization and industrialization, acquisition of private lands by the government for the development of infrastructures is a common scenario globally in which significant policy implications are incurred while imposing state's laws and regulations on the land owners. Overpopulation dealing with the urbanization creates scarcity of lands that keeps tremendous pressure on the land ownership pattern in result lands become significantly valuable asset in the Asia and south Asia like Bangladesh, Nepal, Sri Lanka, and Bhutan. It is not only a means of livelihood, it also shows a symbol of social and political empowerment. However, land ownership in most cases is obtained by inborn or inherited which is always insufficient in nature as the term of 'Land Acquisition' sometimes indicates a Threatening and Frightening to the landowners.

The prime objective of the article is to outline the policy implications of the land acquisition on the people's livings due to imposing the laws and regulations of the state for implementing development projects in which Technical Assistance of the donors are questioned and challenged.

### **Significance of Lands Requirements & Scarcity**

Lands are essentially required for implementing the development projects, but lands are being decreased rapidly owing to growing infrastructures like roads, highways, bridges, housing estates, industrialization, urbanization etc. Moreover, lands are being eroded by the river erosion and natural disaster in the coastal areas like Bangladesh that create difficulties in getting available lands for the development.

Thus, land acquisition for different development projects has been becoming a critical issue while government imposing regulations on the landowners for acquiring lands for the development projects. There are some countries like Bangladesh having large population of about 150 million with a small geographical size of 56,000 square miles in which land issue is considered in the center of the policy implication while making any development plan. Nevertheless, lands are being acquired for development projects that forces citizens to leave their homesteads, crops lands, trees, orchards etc. Victims are paid only compensation set by the government policy that deprives them of receiving appropriate price in comparing to prevailing market's prices. In losing lands and other assets cause for land acquisition, people are becoming homeless that obelizing the victims to leave from their ancestral roots for unknown elsewhere to lead a vulnerable threats to find alternative livelihoods. In this circumstances, people are mostly refuse to provide their lands for the acquisition, nevertheless, they have to give up ownership of lands under the involuntary resettlement policy of the government. In some cases, community agitations are observed in case of giving up the possession of acquired lands along with other assets that creates conflict between the community and the law enforce agency which delay in the implementation process of development projects in result incurring huge

cost, in addition to planned budget. Moreover, due to community mobs against the government decision on the land acquisition, the project affected persons are also incurred in the legal procedure under laws of the state that becomes long sufferings for victims eventually.

### **Policy Implications and Challenges in the Land Acquisition**

Government does not have any policy of the resettlement for the affected people apart from the compensation for the land acquisition although ADB and World Bank have established social safeguard policy in considering compensation, resettlement with replacement's costs and livelihood restoration. Despite, no clear land acquisition and resettlement policy has yet been come into the light for resettling and compensating the project affected persons properly. As a result, these affected persons virtually have been leading a miserable living with uncertainty by taking shelter in the slums or streets of cities. In the way of uncertainty and darkness, some of them are forced to be involved in criminal activities that creates a security threat for the city dwellers.

In dealing with the compliance of the policy, World Bank and ADB have outlined a social and environmental safeguard policy for its member's countries to address the social safeguard issues in line with government policy for land acquisition and resettlement while implementing development projects financed by these donors. And it requires to address the gaps of the government's land acquisition laws and regulations for taking appropriate measures for paying compensation to the affected people. The host countries have also agreed with those policy agreement in written with donors during the formulation of the development projects. ADB Social Safeguard Policy Statement (SPS), 2009 outline "-----seek to avoid, minimize, or mitigate adverse environmental and social impacts, including protecting the rights of those likely to be affected or marginalized by the development process". Despite having policy agreement between the donors and host countries in case of land acquisition, but in practice, it is seldom maintained by the host countries those who are receiving Technical Assistance from donors.

The main policy implications are found while different steps of the Land Acquisition Laws and Regulations are imposed on the affected people by the Government that create a substantial delay in receiving compensation from the government; like Bangladesh where about 32 steps have to follow by the Land Acquisition Authority from the beginning to end of the payment to affected entitlements. Constrains are also observed in determining the land ownership and entitlements during the land survey by the authority concerned. In most cases, rural innocent people do not have proper deeds of land-ownership that owned by inborn. As a result, many affected people are also being untouched during the assessment of the ownership, and finally they are not paid compensation at all.

There are many agencies of the government involved in the whole land acquisition process to identify the affected people, entitlements and assessment of assets for paying compensation; a lengthy process is being observed due to lack of coordination among the agencies concerned that eventually delay in paying compensation.

### **Way Forward:**

- Government should impose new land regulations for the compensation of acquired lands considering the existing market value, replacement cost of assets, resettlement and livelihood restoration.
- Need to reduce different steps of the acquisition's regulations while imposing on the people.
- Amicable coordination and consensus among different agencies are required for land acquisition.
- Discloser of information on the land acquisition by exchanging views with the affected community
- Pragmatic Land Acquisition & Resettlement Plan is required by incorporating all adverse social impacts.
- Gender Action Plan is required to be included in the resettlement plan.