



Guidelines for Preparing a List of Homeless and Landless People

Upazila : Jamalpur Sadar

District : Jamalpur



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promoting human rights and good governance

Guidelines for Preparing a List of Homeless and Landless People

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Uttaran

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Disclaimer

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Message



Mirza Azam, MP
Minister
Ministry of Textiles & Jute
Government of the People's Republic of Bangladesh

The present government has taken the initiative with 'Digital Bangladesh' to achieving the goal of 'Vision 2021', so that the digital technologies can reduce a lot of the sufferings of the people. Meanwhile, the Digital Land Record and Survey project has started in Jamalpur Sadar upazilla to protect the land rights. The government promotes the poverty reduction process, distributing many social services as well as giving settlement of khash lands among the landless people. I am giving thanks to the non-government organisation, 'Uttaran' for providing co-operation to prepare a model database of the real homeless and landless people. It is my firm belief that Jamalpur upazila administration will be able to prepare this database with proper sincerity and efficiency.

I am giving thanks to all who are involved with this task and wishing them success.

Joy Bangla, Joy Bangabandhu, May Bangladesh live long.

Message



Md Rezaul Karim Hira, MP
Chairman
Parliamentary Standing Committee on the Ministry of Land
Bangladesh National Parliament

The sculptor of digital Bangladesh, Prime Minister Sheikh Hasina, has expressed her firm commitment to modernising the land management system to establish the rights of the poor, disadvantaged and landless people, and solve other problems. These marginal people of Bangladesh have been facing difficulties all the time to establish their rights to land. The government has taken steps to modernise the land management system to strengthen the land rights. Piloting of the project has been undertaken at present in three upazilas of the country. Jamalpur Sadar is one of these upazilas. This list of actual homeless and landless will play an important role in establishing rights on land. I express my heartfelt felicitations to the non-government organisation, 'Uttaran' for assisting Jamalpur Sadar Upazila administration in the preparation of the list.

I wish success of these activities of Jamalpur Sadar Upazila administration in an effort to build a modern and prosperous Bangladesh.

Message



Md Shahabuddin Khan
Deputy Commissioner
Jamalpur District

Reform of land with an aim to maximise land use through balanced allocation of agricultural land, increase agricultural production and equally distribute khash land among the landless is a basic pledge of the government. One of the major pre-conditions for the success of 'National Land Reform Campaign' is to prepare the list of the landless through which implementation of 'Vision 2021' of the government will be expedited. Realising the fact I have planned to prepare the list of the landless of the whole district. I am delighted knowing the fact that Upazila Nirbahi Officer of Jamalpur Sadar has started preparing the database of the landless as a continuation of the process. Once the initiative of Jamalpur Sadar Upazila administration is implemented, I think it will be considered as a model and the work of preparing the lists of landless people of other upazilas of Jamalpur district will be much easier.

I congratulate all involved with this noble initiative.

Message



Golam Mohammad Kibria
Upazila Nirbahi Officer
Jamalpur Sadar Upazila
Jamalpur

The present noble-hearted government has firm commitment to ensure housing for every citizen of the country. Moreover, increased productivity and food security are the pre-conditions of forming a self reliant nation. The government's step to give settlements of the khash land to the landless people along with providing housing facilities is important for achieving both the goals. To identify the actual landless is a major challenge for a most densely populated country like this. A clear list is necessary for giving settlement of khash land and housing among the actual landless people. Considering the fact, we are really delighted with our effort to prepare a model list of the landless people of Jamalpur Sadar Upazila. I convey my gratitude to various people who often have co-operated us at different level. Especially we are thankful to the non-government organisation, 'Uttaran' for their support.

Finally, I look forward support from everyone of society irrespective of party, belief, caste and religion.

Message from our Director



Uttaran



Shahidul Islam
Director
Uttaran

Political commitment and the spontaneous participation and cooperation of all sections of society are necessary for the successful implementation of any of the governments' programmes. The highest priority programme for the Bangladesh government is to eliminate poverty. According to the Millennium Development Goals (MDG) of the United Nations, Bangladesh has achieved significant progress in poverty reduction and has been praised for that.

Although Bangladesh has to reduce poverty at 29.4 percent by 2015, the country has already brought down poverty at 25 percent. To take this trend forward, it is necessary to prepare a transparent list of the real landless and hardcore poor people. This list can be used for specifically identifying the beneficiaries of various social safety-net and other development programmes. In the absence of such a list it is often not possible to immediately identify the target community, or else the list becomes inaccurate or non-transparent.



The Jamalpur district administration has decided to prepare an online database of the real landless and homeless in Jamalpur Sadar Upazila. Forming the selection committees at Union and Ward level is an effective step to make the list of real landless and homeless people. This will make the identification process of the actual landless, poor and vulnerable people easy, acceptable to all and impartial. I hope that once the list is finalised, it will be useful in selecting beneficiaries for the various safety net and development programmes of the present government. Besides, an important task of the government is to allocate khash land to the landless. This list will not only make the beneficiary identification process easy but also will enable the government to distribute khash land in an undisputed way. The list will be useful to the local government and local administration and for the non- government organisations.

On behalf of Uttaran, I convey my heartfelt thanks to the district and upazila administration and all relevant parties for taking up and implementing the initiative.

Introduction

This booklet aims to provide a set of guidelines on how to prepare a list of homeless and landless people, based on the achievements of the sub-district level non-governmental organisation (NGO) Uttaran in registering the homeless and landless inhabitants of Jamalpur Sadar of Jamalpur District, in the Dhaka Division of Bangladesh.

Land is power

Bangladesh is an agro-based country in which agriculture is the prime mode of livelihood for two-thirds of the people. One-third of Gross National Income (GNI) comes from agriculture. The majority of the people of Bangladesh live in villages and rural societies and so the national economy is heavily dependent on their management of agriculture and the land. Furthermore, the empowerment, prestige and authority of the individual is derived from his or her ownership of land. Here, those without land are regarded as poor; often they are forced into cities and become the 'urban poor'. At a base level therefore, it is the degrees of ownership of land which decides who is poor or not. For this reason, national development and social stability to a great extent depend on agriculture. In order to improve both, therefore, it is imperative to reform the land management system.

Protecting the landless

The most important function of a country's land management system is to protect the rights of those with no or only limited access to land, such as the poor and deprived, women, minority groups, the aged, and the physically or mentally impaired.

The practice of land transferring was first introduced through the enactment of Rent Law of 1859. Thereafter - through the Transfer of Property Act of 1882, Bengal Tenancy Act of 1885, and Land Transfer Act of 1908 - the buying and selling of land has been accelerated. Following this process the number of landless and homeless increased gradually. Later, through the enactment of the State Acquisition and Tenancy Act of 1950, PO 98 of 1972, and the Land Reformation Ordinance of 1984, the rights and accessibility of the homeless people over land had been strengthened. But due to the underdeveloped land management system the rights and accessibility of the landless and

homeless people were not ensured properly. To remove the loopholes and irregularities produced by the implementation of the existing Land Law the Government of Bangladesh issued several ordinances, circulars, and policies in different time periods.

A new system of land management

The prime aims of these ordinances, circulars, and policies are to ensure best use of lands, guarantee land rights, rehabilitate the landless people, and eradicate poverty. To meet the desired goals it is necessary to create a partnership between public and private endeavours and to enlist the support of local people. The Government needs a specific, transparent, flawless, and authentic list of the landless populations if it is to satisfactorily implement development activities and measure progress against those activities. To this end the Government of Bangladesh has begun a new drive to prepare a list of landless and homeless people. To help it achieve this goal the Government has sought the advice of the district administrations, the technical support and expertise of Uttaran, and the financial support of European Union (EU).

Fast facts Bangladesh

- Bangladesh gained independence in 1971 after an armed struggle which cost an estimated three million lives
- The average life expectancy of Bangladeshi people is 70.6 years, four years higher than India
- In 1990 the child mortality rate was 146 deaths per thousand live births, but in 2012 the number had fallen drastically to 49 deaths
- The gross enrolment rate at the primary level is close to 100 percent
- The country is now self-sufficient in food
- Nobel Prize-winning economist Amartya Sen said in 2013 that India, the biggest economic power of South Asia, should take a lesson from the achievements of Bangladesh: "In most of the social indicators, Bangladesh has gone ahead of India. The lesson here is about focusing on women and gender, led not just by state policy but also by the NGOs which are so important in Bangladesh: they have consistently focused on women's agency in particular."

Preparing a list of homeless and landless people

Goal:

To prepare a transparent, accurate, and participatory list by identifying the proper homeless and landless people.

Objectives:

- To ensure transparency and accountability through participation of people in selecting the homeless and landless
- To accelerate the poverty eradication programme through increasing accessibility of the extreme poor people into Government Social safety net programmes and other non-governmental services.

Who can apply?

- a. Diluviated Families who lost land due to river erosion
- b. Martyred/Crippled Freedom Fighters' Families
- c. Widowed/Divorced Woman with working son
- d. Family without homestead & own agricultural land but dependent on agricultural labor
- e. Landless families with homestead only but dependent on agriculture
- f. Families having homestead & agricultural land less than 0.5 acres with dependency on agriculture

** As per government policy*

Process for selecting the homeless and landless

According to the krishi Khashjami bebosthapon a bondobosto policy of the government - 'BHUM/SHA-8/KHAJAB/46/84/261'

STEP

1

Formation of Union and Ward homeless and landless selection committees

In unions and wards, landless selection committees are formed under the supervision of the upazila agri-khasland management and distribution committee, in the light of the Khasland Distribution and Management Policy 1997. The suggested structure of a Union committee is as follows:

SI	Category	Person	Designation
1	Union Parishad (UP) chairperson	1	Convener
2	Women members of UP (reserved)	3	Member
3	General members of UP	9	Member
4	Freedom fighter commander of union	1	Member
5	High School (or college) teacher of union	1	Member
6	NGO representative	1	Member
7	Union Land Assistant Officer	1	Member
8	Sub-assistant Agriculture Officer	1	Member

NB.: The Secretary of UP will play the secretariat roles of the committee

SI	Category	Person	Designation
1	Elected women member of the ward	1	Advisor
2	Elected general member of the ward	1	Convener
3	An Imam of mosque/priest of the ward	1	Member
4	The nearest opposition candidate (from the last UP election for the post of general member) of the ward	1	Member
5	High/primary school teacher of the ward	1	Member

NB: If any member of given categories is not found then the post remains vacant. The NGO representative plays the secretariat responsibilities. In their absence, one Ward committee member will play the role of the position.

STEP

2

Orientation for Union and Ward Committees

A day-long orientation meeting should be conducted to familiarise Union and Ward-level Homeless and Landless Selection Committee members with their



roles and responsibilities. After the orientation a work plan can be drafted for the successful implementation of the selection process in timely and befitting manner in order to obtain a perfect, fair and trustworthy list of homeless and landless households.

In the Uttaran example, the UNO¹ and AC (Land)² officers participated in the orientations as chief guest. They explained all the processes of landless and homeless selection and emphasised that the process would not ensure the khasland allocation for all listed people. At the end of the orientation UNO answered number of questions that were asked by the participants. UNO also handed over the application template to the Union Land Assistant Officer and Secretary of UP for distributing amongst targeted population. UNO also handed over application template to number of targeted people.

¹ UNO: upazila nirbahai officer is a civil service member and is the administrative head of upazila. This position is responsible for land management and administration.

² AC (Land): Assistant Commission (Land) is a civil service member and is directly responsible for upazila-level land administration. This position is line manager of the Union Land Assistant Officer (ULAO).

Distribution of the application form

The homeless and landless application form is developed through a participatory consultation among UP chariman, UNO, AC (Land), district administration and other civil society members. The template is distributed through the UP, union land office and Uttaran field staff (for a sample application form, please see Annex A). A photocopy of the application form is acceptable so that a bribe cannot be charged for its distribution.



Publicity for the application form distribution can be generated through mobile loudspeakers on every road and by every field in each village and Ward under the Union. The announcements provide information on how and when to collect the application form, as well as who is eligible. Advice is also given on completing the form and submitting it to the union parishad. Enlistment is free of charge and protective measures will be taken to prevent the deserving applicants falling victim to fraudsters.



Collation of the application forms

Once completed by the landless and homeless households, the application forms are then submitted only to the respective Union Parishad secretary. The UP will maintain a register of applicants' names, addresses, and occupations etc using serial numbers. The local youth volunteers can be enlisted to support the UP secretary. An application number and name token is given to each applicant. All the received application forms are segregated by Ward and sent in bundles to the concerned Ward Homeless and Landless Selection Committee.



In the Uttaran example, its facilitators monitored the field to ensure the people were aware of the selection process. Uttaran field facilitators educated local youth volunteers (college/school students) on how to complete the application form so that the volunteers could support the landless people, who are mostly illiterate.

Ward-based landless and homeless selection procedure

5.1 Preparatory meeting

The chairperson of the Ward Landless and Homeless Selection Committee must call a preparatory meeting of all the members. Together they take decisions on the time, place and date for an open public gathering, and discuss the duty and responsibilities of the members of the Ward committee with regards to the procedure for selecting the landless and homeless. Resolutions must be prepared following each and every meeting of the Ward committee. The chairperson and other members present must put their signatures to the resolutions.



5.2 Open public gathering

The Ward Committee then needs to arrange an open public gathering to check the submitted application forms. Attendees should include the committee members plus all applicants and/or representatives of applicants. Again, publicity and awareness can be generated through the use of mobile loudspeakers.

At the beginning of the meeting, the committee members should describe the selection process to the applicants before inviting them to share their views in front of each other.



The submitted applications are then separated on the basis of village and para (locality). Local youth volunteers announce the name and number of applicants. The volunteers then ask information about each applicant to the community to check whether s/he has provided genuine information. The information given in the application forms is examined in front of the applicants and their neighbours.

On the basis of the testimonials of the neighbours and in consultation with other committee members, the selection committee can then choose to register an applicant on the landless and homeless list.

Committee members do not have the right to cancel any application but they can recommend for inclusion or exclusion. In the case of the absence of any applicant or representative of applicant at the meeting, the application should be set aside for field investigation. In case of applications being marked for exclusion, clear reasons must be written therein. The chairperson of the committee has to sign each and every application.

5.3 Field investigation meeting



In the Uttaran example, confusing information was provided by some of the applicants. The concerned committee members took the decision to visit the households of the applicants so that they could be sure about the information. The committee fixed a day in order to visit the households of the applicants. After the visits, the members met to decide whether or not the investigated candidates will be recommended. The convener of the committee countersigned all of the applications from the investigated households. The committee then informed the applicants who were not recommended by the Ward committee that they could reapply in the future.

5.4 Nominated candidates list

A list of nominated candidates is prepared as per the prescribed form below. All members of the Ward Homeless and Landless Selection Committee must sign every single page of the form.

A B C D E					
List of recommended applicants				Class:	
Village : Ward : Union: Upazila:					
serial	Name of the family head	father/husband's name	occupation	quantity of land	comments

The applications which are not recommended should be kept in a different file and listed according to the form below. All members of the Ward Homeless and Landless Selection Committee must sign every single page of the form. The reasons for not recommending inclusion on the list should also be mentioned there.

Application not recommended : Ward Union Upazila					
serial	Name of the family head	father/husband's name	occupation	quantity of land	comments

The Ward Homeless and Landless Selection Committee will prepare detailed decision notes, containing the total number of recommended applicants and total number of applications not recommended. After the final listing on the register book, the convener of the committee will sign on behalf of the committee. The register with all applications which are relevant to the selection process must be submitted to the Union Parishad on the next day after an open selection process.

STEP

6

Union-level verification and approval of landless and homeless list

After receiving the application forms, the convener of the Union Landless and Homeless Selection Committee calls a meeting of committee members to scrutinise the Ward-based application forms.



After examining all recommended applications, the Union Landless and Homeless Selection Committee gives its opinion and prepares detailed meeting notes in which all amendments, inclusions and exclusions from the original list are highlighted. Minutes of this meeting are signed by all the committee members.

The convener of the Union committee (UP Chairperson) signs all application forms - whether recommended or not recommended - and every page of the list finalised by the Union Landless and Homeless Selection Committee.

On applications which are not recommended, the reasons why are given.

After the meeting the Union Homeless and Landless Selection Committee sends the recommended/not recommended applications, lists and resolutions to the Upazila Nirbahi Officer (UNO), Chairperson of the Upazila Agriculture khasland management and settlement committee.

The Upazila Nirbahi Officer (UNO) will call for a meeting of the Upazila Agriculture Khasland Management and Settlement Committee on receipt of all the application forms from the Union committee.



In the meeting the recommended and not recommended applications by the Ward and Union Landless and Homeless Selection Committees are thoroughly examined and verified and after reaching a consensus the UNO gives the final approval and signs.

If any further verification is requested regarding the information provided in

the form - such as the name of the applicant, their occupation, the quantity of land, khasland etc-a field investigation is conducted by the Union Land Assistant Officer and on the basis of their report the committee can approve or reject applications.

The Upazila committee then prepares a draft list of the approved application forms from the landless and homeless which is then computerised and printed for distribution Ward-wise on noticeboards. The draft list of the landless and homeless can be displayed in every union parishad for 15 days.

If anyone drops out of the list he/she can apply to the Upazila committee within 15 days. If anyone remains absent in the locality during the time of preparing the draft list of the landless and homeless, he/she can apply to the UNO for being included in the list under special consideration within a month of preparing the draft.

Any form of complaint or objection or opinion regarding the draft list can be made to the Upazila committee. In this regard the Upazila committee pro-actively addresses all of the objections and complains.



Publication of the final landless and homeless list

After receiving the approval of the Upazila committee, every landless and homeless applicant is provided with a 12-digit number. The first six digits reflected the district, upazila and union; the seventh digit is for the Ward; and the remaining five digits reflect the serial number of the landless and homeless.

One copy of the list of homeless and landless households is held by the Union Parishad, one copy in the union land office, one copy in the upazila land office and one copy in the office of UNO. The copy preserved in the Union Land Office should be retained as the register.

Additionally in the example of Uttaran, the database of the final list of the landless and homeless was made available online.

Application form of enlisting name as homeless and landless

Upazila: Jamalpur Sadar, Jamalpur

1. Union :
2. Ward No:
3. Village :
4. Locality :
5. Name of family head's father/husband.:
6. Family head's father/husband :
7. Describe the own homestead (if any) : Mouza. Line. Ledger. Quantity of land.
8. Description of houses in the homestead (if any) :
9. Description of demesne (if any) Mouza. Line. Ledger. Quantity of land.
10. Applicant's class as landless and homeless (give tick) :
 - A. destitute freedom fighter family
 - B. not having any satisfactory living home
 - C. river eroded family
 - D. family of husband abandoned women or widow with active child
 - E. family without agricultural land and landless agro-based family
 - F. agro-based family having homeland of 10 decimal lands but not any cultivable land
 - G. floating destitute family
11. List number in case of Freedom fighter family:
12. Description incase of the disability of family head:
13. Family Types (give tick): Nuclear family Extended family
14. Describe the living place due to the unavailability of own homestead:
15. Number of Family Members and description:

Sl	Name	Age	Relation	Occupation	Comments

16. Mobile Number (if any):

Declaration

I am, hereby, promising that the above mentioned information are true. In case of cancellation of my application due to any misinformation I will not have any complain

Signature/finger tip of the applicant:

Name of the applicant:

Address:

The implementation plan of action for preparing Homeless and landless list

The activities started at Jamalpur Sadar Upazila by September 1, 2014

Sl	Activities	Time limit	Responsibility
1	Inauguration of the programme	14 August, 2014	District & Upazila Administration
2	Awareness meeting about Upazila Krishi Khashjomi Bondobosto o Babosthapona Committee	22 August, 2014	Upazila Administration, Uttaran
3	Union Level orientation about preparation of homeless and landless list and selection process	6-24 September, 2014	Union Parshad, Union land office, Uttaran
4	Distribution and submission of application form	15 days	Related Union Parishad, Union Land Office and Uttaran officials
5	Last date of sending applications to Ward offices from UP office	2 days	The secretary of related Union Parishad
6	Selection by the Ward committee in a open meeting and sending relevant documents to the Union committee	10 days	Ward Selection Committee
7	Selection by the Union committee and sending to the Upazila committee	7 days	Union Selection Committee
8	Verification and approval by the Upazila Krishi Khashjomi Bondobosto o Babosthapona Committee	15 days	Union Parishad and Upazila Krishi Khashjomi Bondobosto o Babosthapona Committee
9	Publication of Union level draft list	15 days	Upazila Krishi Khashjomi Bondobosto o Babosthapona Committee
10	Application submission by the drop out and last date of mitigating	One month	Upazila Krishi Khashjomi Bondobosto o Babosthapona Committee
11	Revealing final list	One month	Upazila Krishi Khashjomi Bondobosto o Babosthapona Committee

1. All the provided information is true. Recommended as a landless/homeless

2. Not recommended as a landless/homeless

Comments: (In case of not recommending).....

Chairman
Ward Landless and Homeless Selection Committee

1. All the provided information is true. Recommended as a landless/homeless

2. Not recommended as a landless/homeless

Comments: (In case of not recommending).....

Chairman
Union Landless and Homeless Selection Committee

1. All the provided information is true. Recommended as a landless/homeless

2. Not recommended as a landless/homeless

Comments: (In case of not recommending).....

Chairman
Upazila Landless and Homeless Selection Committee

Enlisted as a Landless and Homeless. The Landless and Homeless number of the applicant:

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On behalf of Upazila Committee

Who can apply?

- a. Households having no satisfactory living home
- b. Poor freedom fighter's family
- c. Households who lost all land due to river erosion
- d. Widow/abandoned women with adult son*
- e. Households which neither have agriculture land nor homestead land but fully dependent on agriculture
- f. Agro-dependent family having homestead land of 10 decimals with no cultivable land
- g. Households of no fixed address

* As per government policy

Annex - 2

Structure of the Upazila Krishi Khashjomi Bondobosto o Babosthapona Committee

Advisor :	
a. Honourable Member of Parliament (related)	
b. Union Parishad Chairman	

Member of the committee:	
1. Upazila Nirbahi Officer (UNO)	Chairman
2. Upazila Agriculture Officer	Member
3. Acting Police Officer	Member
4. Upazila Co-operative Officer	Member
5. Related Forest Range Officer	Member
6. Related UP Chairman	Member
7. A representative from the co-operative association of poor (Nominated by the DC)	Member
8. A representative from the co-operative association of farmers (Nominated by the Honourable Land Minister)	Member
9. An honest, important local figure who is interested to do humanitarian work (DC will nominate the name with the suggestion of related MP)	Member
10. The principal of a local college or high school (DC will nominate the name with the suggestion of related MP)	Member
11. A representative from the association of freedom fighters	Member
12. Assistant Commissioner (Land)	Member secretary