

## RUPNAGAR HOUSING

# Land dispute between two ministries brings bane to plot allottees

RAIHAN SABUKTAGIN

Hundreds of plot allottees at Rupnagar housing project at Pallabi are caught in the middle of a decade-old land dispute between two ministries.

The dispute started after two ministries -- ministry of housing and public works and ministry of religious affairs -- leased Ka and Kha block plots at Mirpur section 8 in Pallabi to two different sets of allottees.

One set of allottees, in possession of the plots from religious affairs ministry, is under eviction threat from National Housing Authority (NHA) under the ministry of housing and public works, while the other set of allottees is awaiting possession of the plots since 1994.

Shah Alam, one of the petitioners to the Supreme Court for land rights, said, "I have been in fear of eviction by the housing authorities even though I have been on the plot for the last 20 years and I am a registered lessee with the

Office of the Waqfs Administration."

Legal suits over the possession rights of the plots are pending at different courts including Sub-Judge Court and the Supreme Court.

The ministry of housing and public works first acquired the land at Duaripara through Land Accusation Case 5-1972/73. In 1986, NHA, on behalf of the ministry, developed the area under a project aiming to solve housing problems of the middle and lower income group.

In 1994, NHA leased out 474 plots to a group of people through

a lottery. It collected Tk 80,000 for each katha of land from the lessees.

One of the lessees, Zakir Hossain, told Star City that he had paid all dues to NHA by 1996. According to the lease deed, a lessee is supposed to get possession of the plot within a week. "...I am exhausted after spending so much time and money over the last decade in pursuit of my land," he said.

He blamed the NHA for his sufferings and he believes that NHA officials might be involved in shady activities that are causing the delay.

The NHA officials at Dhaka division 1 however said in 1994, when the NHA was preparing to hand over plots to the lessees, Absar Uddin and Mohiuddin Hayder, on behalf of Ainuddin and Foyzunnesa Waqf Estate, claimed land rights over the disputed land and lodged a title suit with the second Sub-Judge Court, Dhaka, (case 78-93).

As the court issued an order in favour of NHA, the plaintiffs appealed against the court order with the High Court (HC) in 1996. The high court upheld the lower court verdict.

In 2000, Abul Kalam Ansari, another affiliate of the same Waqf estate, filed a writ petition with the HC over the land rights. The HC verdict went in favour of NHA and it directed NHA to finalise the pending case at lower court.

The official-in-charge of NHA said the Waqf estate affiliates have been continuing their battle over the land by filing back-to-back writ petitions and appeals with the HC and the Supreme Court (SC) since 2001.

Nurul Islam, executive engineer of NHA Division 1 said the court orders went in favour of the housing authority while the Waqf estate's latest writ with the SC and the case at the lower court are still pending.

He could not predict any solution in the dispute soon until the pending cases at different courts are settled or the two ministries settle the dispute on their own.

While all this legal battle is going on, in 1997, the office of the Administrator of Waqfs under the ministry of religious affairs started to lease out about 30 acres of the disputed land.

The Waqf estate also collected Tk 20,000 per katha of land from the lessees.

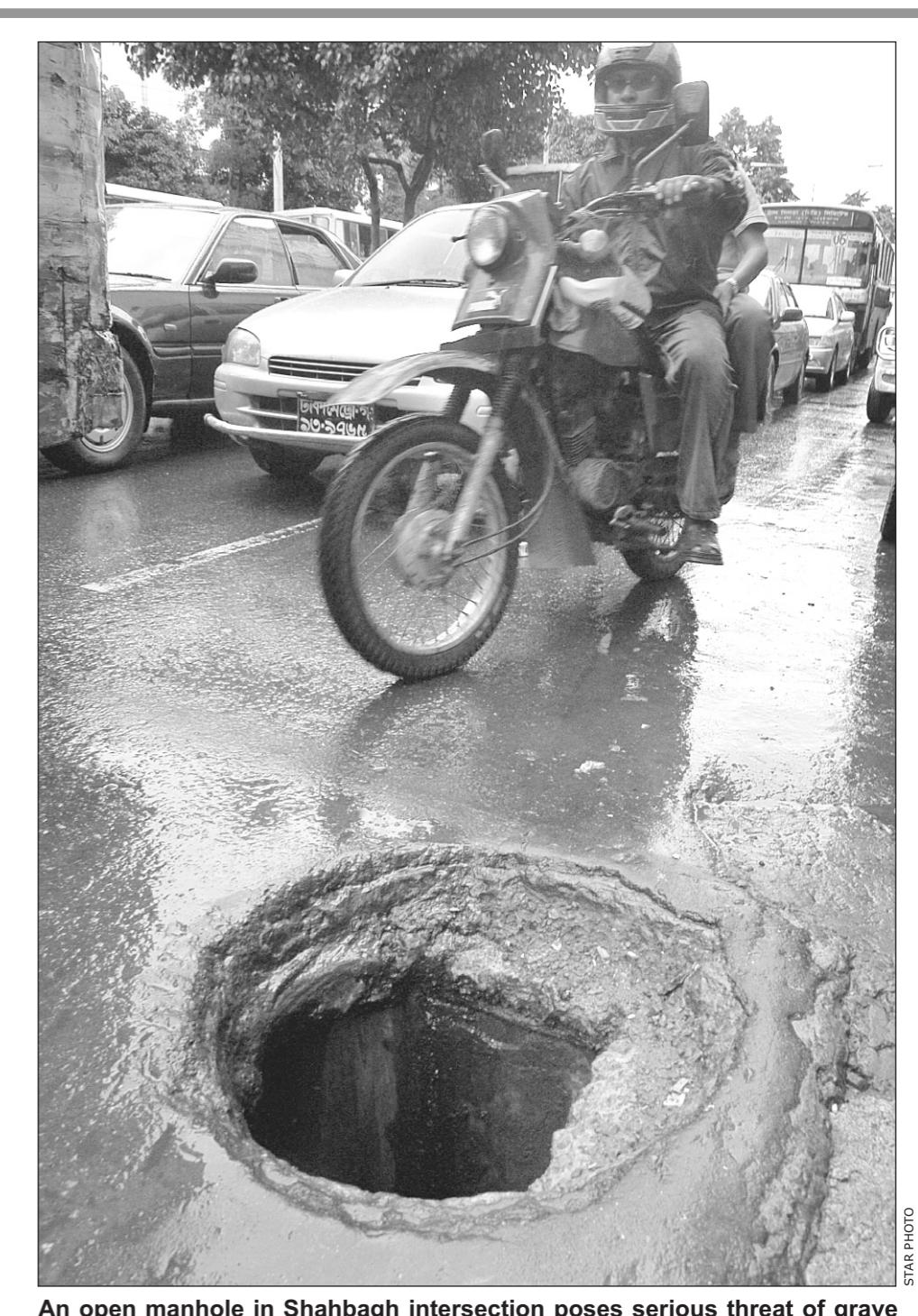
An official at the office of Administrator of Waqfs, Bangladesh claimed that the land has been under their possession since 1950 and the eviction drive initiated by the housing authority was illegal.

He added that secretary of the ministry of religious affairs has sent a letter to secretary of the housing and public works ministry requesting to stop NHA's unauthorised eviction initiative.

Abu Yousuf Mohammad Hemayet Uddin, administrator of Waqfs, Bangladesh, said, "Cases are still pending at courts. So, the land rights of the plots are still unsettled."

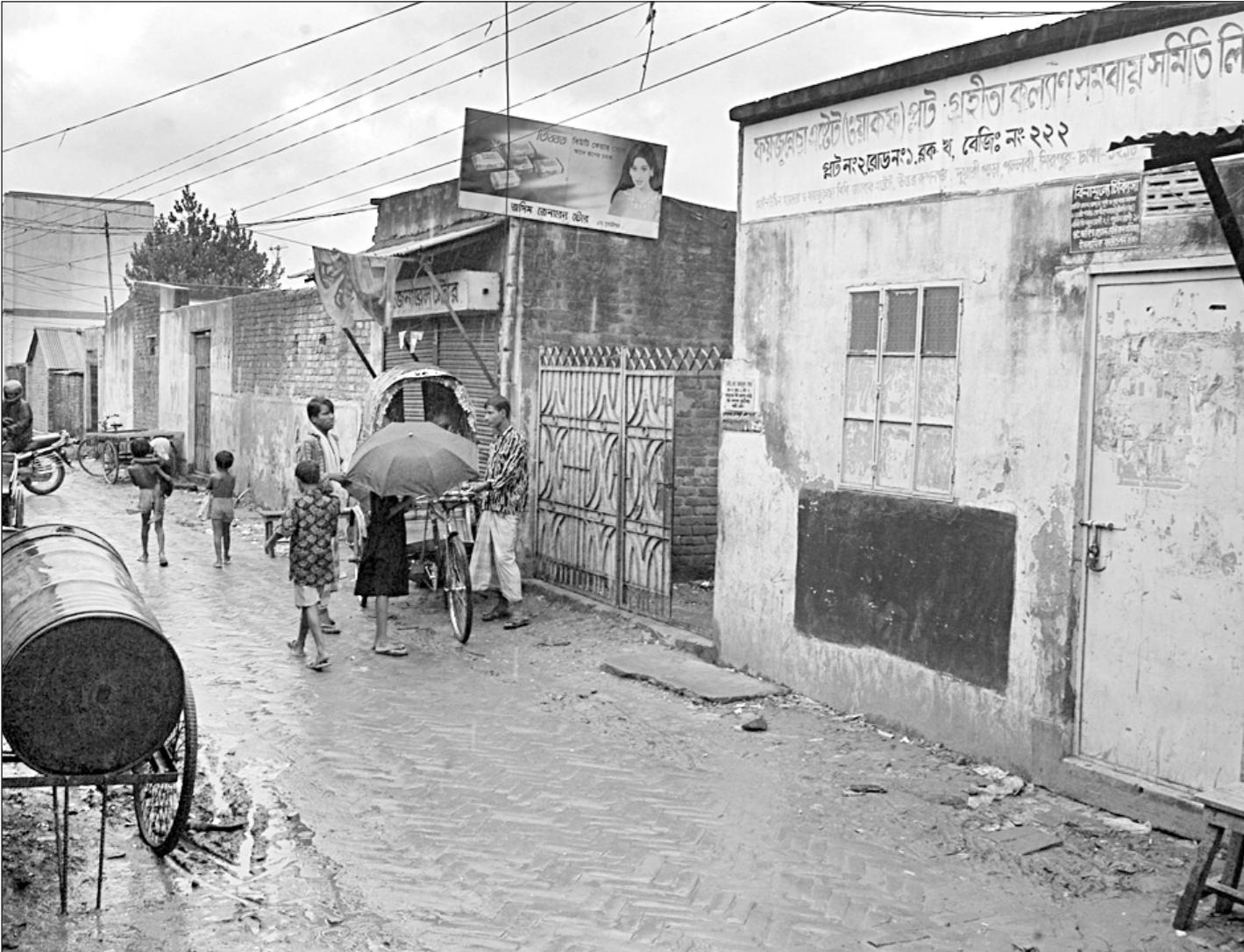
The housing and public works ministry should have notified the Waqf estate and compensated before acquiring the land from Waqf estate, but the ministry did not do any of that, he added.

He also suggested that formation of a technical committee with members from both ministries and the allottees might solve the problem.



An open manhole in Shahbagh intersection poses serious threat of grave injuries and damage to both pedestrians, motorists and motorcyclists.

STAR PHOTO



A debacle between two ministries has deprived hundreds of their rights to plots. A cooperative society office at Rupnagar run by Waqf estate.

## Rain brings downpour of suffering

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demanded more than metered fare because of rain and water logging on the road.

Replies to why he demanded double, he said, "Anyone would try to earn more."

"I know it is a punishable offence to run the vehicle without metre or with one out of order," admitted Rob.

Sometimes, the waterlogged streets become a trap for the motor vehicles, which fail to start when water enters their silencer pipe.

Traffic Inspector (west) Md. Altaf Hossain said that the trans-

porters are not supposed to demand higher fare on grounds of rainfall.

"Legally, it is a punishable offence to demand more than the metered fare," said Hossain.

"An offender can be fined with Tk 700 for tampering with the metre, using an out-of-order metre, or exacting more than the standard fare."

Traffic police can take legal action against violation of traffic rules like tampering with metres, while the victims should file complaints with traffic control room in case drivers refuse to go to passengers' desired destinations, said the joint commissioner.

offence.

"It is Bangladesh Road Transport Authority (BRTA) that can take legal action against those demanding unauthorised fare," he said. "But local police can file a regular case against transporters exacting unauthorised fare on accusation of fraud."

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## Urban poverty robs Sumon of his childhood

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ential locals for running the business, though in the last 4 to 5 months none of the police or local musclemen have sought money from him.

Sumon's story is just one of many. Urban poverty has forced many children into similar situations. In fact, all of Sumon's friends are other slum and street children, who are making their living with various odd and risky jobs on the streets.

"My friends are really very nice, we may have quarrel among us on different issues but we are united when we fight against other children from adjacent areas. My friends also helps me in keeping my business territory safe from other scrap traders in the area," he said.

Do you have any girl friend? Hearing the question he smiled shyly and said, "No, but I know some girls of my age who have become bad and earn their living by doing bad jobs with aged males. I avoid them."

About NGOs who work on child rights and aid the working or street children, Sumon said he did not know of any.

However, he reported hearing from a girl who was under shelter of an NGO that the NGO workers often beat the children up.

"I like to travel and learn in free and open places. I also like schools with big fields because children at a school have a lot of freedom and learn," he added.

When asked what he would do if he had no burdens, he said, "I could educate myself at least and try to be a man of law."

Sumon dropped out from his school two years ago when he was in class four, but now he is preparing for admission to a school with his own effort. He said, "I gave money and my documents from my previous school to a teacher of the new school. I hope to start school from next month."

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