

JAMUNA BRIDGE PROJECT

Policies and Issues in Resettlement of the Displaced

by Tasneem Siddiqui

The resettlement action plan of the Jamuna Bridge Project is of immense importance, as it is the first of its kind in Bangladesh. Before this there existed no legal framework for this kind of activities. There is every likelihood that this plan will have a major influence in developing strategies for future development projects.

UNTIL recently, involuntary displacement of people for development purpose was treated in the national and international policy-making circles as an unavoidable side effect in the way of greater development goals. Therefore, involuntary displacement of people was all along the low priority area of such development projects. Infrastructure components being the major focus of attention.

A major infrastructural development project currently being implemented in Bangladesh is the Jamuna Multipurpose Bridge Project (JMBP). The bridge will provide direct transport link between north-west and eastern parts of the country. It is meant to end the relative isolation of the agriculturally fertile northwest region of Bangladesh and thus stimulate overall economic growth of the country. However, the project also involves displacement of people from their original land. The construction of the bridge itself has not caused any displacement, it is the construction of the two guide bunds, a hard point and approach roads which involved land acquisition (7,000 acres) and concomitant displacement.

Resettlement Action Plan

From the inception of the project, potential donors insisted on appropriate compensation and resettlement of the evicted people to be considered as integral part of the project. In view of the fact that donor money would not have been forthcoming without this component, GOB commissioned a Resettlement Action Plan, prepared by Randall, Palmer, Tritton and Bangladesh Consulting Ltd., (1990). The study, however, underestimated the number of the project-affected people (PAP). In 1992 BRAC was commissioned to undertake a socio-economic baseline survey of the project-affected people (PAP) on the east side of the Jamuna river. The study divided the PAPs into two categories: directly-affected and indirectly-affected. Those who

would lose their homestead, land or any other structure were considered to be directly affected people. Indirectly affected people were identified as those who would lose their source of income due to project implementation.

This included farm and non-farm workers, tenant farmers, squatters and uthults. This study came with a figure that 11,945 households with a population of 77,280 will be affected by the project, directly or indirectly only in the eastern side of the Jamuna river. There was, however, a further increase in the number of affected people, during the implementation of the project. According to the latest available information, 16,341 households, with a net population of about 100,000 have been affected by the project. Among them, 3,604 households have lost their homestead land entirely. Alongside, 32 community facilities, 13 educational institutions, 14 mosques, 2 cemeteries and one cooperative building had to be abandoned.

A formal Resettlement Action Plan (RAP) was prepared in March 1993. Under World Bank's insistence, it was further revised. In October 1993, the revised resettlement action plan was endorsed. The resettlement work for the JMBP began based on this Revised Resettlement Action Plan (RRAP). The RRAP treated resettlement and rehabilitation of PAP as a separate programme, with its own objectives and budget. It created a separate Resettlement Unit for managing and supervising the project. The budget of the project is Tk 236 crore amounting to 5 per cent of the total JMBP budget.

Resettlement under RRAP, has been conceived as a development programme. It upholds that affected people should be compensated for all quantifiable losses at a full replacement cost, compensation should also be paid to people who were af-

ected indirectly, absence of legal title should not be made bar for paying compensation, proper incentive structure should be developed for host-guest integration, a resettlement site has to be prepared for those who would not be able to resettle on their own. NGOs will participate in project implementation. The October 1993 RRAP is primarily focused on the resettlement requirement of the eastern side of the bridge. The final location of the west guide bund, west bridge end and west bridge corridor, was then still uncertain. Therefore, it was decided, "consecutive resettlement actions related to other components of the project will be derived by analogy from the RRAP."

Compensation

Fourteen categories of PAP have been identified in the RRAP who were entitled to get compensation. A compensation policy guideline was developed where the categories of losses were defined and entitlements for different kinds of losses, were spelled out. These were transfer grants, house construction grants, owner-cultivator grants, farm worker grants, non-farm worker grants, tenant cultivators' grants, dismantling and removal grants, reconstruction grants for commerce and industry, replacement land stamp duty grants, grants to cover premium, maximum allowable replacement value grants, grants for uthults/squatters to purchase homestead land. People who were entitled for compensation, were termed as entitled persons (EP). Under the new arrangement, each of them was provided with an identity card and an entitlement card. To keep the process transparent, a computerised database has

been created on each EP.

The compensation process involved information campaign, group meeting and distribution of leaflets and brochures. A Grievance Committee was also set up. It was authorised with a power to act as a quasi-judicial body to pass order with respect to disputes over land ownership and compensation. The Grievance Committee could only take cases on land title-related disputes, if those were not pending in court. By 1996, all fourteen kinds of compensation have been paid in the eastern side and the EP files were formally closed. The Grievance Committee handled 3400 cases and according to the Resettlement Unit authority 89 per cent of these cases have been resolved by the committee and no EP had to take recourse to court.

However, one may note that JMBP land acquisition work began at least two years before RRAP was prepared. By the time the RRAP and Resettlement Unit established, one-eighth of the land was already acquired. The District Commissioner's office handled compensation package for this group of people. According to Director, RU, the difference between the two compensation packages were reimbursed to this group with retrospective effect. However, it is difficult to comprehend that the authorities could track down all persons evicted two to three years earlier.

The RRAP also had provision to cover the rights of those affected by river erosion or flooding caused by the bridge project. A \$200m additional loan was sanctioned by IDA for compensating those persons who have lost their land, houses and sources of income, due to possible erosion in the area, caused by river train-

ing and construction of JMBP. The river erosion and flood-related compensation will be paid up to the year 2000. Area covered under this programme stretches from 8 km upstream and 10 km downstream of the bridge, including mainland and chars. Receiving compensation for loss of land due to erosion or flooding will not affect the land title of a person. If land of a compensated person in accreted again in natural way, within thirty years, the owner will be able to regain possession of her/his land. A baseline survey has been undertaken in this area and 28033 families have been registered whose land could be endangered. Compensation process has begun and satellite imageries are used to verify claims in this regard. If any of these household lose homestead they will be entitled to relocate themselves in the resettlement sites. Women-headed households of char areas will be given 20 per cent more transfer grant.

Resettlement

Two resettlement sites have been planned on both sides of the Jamuna river. During the initial phase planners were considering of resettling at least half the displaced population at the resettlement sites (1990). But as there was a large time gap between eviction and development of the resettlement sites, not very many people showed interest in resettling at the sites. In the eastern side out of 3604 households, 564 registered for allocation of resettlement plots. So far, 291 families have taken possession. The rest of the displaced households have resettled themselves elsewhere, mostly in the surrounding villages.

Under the circumstances, RRAP defined resettlement in a broader term and included in it the task of helping the displaced find suitable homestead land in surrounding villages. It conducted a land market survey and disseminated information among the EPs on land available in the adjoining areas. The Director of RU reported that 90 per cent of the displaced people have been able to purchase

homestead land with or without the help of RU. Forty-five per cent of the EPs who lost arable land could replace theirs. He further claimed, this is a major achievement, and is a record for World Bank-financed projects. The western resettlement site has yet to become suitable for habitation. Basic infrastructure such as school, health-care centre, mosque, marketplace, road, community centre are still under construction.

NGO Involvement

Various NGOs have become active partners of the Resettlement Unit in implementing RRAP. It has been stated earlier that the 1992 baseline survey of the east bank was conducted by BRAC. The same NGO was also responsible for the 1996 survey which determined the possible impact of JMBP on the people of surrounding river erosion and flood-prone areas. In the compensation programme of this component BRAC is also working as an implementing partner with RU.

While implementing the east bank compensation and resettlement programme RU engaged a local NGO from Sirajganj named Rural Development Movement (RDM). The organization was engaged to provide necessary institutional support in identifying, informing and mobilising the PAPs. It was empowered to issue identity and entitlement cards. RDM prepared computerised EP files and determined individual entitlements. RDM representative was one of the members of the three-member Grievance Committee. RADOL, a local NGO from Tangail, got involved with the resettlement process to look after the nutritional aspect of the displaced people. They mainly provided homestead sapling to the evicted population. Later, the survey of the affected areas of the west bank was conducted by RADOL. Khan, another local NGO, has been engaged in plantation in the resettlement site.

As a part of the resettlement and rehabilitation programme, a hospital was constructed by RU at the east bank resettlement site. RU under an agree-

ment leased out the hospital to Grameen Kalyan, a sister organization of Grameen Bank, for ninety-nine years. Grameen Kalyan has developed a health-care system for the PAPs. The hospital will maintain computerized health record of the PAPs. A contract has also been signed with Grameen Mathya Foundation (GMF), another sister organization of the Grameen Bank and Shubash. Under the agreement Taka one interest-free loan has been provided to these NGOs for fish cultivation. They have also been given 25 years lease of derelict water bodies for this purpose. As per the agreement, the NGOs will get 60 per cent of the profit and the PAPs will get the rest.

With the broad goal of ensuring the pre-eviction economic status of the PAPs intact, a Tk 5 crore credit programme has been designed. Three thousand EPs have been identified for participating in training and credit programmes. PKSF has been contracted to supervise the credit programme. Two NGOs DORP and ASAS have been selected through open tender as implementing NGOs.

A Preliminary Assessment

JMBP resettlement programme is the first planned resettlement programme of Bangladesh. It is understandable that implementation of such a project has been a complex task. Among other problems, cumbersome land acquisition law, non-updated land ownership and absence of updated land document, work as hindrance in the way of delivering the compensation package to the affected people. A problem that the project faced, has been the development of vested interest groups for reaping undue benefits.

For example, a group of people who had prior information about land acquisition, raised structures, sometime overnight, in order to qualify for drawing structure loss grant and other benefits accruing from it. Critics point out that such practice could only take place because of collusion of interest of locally influential and local government functionaries. This problem could only be addressed through promulgation of a new ordinance, which authorised the DC to deny com-

pensation to new structures. The Ordinance was later passed by the Parliament in 1995.

Another policy which went against the interest of the affected people was the land price fixation system. Undervaluing of land price for tax purpose is a common practice in Bangladesh. But the method followed to determine land price for compensation, was to average the price of a few randomly selected plots at the value shown during registration. This has led to undervaluing of land. Before RRAP became operational, allegations were made, by some EPs about malpractice of DC office in paying compensation. They claimed they had to bribe functionaries to draw their compensation money.

Time difference between eviction and providing access to resettlement site was another policy lapse. During the initial phase of preparation of resettlement plan, one-half of the evicted people showed their interest for settling in the resettlement site. But not even one-quarter of the displaced households actually purchased plots in the resettlement site.

Policy makers see it as a positive sign that people were getting resettled in the surrounding villages on their own. One may, however, argue that preparation of resettlement site took quite a long time and people could not afford to wait for it and got themselves rehabilitated wherever they could find some place. Once resettled, they did not want to move again. It would have been a better deal if they got the opportunity to resettle at the first instance.

In case of NGO involvement with the project one may point out that all these NGOs are participating in the project at the implementation level only. They did not demand participation in project planning and designing. NGO policy advocacy role in favour of the PAPs, which has been seen in many parts of the world, is conspicuously absent in the Jamuna Bridge Project.

The resettlement action plan of the Jamuna Bridge Project is of immense importance, as it is the first of its kind in Bangladesh. Before this there existed no legal framework for this kind of activities. There is every likelihood that this plan will have a major influence in developing strategies for future development projects.

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BANGLAPAEDIA: National Encyclopaedia of Bangladesh

by Enayetullah Khan

WORK on the National Encyclopaedia of Bangladesh, nicknamed Banglapaedia, is going on in full-swing at the Bangladesh Asiatic Society premises at Nimtali, Dhaka. The idea of this monumental work was endorsed by the Asiatic Society Council in 1995 and feasibility study began in early 1997. A five-day workshop held in July this year prepared a 250-page entry outline with the help of a team of local and foreign experts.

The seed money for this workshop was provided by Canadian CIDA. It was envisaged that the act of commissioning the major contributing writers would be completed by the end of December 1997. And having done that the project will be ready for a formal take off in January 1998.

What is really stunning about this mega project is that every taka of its estimated 9.6 crores has to come from external sources. The Society will contribute some 10 lacs in five years and provide free space for the project. The rest of the funds has got to be raised by the Project Implementation Committee (PIC).

When asked, the Project Director, Professor Sirajul Islam said smilingly, "I'm not particularly worried or concerned about funds. We have experience in this line. We had to raise 30 lacs for the History of Bangladesh (1704-1971) and simultaneously go ahead with the work of compilation. That was our first experimentation in collaborative scholarship and we came out with some amount of success. You must have noticed we brought out a second revised edition of the

History which sold some 13 lacs worth of books in face value. Our experience with the History has given us a convenient springboard from where the Encyclopaedia has taken off."

Though the Project Director feels confident about the future of the project, the sheer act of raising 9.6 crore taka could be a spine-breaking experience. It warrants a tremendous ability to move and organise and a rare expertise in salesmanship among the prospective donors as large majority of whom would be foreign donors. The History has led credibility to Professor Islam's new venture—the Banglapaedia. Since the project has to undertake a two-pronged offensive, namely, organised funds and coordinate scholarship, the experience already gathered will go a long way in giving a piece of solid ground to stand on for the project itself.

Professor Sirajul Islam and his Project Implementation Committee have already had some success with fundraising. The public universities of Bangladesh have formed a kind of consortium which is something unique in the history of scholarship in this country. This is for the first time that the public universities of Bangladesh under the leadership of Professor Iqbal Mahmud, the Vice-Chancellor of BUET and President AUB, have unanimously resolved to provide some funds on a yearly basis for the next five years, provide scholar loan and buy some copies of the Encyclopaedia before publication.

The University Grants Commission is not lagging be-

hind. They too have decided to support the Encyclopaedia in terms of funds and human resources. The vice-chancellors of public universities in Bangladesh deserve to be congratulated for this unique resolution in an otherwise faction-ridden partisan atmosphere in Bangladesh.

This gesture of the vice-chancellors has proved that Asiatic Society along with its new Banglapaedia is above partisan politics and members of the society would love to see it stay there. Professor Islam's and his project implementation committee's second big success was with the Sonali Bank whose Chairman Mr Asafudoullah instantly saw the merit of the Project. Taka 5 lacs provided by the Sonali Bank will go down in history as the first puff of indigenous funds received by the Project. The third success in fund-raising was with the Bangladesh Bank.

The BB governor along with its distinguished board of directors recognised, in an unusual gesture of patronage, first in the history of this country and perhaps not even heard of in any other country, the merit of the project and came out with a grant of Taka 10 lacs which is awaiting early release. But what is 15 lacs in a sea of 960 lacs which has got to be provided for?

Meanwhile work is going on at a hectic speed and some 20 scholars are busy giving finishing touches to commissioning scholars and preparing the style-sheet incurring an expenditure of nearly 1.3 lacs every month. The very prospect of pushing ahead with such a huge

bill lying at your door every month and at the same time keep cool and do the scholarly work is appalling.

It is estimated that the Encyclopaedia when completed will generate assets worth 21 crores just as the History of Bangladesh has already generated some 52 lacs for the Society which has a yearly budget of only 25 lacs.

There is some last minute good news for the project. The British Council has agreed to provide technical assistance under which six of our scholars working for the Project will go to England for training in Encyclopaedia making and two of British experts will come and work here for a brief period. The Netherlands Embassy will provide a scholarship for one of our scholars to undergo training in a neighbouring country. An Amsterdam-based organisation, South-South will sponsor two scholarships for our scholars working for the project. The best news of all perhaps is the exchange of 25 scholars from each country under the recently concluded Academic Exchange Programme between India and Bangladesh.

Since so much support is coming from other countries, it is expected that wealthy individuals belonging to different professional groups would come forward and form their own professional consortiums to support this project. Each citizen of Bangladesh has an obligation to support this project which will symbolise one of our highest achievements—something the nation has never attempted before.

The writer is Chief Editor of the UNB and Editor of the Dhaka Courier.

BANGABANDHU MURDER CASE

Verbatim Text of the Cross Examination of 44th Prosecution Witness

Following are excerpts from cross examination of PW-44 in Bangabandhu murder case, Col (ret'd) Shafaat Jamil, by advocate Abdul Wahed, state defence for absconding accused Major (ret'd) Dalim:

Q: Was there any official allegation in army that Major Dalim had done excess during the arms recovery operation?
A: Yes.
Q: Did any court of enquiry take place on the basis of the allegation?
A: I can't recall it.
Q: Any court martial?
A: No.
Q: Were the troops of 1st Bengal Regiment involved in the killing of Bangabandhu?
A: No.
Q: The chiefs of different forces voluntarily went to radio station on August 15.
A: This is not true.

Cross-examination by Advocate Ruhul Islam, state defence for absconding accused Major (ret'd) Noor:
Q: As a patriotic citizen, did you take part in Liberation War at the call of Bangabandhu?
A: Yes.
Q: And all those are patriotic who participated in the Liberation War.
A: Yes.
Q: Major Noor was also a patriotic freedom fighter.
A: Yes.

Q: What do you do now?
A: Business.
Q: Do you know the whereabouts of the officers who were under your command?
A: Lt Col Matur Rahman is now a Major General and Adjutant General of Bangladesh Army. Lt Col Azizur Rahman is now Major General and Director General of Bangladesh Rifles (BDR). Lt Col ATM Aminul Haq has taken retirement as Brigadier. Lt Col Chowdhury Khalequzzaman also retired as Brigadier and now an Ambassador.
Q: What was the position of Lt Col Salahuddin?
A: He was the Director, Military Intelligence. Now he is a businessman.
Q: And Lt Col Anwar Hossain?
A: He is a retired Major General.
Q: Who shifted the Field Intelligence Unit (FIU) from your brigade?
A: It was made at the order of army headquarters.
Q: Do you think it had any significance in the incident for which you came to give witness?
A: No. However, it would have been easy for me to know about the incident before it happened if the FIU belonged to my brigade. I incident before it happened if the FIU belonged to my brigade. I had to come to know the matter from army headquarters.
Q: Did you make any statement anywhere before the same to police?
A: Yes, I wrote a series of

Shafullah or Shafullah made the telephone to Bangabandhu.
Q: Is Major Hafiz, who was accompanying Major Rashid when he went to your residence, an MP now?
A: Yes.

Q: Did the units of your brigade who were asked to take war preparation carry out the order?
A: I asked 1st, 2nd and 4th East Bengal Regiments to take preparations. They carried out my order.

Q: Did you not ask 2 Field Artillery?
A: No, because they were rebels.

Q: It is not correct that Major Rashid resided at Bangabhaban?
A: Major Rashid and Major Farooq were staying at Bangabhaban for all the time after August 15.

Q: You were informed earlier about the August 15 incident and it took place as per your plan?
A: This is not correct.
Q: You committed the November 3 incident as you were not promoted and provided facilities after August 15?
A: This is also not correct.

Examination by Advocate TM Akbar, defence lawyer for accused Lt Col (LPR) Muhiuddin:
Q: What do you do now?
A: Business.

Q: Do you know that Col Shafiah was the sub-sector commander in Dinajpur during the Liberation War?
A: Yes.
Q: When the charge sheet of court of enquiry was framed against you?
A: On January 14, 1976 for the arrest of General Ziaur Rahman on November 3, 1975.
Q: (Quoting Facts and Documents) According to the statement of DMI Col Salahuddin, he informed army chief General Shafiah about the movement of troops at 4:30 am on August 15. But Shafiah did not telephone call one after another.
A: It is the version of Salahuddin.
Q: Was there any commander of your units to whom Shafiah made telephone call?
A: One or two.
Q: Did he contact you at last?
A: Yes.
Q: And in the meantime, one and a half an hour time passed.
A: Yes, I thought that General Shafiah was trying to be confirmed whether I was in the incident or not. If I were army chief, I would also try to be confirmed about the involvement of my brigade commander.
Q: Had you talked with Shafiah Sahab on the matter?
A: No.
Q: (Quoting Facts and Documents) You came to know in the afternoon that the tanks were

write-up in Bhorer Kagoj about four years back.

Q: Have you given any statement in the book styled "Facts and Documents"?
A: Prof Abu Sayeed talked to me long ago.

Q: You did not mention the name of Muhiuddin in your statement in Facts and Documents. You also did not mention that Muhiuddin fired shells the attack of Bangabhaban residence.

A: Possibly I told him, but he didn't publish it. However, I mentioned it elaborately in my writing in Bhorer Kagoj four years earlier.

Q: Did any court of enquiry take place over the August 15 incident?
A: No, there was no such situation. They themselves were running the government. Even, they didn't carry out the order.

Q: General Zia when he (Zia) asked them to sent back all the tanks excepting the three at Bangabhaban in September, 1975.
Q: Do you know that Muhiuddin continued his job after 1975 and he is now in LPR?
A: Yes, all the government till 1996 patronised them.

Examination by Advocate Abdur Razzaq Khan, defence lawyer for accused Lt Col (ret'd) Sultan Shahriyar Rashid Khan:
Q: Do you know that Col Shafiah was the sub-sector commander in Dinajpur during the Liberation War?
A: Yes.
Q: When the charge sheet of court of enquiry was framed against you?
A: On January 14, 1976 for the arrest of General Ziaur Rahman on November 3, 1975.
Q: (Quoting Facts and Documents) According to the statement of DMI Col Salahuddin, he informed army chief General Shafiah about the movement of troops at 4:30 am on August 15. But Shafiah did not telephone call one after another.
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A: Yes, I thought that General Shafiah was trying to be confirmed whether I was in the incident or not. If I were army chief, I would also try to be confirmed about the involvement of my brigade commander.
Q: Had you talked with Shafiah Sahab on the matter?
A: No.
Q: (Quoting Facts and Documents) You came to know in the afternoon that the tanks were

empty when CGS Brig Khaled Mosharraf, at the instruction of army chief General Shafiah who was staying at Bangabhaban at that time, asked the concerned officer at Rajendrapur ordnance factory to supply shells.

A: Possibly. However, the order was made after allegiance to the government was expressed.

Q: (Quoting Facts and Documents) You were expecting that at the order of army chief a joint operation of inter services forces would be conducted against the revolt. But it was not made.

A: I thought it.

Q: (Quoting Facts and Documents) Army chief General Shafiah brought Major Rashid and Major Farooq to the meetings of the senior officers.

A: Yes, at the order of President Khandaker Mushtaque Ahmed.

Q: Major Rashid at the meeting claimed that all senior officers, including station commander (Shafaat Jamil) knew about the coup. None protested his statement except you.

A: I protested. Others did not protest as, perhaps, they were afraid of.

Q: The military intelligence and tank forces were under the command of army chief in August 15, 1975.

A: Under the command of army headquarters. Chief of Army Staff makes order through the CGS.

Q: You said that the army chief (Shafiah) by making false and fabricated statement is trying to make you an scapegoat.

A: Yes.

Q: Is there any rule or grammar to commit a military coup?
A: No, however, a military coup has taken place under the chain of command.

Q: A successful military coup took place on August 15, 1975.

A: This is not the fact, it was simply a murder.

Q: All of the armed forces accepted the coup and the administrative works went on as usual.

A: No, all did not accept it. There was protest, but it took some time.

Q: The government was changed on August 15, 1975.

A: Yes, an illegal government assumed power illegally.

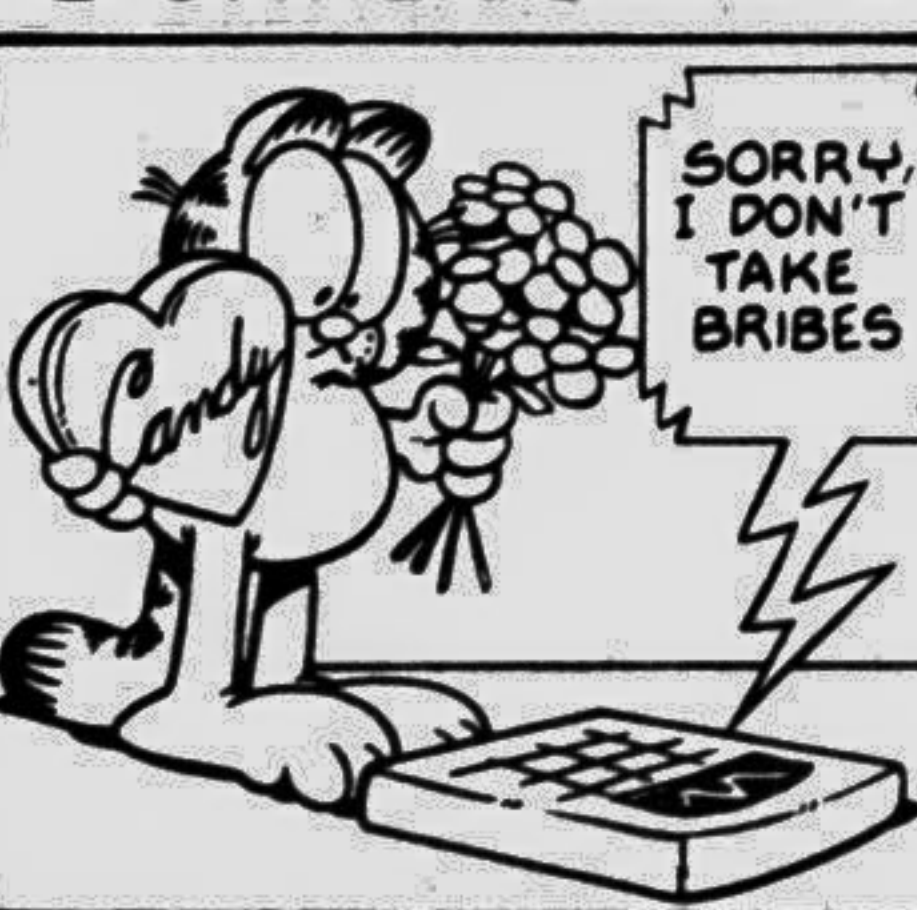
Q: Armed forces continued their duties accepting the change.

A: Yes, but there is an explanation. You would realise the situation if you saw that one part of army was run by General Zia and another by Rashid and Farooq.

The court will resume at 9:30 am on Monday next.

—UNB
Further text of cross examination will be published as and when received.

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by Jim Davis



By Hanna-Barbera

