

**CHALLENGES OF LAND SERVICES DELIVERY AND  
EFFECTIVENESS OF E-MUTATION IN BANGLADESH: A STUDY ON  
LAND MUTATION AT MAHESHPUR UPAZILA JHENAIDAH**

By

**Rozina Akther**  
Student ID- 19372001

A thesis submitted to the Department of BRAC Institute of Governance and  
Development in partial fulfillment of the requirements for the degree of  
Master of Arts in Governance and Development

Brac Institute of Governance and Development (BIGD)  
Brac University  
February 2020

## **Declaration**

I hereby declare that

© 2020. Rozina Akther  
All rights reserved.

The submitted thesis is my own original work while completing degree at Brac University. The materials contain in the thesis are not published previously or written by any third party, except where this is appropriately cited through full and accurate referencing. The thesis does not contain material which has been accepted, or submitted for any other degree or diploma at a university or other institution. I have acknowledged all main sources of help.



**Rozina Akther**  
**Student ID- 19372001**

## **Approval**

The thesis/project titled “**Challenges of land services delivery and effectiveness of e-mutation in Bangladesh: a study on land mutation at Maheshpur upazila Jhenaidah**” submitted by Rozina Akther; student ID- 19372001 of Spring, 2020 has been accepted as satisfactory in partial fulfillment of the requirement for the degree of Master of Arts in Governance and Development on .....

## **Examining Committee:**

Supervisor:



---

Dr. Nasiruddin Ahmed  
Professor  
BIGD, Brac University

Institution

Departmental Head:  
(Chair)

---

Full Name  
Designation, Department  
Institution

## **Ethics Statement**

The researcher has maintained the ethical issue properly and has submitted an ethical clearance to conduct the survey to the authority. For the protection of rights of respondent different key ethical issues has been considered during the study. Such as, no compulsion was enforced to participate in the interviews. Voluntary participation of the participants was ensured in the study. Therefore, the researcher confirmed consent of the respondent before starting an interview. All the participants were fully informed about the objectives of the study. Besides that secrecy was strictly maintained throughout the study.

The Author

## **Abstract**

The government of Bangladesh has taken land sector as one of the top prioritized sectors for our country and taking necessary steps to strengthen the public service to meet the need, interest and satisfaction of the citizens. One of the major initiatives of the government is to introduce online mutation service in all upazilas in the country. Since July 2019 every upazila land office/circle land office has come to the service of e-mutation according to the circular of the ministry. The main objective of the initiative is to simplify the land service delivery system and to make land administration more accountable, responsive, people friendly, transparent and to ensure quality service delivery in the land offices. Moheshpur Upazila land office in Jhenaidah district was selected as study area to examine the effectiveness of e-mutation. Both primary and secondary data were collected and analyzed to find out the reality of e-mutation in case of TCV reduction. The study found that the result is not satisfactory. For having some basic constraints the desired benefit of e-mutation has not achieved. The complexity of land service delivery is still existed. Though e-mutation has given some relax in some cases but overall situation is still a matter of concern. Lack of skilled manpower, huge shortage of manpower, excess workload and shortage of logistic supports, lack of training, complex process of service delivery, corruption in land sector etc. are some of the barriers of the satisfactory land service delivery.

**Keywords: E-mutation; effectiveness; land management; satisfaction level of citizens; limitations of land delivery process; TCV.**

## **Acknowledgement**

This dissertation becomes a reality with the kind support and help of many individuals. I would like to extend my sincere thanks to all of them.

Foremost, I want to offer this endeavor to the Almighty Allah for the wisdom he bestowed upon me, the strength, the peace of my mind and good health in order to finish this research. My deepest gratitude goes to my respected supervisor Dr. Nasiruddin Ahmed. It is wholeheartedly appreciated that his great advice for my study proved monumental towards the success of this study.

I would like to convey my special thanks to BRAC Institute of Governance and Development, BRAC University, Dhaka for giving me the chance to be here and do the thesis. I am also grateful to Dr. Shanawez Hossain Assistant Professor, BRAC Institute of Governance and Development, BRAC University, Dhaka for his special guidance and support. I would like to offer my regards to my course mates who served many literatures related to my study. Their suggestion and feedback helped me to organize the study report in a better arranged way. I want to extend my appreciation to the officials of AC land office Maheshpur, Jhenaidah and to ADC (Revenue) and Deputy Commissioner of Jhenaidah district for their valuable time and kind cooperation.

I am also indebted to the people whose assistance was a milestone in the completion of this study. I am also thankful for the assistance of the service receivers who responded to my quires.

Last but not the least, I would like to thank my family members who endured me throughout this period and cooperated in studies. Their prayers, love and best wishes were a source of inspiration and motivation for me to complete the study successfully.

The Author

## Table of Contents

Declaration.....	ii
Approval.....	iii
Ethics Statement.....	iv
Abstract/Executive Summary.....	v
Acknowledgement.....	vi
Table of Contents.....	vii-ix
List of Tables.....	x
List of Figures.....	x-xi
List of Acronyms.....	xii
<b>Glossary.....</b>	<b>xiii-13</b>
Chapter One: Introduction of the study.....	1-8
1.1. Introduction .....	2
1.2. Background of the study.....	2-3

1.3. Rationale of the study.....	3-4
1.4. Problem statement .....	4-6
1.5. Objectives of the Study .....	7
1.6. Research Questions .....	7
1.7. Format of the report.....	8
1.8. Conclusion of the chapter.....	8
 Chapter Two: Literature Review .....	 9-18
2.1. Introduction .....	10
2.2. Land Management in different era.....	10
2.2.1. Ancient Era .....	10
2.2.2. Land Management at Medieval .....	10
2.2.3 British Colonial Regime.....	11
2.2.4 Modern era.....	11
2.3 Basic land laws.....	12-13
2.4 Land reforms for better management.....	13
2.4.1 Land reforms during the 20 <sup>th</sup> century.....	13
2.4.2 Land reform in Pakistan era.....	14
2.4.3 Reforms in Bangladesh era.....	14
A. Presidential Order No. 98 of 1972.....	14
B. Land Reforms Ordinance, 1984.....	14
C. Land Use Policy, 2001.....	15
2.5 Different studies on land administration and land management.....	15-18
2.6 Research gap.....	18
2.7 Conclusion of the chapter.....	18
 Chapter three: Methodology.....	 19-26
3.1 Introduction .....	20
3.2 Research design .....	20
3.3 Study area and population .....	20
3.3.1 Jhenaidah district .....	21-22
3.3.2 Maheshpur upazila .....	22-23
3.4 Data collection tools .....	23
3.5 Data collection procedure and sampling .....	23-24
3.6 Sources of data .....	24



3.6.1 Primary data .....	25
3.6.2 Secondary data .....	25
3.7 Limitations and challenges .....	25
3.7.1 Accuracy of data .....	25
3.7.2 Access to public offices.....	26
3.7.3 Access to public documents.....	26
3.7.4 Limited secondary data.....	26
3.7.5 Limited time .....	26
3.8 Conclusion of the chapter .....	26
Chapter four: Existing Situation of Land management in Bangladesh .....	27-33
4.1 Introduction .....	28
4.2 Land administration in Bangladesh .....	28-29
4.3 Overview on land management system .....	30
4.4 Budget allocation for the Ministry of Land .....	30-31
4.5 Corruption and anomalies in land service delivery .....	32
4.5.1 Receiving mutation application by ULAO.....	32
4.5.2 Mutation of government and disputed land .....	32
4.5.3 Contravention of mutation deadline .....	33
4.5.4 Agricultural khas land distribution .....	33
4.5.5 Illegal occupants in khas land and non-eviction activities .....	33
4.5.6 Illegal grabbling of hat-bazaar land and making of permanent structures.....	33
4.5.7 Insufficient efforts for protection of khas land .....	33
4.6 Conclusion of the chapter.....	34
Chapter five: Data analysis and findings from the study.....	35-53
5.1 Introduction .....	36
5.2 Some findings from initial observation .....	36
5.2.1 Issues of concern of the service recipients .....	36-45
5.2.2 Procedural issues of the service delivery .....	45-49
5.2.3 Findings from qualitative data .....	49
5.2.3.1 Challenges from service seekers' perspective .....	49-50
5.2.3.2 Challenges from service providers' perspective .....	50
5.3 Major findings from the study .....	50-51
5.4 Conclusion of the chapter .....	51

Chapter six: Recommendation and conclusion .....	52-54
6.1 Introduction .....	53
6.2 Recommendations .....	53
6.3 Conclusion .....	54
References .....	71
<b>Appendix A</b> .....	75
<b>Appendix B</b> .....	64

### List of Tables

Table 1.1: Perception of service recipient of illegal money in land service delivery.....	5
Table-3.1: Data sampling of the study.....	24
Table-4.1: Land Administration and Management Structure.....	29
Table-5.1: Knowledge about online mutation procedure.....	37
Table-5.2: Awareness about government circulars.....	38
Table-5.3: Knowledge about Controlling Authority.....	39
Table-5.4: Service recipient's knowledge about to whom complaint to be lodged.....	39
Table-5.5: Knowledge about e-mutation.....	41
Table-5.6: Effectiveness of e-mutation.....	42
Table-5.7: Problems behind 100% e-mutation according to service receivers.....	43
Table-5.8: Time Taken for e- Mutation.....	44
Table-5.9: Perception on service delivery in time.....	45
Table-5.10: Satisfaction of service recipients.....	46
Table-5.11: Organization's capability for e-mutation.....	48
Table-5.12: Reasons for not following the case serial.....	49
Table-5.13: Influence of middlemen.....	50

## List of Figures

Figure-1.1: TCV spent in Manual System of mutation and E-mutation.....	6
Figure-1.2: Map of Jhenaidah district.....	21
Figure-3.2: Map of the study area.....	23
Figure-4.1: Comparision of budget allocation among some important sectors.....	31
Figure-5.1: Knowledge about the procedure of e-mutation.....	37
Figure-5.2: Knowledge about circulars.....	38
Figure-5.3: Knowledge about controlling authority.....	39
Figure-5.4: Citizens' Knowledge about online mutation fee.....	40
Figure-5.5: Knowledge about e-mutation.....	41
Figure-5.6: Opinion about time reduction for e-mutation.....	42
Figure-5.7: Causes not to serve through online mutation fully.....	43
Figure-5.8: Needed time for e-mutation.....	45
Figure-5.9: Perception on service delivery in time.....	46
Figure-5.10: Satisfaction level of service recipients.....	47
Figure-5.11: Reasons for not following mutation case serial.....	49
Figure-5.12: Money given to middlemen by respondents before introducing e-mutation.....	50
Figure-5.13: Money given to middlemen by respondents after introducing e-mutation.....	51

## **List of Acronyms**

AC (Land)	: Assistant Commissioner (Land)
ADC	: Additional Deputy Commissioner
ASO	: Assistant Settlement Officer
CLO	: Certificate of Land Ownership
CS	: Cadastral Survey
DC	: Deputy Commissioner
DGLRS	: Directorate General of Land Records and Surveys
EBSATA	: East Bengal State Acquisition and Tenancy Act
GOB	: Government of Bangladesh
LDT	: Land Development Tax
LRAP	: Land Reform Action Programme
LRB	: Land Reform Board
MLJPA	: Ministry of Law, Justice and parliament Affairs
MOL	: Ministry of Land
RDC	: Revenue Deputy Collector
RoR	: Record of Rights
TV	: Television
ULAO	: Union Land Assistant Officer
UNO	: Upazila Nirbahi officer
UP	: Union Parishad (Council)
ZSO	: Zonal Settlement Officer
TIB	: Transparency International Bangladesh

## Glossary

Alluvion	: Accretion of land by movement of water in river or sea
Amil	: Government official
Amin	: Surveyor/ Survey fieldworker
Awami	: Mass people
Barga	: Share-cropping
Bargadar	: Share-cropper
Bazaar	: Daily village market
Benami	: Land property purchased and recorded in name of another person who is not the true owner.
Bighas	: Unit of land measurement (0.33)
Char	: Alluvial land or land thrown up from river.
Collector	: District level official responsible for collection of land revenue tax and caretaker of government land, the Deputy Commissioner.
Dakhila	: Pay slip of land tax
Debottor	: Charitable property devoted to Hindu Gods as per Hindu law
Diluvion	: Loss of land by erosion of river or sea.
Foujdar	: Battalion commander of medieval Indian force
Jalmohal	: A designated fishing ground. A water estate/body
Jotedar	:: Rich peasants controlling land revenue collector for zamindars
Kachari	: Office for land tax collection
Kanungo	: A revenue position junior to AC (Land)
Khajana	: Land Tax
Khas	: Special/ Exclusive
Khas land	: State owned land under administration of Ministry of Land
Khatian	: Statement of Land Ownership
Khudkast raiyats	: Self cultivating tenants
Monu	: Ancient Indian Hindu saint
Monu-Shonghita	: Ancient book of Indian myth
Mouza	: Village (Revenue village/ Specifically unit of land survey) Mughals

	Medieval Indian prolong Muslim dynasty
Munshi Khana	: Place of writing or copying
Mutation	: Actions of AC (Land) to update records reflecting change in ownership and physical alterations
Nirbahi	: Executive
Paikast raiyats	: Non self-cultivating tenants
Pargana	: Administrative territory of medieval India
Patta	: Land ownership document of medieval India
Quazi/Kazi	: Judge of Islamic law court
Rayat	: Tenant
Sadar	: Headquarter
Sairat mohal	: State owned miscellaneous property
Tehsil	: Lowest Office of Land Administration Hierarchy comprising several mouzas (Now Union/ Municipal Land office)
Tehsildar	: Local revenue collector ( In charge of Union Land office)
Waqf	: Devoted charitable property not for profit as per Islamic law
Zaigirdars	: Local administrator of medieval India

**CHAPTER 1**  
**INTRODUCTION**

## **Introduction**

### **1.1 Introduction**

Man – land relationship is very sophisticated. In our country land is treated as valuable as the children of the family. Land is naturally universal property in the world. We cannot deny the importance and necessity of land in our life. We are created from land and we have to engross in land after the closure of our life. Land plays a very important role in both income generation and social life in various ways. As a result land has become a highly complex issue of human life which has involved economic, social, political, cultural life and affect religious system also. Bangladesh is an agricultural country. Agriculture is the main source of its national income and main support of the two-third people's livelihood of the country so importance of land property is undeniable. Land is the fundamental source of daily necessity like food, medicine, industrial product and so on. Personal possession of land is considered to be a symbol of social prestige and security.

In an agrarian economy like Bangladesh, the importance of land in the production process need not be overemphasized. Bangladesh is a very highly populated country with having scarce of land. Sustainable management of land and sustainable use of land have significant role on overall development in general, food security, business development and human habitation in particular. But the burden of over population is continuously reducing the land-man ratio of the country. For this reason management of the scarce land is very sensitive and considering issue for governing the state. As an economic resource land often causes regional, national, local and personal level conflict. To fulfill the necessity of adequate shelter for all legal access to land is the most important prerequisite. And also for the sustainable human settlement proper land management is a must. But in reality land management in Bangladesh has become a critical element. For a peaceful and developed society smooth land management is a pre-condition and Bangladesh government is trying to remove the difficulties and complexity of land management to earn the satisfaction of land service receivers.

### **1.2 Background of the study**

The problems of the present system can be largely traced to the land management system established by the British rule of the country. In this Subcontinent British colonial rulers established feudalism. The British rulers became the undeclared authority of this country through the defeat of Nawab Sirajuddowla at war of Plashi in 1757. From 1770 to 1793 were the



years of observation about land revenue management in this country for the British rulers. The main target of the laws enacted by the British rulers from 1757 to 1857 was to exploit the local tenants and empower the obsequious Zamindars. At the end of the British Governance in this subcontinent they started to accredit the ownership of the local tenants on land. In 1875 they enacted '*The Survey Act, 1875*' and under this act a survey namely '*The Cadastral Survey*' was conducted from 1888 to 1938 throughout the then Bengal presidency province of India. Records of Rights i.e. RoR/ khatians were prepared by this survey operation. All particulars of land, including name of the owners/ zamindars, occupants, description of land, and amount of revenue were described in those khatians. Copies of those records were preserved in the district record room and zamindars' tax office i.e. kachari or tehsil offices. (Islam, 2013). On the other hand newly appointed feudal lords started exploitation and mismanagement in land administration. As a result conflict among people started. People struggled for their survival. This struggle turned into a movement against feudalism or zamindari system. To stop the movement as a solution the then British government enacted a law namely '*The Bengal Tenancy Act, 1885*'. By this law the British government wanted to ensure tenants' right.

For the first time peasants' ownership to land was addressed by this law and mutation for tenants to land records was provisioned by this law. But the law was not implemented properly. The struggle and movement was going on and as a result of the movement an enquiry commission was established after enactment of '*The Government of India Act, 1935*' by the British government. According to the recommendation of the commission government of the East Bengal, State of Pakistan acquired all zamindaries with due compensation and bring the peasants directly under the government in 1947. The government enacted '*The East Bengal State Acquisition and Tenancy Act, 1950*' to bring the peasants directly under the government as the owner of land. A short survey named '*State Acquisition*' was made in order to prepare compensation assessment roll for giving compensation to the zamindars. By this survey operation handwritten Records of Rights (RoR)/ khatian were prepared and all particulars of land including name of the owners, description of land and amount of revenue were described in those khatian. In the district record room, the then thana revenue offices and tehsil offices were responsible to preserve the records.

### **1.3 Rationale of the study**

Bangladesh is a small country having 1, 47,570 square km territory with a large population. Economy of Bangladesh is largely hooked on the land base agronomy. For having a huge number of population the amount of land per head is very trivial and a large percentage of its population depend on land property for their livelihood. As a result, land has been always a vital issue in the social and

economic traits of this country. Being such an imperative one, the land sector of this country deserves a well-structured management system but unfortunately the depiction is not the same. The land management system of this country still suffers from outdated methods and technologies and yet too far away from the touch of modernization. Corruption, incompetence and lack of transparency have made the land management system of this country a slow coach. The volume of work of land offices has been increased in a large scale but still the offices are running with the ancient office organogram. As a result failure in timely disposal of land related disputes terribly hampered the collection of land revenue, fixation of title and possession, land use and settlement. Mutation also acts as the presumption of title and land revenue. Land mutation forms the basis of land administration and land revenue. Unfortunately people were deprived of getting proper services. For the removal of such problems government spontaneously took the decision of online land mutation system throughout the country. But desired results or satisfaction has not achieved. Nobody knows what the extent of implementation of the government circular is and what the problems are that the organization is facing in smooth service delivery process. So it is necessary to conduct a survey/study to assess how the procedure of disposal of land related disputes directed through the circular is practiced and what challenges the officials at root level are facing to enhance the quality of service delivery.

In my work, I have tried to find out the causes of why people's satisfaction is not increasing in a desired rate though online services have been introduced and what are the challenges and hindrances the officials are facing. What are the prime bottlenecks of the existing system? My investigation suggest that if we are not able to reduce the obstacles or the core problems behind the inefficiency of current land management system lie with the extensive widespread of corruption and use of obsolete methods to accomplish the huge tasks involved with land management we cannot gain the desired satisfaction. So find out the causes of the poor performances is necessary.

#### **1.4 Problem statement**

Corruption in land service delivery and other land related disputes has become a burning issue for present time. According to a research report of TIB land sector is one of the most corrupted sectors in Bangladesh. The service recipients have to give bribes in almost all layers to get desired service. TIB conducted a research on **Land Management and Services in Bangladesh: Governance Challenges and Way-forward in 2015**. The research gives us

a clear picture of transaction of illegal money in land service delivery and in resolving land related disputes.

**Table 1.1: Perception of service recipient of illegal money in land service delivery**

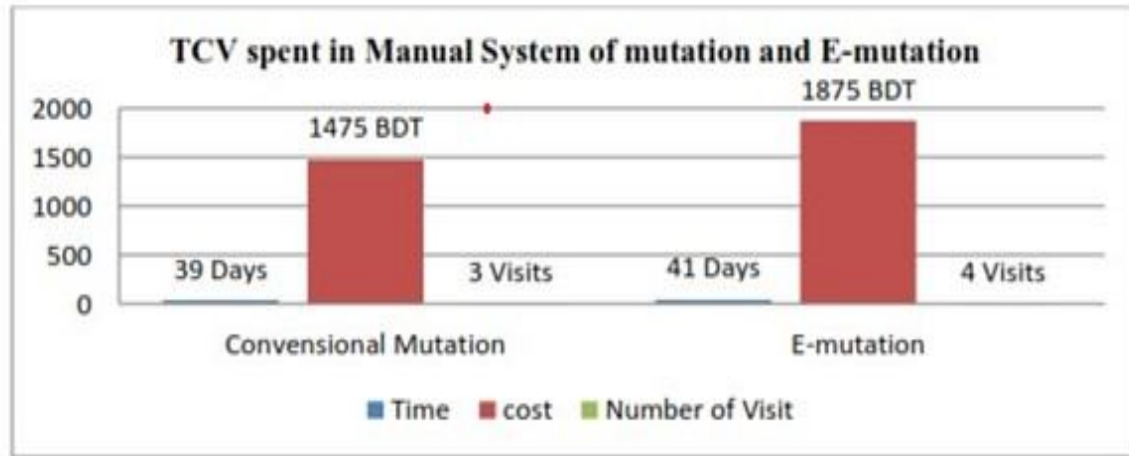
Types of services	Amount of bribes
Land development tax	100- 10000
Mutation	3000- 200000
Registration	1000-50000
Certified copy of <u>khotiyan</u> and <u>mouza</u> map	200-1000
Attested copy of <u>khotiyan</u> and map	500-3000
Certified copy of deeds	800-2000
Land survey in rural area (per <u>bigha</u> )	500-1000
Land survey in urban area (per decimal)	3000-5000
Correction of survey records	4000-5000
<u>Hatbazar</u> lease	10000-2000000
Any types of investigation and administrative actions in toll collection at <u>hatbazar</u>	10000-200000
Land related case conducting (in every stage)	300-1000

Source: TIB report (Land Management and Services in Bangladesh: Governance Challenges and Way-forward in 2015)

From the above report of TIB and other different studies it is well established that people have to suffer a lot getting land services. People have to suffer by spending more money, more time and also have to visit many times at the related offices in getting desired services. In order to resolve this problem, the Cabinet Division instructs all concerned to prepare a framework to maintain interoperability and the same standard of technology, data, security and integration to reduce the sufferings by reducing TCV. In this purpose E-mutation module has been developed and implemented jointly by A2I and Land Reforms Board under a memorandum of understanding signed on November 2, 2016 (LRB 2016). It was instructed by the Prime Minister's office as well as the Cabinet Division to start E-mutation all over Bangladesh by June 2018 (LRB 2018). The main object of e-mutation is to ensure mutation with minimum time, low cost and less number of visits by the service seekers (LRB 2016). But still the picture is same. From a study report on E-mutation of Muhammad Reza-E-Rabbi (2019) we can find the following picture of TCV spent in manual system of mutation and E-mutation.

**Figure-1.1: TCV spent in Manual System of mutation and E-mutation**

TCV	Conventional Mutation	E-mutation
Mean Time (Number of Days)	39 Days	41 Days
Mean Cost (BDT)	1475 BDT	1875 BDT
Mean Number of Visits	3 Visits	4 Visits



Source: Rabbi, R. (2019)

Mutation is one of the important services of Upazilla land office, which many people take from Upazila land (AC Land) office. People are facing many problems in getting this service. According to government circular, the specific time limit for mutation is 28 days. It means, if a person applies for mutation, the service should be provided within 28 days. But people need to spend more time and cost in getting land related services. Sometimes it has taken 3 to 4 month and needed to give money to the middleman for land mutation. Some critical miscellaneous cases required more than six months for disposal (Authors own collection). So sufferings of the service recipients still remain same.

So it is a matter of great concern that though E-mutation has been introduced to reduce the service seekers sufferings then why this process is yet far away from fulfilling the target. The answer of this question can be found when we will be able to find out the causes of this failure. The causes behind this mishap and challenges the officials face to provide smooth services can suggest some solution of this mishap.

## **1.5 Objectives of the study**

AC (Land) office is the core unit of land management at field level in Bangladesh. But still the land related services provided from both the head office and the related field land offices including the Union, Upazila and District level land offices are very old and there is no any proper and established digitized system. For the technological advancement people have become more conscious about different rules, regulations and circulars of different services. Also the service providers have realized that they have to be genuine service providers. So they must overcome the obstacles of their service providing processes and for that they have to have clear idea about the challenges they are facing and what are the remedy. The study will help them how to face the challenges and through what strategy they can earn maximum level of satisfaction of the service receivers.

So, the specific objectives of the research component are given below:

- To find out the challenges in land service delivery process the officials have to face and how effective the e-mutation to face the challenges.
- To understand both service recipient's and service provider's perception towards E-mutation in terms of satisfaction.
- To suggest recommendations for improving policy and administration of land management.

## **1.6 Research question**

Land management and land settlement system in Bangladesh remained a complex process over the time. Though Bangladesh government has introduced e-mutation the desired satisfaction doesn't achieved. This study aims to find out the gaps in land services delivery process and to explain the reasons behind the gaps. With these views the main questions that this study will seek to answer are:

1. Is the existing service delivery process or practice suitable for the service recipient?
2. What challenges the officials face to deliver the required services of the people after introducing the online system in land mutation?

## **1.7 Format of the report**

Chapter I delineates the background, rationale of the study, problem statement, research questions and objectives of the report. The literature review for gathering primary information and current status regarding the study area is written in Chapter II. The methodology of the study is written in Chapter III. The existing situation of land management, land administration and land service delivery process in Bangladesh is explained in Chapter IV. Chapter V describes the findings and analyze the collected data. Chapter VI concludes the report with specific recommendations on smooth land service delivery system and how to maximize the satisfaction of the service receivers.

## **1.8 Conclusion of the chapter**

Most of the people of Bangladesh are not conscious enough regarding their land property due to shortage of knowledge about land management. Moreover access to land information is very limited for the rural people also. Smooth land services is mainly limited to a small segment of the population in easily accessible areas of the country. So how to overcome the challenges has become a question of great concern for the authorities. Bangladesh government has taken initiatives to overcome the challenges to provide satisfactory land services. Online mutation is one of the groundbreaking steps of the government. But does e-mutation become successful in this regard? If not what are the loopholes? That has become a new question for concern.

CHAPTER 2  
LITERATURE REVIEW

## **Literature review**

### **2.1. Introduction**

For better understanding about existing land mutation process and challenges the officials face to deliver land services, this study has reviewed some other land related literary work. There is not enough literacy work about land management and land service delivery in Bangladesh. The author tried to analysis land management in different era and basic laws of land settlement and management so that the author can gather a total picture of land service in Bangladesh. In this chapter the author also tried to examine different land reforms taken by the government for better management in different period of time. After reviewing the found literature and policy or history of land administration or management the author found some complexes in existing land mutation and land service delivery process like other study and way of solving these challenges.

### **2.2. Land management in different era**

#### **2.2.1 Ancient era**

Land management in Bangladesh has a long history which is a part of ancient Indian history. The then land management system was developed by the Hindu rulers of ancient India. That time Bangladesh was as a part of ancient Indian subcontinent and also followed the system. We found the history of ancient land management system in Monu- Shonghita. According to Monu-Shonghita the Hindu rulers of ancient India introduced first land revenue systems. The Monu-Shonghita describes that – **The land belongs to him who clears it first of jungles and makes it fit for cultivation** (Miah, 2004). In ancient Hindu era there was no exclusive ownership of individual on land. As the rule of Maha Muni we saw the owner of the land was suggested to give one sixth of the produced crops as revenue to the king. This system was followed more or less all over the India.

#### **2.2.2 Land management at Medieval**

The Medieval land management was the period of Arab and Mughal regime. In the Arab period the entire Bengal was divided into some District or Ikta and the head of revenue department was **Wazir**. The main duty of Wazir was to collect land revenue. At the early stage of Mughal regime Sher Shah brought unprecedented change in land management. He



divided his empire into 47 governances and appointed **Dewan** to handle revenue division. Sher Shah reformed the then land management system and introduced revenue collection procedure on the basis of land survey. Sher Shah was the first who ensured temporary ownership on land of the farmers through Kabuliat and Patta and determine revenue accordingly. During the Mughal regime of emperor Akber the Bengal was divided into 24 Governance and 787 Porgonas to handle the land management and revenue collection (Miah, 2004). Rather than effective land management in this Indian subcontinent the Mughals were involved in assessment and collection of land revenue. With the decline of Mughal power, the farmers were allowed on payment of the predetermined sum to appropriate the revenue for their own use (Hussain, 1995)

### 2.2.3 British Colonial regime

The Bengal was ruled by **East India Company** during the company period (1757-1858). After the Indian Rebellion 1857 against the East India Company, British Government acquired the administration from the company and initiated **British Colonial Period** (Haque 2000, Ganguli 2001, Richards 2006). In the **British Colonial period**, there was no fixed revenue rate for the tenants. The Zamindars collected taxes as much as they could. After passing the Bengal Land Revenue sales Acts 1859, the government stopped the continuous uplifting of taxes (Haque, 2000). In the **British Colonial period**, the Zamindars, local intermediaries of the British government collected revenues for the Nawabs of Bengal (Swamy 2010). In **British Colonial period**, the survey act 1875 was passed in order to survey land and provide demarcation for resolving land related conflicts among Zamindars, fixing the boundary walls and preparing mouza maps (Miah 2006). In the **British Colonial period**, the tenants had right to transfer their own land. If revenue taxes were paid properly, the land would be transferred inheritably.

### 2.2.4 Modern era

The modern era of land management started through the independence of India and Pakistan in 1947. In this period some important and basic laws for land management were enacted for example The Non Agricultural Tenancy Act 1949 and The State Acquisition and Tenancy Act 1950. The ceiling for having land property for a family was determined by The State Acquisition and Tenancy Act 1950. According to this act a family can have 375 bighas of

land. Later some reforms regarding this part were done by the President Order. In the field of revenue collection there were no proper evidences found about fixed revenue percentage for **Pakistan period**. But it is said that revenue was collected on the basis of productivity capacity of a particular land (Miah 2006). In the **independent Bangladesh**, total land is divided into two categories i.e. agricultural and non-agricultural land for collecting revenue. Revenue for land or Land Development Tax (LDT) was firstly fixed in 1976 by LDT Ordinance and amended in 1982, 1987, 1995 and 2015. In present administration, LDT is exempted up to 8.25 acres of agricultural land and Tk. 2/- fixed for all volume of land if more than 8.25 acres. In case of non-agricultural land, LDT is collected on the basis of category of area and use of land (Siddik et al. 2018). There are six different orders of LDT for land used for industry purpose, five orders for land used for business and six orders for homestead or any other non-agriculture purposes in six broadly categorized areas. In non-agri land LDT also collected per decimal area (MoL 2003, Chowdhury 2017).

In **Pakistan period**, updating of land records and maps was continued with due respect to the section No. 143 of the State Acquisition and Tenancy Act 1950. Moreover, Revisional Survey (RS) and Pakistan Survey (PS) Record-of-Rights or *khatiyani* (1965-1997) were initiated and completed in this tenure. After the independence of **Bangladesh**, three types of Record-of-Rights taken places i.e. (a) Revisional Survey (RS) Record-of-Rights (1965-1997), (b) Bangladesh Survey (BS) Record-of-Rights (since 1985), and (c) City Survey Record-of-Rights (1999-2000) for Dhaka city only (Islam, 2018). Table 3 shows the chronological evolution of record keeping system (Siddik et al. 2018).

### **2.3 Basic land laws**

Land can be owned by different entity such as individual, cooperative and the state under various laws and legislations prevailing by the Bangladesh government. For an agrarian country like Bangladesh land is a fundamental factor for agricultural production. So security of land interest is an important foundation for social and economic development. Secure of land rights is related with the security of the vulnerable group e.g., the poor, the women and the indigenous people. So for ensuring social and economic development ensuring land rights is must. And for this purpose Bangladesh has some important and significant land laws for application.

- 1) The Land Survey Act 1875
- 2) The Bengal Tenancy Act 1885
- 3) The Transfer of Property Act 1882
- 4) The PDR Act 1913
- 5) The Survey and Settlement Manual 1935
- 6) The Non Agricultural Tenancy Act 1949
- 7) The State Acquisition and Tenancy Act 1950
- 8) The Land Development Tax Ordinance 1976
- 9) The Land Reforms Ordinance 1984
- 10) The Immovable Property (Acquisition and Requisition) Ordinance 1982
- 11) The Land Reform Board Ordinance 1989
- 12) The Land Appeal Board Ordinance 1989
- 13) The Land Management Manual 1990

## **2.4 Land reforms for better management**

### **2.4.1 Land Reforms during the 20<sup>th</sup> century**

The reform on land management was started from 1902. After the Permanent Settlement System the memorandum of the government revenue policy of India could not be recognized as a public model and for the cultivating class government interference was badly necessary. For the favor of the tenants the government revenue policy underwent several important amendments in 1928, 1938 and 1940. A Land Revenue Enquiry Commission named as The Floud Commission was formed in 1938 due to the failure of Permanent Settlement Regulation. The main objective of the Commission was to resolve the questions of abolition of the Zamindari system. According to the recommendation of the Commission the Zamindari System was abolished in 1940. All grade of rent receivers were paid by suitable compensation. In 1944 The Bengal Administrative Enquiry Committee approved a major part of the recommendations of Floud Commission for the sake of national interest. And the result of the recommendations was the draft of Bengal State Acquisition and Tenancy Bill, 1947.

## **2.4.2 Land reforms in Pakistan era**

The East Bengal Legislative Assembly approved the draft of Bengal State Acquisition and Tenancy Bill on February 1950 in its fourth session after the independence of Pakistan. In that time the act was known as East Bengal State Acquisition and Tenancy Act, 1951 (EBSATA, 1951). The main point of the Act were following:

1. Repeal of all rent receiving interests
2. Future subletting system was prevented and
3. A ceiling on land holdings beyond 100 bighas for per family was determined through this act.

The land ceiling was elevated to 129.9 acres (375 bighas) on 1961 in Ayub regime using the East Pakistan Tenancy Act of 1961.

## **2.4.3 Reforms in Bangladesh Era**

To protect land rights of the peasantry and to deliver smooth land service after independence Bangladesh government took several attempts. To reform land administration different attempts were taken but all of them were not properly implemented. Some notable initiatives are as follows:

### **A. Presidential Order No. 98 of 1972**

The Presidential Order No. 98 of 1972 was one of the important reforms in land management at Bangladesh era. Through this order the propositional ceiling of land was reduced from 375 bighas to 100 standard bighas and every family was required to surrender excess land in their possession to the government. But this order was relaxed for cooperative society of farmers, cultivation of rubber, coffee and tea. For the production of raw materials this rule was also considerable.

### **B. Land Reforms Ordinance, 1984**

Land Reforms Ordinance, 1984 was the significant ordinance to reform the land law relating to land tenure, ceiling of land holding and land transfer with the consideration of maximum production and ensuring better relationship between bargaders and land owners. Land Reforms Ordinance, 1984 was disseminated based on the recommendation of Land Reform Committee which was formed in 1982.

The main features of the ordinance are as follows:

1. No agricultural tenant can hold more than 60 bighas of land according to sec 4(1)

2. Through this act Bangladesh government was determined to prohibit all types of benami land transaction. Sec 5(c1)
3. Through this act government determined the minimum wages for agricultural laborers.
4. According to section 7 government can distribute khas land to the landless people in the rural areas. Such land shall be heritable but can't transferable.
5. Under sec. 16 all disputes between land owners and bargaders shall be settled by the authority prescribed by the government.

### **C. Land use policy 2001:**

In 2001 the Ministry of Land formulated national land use policy for ensuring land use activities are aligned with environmental conservation and sustainability. This Land Use Policy (2001) has given main focus on....

1. Stopping indiscriminate use of land, minimizing the loss of cropland and synchronization of land use with environment.
2. Measures to protect agricultural land to meet additional food demand for growing population.
3. Ensuring best use of land through land zoning for cultivation, forestry, rural and urban settlement, infrastructure, industrial development through modern technology.
4. Rehabilitation of landless people giving khas land, coastal reclaimed land etc.
5. Protecting government property for future development.
6. To reduce poverty and to ensure food security proper utilization of land resources is very important. Through this policy government focuses on increasing the opportunity of income generation through proper utilization of land.
7. Government emphasis on protecting natural forest, river erosion and hilly areas.
8. For Govt. Semi-Govt. and Non Govt. organization construction of multi-storied building in limited land was instructed.

## **2.5 Different studies on land administration and land management**

At present land records stored in the Tehsil offices are not in a better condition and it takes long time to check the records properly. So automation of registration records is a time demand for getting smooth land services The database will contain all the information of the buyer and seller, the particulars of the land (plot number, JL number, name of Mouza), the mode by which the seller became the owner of the plot (i.e. purchase, inheritance, etc.), the

classification of land, area of land, boundary demarcation, the value at which the land is being transferred, tax etc. These were the major findings of a research done by **Shahriar Khan et al. in 2009**. Their aim or purpose to do the research was to computerize the existing system, within the rules of existing law, so as to reduce the widespread hardship caused too much of the population. The study is mainly based on secondary data. For this purpose the authors reviewed the way of investigation of theories and practice of the existing land management system.

**Kasphia Nahrin et.al (2009) mentioned in an article named Land Information System (LIS) for Land Administration and Management in Bangladesh** that in Bangladesh, the record of land ownership is insufficient and incomplete. Inadequate and improper land records increase dispute and security problem of land tenure and land transfer. To determine potentialities of LIS for an effective land administration and management system in Bangladesh was the main objective of the study. The research is mainly based on secondary information. In this context, the research reviews the existing land administration and management system in Bangladesh. Actions to face challenges in the preparation and maintenance of land records by LIS in Bangladesh are developed through studying the concepts and basic elements of LIS from different literature.

**Mutation and Updating of Land Records in Bangladesh: A Study at Gazipur Sadar Upazila done by Muhammad Ariful Islam in 2013** to examine the procedural practice of mutation and extent of practicing government circulars in land service delivery. The major findings of his research were that for getting land mutation, people need to visit Upazilla land office and have to face various types of hazards. Sometimes it took unlimited time for getting land mutation and due to this unlimited time people need to spend more cost. People face harassment by broker also seen in land mutation. To conduct the research the author collected data through questionnaire and mutation case file study.

**Historical issues and perspectives of land resource Management in India: a review** done by M S Umesh Babu and Sunil Nautiyal in 2013 published from The Institute for Social and Economic Change, Bangalore. ISBN 978-81-7791-165-7. In their paper they focused on historical aspects of land resources, land evolution and management in India. Moreover, it describes land issues before and after the Ice age 5000 B.C. Pre-Vedic literature on origin of land, cutting of forest for land utilization, mainly for agricultural activities, has been highlighted. Besides, it describes traditional land management techniques, registration process, land transfer and color coding methods for isolation of land and its utilization for

different purposes from the early days. The study was mainly based on secondary data. In this purpose the authors analyzed the historical background of the land tenure system in India. The authors also reviewed different types of government instigations, acts, policies and programs on land resource management.

To inquire about how land administration contributes in economic development of a country Gandhi Subedi and Peter Wyatt completed a study in 2014. In their study named **Land Administration and Economic Development: A Case Study of Property Formalization in Chulachuli village of Eastern Nepal** mentioned that bribery and malpractices prevailed in land administration organizations has also increased the costs of transactions and threatened its security. The problem is higher in Bangladesh than in Nepal. It is common notion among the people land administration means corruption due to these bribery and malpractices. These practices threaten the rights of the land owners and security of tenure established from the registration of land. This complex process and high transaction costs discourages the formal registration of transaction. In Bangladesh, land management system still follows the traditional method in providing land mutation process, which creates many problems in providing and getting land service. Existing land mutation process consume more time, cost and number of visit and people face many harassment have to get land mutation. It is imperative to automate the mutation process for more citizen responsive service. To conduct the study the authors followed questionnaire method in depth interviews with the target groups to collect data. They also collected data from case study analysis.

**Shahidul Islam et.al (2015) in their study named Land Rights, Land Disputes and Land Administration in Bangladesh- A Critical Study** found that ‘The present land laws, land administration and land management in Bangladesh are not only full of intricacy, procedural difficulties and mismanagement but also not accessible and responsive to the interest of the common people of the country. Furthermore, the present mechanism to settle land dispute is not time saving, cost effective, peaceful and sophisticated.’ The objectives of their study were to know the various ways to ensure land rights and the problems of present land administration in Bangladesh. The methods followed to conduct the research were qualitative and quantitative. To conduct the research, data were collected from secondary sources mainly. To collect data, some target groups were supplied with questionnaire.

In Bangladesh, land service is given through multiple institutions but there are numbers of institutional limitations in existing land administration and management and service provisions. As service, recipients have to receive service from different offices they needed to

spend more time, cost and visits (**TIB- Land Management and Services in Bangladesh: Governance Challenges and Way-forward, 2015**). This was a qualitative research to identify the land management framework and legal, institutional and systemic limitations of land services delivery in Bangladesh. To develop the existing land management and land services delivery process and to suggest some recommendations to remove corruption and irregularities in this sector were also the objectives of the research. For these purpose data were collected through Key Informant Interviews and Focus Group Discussions. Secondary data were collected from existing land laws, rules-regulations, different types of books, journals, research reports and from related websites.

**Muhammad Reza-E-Rabbi** in a study on Sustainable Land Record Management: A study of e-Mutation at Jashore Sadar Upazila found that though e-Mutation has brought some transient benefits yet it is far away from ensuring sustainable digital land record management. To explore the challenges associated with e-Mutation especially in saving time, cost and visit (TCV) of the service seekers was the objective of the study. Mainly using Key Informant Interviews and Focus Group Discussion primary data was collected. To analyze TCV required in disposing of conventional system and e-mutation secondary data was used.

## **2.6 Research gap**

All the literatures have covered almost all the arena of land management and land service delivery system in Bangladesh. The literatures expressed the problems in land laws, service delivery, records management process, lack of database and other procedural problems. But the literatures did not mention what are the challenges the officials face in land service delivery. After introducing online services why the service delivery system is not still TCV friendly.

To fill up the gaps I wish to do a critical study on the challenges of land services delivery and effectiveness of e-mutation in Bangladesh: a study on land mutation at Maheshpur upazila, Jhenaidah

## **2.7 Conclusion of the chapter**

The land of Bangladesh has travelled a number of administrative management systems since 1500 BC to till now. The revenue systems, ownership, power of transfer and rules on land have travelled a long journey. Land is now the most valuable and limited non-renewable resource of Bangladesh. That's why land administration requires much more concentration from the Government. The enacted laws, rules and reforms should be followed strictly.



# **CHAPTER 3**

## **METHODOLOGY**

## **3 Methodology**

### **3.1 Introduction**

The study shall adopt both qualitative and quantitative method for data collection. Quantitative data will be collected using questionnaire. For collecting qualitative data study will conduct some in depth interviews. Focus Group Discussion (FGD) and Key Informant's Information/Interview (KII). The methods and processes that will be followed in conducting the study however can be summarized as follows:

### **3.2 Research design**

A research design is a systematic approach that a researcher uses to conduct a study. It is the overall synchronization of identified components and data resulting in a plausible outcome. To decide what approach and strategy would be employed to pursue a research there have some guiding pillars. Such as the nature of the problem to be studied and research question to be answered. In his book *Research Design: qualitative, quantitative and, mixed methods approaches (4<sup>th</sup> edition)* John W. Creswell divided the research design into three categories.

- i) Quantitative
- ii) Qualitative and
- iii) Mixed method

This study is quantitative and qualitative in nature. This research defines quantitative research as a systematic process to test relationships as well as to examine cause effect interactions among variables. A descriptive survey design will be used to conduct the study. It will provide an accurate portrayal or account of the characteristics of research. To know the opinion, advice, satisfaction, knowledge, behavior of the individual, situation or group study will follow qualitative method.

### **3.3 Study area and population**

The study is about the land mutation service. The study will be conducted in Maheshpur Upazilla of Jhenaidah District. This study will be conducted among land related services (especially land mutation and miscellaneous land disputes cases) recipients. The citizens of the Upazilla who get land related services will be study population. In 2018-19 fiscal years, there were about 3000 applicants in concern areas of the upazila. Data will be collected using random sampling.

### 3.3.1 Jhenaidah district

Jhenaidah district extends 23.15 north latitude between 23.45 north latitudes and 88.45 east longitude 89.15 east longitudes. In response to this, Kushtia, Magura in the east, Jessore on the south and 24 Parganas of West Bengal and West 24 Parganas and Chuadanga districts of West Bengal. The total area of the district is 758 square miles (1941.36 sq km). Total population of 17,71,304. Beginnati, Ichhamati, Kodala, Kopatak, Nabaganga, Chitra and Kumar Rivers fluttering Jhenaidah's book. The climate here is very similar. Annual average temperature is 22.24 Celsius. And annual rainfall of 152.190 cm

**Figure-3.1: Map of Jhenaidah district**



**Administration:** In 1984 Jhenaidah district was established. There are 6 upazilas, 67 union parishads, 945 mouzas, 5 municipalities and 1144 villages in Jhenaidah district. Jhenaidah Sadar, Kaliganj, Shailkupa, Harinakunda, Kotchandpur and Maheshpur are the upazilas of Jhenaidah district.

The economy of Jhenaidah district is predominantly agricultural. Out of total 385,860 holdings of the district, 66.50 % holdings are farms that produce varieties of crops. Paddy, jute, wheat, sugarcane and mustard seed, onion garlic and varieties of pulse and vegetables are the major crops of this district. Total cultivable land area - 308027 hectares. One crop land – 19784, two crop land - 90253 hectares, three crop land - 36781 ha, four crop land - 100 ha, Crop intensity - 166%.

### **3.3.2 Maheshpur upazila**

Maheshpur Upazila is in Jhenaidah district and the area of this upazila is 417.85 sq km. the upazila is located in between 23°13' and 23°25' north latitudes and in between 88°42' and 89°02' east longitudes. It is bounded by Jibannagar and Kotchandpur upazilas on the north, Chaugachha upazila and West Bengal state of India on the south. Chaugachha upazila on the east, West Bengal of India on the west.

Total population is 332000; male 166000, female 166000; Muslim 319576, Hindu 12759 Buddhist 64 and others 115.

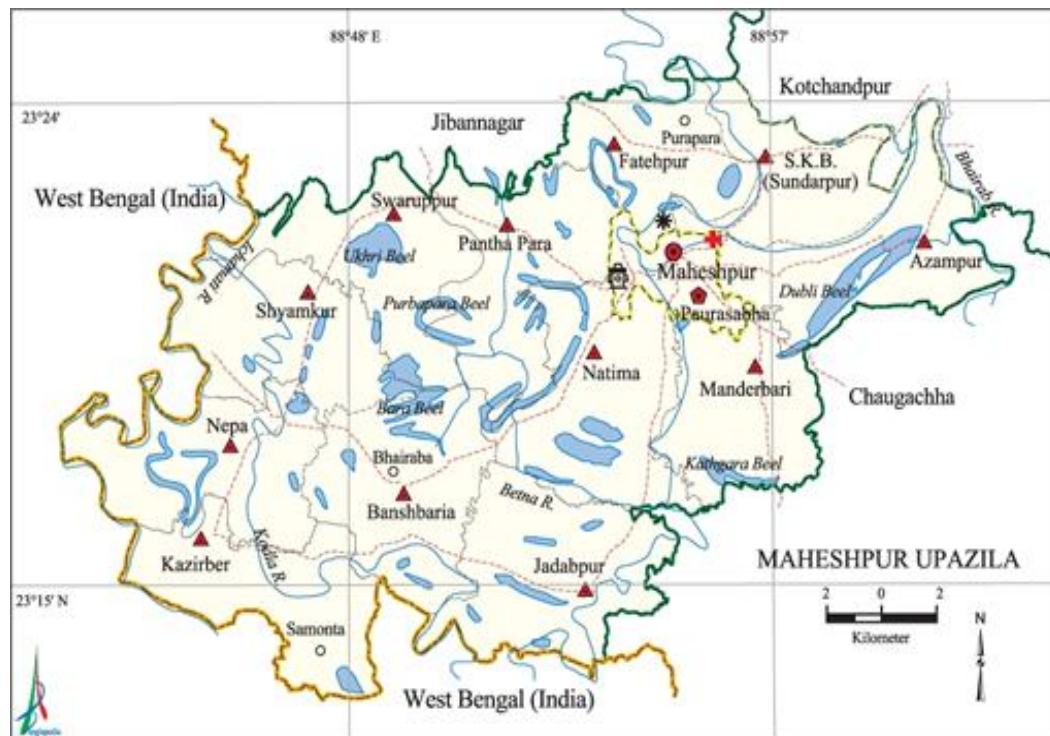
Water bodies Main rivers: Ichamati, Kodla, Betna, Bhairab, Ukhri, Purbapara, Bara, Kathgara and Dubli' beels are notable.

Maheshpur Thana was turned into an upazila in 1983. This upazila consists of one municipality, 12 unions, 150 mouzas and 196 villages.

Main sources of income: Agriculture 74.79%, non-agricultural labourer 2.49%, commerce 12%, transport and communication 2.26%, service 2.71%, construction 0.58%, religious service 0.09%, rent and remittance 0.28% and others 4.80%.

Main crops: Paddy, jute, wheat, sugarcane, cotton, nut, onion, garlic, tomato, potato, vegetables.

**Figure-3.2: Map of the study area**



(Source: Population and Housing Census 2011, Upazila Statistical Office, BBS)

### **3.3 Data collection tools**

Interview of the citizens will be held with developed questionnaire to collect the data of the study. To investigate their problems in getting service according to the circular the questionnaire for citizens will be developed. The interview of the officials will include questions about organizational problems, skills of the service providers to implement the government circulars. Besides this, some files of the mutation case will be examined to collect data and observe the implementation of the circular in practice. Those files will draw the real picture and show the reality and rhetoric of the procedural practice.

### **3.4 Data collection procedure and sampling**

The study will conduct surveys among the service provider and beneficiaries of Land Mutation and other miscellaneous cases. Among the beneficiaries of study areas, this research will target to cover 10% service recipients. Using random sampling method, it will interview 50 service beneficiaries and for qualitative data, it will conduct interview among 10 service

providers. Study team will also conduct 5 in-depth interviews among Upazila Nirbahi officer, Assistant Commissioner (Land) and Union Land Assistant Officers of the Upazilla in forms of KII. Moreover, study will conduct FGD (Focus Group Discussion) in several unions. Data sampling of the study is given in the following table:

**Table-3.1: Data sampling of the study**

Study area	Surveys among the beneficiaries	Surveys among the service provider	KII	FGD	Total sample
Maheshpur municipality	12	3	3	2	20
Azampur Union	8	2	1	-	11
Manderbaria union	7	1	-	1	9
SBK union	8	2	-	-	10
Fatehpur union	10	2	2	1	15
Ministry of Land	-	-	1	-	1
Land Reform Board	-	-	1	-	1
Total	45	10	8	4	67

(Each FGD consists of 10 persons)

### 3.5 Sources of Data

The data for the study will be collected from various sources including documents, interviews etc. So data will be collected from both:

1. Primary and
2. Secondary sources

#### 3.6.1 Primary data

For collecting primary data interview of the citizens of the study area, service provider and higher officials who are responsible to look after the implementation of government policy will be done. These task will be completed from January 05 to January 10, 2020. For the citizens who are unable to give formal interview Semi structured and open ended questionnaire will be developed to collect information from them. Strategy will be taken to get information from the respondents in their own words. Besides this some files of mutation case will be examined to collect data.

### **3.6.2 Secondary data**

To collect secondary data the researcher will analyze the review of previous work on policy implementation in general and specific studies on land policy and quality service delivery system in Bangladesh. To understand the concept of policy implementation secondary resources are mainly used. Moreover the literature review will be helpful in chalking out the theoretical framework for this study. Besides this, different books and articles will also be considered as one of the major sources of information. Basically to gather background and general information regarding various aspects of the circular, previous studies, reports, websites and official publications will be used significantly in gathering secondary data.

## **3.7 Limitations and challenges**

This study is mainly on the challenges at field level land service delivery processes and how effective the e-mutation in this case is. So data collection in relevant areas was quiet problematic for the author. As it is mentioned earlier that there is no much works or studies on land sectors in Bangladesh data collection became challenging. Some other challenges had to face also such as:

### **3.7.1 Accuracy of Data**

The office employees were the significant portion of the study. Naturally they were not eager enough to provide information regarding land records and case history related. In try to cover up their insincerity in respect of service delivery there lies a doubt on the provided data. The service receivers also hesitated to disclose their sufferings to get the proper service which might endanger the possibility of getting their services.

### **3.7.2 Access to Public Offices**

Easy access to a government office is quite challenging for the outsider especially for a researcher and this case was not different. Moreover officers at field level remain busy with miscellaneous tasks and it was difficult to get time from them. Beside this, he employees got involved with other activities in the middle of an interview.

### **3.7.3 Access to Public Documents**

Generally documents related with land are quite confidential and the officials are not cooperative enough to provide public document. So the researcher faced another major difficulties in gathering documented information from officials. Sometimes the researcher did not find documents readily available. .

### **3.7.4 Limited secondary data**

There is not enough literacy work about land management and land service delivery in Bangladesh. So sources of secondary data was limited. With the narrow secondary data it was difficult to analysis the entire previous situation in land service delivery at field level.

### **3.7.5 Limited time:**

Time is another confines in the field work. Allocated time data collection was too short. Moreover key officials always remained busy for various field works. The study area were different unions at the upazila and it required time for going there. But for the time constraint it was difficult to manage.

## **3.8 Conclusion of the Chapter**

The present study is exploratory as the online land service is a time demand phenomena. This study seeks to disclose the real facts which are making the service system problematic and affect the factors that affect the satisfactory service delivery process. So it was attempted to collect relevant data to make the study fruitful.



**CHAPTER 4**

**EXISTING SITUATION**

**OF**

**LAND MANAGEMENT IN BANGLADESH**

## **4 Existing situation of land management in Bangladesh**

### **4.1. Introduction**

Land is considered as the most valuable asset for the inhabitants of Bangladesh. Therefore land administration is important to the government. Land management in Bangladesh is a very broad and diversified phenomenon. Moreover, it is connected with other issues like equity, social norms and custom, urbanization, industrialization and other economic activities. Many laws and policies are closely connected with land management and services. At present three different Ministries practice land administration and management in Bangladesh, namely Ministry of Land (MoL), Ministry of Law, Justice and Parliamentary affairs (MLJPA); and Ministry of Defense (MoD). Land record system in Bangladesh forms an integral part of land administration, encompassing preparation of Record-of-Rights (ROR) through surveying and mapping of land plots, registration of deeds during transfer of land and updating ownership records ([www.minland.gov.bd](http://www.minland.gov.bd), 05/02/2020). The major topics of this chapter are introducing the present situation of land administration and land management in Bangladesh, discussion on important concepts of reforms implementation and finally proposing a guideline to analyze the practicing process of the government circulars in land offices.

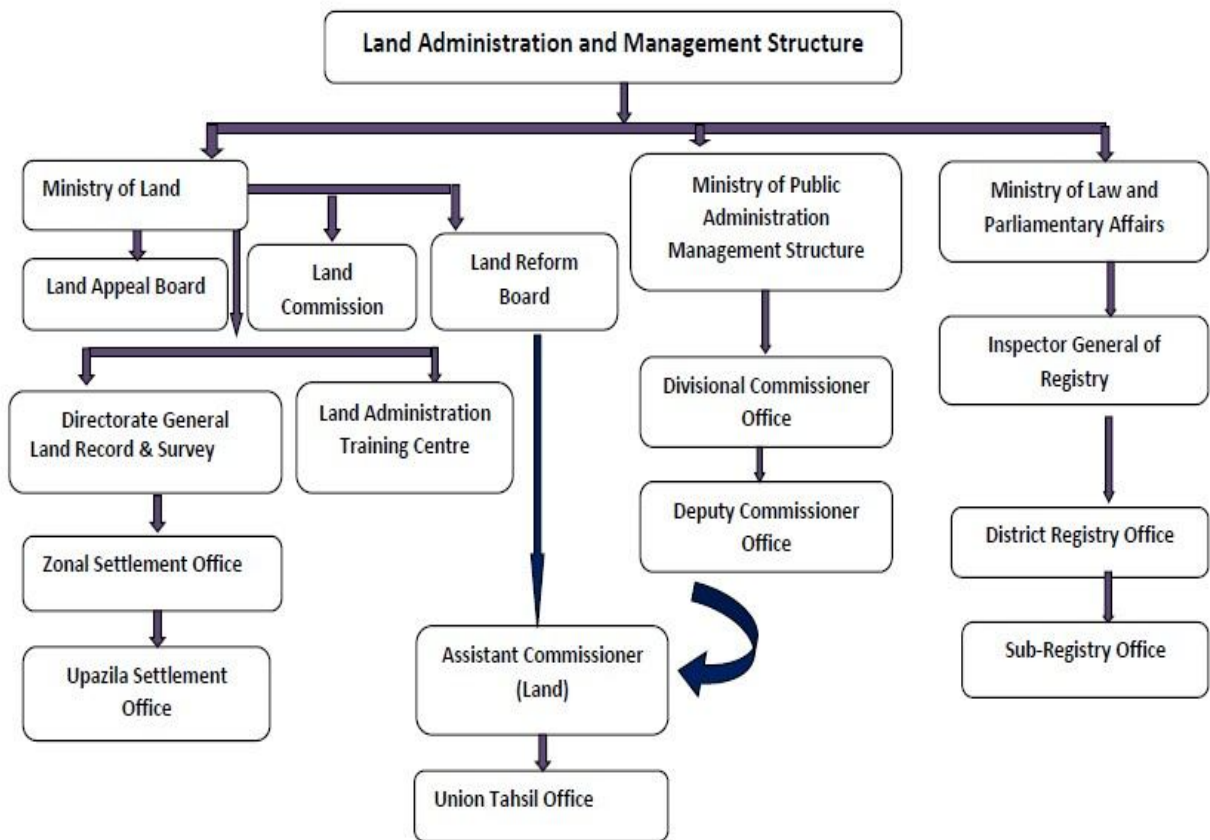
### **4.2. Land Administration in Bangladesh**

Land administration deals with the creation, transfer, extinguishment of land rights (Islam, 2013). Land administration in Bangladesh consists of three major administrative procedure such as the revenue administration, survey administration and certificate administration. The land administration system in Bangladesh is still traditional and characterized by inefficiencies and corruption; such traditional manual land administration system cannot keep pace with the growing demand and changing situation of the land market. Technologically unsound manual land record management creates difficulties in securing land ownership and land transfer. For this, it becomes an important agenda in the Seventh Five Year Plan document to establish a sustainable land administration and management system. As a part of the civil administration, the land administration in Bangladesh comprises from bottom to top the office of the Union Land Officer (*Tahsildar*) at the union level, the office of the Assistant Commissioner (Land) at the thana level, the office of the Deputy Commissioner (The Collectorate) at the district level, the office of the Divisional Commissioner at the division level, Land Reform Board and Land Appeal Board. ([www.minland.gov.bd](http://www.minland.gov.bd), 05/02/2020). The current administrative structure of land management in Bangladesh is built around three core

functions: 1) record keeping, 2) registration, and 3) settlement (Islam et. al, 2015). The core functions of land administration are maintained by various departments of two Ministries, The Ministry of Land (MoL) and the Ministry of Law, Justice and Parliamentary Affairs (MLJP). While the MoL discharges most of the land-related activities including survey, collection of land development tax, arbitration process, the MLJP mainly records land mutation and transfers (Dr. Monzur Hossain, Senior Research Fellow, BIDS).

From the following figure we can get an image of land administration and land management structure in Bangladesh.

**Table-4.1: Bangladesh Land Administration and Management Structure**



Source: TIB report (Land Management and Services in Bangladesh: Governance Challenges and Way-Forward in 2015)

### **4.3. Overview on land management system**

Land management is defined as “the actual practice of the use(s) of the land by the local human population, which should be sustainable” (FAO/Netherlands, 1991). Land resources management has many components, including land-use planning, as agreed between stakeholders; legal, administrative and institutional oversight; clearly defining the land areas in question; inspection and control of compliance with the decisions; resolving land tenure issues; settling of water rights; issuing of concessions for plant and animal extraction; promoting the role of women and other disadvantaged groups in agriculture and rural development; and safeguarding the traditional rights of indigenous peoples (FAO, 1995). Before 1950, the concept and practice of land management in the erstwhile Pakistan was comparatively limited. In fact, land was managed both by the landlords (*Zaninders*) and the govt. Under the Permanent Settlement Act 1793, the government collected land revenue from landlords and from temporary settlements holders (Islam et. al, 2015). At present, land management does not envisage the collection of land dues (land revenue or rent, now called the land development tax) only. The scope of land management covers maintenance of record-of-right, quick and equitable settlement of *khas* land and alluvial accretions, rent adjustment in *diluvium* affected holdings, institutional financial assistance to landless and marginal farmers, speedy disposal of recovery proceedings and, above all, provision of trained revenue officials and adequate supervision of such officials at all levels (Islam et al, 2015). Proper maintenance of record-of- rights requires preparation/revision of Land Records including maps on periodical basis and continuous updating of these records. The updating of land records is required because of continuous changes in land ownership by way of transfer, purchase, sale, gift, mortgage, and inheritance and partition deeds. This is a responsibility of the Directorate of Land Records and Surveys. However, land management system in Bangladesh is old, slow and not cost effective. So, computerization of land records and development of an organized land information system (LIS), however, have become essential, especially because of the increasing number of tenant in Bangladesh.

### **4.4. Budget allocation for the Ministry of Land**

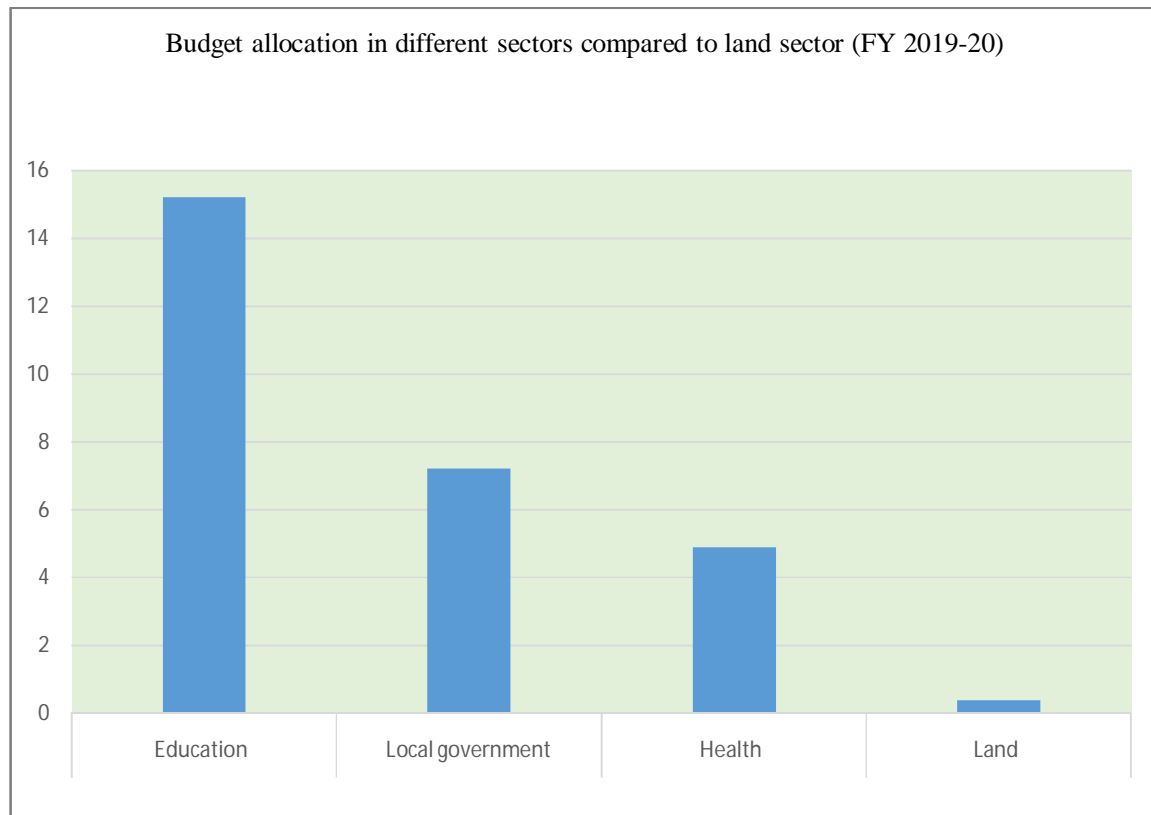
The budget for land administration and management has been perennially low over the years. In FY 2019-20, the allocated budget for the Land Ministry was BDT 1943 crores (0.37%). The allocated amount has been 0.3-0.37% of the National Budget for the last few years.

Compared to other major sectors like education (15.2%), health (4.9%) and local government (7.2%), this allocation has been quite low.

**Table-4.2: Budget allocation in land sector compared to others (FY 2019-20)**

Budget allocation in different important sectors compared to land sector (FY2019-20)			
No.	Class/Types	Frequency	Percentage
1.	Education	79486	15.2
2.	Local government	37886	7.2
3.	Health	25733	4.9
4.	Land	1943	0.37

**Figure-4.1: Comparison of budget allocation among some important sectors**



Due to low allocation of budget major reform initiatives, infrastructure development, logistic supports and stationeries to land offices have been inhibited. Evidently, infrastructure development of local land offices has been delayed and offices are operated in cramped

space. Although some offices have been newly constructed and renovated, still a large number of offices are housed in old and dilapidated buildings. Moreover, for the same reason logistic and stationeries for upazila and union land offices remain quiet limited. Some respondents told that even the need of such logistics and stationeries are met by taking illegal money from service recipients. For example, necessary forms like application form for mutation cannot be supplied to service recipients for which they have to collect them from nearby photocopy shops by paying money.

The government in recent years has seriously been considering digitizing land sector. For digitalization huge amount money would be required in coming years. According to Senior Officials of Land Ministry, for ICT based digitalization of entire land administration and management around BDT 1000 billion would be required for the next 10 years (Alam et. al, 2015).

#### **4.5 Corruption and anomalies in land service delivery:**

##### **4.5.1 Receiving mutation application by ULAO:**

Land ownership is settled by land mutation and it is a matter of high sensitivity. After mutation application submission concerned tehsil office is responsible to make investigation on mutation case. During investigation some corrupt employees of tehsil office and brokers make package deal and claim extra money to the land owner. Sometimes corrupt tehsil office employees convince the owner and receive mutation application violating rules so that they can take extra money from the party. Sometimes officials and employees of AC Land office become indifferent towards this behavior of Union Land Assistant Officer (In charge of tehsil office).

##### **4.5.2 Mutation of government and disputed land**

With the support of socially and politically powerful people some corrupt officials of land office make hefty deal and do mutation of government property, khas land, hat-bazar, water bodies and other disputed land such as vested property, abandoned property etc. Usually these types of deals are done with a significant amount and the amount depends on location, size and market price of the land.

##### **4.5.3 Contravention of mutation deadline**

As per government circular, mutation has to be completed by 28 days. But reality is different. In maximum cases AC Land office takes more days to complete mutation procedure and handover mutation khatian. Service recipients have to make multiple visits to land offices.

#### **4.5.4 Agricultural khas land distribution**

Under the guidance of Agricultural Khas Land Policy, 1997 Bangladesh government distributes khas land to landless people every year. According to the land reform initiatives the government has implemented many project for the poor landless rural people like Guchhagram, Ashrayan. Through these projects Bangladesh government has distributed agricultural khas land to the poor landless people. But some land officials adopt unfair means and take the path of corruption in distributing this land.

#### **4.5.5 Illegal occupants in khas land and non-eviction activities:**

In study area there are many government property like khas land, bill-baor, vested property, abandoned property etc. But a large part of those properties are collapsed by illegal occupants. And no remarkable attempt are taken by tehsil and land office to evict the illegal occupants. Sometimes AC land and Tehsil offices ignore the illegal occupants to hold agricultural khas land illegally by taking bribe. Sometimes, vested interest of groups try to grab land distributed to landless people through use of force and power.

#### **4.5.6 Illegal grabbing of hat-bazar land and making of permanent structures**

Through the study the author found that huge amount of hat-bazar land have been occupied by some local elite people without having any legal document. Some of them have made permanent structures on the land and got record and mutation due to the corruption of the land officials. Shops are not being leased properly and government is losing huge amount of revenue from these hat-bazar.

#### **4.5.7. Insufficient efforts for protection of khas land**

For management and protecting the government property proper identification is must. For this task AC Land and tehsil offices should visit the lands regularly under their jurisdiction. One of the main duties of AC Land and Union Land Assistant Officer is to keep the exact record of government property. But it is seemed that this work is not done properly. The officials do not maintain the registers accordingly. They do not do proper investigations to identify government property. For these negligence huge amount of khas land and alluvial land have been occupied by illegal entity.

#### **4.6. Conclusion of the Chapter**

The ministry of land has produced a lot of circulars, memos to having necessary instructions and guidelines to strengthen and proper management of land at field level. So that the service recipients get smooth services without harassment. There are guidelines to send regular reports to the ministry from field level. But most of the reports are being prepared manually and for this sometimes true figures and pictures are destroyed.

Over the years, the challenges in land management are same. However there has been vivid lack of political will to solve these challenges. Government has realized the importance of land management and smooth land services delivery and included it as one of the priority areas for national development. Government has introduced e-mutation, e-porcha to bring changes in land service delivery.



## **CHAPTER 5**

# **DATA ANALYSIS AND FINDINGS FROM THE STUDY**

## **DATA ANALYSIS AND FINDINGS FROM THE STUDY**

### **5.1 Introduction**

The main purpose of conducting the study is to know the challenges of land services delivery and effectiveness of e-mutation in Bangladesh. Maheshpur Upazila Land Office from Jhenaidah district of Bangladesh was selected to gather data. Other objectives of the research were to assess the existing situation or scenario of land service delivery process, to find out the challenges in land service delivery process the officials have to face and how effective the e-mutation to face the challenges and to understand both service recipient's/ service provider's perception towards e-mutation in terms of satisfaction. For that purpose data is gathered from Maheshpur Upazila Land office in Jhenaidah district.

### **5.2 Some findings from initial observation**

Land administration and management in Bangladesh is a vast and diversified program and the program is quite complicated. From the very beginning of the study the author tried to find out the major challenges, limitations of the service provider and tried to find out how the online mutation has exempted them from the challenges. Through the study the author found some basic challenges which have remained from the beginning of the system. Though Bangladesh government took some initiatives but the result doesn't improve significantly. Government has introduced e-mutation and it has brought some instant benefits in some areas yet it is far away from securing trust and satisfaction of service recipients at the remote part of the country like the study area. However the issues found by the author during study time are given below:

#### **5.2.1 Issues of concern of the service recipients**

##### **❖ Knowledge about mutation procedure**

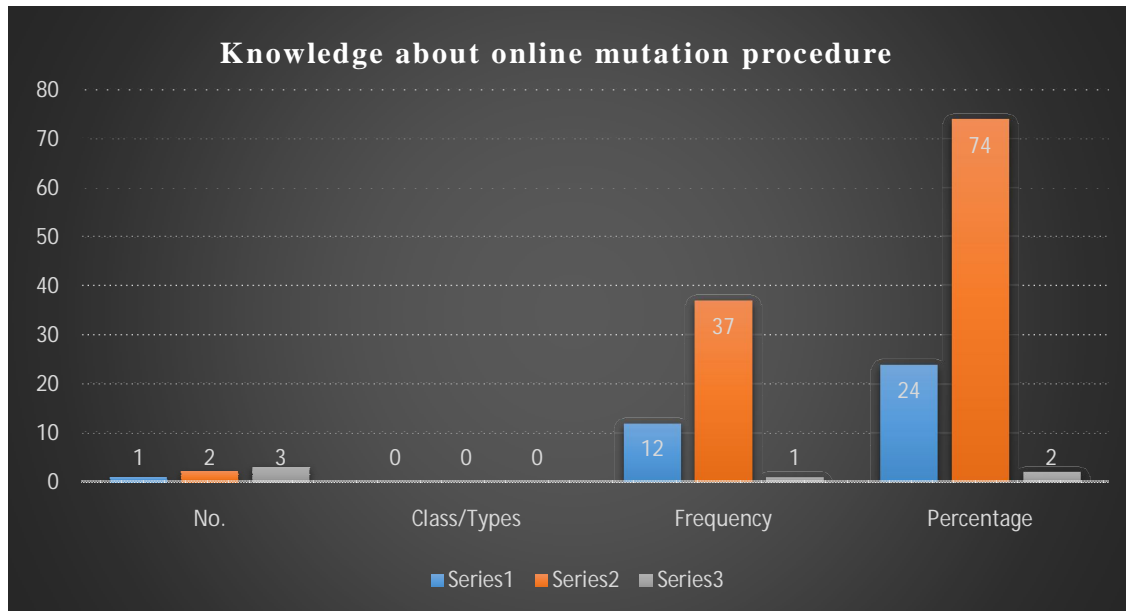
To collect data the researcher interviewed 50 service seeking citizens. Among them 12 respondents know how to apply for online mutation and 37 do not know the procedure and 1 person didn't respond. The following table present about found data

**Table-5.1: Knowledge about online mutation procedure**

Knowledge about online mutation procedure			
No.	Class/Types	Frequency	Percentage
1.	Yes	12	24
2.	No	37	74
3.	No response	1	2
4.	Total	50	100

**Question – Do you know how to apply for mutation?**

**Figure-5.1: Knowledge about the procedure of e-mutation**



❖ **Awareness about government Circulars**

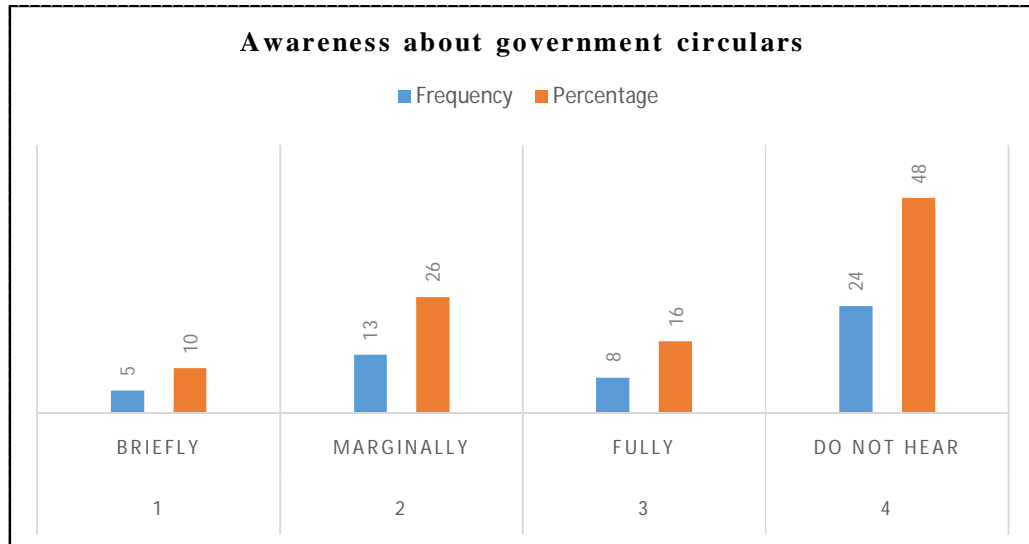
Through the data analysis it seemed that the service seeking citizens are not aware substantially about the government circulars regarding land e-mutation and others. Only 8 service recipients fully know about the circulars among the 50 service recipients.

**Table-5.2: Awareness about government circulars**

Awareness about government circulars			
No.	Class/Types	Frequency	Percentage
1.	Briefly	5	10
2.	Marginally	13	26
3.	Fully	8	16
4.	Do not hear	24	48
5.	Total	50	100

Question: Do you know about the government circular?

**Figure-5.2: Knowledge about circulars**



❖ **Knowledge about Controlling Authority**

Through the study it is found that government awareness building program has been worked out in this case. The respondents are quite aware about the controlling authority of the upazila land office. Among the respondents 82% know to whom complaints to be lodged against this office and they know it correctly. The data is given by the following table.

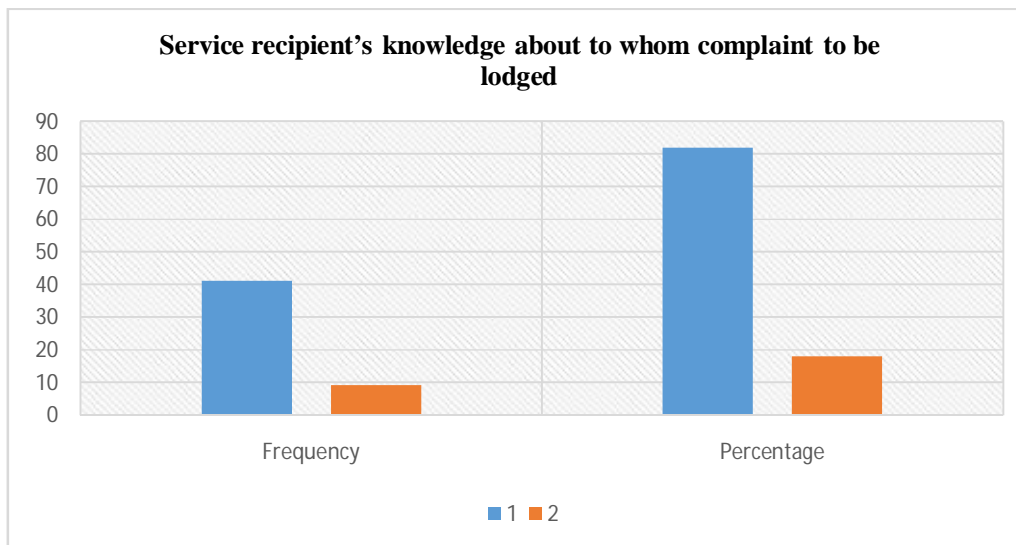
**Table-5.3: Knowledge about Controlling Authority**

Knowledge about Controlling Authority			
No.	Class/Types	Frequency	Percentage
1.	Yes	41	82
2.	No	9	18
3.	Total	50	100
Question- Do you know to whom complaints to be lodged against this office?			

**Table-5.4: Service recipient's knowledge about to whom complaint to be lodged**

Service recipient's knowledge about to whom complaint to be lodged			
No.	Class/Types	Frequency	Percentage
1.	Deputy Commissioner	41	82
2.	Do not know	9	18
3.	Total	50	100
Question: Do you know about the authority to lodge complaints against this office?			

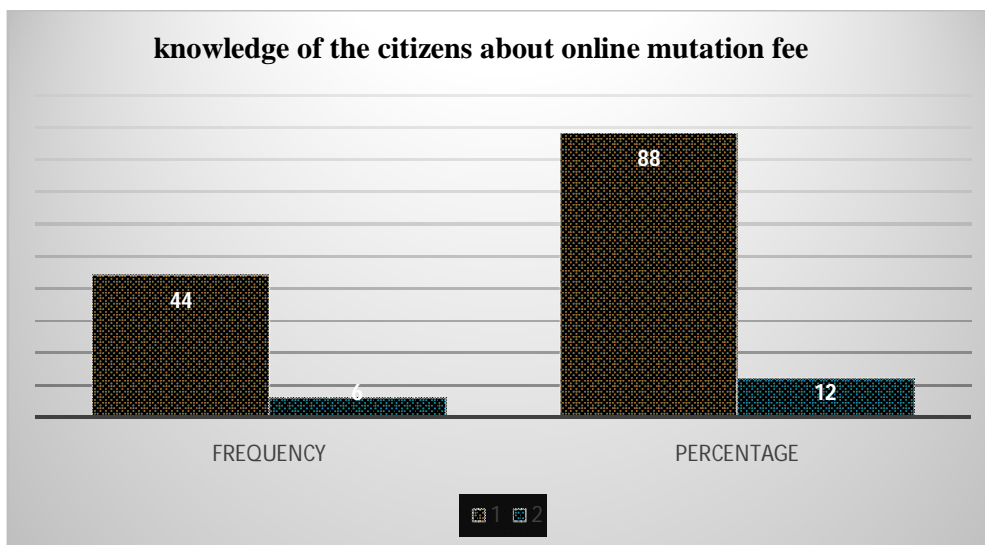
**Figure-5.3: Knowledge about controlling authority**



❖ **Citizens' Knowledge about online mutation fee**

People have become more aware about the mutation fee determined by the government through circulars. Among the respondents 44 persons know the actual mutation fee. We can see the picture through the following figure.

**Figure-5.4: Knowledge of the citizens about online mutation fee**



❖ **Idea about e-mutation**

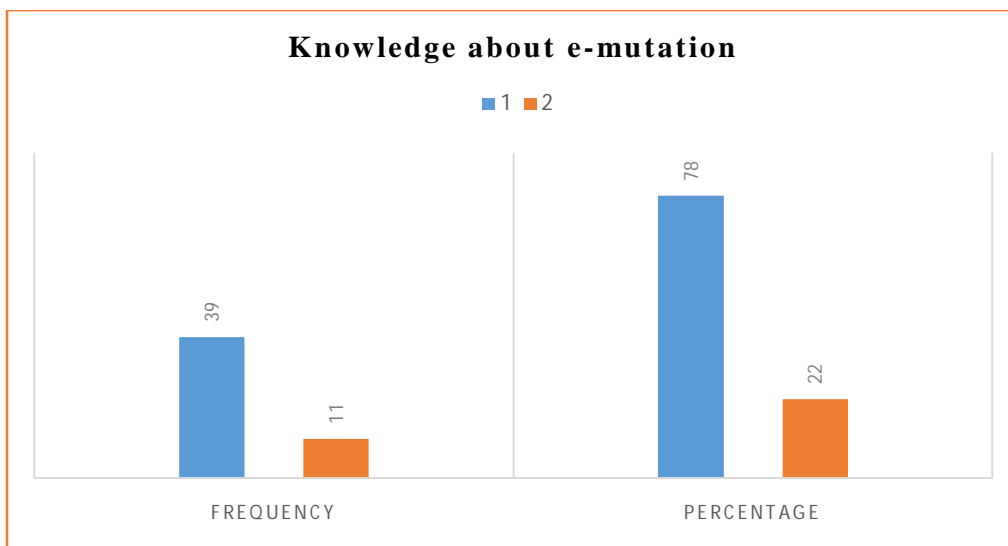
Since July 2019 online mutation was introduced at study area. Citizens of the study area are quite familiar with this term. Most of them heard about e-mutation. Among the 50 respondents 39 heard about it and 11 respondents do not know about e-mutation. The following table shows the data.

**Table-5.5: Knowledge about e-mutation**

Knowledge about e-mutation			
No.	Class/Types	Frequency	Percentage
1.	Yes	39	78
2.	No	11	22
3.	Total	50	100

Question – Do you know government has introduced e-mutation?

**Figure-5.5: Knowledge about e-mutation**



❖ **Effectiveness of e-mutation according to service receivers**

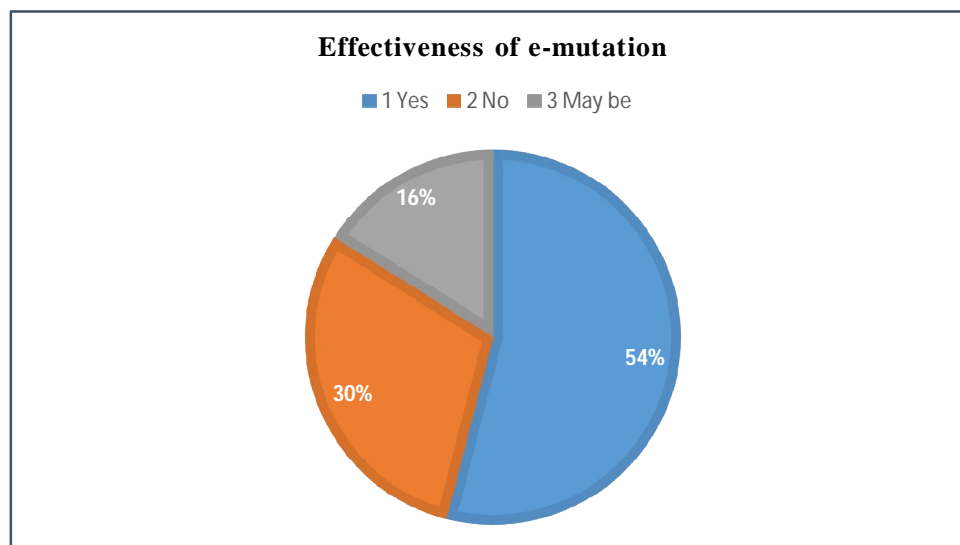
Through the opinion of the respondents regarding e-mutation we can measure the effectiveness of e-mutation at the present situation of the land management. From the study I can say that only innovation cannot overcome the challenges. The following data and figure shows the circumstances.

**Table-5.6: Effectiveness of e-mutation**

Effectiveness of e-mutation			
No.	Types/Class	Frequency	Percentage
1.	Yes	27	54
2.	No	15	30
3.	May be	8	16
4.	Total	50	100

Question - Do you think online mutation has lessen the duration of getting service?

**Figure-5.6: Opinion about time reduction for e-mutation**





❖ Problems behind 100% e-mutation according to service receivers

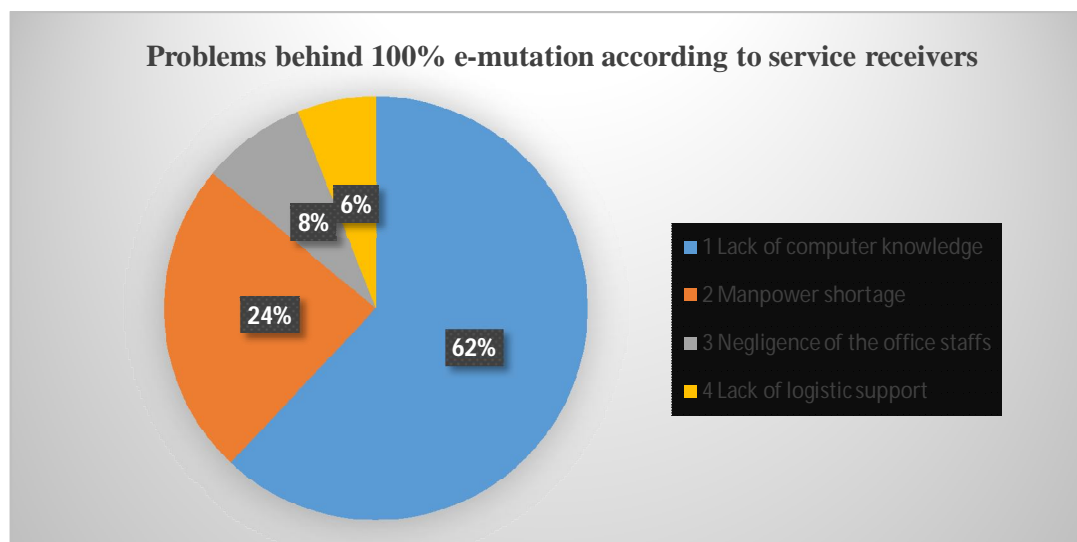
Though government has launched e-mutation, the logistic support and other infrastructural situations are not favorable for 100% e-mutation. After the data collection the author figured out some basic causes behind this. The following table and figure shows the situation.

**Table-5.7: Problems behind 100% e-mutation according to service receivers**

Problems behind 100% e-mutation according to service receivers			
No.	Class/Types	Frequency	Percentage
1.	Lack of computer knowledge	31	62
2.	Manpower shortage	12	24
3.	Negligence of the office staffs	4	8
4.	Lack of logistic support	3	6
5.	Total	50	100

Question - What are the causes not to serve through online mutation fully?

**Figure-5.7: Causes not to serve through online mutation fully**



❖ **Taken time for e-mutation**

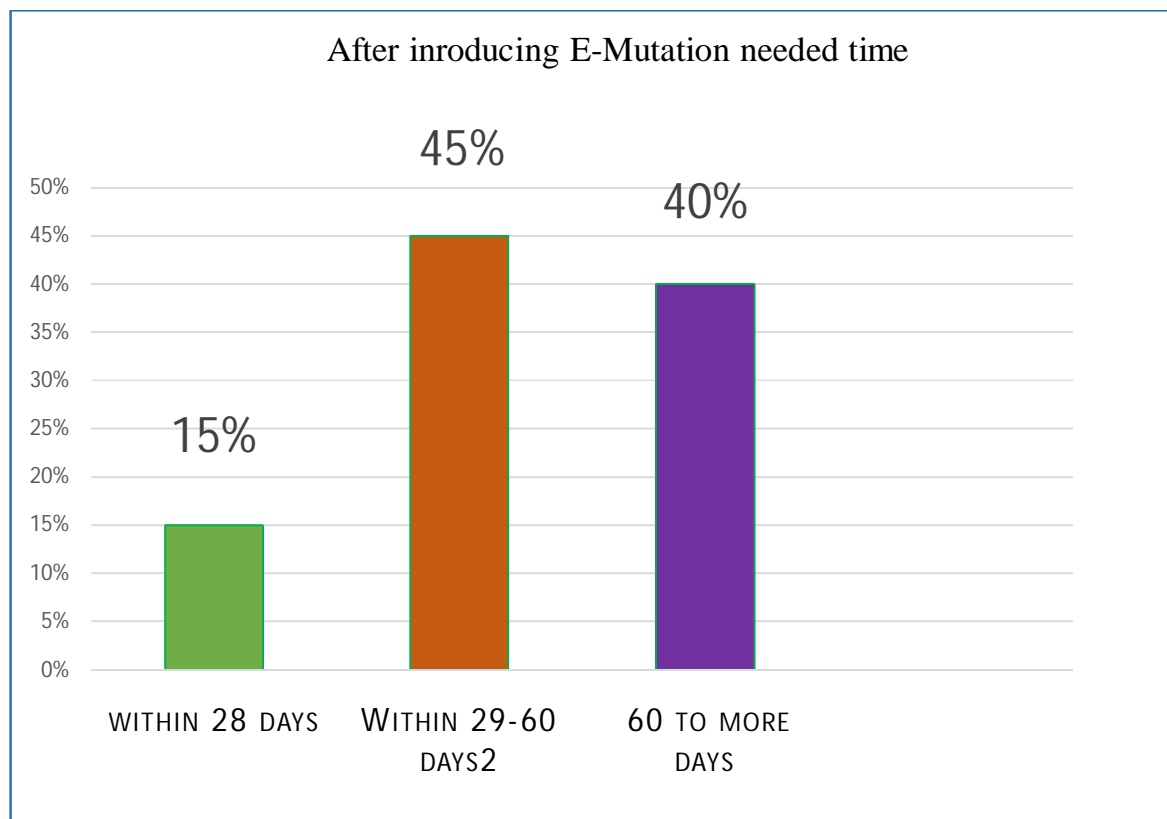
Five files of mutation cases submitted through online were examined by the researcher. During the study and data collection period it is found that required time for disposal was quite long. Only one application was disposed within the time limit (28 days as the circular). One of the other four cases took almost three to five months to dispose. Detail information is given at the following table:

**Table-5.8: Taken time for e-mutation**

Taken time for e-mutation						
Serial No.	Mutation case No.	Land (Decimal)	Mouza (Village)	Application Date	Disposal Date	Taken time
1.	395/19-20	0.7	Chapatala	15.07.19	18.11.19	123 days
2.	545/19-20	0.234	Senhati	06.08.19	14.11.19	98 days
3.	925/19-20	0.09	Voiroba	08.10.19	25.01.19	107 days
4.	1075/19-20	0.065	Khordo Khalishpur	24.10.19	21.11.19	27 days
5.	1165/19-20	2.44	Manderbaria	08.11.19	8.02.19	59 days

During the study the author found that discerned time for disposing a mutation case is not maintaining in most of the cases. 40% of total applicants applied more than 60 days ago and 45% applications were disposed before 60 days. Rest of the application were disposed within 28 days.

**Figure-5.8: Needed time for e-mutation**



Q. When you have applied for mutation?

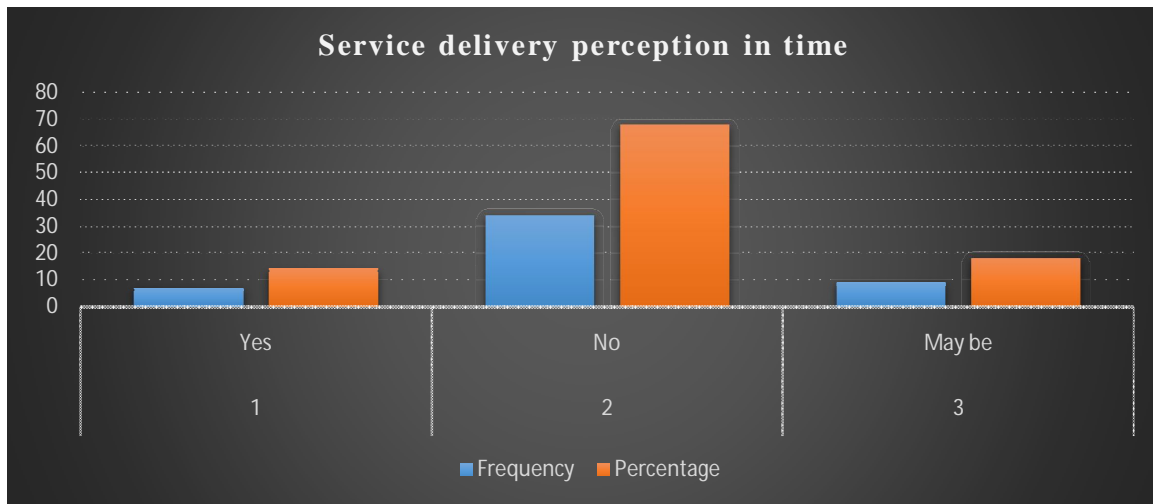
Perception of the citizens about following the disposal time mentioned in the government circulars by the officials is also negative. Most of the respondents think that the land office usually takes more time than the circular. They think that the officials of land offices do not practice the instructions of the government circulars.

**Table-5.9: Service delivery perception in time**

Service delivery perception in time			
No.	Types/ Class	Frequency	Percentage
1.	Yes	7	14
2.	No	34	68
3.	May be	9	18
4.	Total	50	100

Question: Do you think land office deliver your service within the time limit determined by the government circulars?

**Figure-5.9: Service delivery perception in time**



❖ **Satisfaction of service recipients**

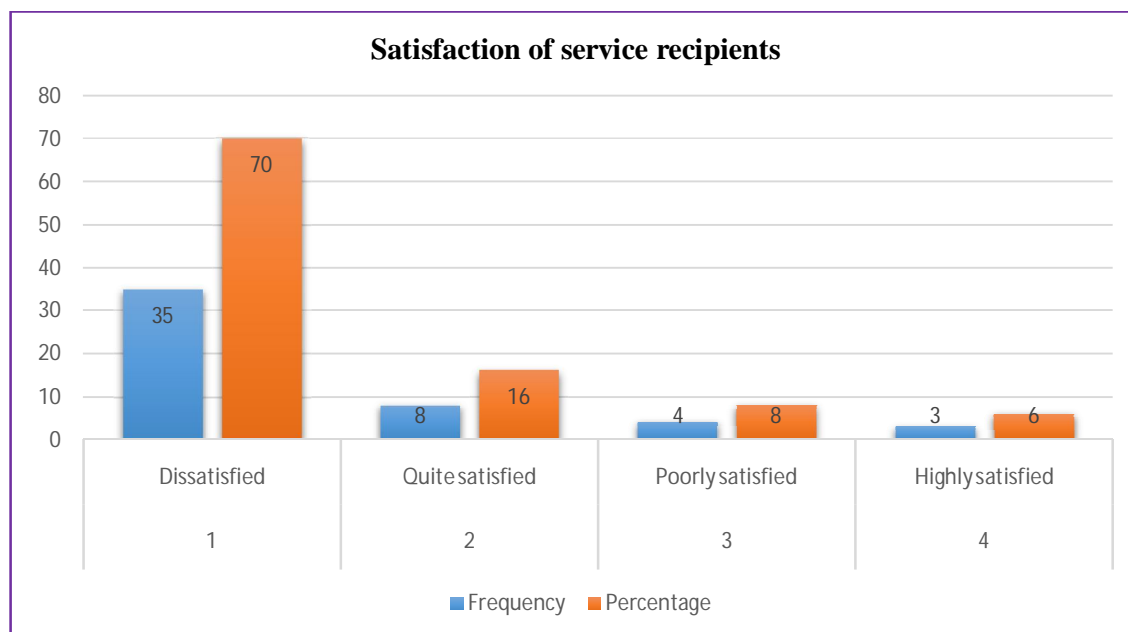
Satisfaction level of the service receivers are not so high. Only 6% of respondents are highly satisfied and 70% service receivers are dissatisfied with the service delivery.

**Table-5.10: Satisfaction of service recipients**

Satisfaction of service recipients			
No.	Types/Class	Frequency	Percentage
1.	Dissatisfied	35	70
2.	Quite satisfied	8	16
3.	Poorly satisfied	4	8
4.	Highly satisfied	3	6
5.	Total	50	100

Question- Are you satisfied with service delivery process of land office?

**Figure-5.10: Satisfaction level of service recipients**



### **5.2.2 Procedural issues of the service delivery**

Through the study the author found some organizational issues related with service delivery process and culture. These variables affect the implementation of service delivery procedure a lot. To implement the new reform initiatives taken by the government some institutional or organizational factors play important role, sometimes creates some obstacles also. Organizational capability, supervision of the authority, following of procedure properly, influence of middlemen affect the effectiveness of the reform and satisfaction of the service recipients. Those findings are described as follows;

❖ **Organization's capability for e-mutation**

Among the twelve service providers all of them think that almost all the organization are not capable to fulfill the citizens' demand properly. The organization is not well equipped and the providers are not technologically efficient. Shortage of efficient manpower is one of the major obstacles of satisfied land service in Bangladesh.

**Table-5.11: Organization’s capability for e-mutation**

Organization’s capability for e-mutation			
No.	Class/Types	Frequency	Percentage
1.	No	12	100
2.	Total	12	100
Question – Do you have enough logistic support to implement the circulars successfully?			

❖ **Following of case serial number**

In case of disposing mutation cases most of the service providers claimed that generally they follow the serial number but the service receivers did not agree with the statement. Then the author asked both of them what are the reasons behind this. Both the service receivers and providers came to the same opinion about the reasons behind not following the case serial number:

1. Shortage of manpower and lack of will of the service providers to serve as the circulars
2. Lack of logistic supports
3. Local influence or influence of powerful persons
4. People do not like to maintain the govt. laws and rules. They want their services early.
5. Lack of public awareness
6. Overloaded works

About 13% of respondents claimed shortage of manpower, 24.23% think that local influence creates obstacles and 30.64 said about the unwillingness of the people to follow the govt. laws and rules. People want their services early.

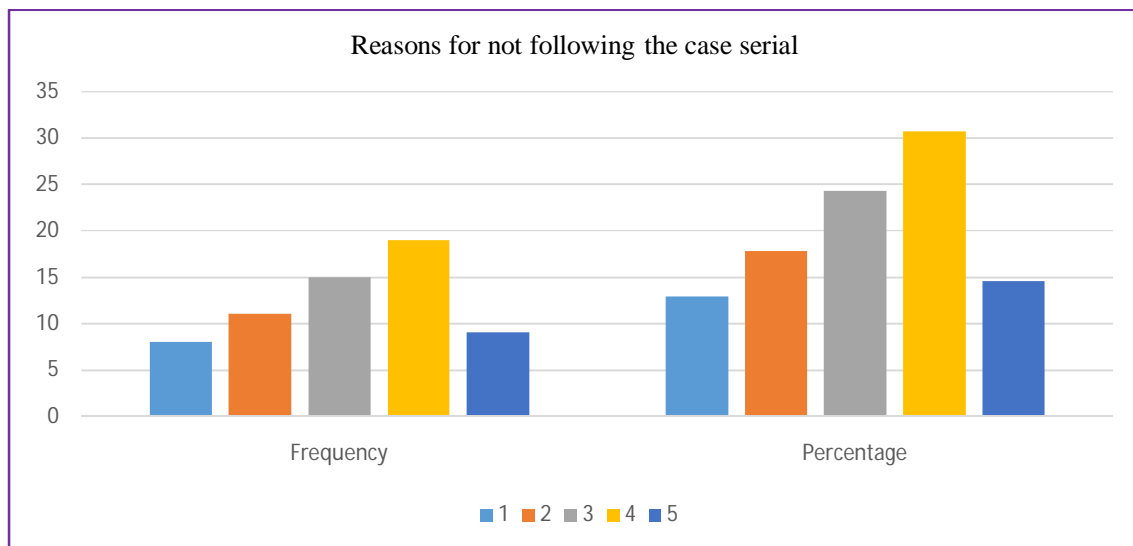
The following chart and figure shows the reality of the situation.

**Table-5.12: Reasons for not following the case serial**

Reasons for not following the case serial			
No.	Types/Class	Frequency	Percentage
1.	Shortage of manpower	8	12.903
2.	Lack of logistic supports	11	17.74
3.	Local influence	15	24.23
4.	People's unwillingness to follow the govt. rules	19	30.64
5.	Overloaded works	9	14.51
6.	Total	62	100

Question – What are the causes for not following the case serial?

**Figure-5.11: Reasons for not following mutation case serial**



❖ **Influence of middlemen:**

During study and data collection period the author did a comparative analysis on the influence of middlemen before introducing e-mutation and after introducing e-

mutation. Most of the respondents think that influence of middlemen has not been reduced after introducing e-mutation rather than in some cases it has been increased.

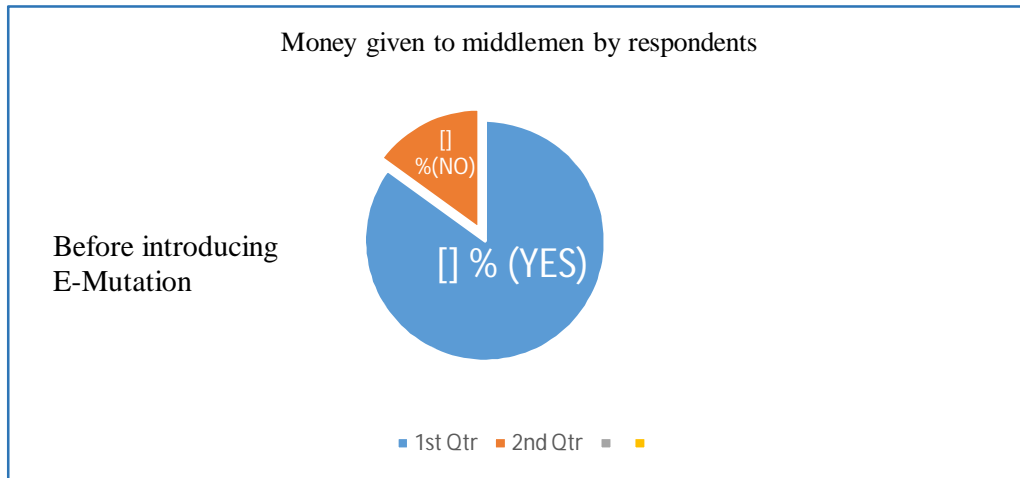
**Table-5.13: Influence of middlemen**

Influence of middlemen			
No.	Class/Types	Frequency	Percentage
1.	Yes	7	14
2.	No	43	86
3.	Total	50	100
Question – Do you think influence of middleman has been reduced after E-mutation?			

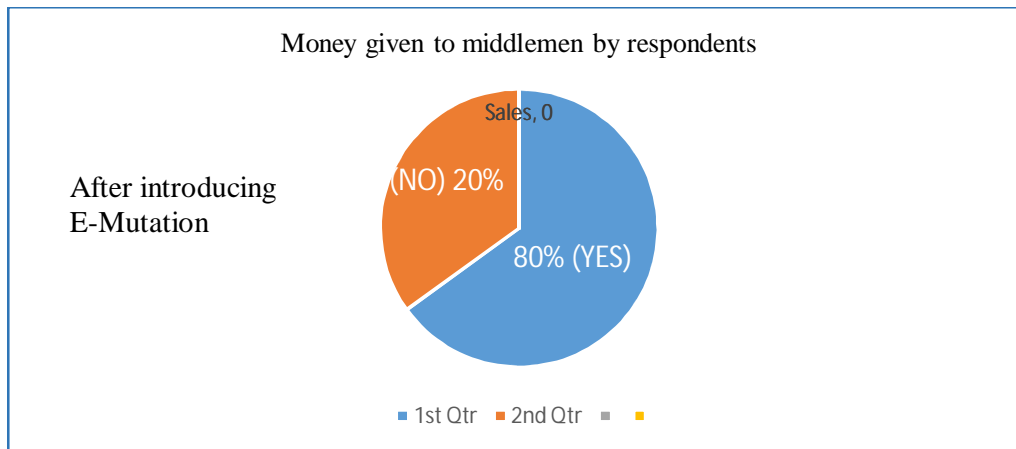
Most of the citizens of the study area is illiterate and villagers who do not have enough knowledge about govt. laws, procedure of mutation and modern technology. So to submit the mutation application both manual and online they have to seek other person’s help and this create the influence of the middlemen. For online mutation this influence has not been reduced remarkably. The following figure shows the change.

**Figure-5.12: Money given to middlemen by respondents before introducing e-mutation**





**Figure-5.13: Money given to middlemen by respondents after introducing e-mutation**



### 5.2.3 Findings from qualitative data:

It is supposed that online service delivery system will improve the old situation of land management but the circumstances are not improved significantly. So to identify the reasons behind the failure some qualitative data were collected by the researcher during the study. The author considered both the service receivers and service provider's perspective to analyze the data. The results of those qualitative issues are given below:

#### 5.2.3.1 Challenges from service seekers perspective

- ❖ Lack of awareness about service procedure
- ❖ Lack of e-readiness of service seekers
- ❖ Educational limitations
- ❖ Multiple steps in mutation processes or complex process of service delivery
- ❖ Corruption
- ❖ Absence of feedback taking
- ❖ Limited participation of the stakeholders in land policy making

### **5.2.3.2 Challenges from the service providers' perspective**

- ❖ Huge shortage of manpower
- ❖ Lack of computer knowledge of the staffs
- ❖ Technological support is not available
- ❖ Users are not competent to apply through online
- ❖ Conflicting rules and regulations
- ❖ Same organogram and support from the very beginning for every upazila land office irrespective of work volume.
- ❖ Difficulties in using old land records
- ❖ Frequent transfer of Assistant Commissioner (Land)
- ❖ Court's limitation and interference relating to land

### **5.3 Major findings from the study**

- ❖ Based on data analysis the author has found that only innovation cannot overcome the challenges.
- ❖ After analyzing data it is observed that the sufferings of both service providers and service receivers have not been minimized significantly.
- ❖ Unfortunately, after data analysis it is noticed that the influence of middlemen has not been reduced substantially.
- ❖ Through study the author has found that satisfaction of the service receivers has not been increased remarkably after introducing e-mutation.
- ❖ In most of the mutation cases time limit is not following determined by the circulars

- ❖ To implement the circulars successfully land offices do not have sufficient funds, logistics and manpower.
- ❖ People still need to go another shop for filling up the online E-Mutation form because a great majority of people lacks sufficient internet literacy. So the middlemen influence is still predominant.
- ❖ Time, Cost and Visit (TCV) has not been reduced significantly as it was thought before initiating E-Mutation.
- ❖ Political interference is still predominant in E-Mutation process that significantly undermines the basic essence of E-Mutation.
- ❖ Dominance of local elite people is quite influential. As a result public trust has not been achieved holistically on this process
- ❖ Budgetary allocation is also inadequate to run the E-mutation process smoothly.
- ❖ Updating database of the land owner is not being maintained properly.
- ❖ Slow Internet speed
- ❖ Lack of coordination and synchronization among circle office, settlement office and sub-register office also results in delay in smooth service delivery.
- ❖ Insufficient training is also a great concern to speed up the process.

#### **5.4 Conclusion of the chapter**

Most of the upazila land offices are not well equipped for facing the challenges due to e-mutation. Moreover skilled manpower shortage is a major problem. The aged, technologically unskilled Union Land Assistant Officers are not capable to boost up the flow of online services. The training necessary for smooth land service is also inadequate. Over the years the annual budget for land administration and management has been very low. For having low budget allocation major reform initiatives, infrastructure development, increase of logistic support and other necessity to land offices have been obstructed. Therefore the office staffs are helpless to implement the government circulars and reforms.

## **CHAPTER 6**

# **RECOMMENDATION AND CONCLUSION**

## **6. RECOMMENDATION AND CONCLUSION**

### **6.1 Introduction**

From the study it is found that reform initiatives in land management have brought some positive changes but still the satisfaction level regarding land service delivery process is under some question marks. Though government is trying to change the situation the overall perception regarding land office remain unchanged. This study tried to find the real picture of land service after introducing e-mutation. Is there any effective change in land service due to e-mutation? The answer of this question is not satisfactory. However in this chapter the author tried to give some recommendations to change the situation.

### **6.1 Recommendations**

1. In land sector single controlling department should be established to operate administrative and management operations. Bringing Sub-registry office under the same umbrella of Ministry of land

2. Digitalization of total land sector is must to control corruption and other anomalies. For this a long term strategic plan should be developed. Land management, land registration and land settlement should be well planned integrating digitalization.
3. Land sector should be highly prioritized. An adequate budgetary allocation should be ensured for the development of land sector and proper use of the budget should be ensured too.
4. The mutation process is so much complex for the people of the rural areas. Steps of manual and online mutation are same. So to ensure public satisfaction e-mutation process must be simplified.
5. The organogram in the land offices at field level is same from the very beginning. But work volume has been changed. During the study an acute manpower shortage is found by the author. Shortage of skilled manpower is hampering the service delivery process. So necessary manpower should be ensured in the land offices.
6. Technological infrastructure should be increased for satisfactory online land services. Speed of Internet must be increased. More digital office equipment must be provided.
7. Coordination among different government agencies should be enhanced
8. Quality training must be provided to the officials of land offices.

## **6.2 Conclusion**

Though land is one of the most important sectors for our livelihood, it has been remained neglected for years. In existing land administration and management system there are some shortcomings. Using different offices and through imbalanced institutional framework land services are being delivered to the people. The structure is not on a single concrete base. Due to this coordination gap in policy making. Implementation and monitoring satisfactory service delivery is not achieved and the system is becoming weaker. So for ensuring sustainable land management effective e-mutation system is vital. That is why I feel interested to conduct research on this issue due to several challenges.

## References

1. Akand MRA (2013) *Banglar Itihash*, Progati Publishers, Dhaka, Bangladesh.
2. Arif M, Uddin Z, Islam M (2016) *Opportunities of Tourism Sector in Bangladesh*.
3. International Journal of Research in Commerce, IT and Management 1(6): 10-17
4. Azad MAK, Uddin MN (2012) *Land Law and Land Survey*, Lipi Law Book House, Dhaka.
5. Baden-Powell BH (1892) *The Land-systems of British India, being a manual of the land tenures and of the systems of land-revenue administration prevalent in the several Provinces*. Vol. II. Book III: System of village or mahal settlements, Clarendon Press, London: Henry Frowde, Oxford University Press Warehouse, Amen corner and Stevens and Sons, Limited, 119 & 120 Chancery Lane.
6. Barkat A, Zaman S (2002) Khas Land in Bangladesh: The Nature of Adverse Inclusion of the Exclude and Doables, Land, Vol. 9, ALRD, Dhaka.

7. BBS (2011) *Agricultural Census of Bangladesh*, Bangladesh Bureau of Statistics, Ministry of Planning, Government of Bangladesh.
8. Bengal Land Revenue Sales Act (1859)
9. Bengal Tenancy Act (1885)
10. Babu,U. & Nautiyal, S (2013). *Historical issues and perspectives of land resource Management in India: A review*. The Institute for Social and Economic Change, Bangalore.
11. Chowdhury F (2017) *Bhumi Proshasoner Doinondin Karza Paddhati*, Janani Art Press 14/A, Shabujbagh, Bashaboo, Dhaka-1214.
12. Ganguli S (2001) *Conflict Unending: India-Pakistan Tensions since 1947*, Columbia University Press, New York
13. GED (2015), *Bangladesh Delta Plan 2100 Formulation Project: Land Resource Management*. General Economics Division, Planning Commission, Government of Bangladesh.
14. Haque KA (2000) *Vumi Ayeen O Vumi Babosthar Kromobikash*, Bangla Academy Press, Dhaka.
15. Hossain M (2015), *Improving Land Administration and Management in Bangladesh*, Final Report, Bangladesh Institute of Development studies (BIDS), Dhaka.
16. Husain MH, Sarwar FH (2012) A Comparative Study of *Zamindari, Raiyatwari and Mahalwari Land Revenue Settlements: The Colonial Mechanisms of Surplus Extraction in 19th Century British India*. *Journal of Humanities and Social Science (JHSS)* **2 (4)**:16-26.
17. Islam MT (2013), *Lectures on Land Law*, Northern University, Bangladesh.



18. Islam, M. A. (2013). *Mutation and Updating of Land Records in Bangladesh: A Study at Gazipur Sadar Upazila* (Doctor Dissertation, Brac University).
19. Islam, S. Moula, G. & Islam, M. (2015). *Land Rights, Land Disputes and Land Administration in Bangladesh-A Critical Study*. Beijing Law Review, 6(3), 193.
20. Islam MT (2018), *Land law: text, cases and materials*, Centre for Human Rights and Legal Research, Dhaka, Bangladesh 1205
21. Kabir L (1961), *Land Laws in East Pakistan* (Vol. 3), Dhaka: East Pakistan Law Society.
22. Kenrick P, Crane PR (1997), *The origin and early evolution of plants on land*. *Nature* **389**:33-39.
23. Khan, M.M. (2002) “Resistance to Administrative Reforms in South Asian Civil Bureaucracies” In *Administrative Reform in Developing Nations*, eds., Farazmand A., London, Prefer
24. Khan, S., Toaha, M., & Awal, M. A. (2009). *Automated Digital Archive for Land Registration and Records*. The International Technology Management Review, 2(1), 5065.
25. *Land Reforms in Bangladesh*, (1987), Ministry of Land, Government of Bangladesh.
26. Majumdar AK (1983). *Concise History of Ancient India: Hinduism: society, religion & philosophy* (Vol. 2), Munshiram Manoharlal Publishers, India.
27. Miah MAK (2006), *Vumi Jorip O Vumi Babosthapon*, A.K. Publication, Dhaka, Bangladesh.

28. MoL (2003) *Land administration manual (Part 1)*, Ministry of Land, the Government of Bangladesh
29. Nahrin, K., & Rahman, M. S. U. (2009). *Land Information System (LIS) for Land Administration and Management in Bangladesh*. Journal of Bangladesh Institute of Planners, 2, 116-125
30. Phillips A (1876), *The Law Relating to the Land Tenures of Lower Bengal*, Calcutta: Thacker, Spink and Company, publishers to the Calcutta University.
31. Rahman, H. Z. (1994). *Land Administration Reform in Bangladesh'*, *Land*, Volume 1, No.1.
32. Rahman MH (2008) Agricultural land use and land susceptibility in Bangladesh: An overview. Department of Soil, Water and Environment, Dhaka University.  
Available at: <http://globalcommunitybnet.com/GlobalFiles/agriculturallanduse.pdf>.  
Accessed 26 January, 2020.
33. Richards JF (2006) Fiscal Strains in British India 1860-1914. XIV International Economic History Congress, Helsinki 2006, Session 57. Available at:<http://www.helsinki.fi/iehc2006/papers2/Richards57.pdf>. Accessed 26 January 2020.
34. Rabbi, R. (2019). *Sustainable Land Record Management: A study of e-Mutation at Jashore Sadar Upazila*.
35. Roy NR (1980) *Bangalir Itihas: Adiparba (Vol. 1)*, History of the Bengalee People: Ancient Period. Book Emporium, Calcutta, India.
36. Sobhan, R. (1993). *Agrarian Reform and Social Transformation: Preconditions for Development*, University Press Limited, Dhaka.
37. Siddique, Kamal (1997). *Land Management in South Asia: A Comparative Study*, University Press Limited, Dhaka.

38. Siddique, Kamal, et al (1988). *Land Reforms and Land Management in Bangladesh and West Bengal: A Comparative Study*, the University Press Limited Dhaka.
39. *Secretariat Instructions*. (2014). People's Republic of Bangladesh.
40. Survey Act (1875) Available at: <https://www.ecolex.org/details/legislation/survey-act-1875-lex-faoc154277/>. Accessed 26 January, 2020.
41. SUBEDI, G., & WYATT, P (2014) *Economic Implications of Land Administration Services: Findings from Nepal and Bangladesh*. Kuala Lumpur, Malaysia
42. Transparency International, Bangladesh (2015). *Land Management and Services in Bangladesh: Governance Challenges and Way-forward*. Retrieved June 14, 2016, from: [http://www.tib-bangladesh.org/beta3/images/2015/fr\\_ds\\_land\\_15\\_en.pdf](http://www.tib-bangladesh.org/beta3/images/2015/fr_ds_land_15_en.pdf).

## **Appendix A:**

### **Questionnaire for survey: (Interview schedule for service receiver)**

#### **A. General Information:**

Name:

Address:

Telephone (If any)

Sex: 1. Male      2. Female

Age:

Education:

Occupation:      Monthly Income:                      Taka

**B. Questions:**

1. For which service, you have applied to land office?
  - Mutation
  - Others
2. If mutation, have you got the service?
  - Yes
  - No
3. When you have applied for mutation?
  - More than 1 month
  - More than 45 days
  - More than 2 months
4. Do you know government has introduced e-mutation and you can apply mutation service through online?
  - Yes
  - No
  
5. Do you think online mutation has lessen the duration of getting service?
  - Yes
  - No
6. If no, what is the main cause?
  - Lack of technological knowledge
  - Negligence
  - Shortage of manpower
7. Can you use computer and internet?
  - Yes
  - No

8. Do you know about government circular setting mutation procedure and time limit of mutation?
- Yes
  - No
9. If yes how much aware of that you are?
- Fully
  - Briefly
  - Marginally
10. Do you think the officials follow the government circular?
- Yes
  - No
11. Do you think officials of land office deliver your service according to the time limit mentioned in the circular?
- Yes
  - No
12. If no, the cause is
- Negligence
  - Ignorance
  - Due to claim extra money
  - Shortage of manpower
13. Do you know to whom complaints to be lodged against this office?
- Yes
  - No
14. If yes, to whom complaints to be lodged against this office? (Please mention)
- DC
  - UNO
  - Divisional Commissioner
  - At ministry
15. If you do not know about government circular, why?
- Negligence
  - Ignorance

16. Do you know how to apply for mutation?
- Yes
  - No
17. If yes, have you seen the prescribed form?
- Yes
  - No
18. Do you know how much money is needed as fee of mutation?
- Yes
  - No
19. Do you have to pay extra money for mutation?
- Yes
  - No
20. If yes, whom you pay the money?
- Office staffs
  - Middleman
21. Do you feel satisfied with service delivered to you?
- Dissatisfied
  - Poorly satisfied
  - Quite satisfied
  - Highly satisfied
22. Does land office seek feedback from on the quality and effectiveness of their service delivery?
- Yes
  - No
23. In your opinion, what steps should be taken to build up people's awareness?
- 1.
  - 2.
  - 3.
  - 4.
24. In your opinion, what steps should be taken for implementing government circular?
- 1.

- 2.
- 3.
- 4.

.

.

## **Appendix B**

### **Questionnaire (Interview schedule for service provider/ employees)**

#### **A. General information of the service provider:**

Name:

Designation:

Telephone (if any):

Sex: 1. Male 2. Female

Age:

**B. Questions:**

1. How do you attend service seeking citizens?
  - As customers
  - As clients
  - As beneficiaries
  - As tenants
2. Is there any citizen charter in your office?
  - Yes
  - No
3. Do you serve people according to the Citizen Charter?
  - Yes
  - No
4. If no, why?
  - Negligence
  - Ignorance
  - Due to claim extra money
5. Do you have enough logistic support for e-mutation?
  - Yes
  - No
6. Are people aware about e-mutation?
  - Yes
  - No
  
7. Do you think online mutation has lessen the duration of getting service?
  - Yes
  - No
8. Are the influence of middleman lessen after introducing e-mutation?
  - Yes
  - No
9. If no, then why?
  - Lack of computer knowledge



- Lack of monitoring of the higher officials
- Lack of punishment
- Shortage of manpower

10. What problems you face to dispose mutation cases through online?

11. In your opinion which method is better?

12. Are you aware about the government circular regarding time limit of mutation and updating of land records?

- Yes
- No

13. If yes, how much aware of that you are?

- Fully
- Briefly
- Marginally

14. Is the circular practiced in your office?

- Yes
- No

15. Are all necessary documents found generally attached with application?

- Yes
- No

16. Do you think the circular helps you to deliver quality service?

- Yes
- No

17. What is the importance of that circular for your office?

- Very important
- Quite important
- Less important
- Not important

18. Have your office sufficient funds, logistics and manpower to implement circular successfully?

- Yes

- No

19. Does government take any regulative step to implement the circular?

- Yes
- No

20. How much time is needed generally to dispose a mutation case? (Please Mention)

21. Do you dispose mutation cases number wise?

- Yes
- No

22. Have you taken any crash program to dispose pending cases?

- Yes
- No

23. In your opinion what are the major problems of implementing the circular?

- 1.
- 2.
- 3.

24. In your opinion what steps should be taken for betterment of service delivery?

- 1.
- 2.
- 3.