

Diagnosing Land Administration System of Bangladesh: Search for Way-Out

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ABSTRACT

This paper talks about the land administration system in Bangladesh. Through the discussion, it takes account of the land administration history of Indian subcontinent and Bangladesh. It tries to trace out the root of all the problems in our land administration system. Side by side it questions the role of whole administration by pointing out the facts of corruption. This paper also discusses the gaps in our statutes regarding land administration. Where it suggests some mechanisms to meet the gaps by fixing the complications of administration and amending the necessary statutes. Bangladesh needs to address these changes to reduce court cases regarding land conflicts. And that's why the aim of this research is to find out the loopholes in the present statutes regarding current land administration system. In fact the work aspires to demonstrate the administrative gaps in the whole system. The main objective of the paper is to improvise a hassle free, equal and efficient land administration system in Bangladesh. For this Bangladesh needs to go through some technical, legal and policy changes. Hence this paper emphasizes to integrate the required changes to build a better land administration system.

Prelude

Land conflict is one of the major challenges for Bangladesh. It is a growing concern for our country because 80 percent of the civil suits are regarding the land conflicts.¹ And these conflicts are happening due to inefficient and unequal land administration system in Bangladesh. These conflicts sometimes end with criminal cases. Ultimately, in both the situation court's burden increases. In fact different surveys have contributed to the complications. For example Cadastral survey, Revision survey, Pakistan survey and Bangladesh survey are the major survey in determining the land ownership and land conflicts in our country.² Differences and ambiguities among these surveys contribute to the problems of land administration in Bangladesh. Before these surveys, people used to own land by possessing unpossessed lands. But in the British period the rules brought some changes in land ownership and possession. The changes are still followed as the core of land administration in Bangladesh. Article 42(1) of Bangladesh's constitution solemnizes the fundamental right to hold lands by the citizens of Bangladesh.³ Apart from these, the Acquisition and Requisition of Immovable Property Act 2017, Land Reform Ordinance 1985 etc. There are other statutes dealing with land administration in Bangladesh. In fact, there is a multiplicity of land administration laws in Bangladesh.⁴ This also contributes to the crisis to a great number. In fact, the age old land administration system follows very chaotic procedures. This requires different executives to accomplish land registration. British used to do it to control the natives of Indian Sub-Continent. But Bangladesh now follows it for Bureaucratic control over the people of the country. Completely different officers deal with the whole land registration and administration mechanisms. This creates discrepancies and complications in the system. To be very specific corruption is the core of all complications. Bangladesh government also needs to address these in its statute to smoothen land administration. Hence part I of the paper discusses the pros and cons of our land

¹ Settlement of land disputes in Bangladesh: legal issues and challenges, https://www.academia.edu/download/64801421/Article_Land_Law.pdf.

² Ministry of Land, See at: [https://minland.gov.bd/site/page/c14f084e-8974-4255-8183-bac66d436ebb/Bangladesh-Land-Survey-\(CS-RS-SA-PS-BS\)-%E0%A6%9C%E0%A6%B0%E0%A6%BF%E0%A6%AA%E0%A6%95%E0%A6%BF](https://minland.gov.bd/site/page/c14f084e-8974-4255-8183-bac66d436ebb/Bangladesh-Land-Survey-(CS-RS-SA-PS-BS)-%E0%A6%9C%E0%A6%B0%E0%A6%BF%E0%A6%AA%E0%A6%95%E0%A6%BF)

³ M. H. A. D. Rahman, 1997, 14, 45.

⁴ Laws of Bangladesh, See at: <http://bdlaws.minlaw.gov.bd/act-details-619.html>

administration in general. Part II of the paper traces Indian subcontinent's history of land administration to give a better trajectory to the scenario. Part III of the paper implants the discussion of Bangladeshi land administration system after British and Pakistan regime. Part IV discusses about the relevant statutes which deal with land administration in Bangladesh. Part V endeavours to find loopholes in the statutes of Bangladesh by giving special reference to legal developments of land administration in Bangladesh. Part VI marks the gaps in the whole administration in regard to the administrative process apart from legal loopholes. And lastly, Part VII of the paper recommends some ways to meet the gaps in land administration and in its laws to improvise a better land administration system in Bangladesh.

Land Management as Understood in Bangladesh: Reviewing the Literature

Land Administration in Bangladesh is inefficient, unreliable and complicated. The whole mechanism is not citizen-friendly, the system being corrupt and systematically weak.⁵ He asks for some collective changes in the administration system. He also says the system increases disputes. To bring an end to the dispute Bangladesh shall revise its current system. Faysal Saleh in his article also supports the view of Ikbāl Hasan. He says that the land administration system is an old system in Bangladesh.⁶ As a result, it has more scopes of corruption. Side by side he points out some other problem. He also recommends amending the old laws or adopting new laws to introduce effective land management in Bangladesh. He urges to save the cultivable lands through proper land management. Taufique Mohiuddin writes there are different paradigms of corruption in land administration of Bangladesh.⁷ Apart from that he structurally discussed land reform, land tenure, menaces of access to land and religious facets of land administration. The paper tried to focus on conceptual development of land and property under different land administration regime. It kept bribery, dishonesty and fraud as the main discussions of the whole analysis. Lastly, it suggested drastic changes in the whole system. Kaspia Nahrin and M. Shafiq-Ur Rahman suggested introducing a land information system to reduce anomalies from the whole sector. To improvise a better land management system, land information system is a must considering the growing land conflicts.⁸ A structural improvisation of the whole system is necessary. It will clear the confusion among different stakeholders of land. Lastly, the paper suggested revising the policies of our country to invigorate Bangladesh's land administration. In fact, land administration's offices are considered to be the most corrupt offices in Bangladesh. Land information system might end this discrepancy. G. N. Tanjina Hasnat and others discuss land administration from the history.⁹ They analyze to find the roots of existing conflicts in the current land administration system. They have studied land administration from 1500 BC to present to understand land administration regimes in Bangladesh. They have found eight regimes in total; i.e. before the Aryans, the Aryans, the Hindu, the Muslim, the East India Company, the British, the Pakistan and the Bangladesh. They opine before the British period whole subcontinent had enough lands without any conflicts. But British regime's chaotic management led Bangladesh to this present day land administration crisis in Bangladesh. Fariha Masum also points out this crisis in the rural management system.¹⁰ She found it to be obsolete and discriminatory and unequal. Also, she criticizes the current policies which have created more land conflicts at the rural level, which ultimately leads to landlessness and inequality. The paper suggests some best-suiting policies for our country's land administration system. Care Bangladesh investigate seven important factors of the land administration system of Bangladesh; i.e. post-colonial land policies and reforms, including those relating to khas land and water bodies, political-economic context in which these were framed structures and roles of different institutions in land administration, nature of the authority of different state actors, land survey process, system of land registration and recording, the system of land title transfer and capacity of the relevant agencies to implement policy.¹¹ It found severe discrepancies in the whole mechanisms. It suggested systematic development of land management considering these seven factors. Overall, Bangladesh shall look for comprehensive policies to solve the crisis. Though for improvising the

⁵ M. I. Hasan, *International Journal of Law*, 2017.

⁶ M. F. Saleh, *Bangladesh Law Digest*, August.

⁷ Taufique Mohiuddin, Land Administration in Bangladesh: Mismanagement through Misfeasance

⁸ Kaspia Nahrin and M. Shafiq-Ur Rahman, Land Information System (LIS) for Land Administration and Management in Bangladesh

⁹ G. N. Tanjina Hasnat, Md. Abubakkor Siddik, A.K.M. Mostafa Zaman, Historical Evolution of Land Administration in Bangladesh

¹⁰ Fariha Masum, Rural land management in Bangladesh: problems and prospects, Geomatics, Landmanagement and Landscape

¹¹ Care Rural Livelihoods Programme, Land Policy And Administration In Bangladesh: A Literature Review

changes Bangladesh adopted a new statute, but somewhere it further complicates the whole administration system. It is necessary to take a critical approach considering all the above-stated problems and newly enacted statutes to build a citizen-friendly land administration system.

A Detailed Study of Land Administration System

Land administration system is to manage land's ownership and possession following specific policies and laws. It also decides land and ways of access to land. It makes rights of the land owners operational. It also discusses transfer of rights from one party to another in the cases of sale, lease, loan, gift and inheritance etc. It is also concerned about land and property development and conservation of land. Land administration is actually to regulate the lands and its owner to avoid chaos in the society.

UNICEF defines it as follows¹²,

"...the process of determining, recording and disseminating information about ownership, value and use of land and its associated resources. These processes include the determination (sometimes called 'adjudication') of land rights and other attributes, surveying and describing these, their detailed documentation, and the provision of relevant information for supporting land markets"

Generally there are four types of land administration; i.e. juridical, fiscal, regulatory, and information management. Land registration, surveying and mapping, revenue generation and land valuation are the core tasks of land administration.¹³ All these practices of land administration started with Cadastral Survey. In fact this survey introduced the facets of land administration into the world's land management system. But from the perspective of Indian subcontinent land administration was a bit outdated. People used to acquire lands by clearing the jungle and own them. But they had to pay revenue to the Zamindars.¹⁴ Land related conflicts and ownership crisis was decided by the Zamindars as imperial agents. Overall there was a huge gap between the administrator and landowners. These created a lot of chaos in the whole land administration system at that time.

Land Administration System's Background in Indian Subcontinent

Land as a blessing for human being came into existence in the mid-Paleozoic era approximately 360 years from now.¹⁵ It formed with soil, water, mineral and biota. Land has a great contribution in making the human kind the most advancing species of creation. But at the same time it creates chaos and conflicts. The role of land administration comes here to mitigate the land related crises.¹⁶ Moghol, Dravidian, Aryan, Pathans, Arab and British came into the land of Indian subcontinent to engulf the resources in its lands. Their rule introduced different types of administrations here, which later created a ruckus in the whole administration. During the Aryan period land administration started. Aryan ruled the whole subcontinent from 600 BC to 700 AD.¹⁷ During 300 BC to 1202 AD Hindu dynasty traditionally administered lands in the sub-continent.¹⁸ Through different wars power and administration of Indian sub-continent shifted to Muslim rulers. They ruled and administered the land from 1202 AD to 1858 AD arguably.¹⁹ Though East India Company took over sub-continent's lands in 1757 but somehow they were in the hands of Muslim rulers.²⁰ But in 1858 the British rulers started to rule in British India by taking absolute control over the territory.²¹ It lasted till 1947's partition. And the partition created a strong chaos in the land administration system of all the countries emerged from it.

¹² FAO, The concept of land administration

¹³ Dale & McLaughlin (1999) Land Administration. Oxford University Press, p. 10

¹⁴ Land Administration, See at: https://en.banglapedia.org/index.php/Land_Administration Last accessed 5th February 2022

¹⁵ P. Kenrick, PR Crane, 1997, The origin and early evolution of plants on land, Nature

¹⁶ G. N. Tanjina Hasnat, Md. Abubakkor Siddik, A.K.M. Mostafa Zaman, Historical Evolution of Land Administration in Bangladesh, International Journal of Innovative Research

¹⁷ Ibid

¹⁸ Ibid

¹⁹ MAK Miah (2006) Vumi Jorip O Vumi Babosthapon, A.K. Publication, Dhaka, Bangladesh.

²⁰ S Ganguli (2001) Conflict Unending: India-Pakistan Tensions since 1947, Columbia University Press, New York.

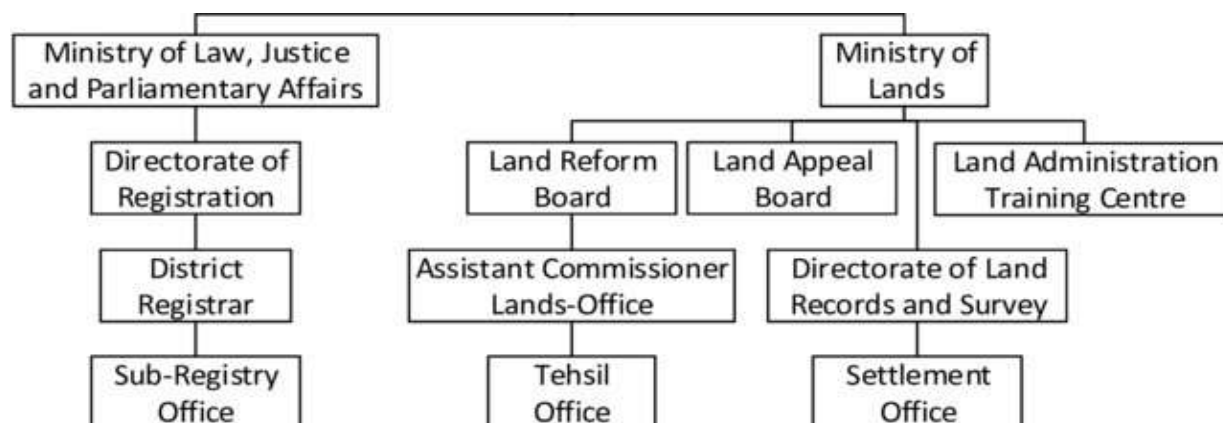
²¹ Ibid

Apart from this, before the Aryan period there was no formal administration. People used to live in Kouma or the community. People used to follow the rules of the Kouma or community in land distribution and administration.²² During the Aryan period, there was no kingdom. People used to live in clans and distribute land among themselves. Outsiders could not reside in the areas of these clans. In the Hindu period Mourya, Gupta, Gauda, Pala, Deva, Chandela and Sena dynasties used to administer lands according to their own rules and regulations.²³ The Mughals, the Delhi Sultanate and Bengal Sultanate used to administer lands in different regimes. Shah Suri has formally went for land administration during his regime. Muslim period were formed by these three dynasties. From 1757 to 1857 East India Company administered lands through Zaminders. But after confrontation by the Indians, control of Indian sub-continent was taken over by the British government until 1947. Where different governors used to collect revenue through Zaminders and collectors. They even introduced permanent settlement plan as a part of land administration. After partition the land administration was distributed to India and Pakistan. Pakistan controlled the territory as well as land administration of Bangladesh (the then East Pakistan).

The elaborate history of land administration in the Indian subcontinent showcases a rich fabric interwoven with multiple cultural influences and evolving power dynamics. Over the centuries, starting from ancient times, when land distribution was overseen by local communities, to the reigns of Aryan, Hindu, Muslim, and British rulers, each period has left its mark on the domain of land governance. The development of land administration systems reflects not only changes in governance but also the intricacies of resource allocation and management across different ruling regimes.²⁴ With the rise and fall of different rulers who implemented their distinct administrative structures, land emerged as a central focal point for political dominance and economic exploitation. Despite the turmoil and disputes that frequently surfaced concerning land ownership, the necessity for efficient land administration persisted as a crucial element in upholding stability and promoting fair resource utilization within societies.²⁵ The transition from clan-based allotments to structured revenue collection within various empires underscores the lasting significance of land as a cornerstone for societal organization and economic progress.²⁶

An Introduction to the Bangladeshi Land Administration System

After partition Bangladesh's control was in the hands of Pakistan. So for the land administration in Bangladesh, Pakistan was responsible initially. But after the Independence Bangladesh started following its own administration to create a comprehensive land administration system. With State Acquisition and Tenancy Act, Non Agricultural Tenancy Act and Land Reform Ordinance Bangladesh built its own version of land administration. There are three integral part of land administration a) land management, b) land transfer registration c) land survey. There is a diagram to describe the whole structure more easily before discussion.²⁷



²² Haque KA (2000) Vumi Ayeen O Vumi Babosthar Kromobikash, Bangla Academy Press, Dhaka

²³ Heitzman J, Worden RL (1988) Bangladesh a country study, Federal Research Division Library of Congress, Library of Congress Cataloging-in Publication Data

²⁴ Manojit, Mondal. (2012). Land People - a dynamic interaction of Purba Medinipur district, West Bengal. IOSR Journal of Pharmacy

²⁵ Meena, Hareet Kumar. (2015). A Study of Mechanism and Impact of Land Administration in British India..

²⁶ Lemmen, Christiaan (2022). A domain model for land administration

²⁷ Gandhi Subedhi, Land Administration and Its Impact on Economic Development, April 2016

Land Management

So Bangladesh introduced land management at national level and divisional level. At the national level Ministry of Land is responsible for land management. It has introduced land reform board and land appeal board. Section 4 of the Land Appeal Board Act 1989 proposes to build land appeal board whereas Land Reforms Board Act 1989 creates land reform board. Both of them supervise field offices and quickly dispose quasi-judicial cases. At the division level, there is divisional commissioner. He deals with Land Development Tax (LDT) collection targets; manages vested and abandoned property etc. Divisional officer is also called Chief Revenue Officer. At the district level there is ADC General and ADC Revenue.²⁸ He also takes account of the collection of revenue. Appeals from the AC Land office is heard by him. There are several officers who work under his supervision: a) General Certificate Officer, b) Revenue Deputy Collector, c) Assistant Commissioner (Record Room), d) Land Acquisition Officer, e) Assistant Commissioner (Revenue Munshikana) and f) Assistant Engineer.²⁹ Then at the Upazilla level there is AC Land Officer. He is responsible for collection of revenue of that particular Upazilla. He is also named as Upazilla Revenue Officer. There are some officers who are under the supervision of AC Land and work for the office as follows: a) Kanungo, b) Surveyor, c) Head Assistant cum Accountant, d) Nazir, e) Mutation Clerk, f) Assistant Certificate Clerk, g) Credit checking cum Sairat Assistant, h) Process Server and i) Chainman.³⁰ Lastly at the union level there Tehsildar who works under AC Land. An Assistant Tehsildar and Processor work under his supervision. He collects taxes, updates khatians, maintains records of lands, makes corrections in the maps and inspects lands of alluvium and diluvium.

Land Transfer Registration

Land transfer registration is done through public register. Land transfer registration office works under the Ministry of Law, Justice and Parliamentary Affairs. It is done for accountability of land transfer among citizens. Sub-registrar offices keep tracks of these land transfers. Whenever a land transfer is done it is done through proper stamp value under the monitoring of Sub-registrar. Sub-registrars directly report to the AC Land office.³¹ There is Inspector General of Registration who monitors all the district and sub-registrar offices. And at the district level there is District Registrar's Office who regulates the sub-registrar's office. Lastly there are sub-registrars at different upazillas. They maintain record of rights and send notices of land transfers to the district registrars and AC Land officers.

Land Survey

In Bangladesh Directorate of Land Records and Surveys conducts land surveys. The office has several officers, namely: a) Director, b) Deputy Director, c) Assistant Director, d) Settlement Officer, e) Assistant Settlement Officer and f) Technical staffs.³² These offices keep up to date records of lands and properties after inheritance and other transfers. They prepare and revise record of rights after surveying from time to time. Firstly there are Zonal Settlement Offices which finalize the maps of Mouzas after preparing record of rights of different zones divided by the Directorate. At the Upazilla level there is Upazilla Settlement Office to supervise settlement operation mapping mouzas at Upazilla level. Lastly, at the local levels there are Amins or Surveyors. They map different lands and plots. And they give initial information of preparing and revising record of rights.

Laws Concerning Land Administration System of Bangladesh

There are 13 statutes that deal with land administration in Bangladesh. All of them have focused on land management, land survey, revenue collection, land transfer registration, and conflict negotiation among different land owners. The statutes are listed below³³:

²⁸ Muhammad Ariful Islam, Mutation and Updating of Land Records in Bangladesh: A Study at Gazipur Sadar Upazila

²⁹ Ibid

³⁰ ³⁰ Mohammad Ikbal Hasan, Land administration in Bangladesh: Problems and analytical approach to solution, International Journal of Law

³¹ Supra Note (27)

³² Supra Note (27)

³³ Land Law of Bangladesh and its history, See at: <https://www.bdlawnews.com/land-law-of-bangladesh-and-history-of-land-law>

- a) The Public Demands Recovery Act, 1913;
- b) The Transfer of Property Act, 1882,
- c) The Survey and Settlement Manual, 1935;
- d) The Bengal Tenancy Act, 1885;
- e) The Land Survey Act, 1875;
- f) The Non-Agricultural Tenancy Act, 1949;
- g) The Land Reforms Ordinance, 1984;
- h) The Land Reform Board Ordinance, 1989;
- i) The Land Management Manual, 1990.
- j) The State Acquisition and Tenancy Act, 1950
- k) The Land law Development Tax Ordinance, 1976;
- l) The Immovable Property (Acquisition and Requisition) Act, 2017;

Unfortunately there is no exhaustive Act that deals with land administration of Bangladesh. This create discrepancy and complication in the whole mechanism. Also Bangladesh Law Commission has recently a proposed draft of Bangladesh Land Act 2020.³⁴ They welcomed the critiques to give opinion on the particular Act. The Act was passed to introduce a uniform land management system in Bangladesh. The Act is criticized for mixing up judicial duties with administrative ones. This has provoked the discussion of separation of powers in Bangladesh. The disputes regarding lands will be heard by the Additional Deputy Commissioner, Assistant Commissioner and Assistant Settlement Officer.³⁵ This creates a lot of chances of bias. Because it is easy to pressurize the executives. Land justice will become unachievable due to absence of separation of power. The proposed Act has significant amount of loopholes. Most significantly it gives District Commissioner absolute powers in deciding the cases which violates natural course of law.³⁶ All of the above Acts have gaps. The proposed Act was supposed to mitigate them; but unfortunately it has increased complications and distorted justice oriented land administration.³⁷

While the proposed Bangladesh Land Act 2020 aimed to address the existing gaps in land administration, it seems to have inadvertently introduced more complexities and challenges into the system. The issue of mixing judicial duties with administrative ones has sparked debates around the separation of powers in Bangladesh, raising concerns about potential biases in resolving land disputes. With the involvement of Additional Deputy Commissioners, Assistant Commissioners, and Assistant Settlement Officers in adjudicating land matters, there is a valid worry that undue influence could sway decisions, making true land justice unattainable.³⁸ To exacerbate the situation, granting absolute powers to District Commissioners in determining cases further deviates from the principles of fair and impartial legal proceedings, undermining the very essence of justice.³⁹ In light of these developments, it becomes evident that the pursuit of a uniform land management system

³⁴ Proposed Bangladesh Land Act 2020: September 2020, See at: <https://www.thedailystar.net/law-our-rights/news/special-supplement-draft-bangladesh-land-act-2020-1961561>

³⁵ Ibid

³⁶ Ibid

³⁷ Stephen Uttam, Bangladesh's deadly land dispute victims cry for justice, November 2021, See at: <https://www.ucanews.com/news/bangladeshs-deadly-land-dispute-victims-cry-for-justice/94886#>

³⁸ A. S. M. Tariq Iqbal (2023). A Study on the Land Reforms Laws: Bangladesh in Context. Journal of Law, Policy and Globalization

³⁹ S. M. Masum Billah. (2021). The Politics of Land Law: Poverty and Land Legislation in Bangladesh.

through the proposed Act may require substantial revisions to ensure transparency, accountability, and equity within the realm of land governance in Bangladesh.

One potential solution could involve establishing an independent oversight committee composed of legal experts and community representatives to monitor and review land dispute resolutions, thereby enhancing the credibility and integrity of the process. Such a committee could provide valuable insights into the effectiveness of the Act in addressing longstanding issues of land ownership and usage, offering recommendations for improvements based on their findings and expertise. Furthermore, the inclusion of diverse perspectives and expertise as well as enhanced measures for transparency and accountability within the oversight committee could help in identifying potential loopholes or unintended consequences of the proposed Act, leading to more comprehensive and inclusive land governance reforms in Bangladesh.

Shortcomings in the States Dealing with Land Administration

In general multiplicity of land laws is one biggest loopholes of land management of Bangladesh. Unfortunately maximum number of laws have failed to ensure a comprehensive mechanism for Bangladesh. For example there are two different Acts for dealing with agricultural land and non-agricultural land. State Acquisition and Tenancy Act and Non-Agricultural Tenancy Act is the liveliest example for the argument. Then there are different laws for settling ceiling. Land Reform Ordinance permits the ceiling of 20 acre, whereas State Acquisition and Tenancy permits ceiling of 33 Acre. This sometimes creates confusion among citizens. Land Reform Ordinance invalidated benami transactions.⁴⁰ But it did show a policy about how to invalidate. As a result land grabbers invented newer ways of owning more land than ceiling. The biggest problem is land transfer registration. The deeds are done under Transfer Property Act, surveys are accomplished following The Land Survey Act, and taxes are collected under The Land Development Tax Ordinance. Basically, these create great amount of bureaucracy in the whole mechanism. It becomes easy to misuse the laws and earn quick money for the dishonest officers. Proposed Bangladesh Land Act 2020 was a phoenix from the ashes of land mismanagement. Unfortunately it doesn't meet the demands of mass people. A report of The Daily Star says one in seven households faces land disputes.⁴¹ The proposed Act shall focus to mitigate these disputes. The Act is too much executive oriented. Though our civil courts are burdened with a lot of cases, this doesn't justify the fact of distorting the natural course of law.⁴² The executive doesn't comply with the essence of justice in giving reliefs. Their decisions regarding land conflicts might jeopardize the fact further. Separation of power principle is harmed with these changes. We already know our land related offices are too much corrupted. Unsurprisingly, officers serving there belong to executive organ. Corruption might get aggregated if executive is vested with this much unreasonable power. Bangladesh government shall reconsider the Act and revise it for a better land administration system.

Lacuna in Land Administration System of Bangladesh

We have already discussed about the skeleton of land administration system of Bangladesh. It depicted a lot of loopholes in the system. This part of the paper will try to demonstrate some significant gaps in the system. They are as follows:

Old Fashioned land management system

Bangladesh has an archaic land administration system. The land laws of Bangladesh are mostly British oriented. Hence they are not time tailored. Required changes are not made to meet the present crises. AC Land, Amins, Revenue officers, Sub-registrars and Tehsilders are given arbitrary and unregulated powers. This paves the way of corruption in Bangladesh. Once three offices of land administration were in the list of most

⁴⁰ FOOD SECURITY AND LAND GOVERNANCE FACTSHEET, See at: <https://www.landgovernance.org/assets/2014/09/Bangladesh-Factsheet-20121.pdf>

⁴¹ BRAC, One in 7 households facing land disputes, March 2015, See at: <https://www.thedailystar.net/one-in-7-households-facing-land-disputes-36783>

⁴² Proposed Bangladesh Land Act 2020: what legal experts say, February 2022, See at: <https://www.thedailystar.net/law-our-rights/news/special-supplement-draft-bangladesh-land-act-2020-1961561>

corrupted offices of Bangladesh; i.e. Land Records Office Sub-Registry Office, and ‘Tahsil’ Office.⁴³Daily star even published a bribery taking report about the services of land administration⁴⁴.

The report are shown below⁴⁵:

Services	Amount of Bribe (in Taka)
Land Development Tax	100 - 10,000
Mutation	3,000 - 2,00,000
Registration	1,000 – 50,000
Khatian and Copy of Land Map	200 – 1,000
Copy of Land Documents	800 – 2,000
Services	Amount of Bribe (in Taka)
Land Survey in City (Per Decimal)	3,000 – 5,000
Land Survey in Village (Per Bigha)	500 – ,1000
Correction of Land Survey Record	4,000 – 5,000
Leasing of Haat and Bazar	10,000 – 20,00,000
Any sort of Investigation Regarding Lands	10,000 – 2,00,000
Any Step of Land Related Cases	300 – 1,000

The land management system has been regarded as the third most corrupt office in Bangladesh.⁴⁶

Table 1: Corruption rate in different sectors of Bangladesh

Corruptions of different sectors	Percentage (%)
Labor migration sector	77%
Law & Order maintain forces	75.8%
Land administration	59%
Judicial corruption in the service sector	57.1%
Health	40.2%
Education	40.1%
Local government organizations	30.9%
Agriculture	20.4%
Electricity	18.3%
Tax and customs sectors	16.8%
Banking service	7.1%
Insurance sector	6%
NGO	5%
BRTA, WASA, Passport, BTCL, Post	41.1%

[Source: Transparency International Bangladesh survey 2012]

⁴³ Taufique Mohiuddin, Land Administration in Bangladesh: Mismanagement through Misfeasance, (Paper written for Jahangirnagar University Planning Review (JUPR),

⁴⁴ Bribery rampant in land offices, August 2015, See at: <https://www.thedailystar.net/frontpage/bribery-rampant-land-offices-131533>

⁴⁵ Ibid

⁴⁶Ahsan Habib, Badruzzaman,, M. Ahammed,, & A. Iqbal, ICT: a tool to reduce corruption in Bangladesh (2014), Proceedings of the 8th International Conference on Theory and Practice of Electronic Governance.

So Bangladesh really needs to revisit its old administration system to revise it in a time-tailored manner. Otherwise land administration system might climb the apex of corruption.

Multiple Regulatory Authorities⁴⁷

The research come to an end that Bangladeshi land administration system has too many masters. For example Ministry of Land, Ministry of Law, Justice and Parliamentary Affairs and Ministry of Public Administration are concerned about land management. Too much unnecessary distribution of regulatory power has complicated the process. This also creates a lot of space for corruption. In fact there are six other ministries which are connected to land administration somewhere. There is a saying that ‘many men many minds’ but in our case ‘many ministries many minds.’ Both of these are responsible for creating chaos in the society and land administration is no exception.

Ownership Determination Requires a Long Process

The record of rights, mutation documents and particularly registration of land transfer deed are some of the main documents to determine ownership under the present system. But the fact is these documents are filled with errors. They might prove possession of a person but it is difficult to determine ownership with accuracy.

Multiplicity of Documents Related to Land Administration⁴⁸

There are multiple documents (record of rights) in different offices of land administration. In fact these documents are maintained by different offices, which create further confusions regarding land management. For example, BS Khatian has a lot of contradiction with CS khatian. Plot numbers and its maps often fall to complications due to these errors. Even a single plot belongs to two or three different persons in different khatians. These lead to more disputes.

Archaic Record Keeping System

This paper has mentioned earlier that land administration system of Bangladesh is archaic. Not surprisingly, the record keeping system of Bangladesh land administration system is manual. The offices follow hundred years old pattern to keep the record of rights and mutation documents. This outdated system contributes to corruption within the land administration sector, making it one of the most corrupted areas in the country.⁴⁹ In fact, the record keeping system is unable to update the fast changes of ownership at present.

Weak Digitalization of Survey Records

Digitalization was required to meet the current changes of land administration. Directorate of Land Record and Surveys was introduced to revolutionize the current trends of record keeping and surveying in Bangladesh’s land administration system. But this is very unfortunate to say that, the e-Service center of DLRS is incomplete. It permits the user to print khatians but it doesn’t provide the scope of changes in the khatians. This was very necessary to mitigate the crisis. The delay in digitization is creating more problems in the land administration system.⁵⁰

Inappropriate Land Registration Mechanism⁵¹

⁴⁷ Shahidul Islam, Golam Moula, Mominul Islam, Land Rights, Land Disputes and Land Administration in Bangladesh—A Critical Study, Beijing Law Review, Vol.6 No.3, September 2015

⁴⁸ Mohammad Faysal Saleh, 'Drawbacks of land administration system in Bangladesh and some feasible solutions

⁴⁹ Nurul, Huda, Sakib., Mujahidul, Islam., Md., Foysal, Jaman, Shishir. (2022). National integrity strategy implementation in land administration to prevent corruption in Bangladesh. SN Social Sciences, 2(4):1-17.

⁵⁰ Shahiduzzaman Khan. *Why Is Automation of Land Registration Taking so Much Time?.. Why Is Automation of Land Registration Taking so Much Time?..* (2018, July 4).

⁵¹ S. M. Masum Billah. (2021). The Politics of Land Law: Poverty and Land Legislation in Bangladesh.

The offices follow incomplete and inappropriate processes of land registration. Manual registration and record keeping makes it difficult to properly structure all the required information. This creates confusion and complications at the same time. In fact it creates disputes by distorting ownership identity of different owners. This is the father land related disputes in Bangladesh.

Corruption at Lower Offices

There is no doubt that higher authorities of land administration is corrupted. Corruption in the land administration system of Bangladesh is a significant challenge, hindering the effective implementation of the National Integrity Strategy (NIS) and leading to unpleasant experiences for citizens visiting Land Offices.⁵² The misuse of discretionary power by officials during land acquisition processes further exacerbates the problem, leaving project-affected individuals vulnerable and often forced to pay bribes for fair compensation. Unfortunately even the local or root level officers are corrupted at a level that land administration justice is unachievable in Bangladesh. Bangladesh needs to create check and balance in this part of land office.

Late Mutation⁵³

The issue of updating the record of rights after changes of ownership in Bangladesh is a significant concern due to the lack of coordination among different ministries involved in land administration.⁵⁴ The manual land registration processes in the country have been plagued by problems such as lack of transparency, centralization, and reliability, leading to challenges in ensuring authentic ownership rights.⁵⁵ Moreover, the complexities within the land administration system, including the overburdened judiciary with land-related suits and the inaccessibility of land offices without resorting to brokers, further hinder the updating of ownership records.⁵⁶ These issues underscore the urgent need for a more efficient and coordinated land record system to authenticate ownership changes promptly and accurately in Bangladesh.

Insufficient Distribution of Khas Lands

The khas lands in Bangladesh are inadequately managed. In fact there is not proper documentation of the khas lands. Khas lands were supposed to be distributed to poor and landless people. Whereas, these lands are distributed and grabbed by politicians, local elites and goons. These khas lands serve no purpose for Bangladesh government.

Land Management by Unskilled Officers⁵⁷

The land offices are filled with inefficient officers. The inefficiency of land officers can be attributed to a lack of proper training and dedication in handling land-related issues.⁵⁸ Without the necessary training, these officers are unable to effectively administer land matters, ultimately exacerbating existing problems within land administration. It is crucial for land officers to receive adequate training and possess a strong sense of dedication and perseverance in order to improve the overall efficiency and effectiveness of land administration processes.

⁵² Nurul, Huda, Sakib., Mujahidul, Islam., Md., Foysal, Jaman, Shishir. (2022). National integrity strategy implementation in land administration to prevent corruption in Bangladesh. SN Social Sciences, 2(4):1-17.

⁵³ ANISUR RAHMAN, Easing land mutation process, The financial Express, 21 August 2022, See at: <https://thefinancialexpress.com.bd/views/opinions/easing-land-mutation-process-1660144618>

⁵⁴ Additional Secretary Md. Abdul Aziz. (2004). Land record system in bangladesh: an analysis of problems and possible solutions. 3(1):79-93.

⁵⁵ Sakibul, Islam., Fahmid, Shahriar, Iqbal., Muhaimenul, Islam. (2020). A Novel Framework for Implementation of Land Registration and Ownership Management via Blockchain in Bangladesh.

⁵⁶ Tariq, Bin, Sarwar., Md., Abdul, Jalil. (2017). Critical Analysis on the Challenges of Land Administration and Management in Bangladesh: Are the Land Rights Guaranteed?. International Journal of Entrepreneurship, 5(1):67-77.

⁵⁷ SHAHIDUZZAMAN KHAN, Why is automation of land registration taking so much time? The Financial Express, July 06, 2018, See at: <https://thefinancialexpress.com.bd/views/opinions/why-is-automation-of-land-registration-taking-so-much-time-1530721504>

⁵⁸ Land administration in Bangladesh: Problems and analytical approach to solution

Delaying Justice Delivery

Currently our courts are engulfed with a lot of civil cases. These cases are lengthy in nature. Civil courts are unable to give prompt relief to the justice seeking people. People who lodge cases in the civil courts often get older or eventually die without getting any relief generations after generations. Ultimately, land justice remain unserved to the justice seeking people.

Time-killing Land Survey and Corruption⁵⁹

Land surveys and updating of record of rights is a time consuming process of Bangladesh. It has created chaos in the whole Eco-system of land administration. Officers willingly delay these processes to earn quick money. In fact whenever someone bribes an officer everything is done promptly by the same officers who procrastinate.

Ways to Resolve the Shortcoming

Previous chapter of the paper has showed the gaps in the whole land administration mechanism of Bangladesh. Bangladesh needs to address the issue and revise its land administration system to create a citizen friendly land administration system Bangladesh. The suggestions are below-mentioned:

- In the first place Bangladesh needs to reduce the multiplicity of laws to end confusion and complications in the land administration system. It needs to enact a comprehensive law addressing the necessary aspects of the land administration system. This comprehensive law should aim to simplify procedures, clarify rights and responsibilities, and establish clear guidelines for land transactions, ultimately fostering a more transparent and efficient land administration system in Bangladesh.
- Bangladesh Law Commission has proposed the 'Bangladesh Land Act 2020.' There exists a good number of conflicts and discrepancies. Bangladesh needs to revise and examine the law from the lens of land justice and citizens' expectations to make it a better enactment. One key aspect that the proposed 'Bangladesh Land Act 2020' should address is the inclusion of provisions for community consultation and participation in decision-making processes related to land governance, fostering a more inclusive and transparent land governance framework. Furthermore, incorporating mechanisms for regular monitoring and evaluation of the implementation of these community consultation provisions would be essential to ensure accountability and effectiveness in achieving the goals of the revised land law.
- There should be a 'Land Information System' which will be responsible for maintaining accurate records of land rights and updating mutation documents as needed. Additionally, the server hosting this system will be accessible to the public, allowing individuals to report any changes in ownership to the relevant authorities. This would improve transparency and efficiency in land administration while facilitating easier access to information for all stakeholders involved.
- Bureaucracy in the land offices shall be reduced. The document upgrade and other related tasks shall belong to a single office. This system will reduce unnecessary procrastination in land registration and make the land administration system more efficient
- Bangladesh government shall keep an account of khas lands currently existing in the country. It shall also be brought under accountability and calculation. The lands shall be distributed among landless people.
- Salary structures of land officers shall be revised. By revising these structures and implementing various incentives, we can effectively reduce corruption and promote accountability among land

⁵⁹ Bangladesh Sangbad Sangsthan, Land minister warns of taking stern action against corruption, 21 January 2024, See at: <https://www.bssnews.net/news/169247>

officers. This can lead to improved service delivery and increased trust in the land administration system.

- The officers of land administration shall be properly trained and equipped. They shall know about how to settle land disputes. This includes understanding how to settle land disputes efficiently and becoming proficient in dealing with different types of lands and their associated documents. By ensuring that land administration officers are well-prepared and competent in their roles, the administration can effectively manage land resources and uphold the integrity of land ownership rights.
- A third party may be appointed to monitor the tasks of land officers. Also the third party shall take newer measures to comprehensively monitor land management. S/he might adopt inventive methods to reduce corruption.
- Land-related issues should be brought only under the supervision of the Ministry of Land. The inclusion of different ministries shall be avoided to reduce complications in the system.
- The documents related to lands shall be digitalized and kept in a soft platform to make the documents digitally available.
- Incorporating blockchain technology into the land administration system can further enhance security and ensure the immutability of land records, safeguarding against fraudulent activities and unauthorized alterations.
- One-stop services shall be initiated to provide prompt justice to minor land disputes. By offering a centralized platform for dispute resolution, individuals will have easier and quicker access to the necessary legal resources and support to resolve their issues effectively.
- Amins shall be trained better to accomplish better surveys. Side by side, the surveys shall be digitalized to minimize complications. Additionally, the implementation of technologies such as GPS-based land surveying can streamline documentation processes, minimize errors, and create a more efficient system.
- The integration of digital solutions like online portals for land services can improve transparency and accessibility for citizens, reducing the need for intermediaries.
- A special tribunal shall be formed to hear special cases and give speedy remedy. It might work following the same pattern of a speedy trial tribunal. This is required because one out of seven people suffers due to land-related crises.
- Lastly, open access to land information, land fair, advertisements and other social awareness post regarding lands might bring some revolutionary changes in the land administration system.

Concluding Remarks

In summary, the research paper provides an in-depth exploration of the intricate nature of Bangladesh's land administration system, shedding light on its historical background, current obstacles, and the imperative necessity for restructuring. The land administration of Bangladesh is riddled with systemic problems. Through a detailed analysis of the origins of challenges such as corruption, legal uncertainties, and bureaucratic inefficiencies, the investigation seeks to pinpoint vulnerabilities in the existing legal and administrative system and put forth recommendations for a more streamlined and just land administration framework. The resolution of these issues holds significant importance in the effort to diminish land disputes and legal battles in Bangladesh, ultimately clearing the path towards a more efficient management of land assets within the nation. The suggested changes seek to improve the land administration system's openness and accountability by tackling systemic challenges. This would build confidence among stakeholders and support the land administration system's sustainable growth in Bangladesh.

BIBLIOGRAPHY

1. Settlement of land disputes in Bangladesh: legal issues and challenges,
2. https://www.academia.edu/download/64801421/Article_Land_Law.pdf.
3. Ministry of Land, See at: [https://minland.gov.bd/site/page/c14f084e-8974-4255-8183-bae66d436ebb/Bangladesh-Land-Survey-\(CS,-RS,-SA,-PS,-BS\)-%E0%A6%9C%E0%A6%B0%E0%A6%BF%E0%A6%AA-%E0%A6%95%E0%A6%BF](https://minland.gov.bd/site/page/c14f084e-8974-4255-8183-bae66d436ebb/Bangladesh-Land-Survey-(CS,-RS,-SA,-PS,-BS)-%E0%A6%9C%E0%A6%B0%E0%A6%BF%E0%A6%AA-%E0%A6%95%E0%A6%BF)
4. M. H. A. D. Rahman, **1997**, 14, 45.
5. Laws of Bangladesh, See at: <http://bdlaws.minlaw.gov.bd/act-details-619.html>
6. M. I. Hasan, International Journal of Law, **2017**.
7. M. F. Saleh, Bangladesh Law Digest, August.
8. Taufique Mohiuddin, Land Administration in Bangladesh: Mismanagement through Misfeasance
9. Kasphia Nahrin and M. Shafiq-Ur Rahman, Land Information System (LIS) for Land Administration and Management in Bangladesh
10. G. N. Tanjina Hasnat, Md. Abubakkor Siddik, A.K.M. Mostafa Zaman, Historical Evolution of Land Administration in Bangladesh
11. Fariha Masum, Rural land management in Bangladesh: problems and prospects, Geomatics, Landmanagement and Landscape
12. Care Rural Livelihoods Programme, Land Policy And Administration In Bangladesh: A Literature Review
13. FAO, The concept of land administration
14. Dale & McLaughlin (1999) Land Administration. Oxford University Press, p. 10
15. Land Administration, See at: https://en.banglapedia.org/index.php/Land_Administration Last accessed 5th February 2022
16. P. Kenrick, PR Crane, 1997, The origin and early evolution of plants on land, Nature
17. G. N. Tanjina Hasnat, Md. Abubakkor Siddik, A.K.M. Mostafa Zaman, Historical Evolution of Land Administration in Bangladesh, International Journal of Innovative Research
18. Ibid
19. Ibid
20. MAK Miah (2006) Vumi Jorip O Vumi Babosthapon, A.K. Publication, Dhaka, Bangladesh.
21. S Ganguli (2001) Conflict Unending: India-Pakistan Tensions since 1947, Columbia University Press, New York.
22. Ibid
23. Haque KA (2000) Vumi Ayeen O Vumi Babosthar Kromobikash, Bangla Academy Press, Dhaka
24. Heitzman J, Worden RL (1988) Bangladesh a country study, Federal Research Division Library of Congress, Library of Congress Cataloging-in Publication Data
25. Manojit, Mondal. (2012). Land People - a dynamic interaction of Purba Medinipur district, West Bengal. IOSR Journal of Pharmacy
26. Meena, Hareet Kumar. (2015). A Study of Mechanism and Impact of Land Administration in British India..
27. Lemmen, Christiaan (2022). A domain model for land administration
28. Gandhi Subedhi, Land Administration and Its Impact on Economic Development, April 2016
29. Muhammad Ariful Islam, Mutation and Updating of Land Records in Bangladesh: A Study at Gazipur Sadar Upazila
30. Ibid
31. Mohammad Ikbāl Hasan, Land administration in Bangladesh: Problems and analytical approach to solution, International Journal of Law
32. Supra Note (27)
33. Supra Note (27)
34. Land Law of Bangladesh and its history, See at: <https://www.bdlawnews.com/land-law-of-bangladesh-and-history-of-land-law>
35. Proposed Bangladesh Land Act 2020: September 2020, See at: <https://www.thedailystar.net/law-our-rights/news/special-supplement-draft-bangladesh-land-act-2020-1961561>
36. Ibid

37. Ibid
38. Stephen Uttam, Bangladesh's deadly land dispute victims cry for justice, November 2021, See at: <https://www.ucanews.com/news/bangladeshs-deadly-land-dispute-victims-cry-for-justice/94886#>
39. S. M. Tariq Iqbal (2023). A Study on the Land Reforms Laws: Bangladesh in Context. Journal of Law, Policy and Globalization
40. S. M. Masum Billah. (2021). The Politics of Land Law: Poverty and Land Legislation in Bangladesh.
41. FOOD SECURITY AND LAND GOVERNANCE FACTSHEET, See at: <https://www.landgovernance.org/assets/2014/09/Bangladesh-Factsheet-20121.pdf>
42. BRAC, One in 7 households facing land disputes, March 2015, See at: <https://www.thedailystar.net/one-in-7-households-facing-land-disputes-36783>
43. Proposed Bangladesh Land Act 2020: what legal experts say, February 2022, See at: <https://www.thedailystar.net/law-our-rights/news/special-supplement-draft-bangladesh-land-act-2020-1961561>
44. Taufique Mohiuddin, Land Administration in Bangladesh: Mismanagement through Misfeasance, (Paper written for Jahangirnagar University Planning Review (JUPR),
45. Bribery rampant in land offices, August 2015, See at: <https://www.thedailystar.net/frontpage/bribery-rampant-land-offices-131533>
46. Ibid
47. Ahsan Habib, Badruzzaman,, M. Ahammed,, & A. Iqbal, ICT: a tool to reduce corruption in Bangladesh (2014), Proceedings of the 8th International Conference on Theory and Practice of Electronic Governance.
48. Shahidul Islam, Golam Moula, Mominul Islam, Land Rights, Land Disputes and Land Administration in Bangladesh—A Critical Study, Beijing Law Review , Vol.6 No.3, September 2015
49. Mohammad Faysal Saleh, 'Drawbacks of land administration system in Bangladesh and some feasible solutions Nurul, Huda, Sakib., Mujahidul, Islam., Md., Foysal, Jaman, Shishir. (2022). National integrity strategy implementation in land administration to prevent corruption in Bangladesh. SN Social Sciences, 2(4):1-17.
50. Shahiduzzaman Khan. Why Is Automation of Land Registration Taking so Much Time?. Why Is Automation of Land Registration Taking so Much Time?., (2018, July 4).
51. S. M. Masum Billah. (2021). The Politics of Land Law: Poverty and Land Legislation in Bangladesh.
52. Nurul, Huda, Sakib., Mujahidul, Islam., Md., Foysal, Jaman, Shishir. (2022). National integrity strategy implementation in land administration to prevent corruption in Bangladesh. SN Social Sciences, 2(4):1-17.
53. ANISUR RAHMAN, Easing land mutation process, The financial Express, 21 August 2022, See at: <https://thefinancialexpress.com.bd/views/opinions/easing-land-mutation-process-1660144618>
54. Additional Secretary Md. Abdul Aziz. (2004). Land record system in bangladesh: an analysis of problems and possible solutions. 3(1):79-93.
55. Sakibul, Islam., Fahmid, Shahriar, Iqbal., Muhaimenul, Islam. (2020). A Novel Framework for Implementation of Land Registration and Ownership Management via Blockchain in Bangladesh.
56. Tariq, Bin, Sarwar., Md., Abdul, Jalil. (2017). Critical Analysis on the Challenges of Land Administration and Management in Bangladesh: Are the Land Rights Guaranteed?. International Journal of Entrepreneurship, 5(1):67-77.
57. SHAHIDUZZAMAN KHAN, Why is automation of land registration taking so much time? The Financial Express, July 06, 2018, See at: <https://thefinancialexpress.com.bd/views/opinions/why-is-automation-of-land-registration-taking-so-much-time-1530721504>
58. Land administration in Bangladesh: Problems and analytical approach to solution Bangladesh Sangbad Sangsthan, Land minister warns of taking stern action against corruption, 21 January 2024, See at: <https://www.bssnews.net/news/169247>