



**Daffodil International University**

**Department of Law**

**Land Law, Land Disputes and Land Administration in  
Bangladesh - A Critical Study**

**Submitted by:**

Srabonti

ID: 241-38-015

LL.M. Fall 2024

**Supervised by:**

Mohammad Badruzzaman

Assistant Professor

Department of Law

**Presented in partial fulfillment of the requirements for the degree of**

**Master of Laws (LL.M.)**

**Daffodil International University**

**Dhaka, Bangladesh**

Date of Submission: 30 June 2025

## Letter of Transmittal

To,

Mohammad Badruzzaman

Assistant Professor

Department of Law

Daffodil International University

Dhaka, Bangladesh

Subject: Submission of Research Paper on “Land Law, Land Disputes, and Land Administration in Bangladesh: A Critical Study”

Dear Sir,

I am pleased to submit my research paper titled “Land Law, Land Disputes, and Land Administration in Bangladesh: A Critical Study,” prepared for the LL.M. program at Daffodil International University.

I am grateful for your supervision and support throughout this work. I hope this paper makes a meaningful contribution to the study of land law in Bangladesh.

Thank you for your guidance.

Sincerely,

Srabonti

Student ID: 241-38-015

LL.M. (Fall 2024)

Department of Law

Daffodil International University

## Declaration

We hereby solemnly declare that the research work entitled “Land Law, Land Disputes, and Land Administration in Bangladesh: A Critical Study” has been independently carried out by us under the academic supervision of Mr. Mohammad Badruzzaman, Assistant Professor, Department of Law, Daffodil International University. We further affirm that this research is original and has not been submitted, either in whole or in part, to any other institution or university for the award of any degree, diploma, or other academic qualification. All sources of information, references, and data used in the preparation of this work have been duly acknowledged.

## Submitted by:



Srabonti

Student ID: 241-38-015

LL.M. (Fall 2024)

Department of Law

Daffodil International University

## Supervised by:

Mr. Mohammad Badruzzaman

Assistant Professor

Department of Law

Daffodil International University

## Supervisor's Approval

This is to certify that the research work titled “Land Law, Land Disputes, and Land Administration in Bangladesh: A Critical Study” has been carried out by Srabonti (ID: 241-38-015), a student of the LL.M. program (Fall 2024) under the Department of Law, Daffodil International University.

This research has been conducted under my supervision and guidance. To the best of my knowledge, the study is an original work and meets the academic standards required for partial fulfillment of the LL.M. degree. I approve this research for submission and evaluation.



---

Mohammad Badruzzaman

Assistant Professor

Department of Law

Daffodil International University

## **Acknowledgements**

First and foremost, I would like to express my deepest gratitude to Mr. Mohammad Badruzzaman, Assistant Professor, Department of Law, Daffodil International University, for his invaluable guidance, continuous support, and thoughtful feedback throughout this research. His encouragement and insightful suggestions were crucial at every stage of this study.

I am also thankful to all the respondents who participated in the interviews and shared their time, experiences, and knowledge, which greatly enriched this paper. Their contributions provided a clearer understanding of the realities of land law and administration in Bangladesh.

My sincere appreciation goes to the Department of Law, Daffodil International University, for providing a supportive academic environment and access to essential resources.

Lastly, I extend heartfelt thanks to my family and friends for their patience, encouragement, and unwavering moral support throughout this academic journey.

## **Abstract**

Land governance in Bangladesh is challenged by outdated legal frameworks, administrative inefficiencies, land grabbing, gender inequality, and widespread disputes over ownership and boundaries. This research critically investigates the complex interplay between historical land laws, contemporary administrative structures, and the socio-political influences that hinder equitable land distribution and rights. Employing a qualitative approach that combines legal document analysis and interviews with stakeholders, the study explores how poor record-keeping, manual registration systems, corruption, and the exclusion of vulnerable groups affect land justice. It evaluates global strategies and technological reforms, including digital land management and alternative dispute resolution mechanisms, to propose a holistic and transparent system for modern land governance. The research concludes with recommendations for digitization, legal reforms, public awareness, and the institutional strengthening necessary to ensure secure land tenure, especially for marginalized populations. The findings aim to support policymakers and practitioners in transforming Bangladesh's land governance into a just, inclusive, and sustainable framework.

**Key Words: Land, Laws, Administration, Dispute, Bangladesh.**

## Table of Contents

|                                                                             |     |
|-----------------------------------------------------------------------------|-----|
| Letter of Transmittal .....                                                 | i   |
| Declaration .....                                                           | ii  |
| Supervisor's Approval .....                                                 | iii |
| Acknowledgements.....                                                       | iv  |
| Abstract .....                                                              | v   |
| 1. Introduction.....                                                        | 1   |
| 1.1 Problem Statement.....                                                  | 1   |
| 2. Objectives of the Study .....                                            | 2   |
| 3. Research Questions .....                                                 | 2   |
| 4. Literature Review.....                                                   | 3   |
| 5. Scope of Research.....                                                   | 3   |
| 6. Research Methodology .....                                               | 4   |
| 7. Historical Overview of Land Law and Administration in Bangladesh .....   | 4   |
| 7.1 Colonial Era (1757–1947) .....                                          | 5   |
| 7.2 Post-Colonial / East Pakistan Era (1947–1971) .....                     | 5   |
| 7.3 Bangladesh Era (1971–Present).....                                      | 6   |
| 8. Land Laws of Bangladesh.....                                             | 7   |
| 8.1 List of Land Laws in Bangladesh .....                                   | 7   |
| 8.2 Issues in Bangladesh Land Laws .....                                    | 8   |
| 8.3 Key Steps to Address the Challenges in Bangladesh's Land Laws .....     | 9   |
| 8.4 Recent Developments and the Need for Amendment .....                    | 10  |
| 9. Recent Land Disputes in Bangladesh: Cases, Loopholes, and Remedies ..... | 11  |

|                                                                                               |    |
|-----------------------------------------------------------------------------------------------|----|
| 9.1 Categories of Land Disputes.....                                                          | 12 |
| 9.2 Recent Landmark Cases.....                                                                | 12 |
| 9.3 Identified Loopholes in Land Law and Administration .....                                 | 14 |
| 9.4 Remedies.....                                                                             | 14 |
| 9.5 Reasons for Land Disputes in Bangladesh .....                                             | 15 |
| 10. Land Dispute Resolution System of Bangladesh.....                                         | 15 |
| 10.1 Case Study on Lengthy Litigation System .....                                            | 17 |
| 10.2 How ADR Could Have Helped .....                                                          | 17 |
| 10.3 Table of Comparison (Litigation vs ADR).....                                             | 18 |
| 11. Land Administration in Bangladesh .....                                                   | 19 |
| 11.1 Structure of Land Administration in Bangladesh .....                                     | 19 |
| 11.2 Processes of Land Administration in Bangladesh .....                                     | 21 |
| 11.3 Challenges in Land Administration .....                                                  | 21 |
| 11.4 Legal, Institutional, and Technological Advancements Addressing These<br>Challenges..... | 22 |
| 12. Global Strategies to Strengthen Land Administration in Bangladesh.....                    | 23 |
| 12.1 Global Examples.....                                                                     | 23 |
| 12.2 Measures for Bangladesh.....                                                             | 25 |
| 13. Comparative Analysis.....                                                                 | 27 |
| 14. Policy Implications .....                                                                 | 29 |
| 15. Research Findings and Recommendations .....                                               | 30 |
| 16. Conclusion .....                                                                          | 31 |
| Bibliography.....                                                                             | 32 |

## **1. Introduction**

Land is vital for forming the economy, social framework, and culture in every country, and it is also true for Bangladesh. Bangladesh, which has more than 175.7 million inhabitants and occupies 147,570 square kilometers, is a highly populated country. The population per area is close to 1350 in every square kilometer (3,496 people per square mile) (Worldometer, n.d.). Land administration and legal rules for land ownership need to be stronger and more efficient in Bangladesh at this moment. Still, millions of people depend on land and land law, and related disputes have long been complex and difficult in Bangladesh. Most land disputes in this country happen due to a confusing legal system and social differences among people. There are negative impacts on both the economy and land use because of those conflicts. All of the problems have their roots in how colonial land laws, new laws after independence, and customs blend together. More corruption and illegal land devour make the problem even more serious.

My research focused on reviewing the current land laws, seeing how disputes occur, the handling of land matters, their application processes, and factors in Bangladeshi society that create land disputes. Looking to offer a thorough look at what problems affect the effectiveness of land governance. This paper looks for possible improvements that can help secure land rights, lower disputes, and make the land administration system better and more just in Bangladesh.

### **1.1 Problem Statement**

Because of many important legal and structural issues, access to and use of land in Bangladesh do not always happen in an equitable or environmentally sound manner. Because there are outdated rules, mixed land titles, and poor institutional structures, there is frequent conflict about land ownership and stability. When it comes to land, women struggle to inherit, native land rights conflict with property ownership, and land grabbing only complicates matters further. An improper use of land administration usually harms individuals and those who are poor or weak. It negatively affects the process of national development. Not influenced by many reforms, it illustrates how important it is for mediation to cover the entire legal, administrative, and policy area.

## 2. Objectives of the Study

It is very important for Bangladesh's development to overcome these land governance problems. The purpose of this study is to examine these problems closely and suggest useful solutions to maintain:

- a. To keep the land laws current and encourage effective control of land use.
- b. To make land administration easier, more open, and speedier for everyone.
- c. To bring land recordkeeping up to date by using technology and more efficient data methods.
- d. To dress up anti-corruption efforts to make sure the government is trusted by the people.
- e. To find other ways to solve disputes, which will help clear land-related cases and make justice easier to reach.

The study will help to address major land issues and create a better future for all those living in the country.

## 3. Research Questions

- a. What are the major problems in managing land, and how do these issues change land distribution and rule in Bangladesh?
- b. How do problems with land records lead to disagreements over ownership and reduce efficiency?
- c. Can digital land systems play a role in increasing accuracy, access to, and transparency of land records?
- d. In what ways does corruption and politics determine both land registration and how land disputes are handled?
- e. How can changes to the law on land acquisition help vulnerable groups, indigenous communities, and women?
- f. Does the use of alternative methods work when disputes about land ownership arise in Bangladesh?

## 4. Literature Review

For many years, scientists, lawyers, and policy experts have paid attention to land disputes in Bangladesh. There have been many studies that look at why land conflicts arose in South Asia, mostly due to the Indian partition and its land redistribution. The East Bengal Tenancy Act (1885) and the Land Reform Ordinance (1984) are land laws that have sparked much academic debate.

Land Law: Texts, Cases & Materials by Professor Mohammad Towhidul Islam is an ideal introduction to land laws in Bangladesh. It gives an organized and clear examination of both the practical and key elements of the subject. An explanation of a certain area of land law is given in every chapter with supporting details, examples from cases, and references to statutes.

Authors Ashikur Rahman and Rafi Hossain have written a piece titled “The Uncomfortable Truth About Land Disputes in Bangladesh.” A household survey was conducted in 14 districts of Bangladesh as part of this research, which focused on investigating both land and household aspects of land disputes. It reported that many families in village communities deal with disagreements regarding land. The chapter also explains how land registration decreases conflicts.

“The Politics of Land Law: Poverty and Land Legislation in Bangladesh” by S M Masum Billah has helped shape the knowledge of legal history about Bangladesh, South Asia, and British colonialism. This book looks at how land laws now are linked to the days of colonial rule. It looks at the important changes made to land laws during colonialism and after colonial rule. The research included information about how they contribute to the country’s poverty.

In the article “The Development of Land Laws and Land Administration in Bangladesh: Ancient Period to Modern Times”, by Mohammad Towhidul Islam, published by Dhaka University Law Journal, Volume 16(2), (2005), gives a detailed information of Bangladesh’s land law and land administration’s development from ancient time to modern time.

## 5. Scope of Research

This paper explores what challenges the land governance system in Bangladesh is encountering. The main points it addresses are laws, administration, and related economic and social details. It

studies matters including disputes over land, land grabbing, inequality between men and women, reduced farming land, protection for locals, laws that are no longer current, political influence, and barriers to gaining rural and urban land. It proposes solutions to pulling the country back by suggesting changes in law, better organization at the state level, and building up the country's international law systems. The research points to the reasons why we need a digital system, green practices, and updated land regulations.

## **6. Research Methodology**

This paper uses qualitative research to study issues and challenges related to land law, disputes, and land administration in Bangladesh. For secondary data collection, it looked at legal documents, government papers, research reports, and written material on land law and land disputes in Bangladesh. They explain the history of land and tell how policies on property and disputes have developed.

It has also conducted semi-structured interviews with legal authorities, land administration employees, landowners, and renters to clearly identify the current problems and inefficiencies in Bangladesh's land administration efforts. Through this study, we are looking for deficiencies in land governance in Bangladesh and recommend solutions by using this approach.

## **7. Historical Overview of Land Law and Administration in Bangladesh**

The evolution of land law and administration in Bangladesh is deeply rooted in its colonial legacy and shaped by successive legal and political transformations. From the British colonial period to present-day Bangladesh, land governance has undergone significant changes, though many of the structural problems persist due to outdated laws, administrative inefficiencies, and sociopolitical complexities.

## 7.1 Colonial Era (1757–1947)

The foundation of land administration in Bangladesh was laid during British colonial rule, particularly following the East India Company's acquisition of Diwani rights in Bengal in 1765. One of the most consequential legal interventions was the **Permanent Settlement Act of 1793**, introduced by Lord Cornwallis. This law aimed to simplify revenue collection by recognizing zamindars (landlords) as the de facto landowners, who would collect rent from peasants and pay a fixed revenue to the British authorities.

While the British saw this system as a way to ensure administrative efficiency and stable revenue, it resulted in widespread dispossession of the peasantry. Zamindars were granted hereditary rights over vast tracts of land, and the rights of actual cultivators **raiyats** were largely ignored. This led to the concentration of land in the hands of a few elites and entrenched rural inequality. In response to growing unrest, the **Bengal Tenancy Act of 1885** was enacted to provide some rights to tenants, including protections against eviction and guidelines for rent increases. However, it remained skewed in favor of landlords and failed to bring structural equity to land relations.

## 7.2 Post-Colonial / East Pakistan Era (1947–1971)

Following the partition of British India in 1947, East Bengal became part of Pakistan and was renamed **East Pakistan**. The new government took significant steps toward dismantling the colonial zamindari system. The most notable legal reform during this time was the **East Bengal State Acquisition and Tenancy Act of 1950**, which formally abolished zamindari and transferred ownership of land directly to the state.

Under this law, intermediaries like zamindars were removed from the landholding structure, and tenants became direct stakeholders of the land, paying rent to the government. This marked a major shift in land relations, but the implementation was slow and marred by bureaucratic inefficiencies. In practice, many former zamindars continued to wield influence through informal arrangements and political patronage. Moreover, the lack of proper land surveys and up-to-date records created widespread confusion and scope for manipulation.

During the East Pakistan era, there was also little effort to modernize land administration. Land records remained paper-based and decentralized, and disputes often went unresolved for years due to a slow-moving judiciary and untrained administrative staff.

### 7.3 Bangladesh Era (1971–Present)

After gaining independence in 1971, Bangladesh inherited a land system riddled with administrative loopholes, conflicting laws, and institutional weaknesses. Although the **Constitution of Bangladesh (1972)** declared all natural resources, including land, as belonging to the people, successive governments struggled to implement effective land reforms.

In the early years of independence, the government enacted the **Vested Property Act**, originally derived from Pakistan's Enemy Property Act, allowing the state to take over land allegedly owned by enemies of the state. This law disproportionately affected religious minorities and created thousands of legal disputes over ownership and restitution that persist to this day.

To address growing concerns over inequality and inefficiency, the **Land Reform Ordinance of 1984** was passed, placing ceilings on land ownership and aiming to distribute surplus land to landless farmers. While this law signaled a progressive turn, its implementation was again weak, plagued by corruption, political resistance, and a lack of proper records.

In recent decades, the government has initiated several modernization efforts. Digitization of land records, online mutation systems, and pilot projects for land surveys have begun to improve transparency. However, challenges remain. Fragmented laws, overlapping land claims, and the absence of a fully updated cadastral survey continue to hamper land administration. The issue of **adverse possession**, frequent inheritance disputes, and government acquisition without proper compensation are still common features of the land governance landscape.

#### Summary

In summary, the evolution of land law in Bangladesh reflects a struggle between colonial legacies and modern-day reform efforts. The Permanent Settlement and zamindari system laid the foundation for inequality, while post-colonial reforms tried to restore equity but often failed in

execution. Today, despite constitutional promises and gradual progress in digitization and reform, land law in Bangladesh remains in need of comprehensive restructuring to ensure justice, efficiency, and inclusive development.

## **8. Land Laws of Bangladesh**

A legal system's land law covers the ownership, rights, and usage of land. Sovereign land belongs to the country, and related matters such as tenure, inheritance, registration, and settling disagreements come under land law. Land law sets standards for land owners, enables fair access to land, protects the rights of people involved, and offers a way to handle land disputes. Land law plays a part in economic growth, protecting fairness among people, and safeguarding Bangladesh's environment.

### **8.1 List of Land Laws in Bangladesh**

After independence, Bangladesh has adopted many laws from the British colonial and post-colonial eras, and enacted many new laws. There were land laws too. Here is a list of land laws that are currently enforced in Bangladesh:

- a. The Survey Act, 1875
- b. The Transfer of Property Act, 1882
- c. The Partition Act, 1893
- d. The Non-Agricultural Tenancy Act 1949
- e. The State Acquisition and Tenancy Act, 1950 (SATA)
- f. The Waqfs Ordinance, 1962
- g. The Agricultural Land (Requisition) Ordinance, 1970
- h. The Bangladesh Abandoned Property Ordinance, 1972
- i. The Vested Property Act, 1974
- j. The Land Development Tax Ordinance, 1976
- k. The Acquisition and Requisition of Immovable Property Ordinance, 1982
- l. The Land Reform Ordinance, 1984

- m. The Khas Land Management and Settlement Act, 1987
- n. The Non-Agricultural Khas Lands Management and Settlement Policy, 1995
- o. The Agricultural Khas Lands Management Policy, 1997
- p. The National Land Use Policy, 2001
- q. The Dhaka Metropolitan Development Plan (DMDP), 1995
- r. The Land Acquisition Act, 2017
- s. The Road Transport Act, 2018

## 8.2 Issues in Bangladesh Land Laws

Land laws in Bangladesh are facing many challenges. Those are hindering the country's development and affecting land governance. The issues behind the challenges are:

**Land Grabbing:** Some influential people, real estate developers, and in some cases government officers, often grab land illegally from the poor people and farmers by force or fraud, who can't seek legal help easily. Leaving those people landless.

**Conversion of Land:** In the means of development, rapid urbanization and industrialization are taking place. Those are costing the agricultural land to convert. Lack of farming resources is increasing, and water reserves are getting filled up, causing environmental crisis.

**Gender Inequality:** Our society is a male-dominant society. Here women are deprived of many rights. Despite having the legal and religious provisions for the inheritance, they are prevented from land rights, and have limited access to land ownership.

**Land Ownership and Title Disputes:** Absence of a proper land registration system and outdated land records make it easy to make false documents and claim land ownership. Lack of verification of documents and claims leads to title disputes.

**Weak Administration and Corruption:** Land administration is full of corruption. The backlog cases and delays in dispute resolution reduce the effectiveness of law enforcement.

**Absence of Proper Land Policy:** Outdated and inconsistent laws with political influence create confusion and hinder the development of proper land policies.

**Land Rights of Natives (Indigenous):** Native communities, particularly in the Chittagong Hill Tracts, are facing many challenges in protecting their land rights. The reasons are inadequate legal protection and inconsistent application of laws.

**Political Influence:** Land distribution and legal decisions are politically influenced. That results in land inequality. Sometimes land allocations are also driven by political agenda rather than fairness.

**Land Acquisition and Compensation:** There is a lack of transparency, a very small amount of compensation, and limited consultation with affected communities in the land acquisition process for public and development projects.

These issues highlight the need for transparency in the administration and reforms in the land laws of Bangladesh, to make sure clarity in land ownership and land rights for vulnerable people.

### 8.3 Key Steps to Address the Challenges in Bangladesh's Land Laws

The land laws of Bangladesh are full of challenges. Land disputes, unclear land rights, land grabbing, and corrupt administration is harmful to the citizens and the economic development of the country. Now, to create a fair and efficient land administration, it is essential to do some key reforms. Bangladesh can take these steps to address the issues within its land laws. Such as-

Improve land administration and empower local authorities to manage land issues more efficiently. Simplify legal procedures and provide free legal services with easy access to the legal system for poor people. Make the land record accessible to the public and make the procedures clear to prevent fraud. Improve the data collection and research on land ownership to inform policy making and land management. Raise public awareness by launching campaigns and educating people about their rights and legal aid. Promote ADR to encourage mediation and arbitration to resolve land disputes. Make land planning considering climate and promote sustainable farming practices to preserve land resources. Strengthen the administration's monitoring to prevent illegal land grabbing. Make land policies that align with national development plans and create an independent body to oversee land governance.

## 8.4 Recent Developments and the Need for Amendment

Bangladesh has faced many challenges in the last few decades. Population growth, rapid urbanization, shift towards industrialization, and climate change have brought up the limitations of the old land laws. The current laws don't meet the needs of modern economic growth. Proper land planning and use are also required for environmental protection, which the old laws don't address. Amendments become more important with all the challenges. Updating the laws will improve land distribution, reduce disputes, protect land rights, and help to create a strong, efficient, and transparent system that can meet the demands of urbanization, economic development, and advanced technologies in land management. Here are some recommendations for amendments and reforms that may boost the existing land laws:

**Land Titling and Registration:** In Bangladesh, many people don't have proper documents of their lands, which leads to disputes. The old-fashioned manual documentation and registration system makes many mistakes and can be easily changed to commit fraud. A digital land titling and registration system can uniquely identify each land with verified digital records. This can help in the transfer of the title and prevent any fraud.

**Simple Verification of Land Ownership:** The process of verification in land ownership and transferring property is very complex. A user-friendly verification system can reduce the stress of landowners, help in the transfer of land, and resolve long-standing ownership disputes.

**Land Redistribution for the Landless:** A vast part of rural people is landless or don't have enough land for their needs. For this, it is essential to enhance policies focused on land redistribution and make sure that land is accessible to landless people and marginalized communities. It is also essential to make provisions for the fair distribution of the state-owned land to people with need and according to their rights.

**Protection of Agricultural Land:** Rapid urbanization and industrialization are causing agricultural land to convert for non-agricultural use. This is resulting in less farming lands and posing a threat to food security. It is important to apply strict regulations on converting agricultural land to non-agricultural land. Moreover, it is also essential to make a framework for landowners

whose properties are appropriate for public projects. This should ensure that the individuals receive fair compensation and alternatives for their livelihood.

**Enhance Land Use Planning and Sustainable Development:** Rapid urbanization and industrialization, and unplanned use of land is harming the environment. Implementation of national land use policies can balance between development and environment. This can protect forests and wetlands while also supporting urban development to ensure sustainable future for the people of this country.

**Improve Land Dispute Resolution Mechanism:** Land disputes are very common in Bangladesh. The judicial process of resolving disputes is lengthy and often leads to more conflicts. Special tribunals or alternative dispute resolution mechanisms can provide faster and efficient resolutions.

**Land Acquisition Laws for Public Purpose:** Land acquisitions for public development projects often lead many families to displacement without proper compensation. Land acquisition laws can protect the rights of the landowners and the affected communities.

**Fostering Land Leasing and Tenancy Reforms:** Tenants often get exploited by the landowners because they have limited rights within the current legal framework. Implementing tenancy reforms that will ensure their rights, fair rent, and the ability to improve the land they farm is essential. This could involve legalizing long-term leases which would provide tenants control over the land they cultivate.

Bangladesh will establish a fair and efficient land administration through modern land laws and necessary reforms. These reforms will assist in overcoming the socio-economic, cultural, and political challenges that Bangladesh faces.

## **9. Recent Land Disputes in Bangladesh: Cases, Loopholes, and Remedies**

Land disputes remain a pressing issue in Bangladesh, driven by a complex mix of social, legal, and administrative challenges. Weak land management systems, unclear laws, and deep-rooted cultural biases often lead to long-drawn conflicts over land ownership, possession, inheritance

rights, and government acquisitions. This paper reviews several key decisions by the Supreme Court's Appellate Division to uncover recurring problems in the system and examine how courts and lawmakers are working to improve land governance.

## 9.1 Categories of Land Disputes

A land dispute means a conflict or legal disagreement between individuals or groups regarding the ownership, use, boundaries, disagreements over legal rights, or confusion or conflict regarding the terms of land agreement or inheritance rights of a piece of land. Land disputes can be of various types depending on the reasons for conflict. Here are some of the common types of land disputes:

- Adverse possession or Ownership
- Inheritance and co-sharer disagreements
- Government land acquisition and trespass
- Regional and administrative conflicts, such as those in the Chittagong Hill Tracts
- Boundary Disputes
- Encroachment Disputes
- Land Acquisition Trespass Dispute

## 9.2 Recent Landmark Cases

- **Adverse Possession**

In **Gopal Chandra Das & Ors. v. Nikunja Behari Sukra Das & Ors. (61 DLR \[AD] 509, 2009)**, the court ruled that someone who openly and continuously occupies land for over twelve years can claim legal ownership, even without formal documents. This case highlights how delays in updating land records can allow informal occupants to gain legal rights.

Similarly, in **Afsaruddin Ahmed v. Banque Indosuez(44 DLR \[AD] 136, 1992)**, the court confirmed that exclusive possession alone is enough to get a permanent injunction against others claiming the land, even when ownership is still legally unsettled. This shows how possession carries significant legal weight.

- **Inheritance and Co-sharer Disputes**

The court in **Salma Khatun v. Chittagong Zilla Parishad (51 DLR \[AD] 257, 1999)** clarified that mutations recorded by administrative authorities do not automatically prove ownership; instead, documentary evidence is essential in inheritance disputes.

In **Ali Hussain v. Abdul Ali (59 DLR \[AD] 84, 2007)**, despite ownership disputes remaining unresolved, the court granted an injunction to a co-sharer who was in exclusive possession, reflecting the procedural difficulties in resolving family land disputes.

In **Moharram Ali v. Mohammad Madhu Mia (41 DLR \[AD] 92, 1989)** saw the court protected a co-heir peacefully occupying property from being dispossessed by others, reinforcing the idea that possession can serve as temporary protection during inheritance conflicts.

- **Government Acquisition and Trespass**

**Asaduzzaman v. Government of Bangladesh (36 DLR \[AD] 108, 1984)** invalidated government land acquisition under the Vested Property Act because proper legal procedures were not followed, emphasizing the constitutional right to property.

In **Shamsul Haque v. Bangladesh (35 DLR \[AD] 1, 1983)**, the government was held responsible for trespassing on private land without compensation or following required procedures, underscoring the importance of fairness and transparency in land acquisition.

- **Char Land Disputes**

In the chars (riverine islands) of the Jamuna and Teesta rivers, thousands of families live without formal title due to constant erosion and reformation of land. As Islam (2017) notes, these families face eviction or overlapping claims without legal recourse. In 2020, a High Court ruling directed local land offices to update maps every three years, but implementation remains poor. This case shows how geographical realities, outdated surveys, and political patronage collide, creating protracted conflicts.

### 9.3 Identified Loopholes in Land Law and Administration

From these cases, several patterns of systemic weaknesses emerge:

- Outdated land records allow informal possession to turn into legal ownership over time (Gopal Chandra Das & Ors., 2009).
- Courts often grant injunctions based on possession alone without settling legal ownership, creating uncertainty (Afsaruddin Ahmed, 1992; Ali Hussain, 2007).
- Administrative mutations are sometimes wrongly treated as proof of ownership, despite court rulings requiring stronger documentary evidence (Salma Khatun, 1999).
- Family land disputes tend to drag on without timely resolution, prolonging uncertainty for all involved (Moharram Ali, 1989).
- Government land acquisition often happens without following due process or providing fair compensation, violating property rights (Asaduzzaman, 1984; Shamsul Haque, 1983).

### 9.4 Remedies

To fix these issues, Bangladesh's government needs to adopt comprehensive reforms. Digitizing land records nationwide with secure, tamper-proof technology such as blockchain would greatly improve transparency and accuracy. Enforcing real-time updates to land mutations is essential to stop informal possession from becoming legal ownership simply because of administrative delays.

The doctrine of adverse possession should be updated to require public notification before possession can mature into ownership. Courts must verify possession claims against current, accurate records to prevent misuse.

In inheritance and co-sharer disputes, courts should set clear deadlines for resolving ownership before issuing permanent injunctions, reducing drawn-out uncertainty. Meanwhile, training land officials on gender equality will help ensure women's inheritance rights are properly protected.

The Land Acquisition Act must also be amended to enforce transparent procedures, including mandatory public hearings, fair market-value compensation, and timely payments. Regional dispute resolution bodies like the Chittagong Hill Tracts Land Dispute Resolution Commission

require stronger legal authority, adequate funding, and clear operating rules to effectively manage conflicts.

Finally, establishing specialized land courts and encouraging mediation can help resolve family and co-heir disputes faster and with less hostility.

## **9.5 Reasons for Land Disputes in Bangladesh**

Land disputes in the country are often made worse by a range of factors. A land dispute happens when both parties say they have rights to the same property. Co-sharers within a family may fight over ancestral land, and the people who own neighboring land may argue about the land's boundaries. In Bangladesh, the main reason for land disputes is when people purchase disputed lands, while failure to know land-related rules also causes many such problems (Ali, 2020). Problems arise when records of who owns which land are not updated and accurate. Rising urbanization and a growing population have made getting land more competitive, which has led to more disagreements. Disputes are also caused by problems in land registration, fraudulent actions and when certain individuals illegally grab land. Disputes about inheritance in families are usual, since unclear wills or rules for inheritance do not distinguish ownership. Land boundary problems result from the fact that some land has not been correctly surveyed, leading members of the same neighborhood to argue. When rivers and floods erode land, new challenges arise about who owns what property. When land owned by the government is taken for development, there are discussions over a fair amount paid to the original owners. Besides, slow and ineffective courts add to the difficulties of resolving land issues, frustrate both sides, and extend conflicts.

## **10. Land Dispute Resolution System of Bangladesh**

Now, there is no one approach used to settle land problems in Bangladesh. In fact, land disputes may be dealt with by the Revenue Officer, the Civil Court, the Magistrate Court, the Village Court, or the Municipal Board (Islam, Moula, & Islam, 2015). With mediation and arbitration as examples of ADR, land conflicts in Bangladesh may find a better and less expensive way to settle disputes.

Using these methods, problems can be dealt with speedily and affordably instead of in a courtroom. A mediator helps parties to come to a settlement they're happy with, without the need to go to court in Mediation. In Arbitration, a neutral person helps to settle the dispute quickly for the parties to avoid the lengthy court process. It would also help to solve conflicts as they settle problems locally instead of seeking legal help. Practicing these methods alongside better land record systems could help settle disputes easily and cheaply for all those involved.

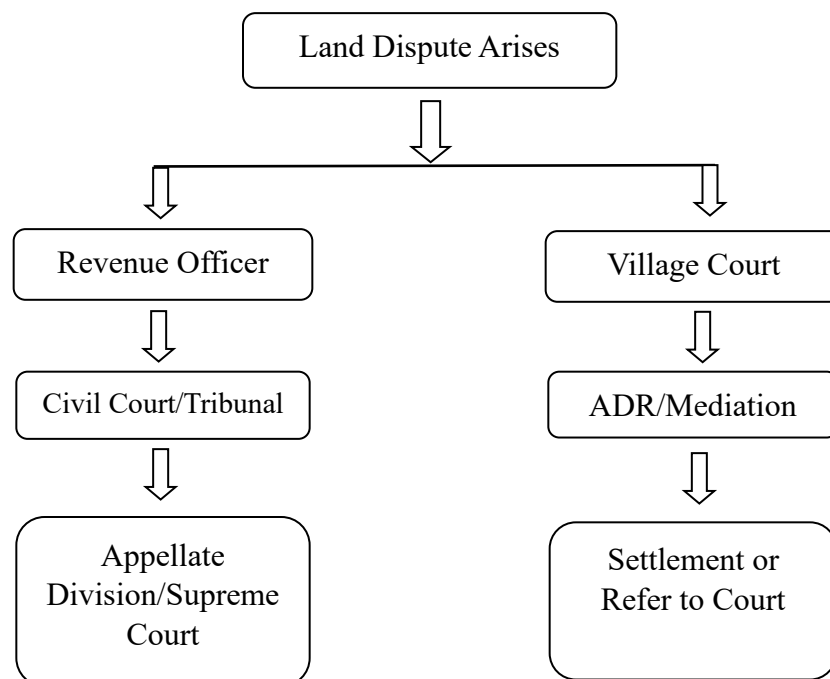


Figure 1: Land Dispute Resolution System in Bangladesh

## 10.1 Case Study on Lengthy Litigation System

**Case Name: Gopal Chandra Das & Ors. vs. Nikunja Behari Sukra Das & Ors. 61 DLR (AD) 509 (2009)**

Facts:

This case involved a dispute over adverse possession, where someone occupies land openly and continuously for over twelve years, claiming ownership. Because Bangladesh's land records were outdated and poorly maintained, the formal owner and the possessor fought for many years in court. The litigation dragged on for decades because the claimant argued they had original title, while the other side showed long possession but no registered deed.

Key Issue:

The Supreme Court held that long, continuous, open possession for twelve years could convert into legal ownership under the adverse possession doctrine even if the occupier lacked formal documents.

## 10.2 How ADR Could Have Helped

If mediation or arbitration had been used early:

- A trained mediator could have facilitated a mutually agreed boundary settlement.
- The parties could have agreed on compensation or shared use, saving years in court.
- This would reduce pressure on overburdened civil courts.
- Costs for both parties would be much lower.
- Local community-based ADR could have settled it in months, not decades.

### 10.3 Table of Comparison (Litigation vs ADR)

Table: Comparison of Litigation vs. ADR in the Case of Gopal Chandra Das & Ors. v. Nikunja Behari Sukra Das & Ors. (61 DLR [AD] 509, 2009)

| Aspect                    | Traditional Litigation                                                                                                                   | Alternative Dispute Resolution (ADR)                                                          |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Duration</b>           | Over 20–25 years in courts due to repeated suits, appeals, and outdated records.                                                         | It could be resolved within 6-12 months through local mediation or arbitration.               |
| <b>Cost</b>               | High legal fees, travel, document collection, and court costs over decades.                                                              | Many lower parties share mediator fees and minimal local administrative expenses.             |
| <b>Process Complexity</b> | Complex, formal, requires multiple hearings, lawyers, and compliance with strict procedures.                                             | Informal, flexible, and community-friendly, it focuses on dialogue and settlement.            |
| <b>Outcome</b>            | Adverse possession was granted after long litigation, but family ties were strained, and land was used inefficiently during the dispute. | Possible win-win outcome: boundary adjustment, compensation, or co-ownership agreed amicably. |
| <b>Community Impact</b>   | Prolonged conflict affects local harmony and social relations.                                                                           | Encourages social harmony and faster reintegration into the community.                        |
| <b>Burden on Courts</b>   | Adds to the backlog of civil suits.                                                                                                      | Reduces the burden on courts by settling outside the judiciary.                               |

## 11. Land Administration in Bangladesh

Bangladesh relies on land administration to promote economic growth and harmony among people. Because Bangladesh is a small farming nation with many people, land is very important to millions. Land administration includes the activities of making, giving, and abolishing land rights (Islam, 2013). To have equitable land sharing, more from agriculture, faster cities, and to maintain the environment, strong management is key. The system, though, struggles with a tough legal system, unclear land information, challenges over who gets rights, and numerous disputes, which are largely caused by growth in population, more people moving to cities, and climate change. Still, there have been significant improvements in how the system works, stays open, and is accessible. The paper looks at the design, methods, and obstacles of land administration in

Bangladesh, discussing the legal, institutional, and technological solutions used to solve these issues. Knowing about these details explains why land administration helps achieve sustainable growth, gives relief to poverty-stricken people, and maintains justice for the people in Bangladesh.

### 11.1 Structure of Land Administration in Bangladesh

In Bangladesh, different organizations play different roles in managing land administration. The framework consists of the following:

**MOL (Ministry of Land):** The government's Ministry of Land creates policies and manages the country's land affairs nationwide. It manages land reforms, keeps records of land, settles government land, and encourages rural development.

**Land Survey and Record Offices:** They look after land records, control surveys, and map out the boundaries of land. At the core is the Survey of Bangladesh (SOB), which directs the production and care of land surveys, maps, and cadasters.

**Local land offices:** The local land offices at the union handle the main duties of distributing land, managing transfers, and resolving problems between land users at the lowest administrative level.

**District and Upazila Land Offices:** Such offices stand between the national ministry for land and government bodies on the local level. Land registration, mutation (transfer of ownership), and collecting land taxes are areas they handle.

**Judiciary:** In civil courts, the judiciary deals with cases involving land, plus any related problems or disputes. The Land Appeal Board takes action to settle disputes involving who owns, transfers or inherits land.

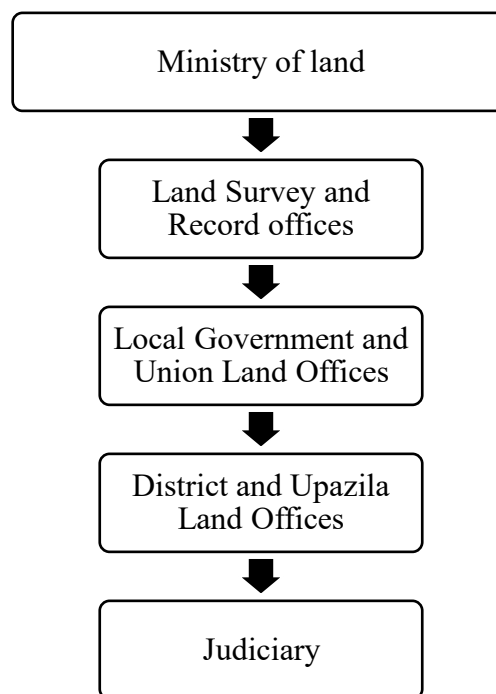


Figure 2: Structure of Land Administration in Bangladesh

## 11.2 Processes of Land Administration in Bangladesh

Land administration processes make it possible to assign, control, and move land effectively. The processes are:

**Land Registration and Record Keeping:** Recording ownership of land in the official land registry is required by The Registration Act, 1908 Section 17. The Sub-Registrar's Office takes care of most of the legal processes required when selling, transferring, or mortgaging land.

**Land Survey:** Land surveys are very important for properly establishing the boundaries of land. The "Survey of Bangladesh (SOB)" creates topographic maps and also manages the digital cadaster of the country. It makes it easier to get rid of boundary problems and create more transparency.

**Mutation:** Mutation is described in the Tenancy Rules, 1955. Mutation describes as updating the land records after a new owner is registered. It guarantees that the history of ownership in sale or transfer of land.

**Khas Land Management:** According to the policies of 1995 and 1997, Khas land, which is owned by the state, is given to people without land by the Ministry of Land. The objective is to assist disadvantaged communities by providing property for housing and cultivation.

**Tax Collection:** Landowners in these countries pay their government each year a tax, known as the land tax. Responsibility for collection in local areas is given to land offices under the State Acquisition and Tenancy Act of 1950, Chapter XIV.

## 11.3 Challenges in Land Administration

Even though land administration matters, Bangladesh is not able to solve challenges that affect the fair and effective use of land. Because the system is ruled by old laws like the "Land Registration Act of 1908" and the "Transfer of Property Act of 1882", it often brings confusion. Land issues and struggles happen a lot, thanks to disagreements over who owns land, who should get it after death and the borders of properties, all made worse by bad land record maintenance, various stakeholder claims and local corruption. As a result, delayed rulings on cases build up in courts.

Managing land records isn't easy since there are many problems: outdated, incomplete, or inaccurate information, and in rural areas, land records can be changed for wrongdoings or destroyed by natural disasters, or neglected. Although there have been reforms, a good number of the rural poor still do not have enough land for farming, which leads to extensive poverty and social discrimination. Disasters such as flooding, erosion by rivers, and cyclones each year force thousands from their land, and climate change makes it harder for disadvantaged groups to secure land rights. These problems indicate that we need to reform land management for fairer results.

### **11.4 Legal, Institutional, and Technological Advancements Addressing These Challenges**

Bangladesh has worked on several improvements across its laws, structure of institutions, and technology to respond to all of these difficulties. Those are:

#### **Allowing Lawmakers to Handle Nearly Any Case:**

The Land Reform Ordinance in 1984 and the Vested Property Act in 2001 have been made so that the government can give land rights to the landless and spread-out land holdings. By means of these laws, officials are seeking to improve the fairness in the distribution of land across the society. In the online land registration system, work is being done to simplify land registration with the help of digital land information and tools. The National Land Database (NLD) project was started to ensure better accuracy in land recording and smoother, transparent registration.

#### **Progress Within the Organization:**

The purpose of the Land Reform Commission is to study issues with the land system and offer solutions through proposals. At present, the commission aims to redistribute land, improve its records, and strengthen the laws for land administration. In big cities, one-stop service centers have appeared to bring all land services together under one roof and eliminate various obstacles. Various services offered by these centers include registration, mutation, and solving land disputes.

### **Progress in Technology:**

ALMS is an initiative designed by the government to digitize land management across the country. ALMS hopes to move land transactions from the traditional method of paperwork to online systems. Land surveying and mapping have vastly improved because GIS and satellite images are now used. Using remote sensing data helps the authorities watch land use, settle disputes, and react to changes in nature. Citizens can use the National Land Portal to find land services, information, and documents online. The intention is that this portal makes land information easier to access and use.

The country has advanced in land administration due to changes in its laws, improved institutions, and technology. With problems like landlessness and risk from climate change still present, the positive steps made are a great basis for making land distribution equitable and the government stronger. Improving the way we manage land and using technology will help make it sustainable.

## **12. Global Strategies to Strengthen Land Administration in Bangladesh**

Bangladesh spent years improving land administration, yet it is still facing several obstacles. Several nations have developed effective ways to address similar problems with land, and Bangladesh could use their lessons to strengthen its land administration system. Find below a list of measures suggested by other parts of the world that the Government of Bangladesh could look to adopting.

### **12.1 Global Examples**

**Comprehensive Land Reform Programs (Legal and Institutional Reforms):** The nation of South Korea has executed land reforms since the 1940s, including redistributing land so that more landowners could produce crops in better ways (Jochnick & Studwell, 2016).

**Land records are now being managed with technology:** Indian states have digitalized their land records, thanks to India's Digital Land Record Modernization Program (DLRMP), to help avoid conflicts, make land transactions easier, and provide greater transparency (Press Information Bureau, 2023). Registering land in Estonia has been made much easier because of the country's e-government systems (Vassil, 2015).

**Improving the Courts and Ways of Settling Disputes:** Singapore has set up Land Courts to immediately resolve difficulties involving land, helping to ensure fairness in everything concerning property rights (Singapore Land Authority, n.d.). The introduction of a Land Tenure Program in Rwanda, which gives landowners official documents for their land, reduces arguments over land use and supports stronger property rights protection (African Natural Resources Centre, 2016).

**Increasing Transparency and Lessening Corruption:** The Brazilian Rural Land Governance Program stresses openness by making land data accessible on the internet and giving people a digital method to buy and sell land. As a result, there is less corruption, and acquiring land has become simpler for everyone (World Bank, 2013). Kenya's National Land Commission: To decentralize land management and ensure more openness, Kenya has revised how public land agencies work (Ministry of Lands and Physical Planning, 2017).

**Better ways of planning land use and handling urbanization:** The system in Germany effectively combines the protection of farmland, city growth, and ongoing infrastructure building. Economic growth is promoted along with protecting the environment (Dembski, 2020). Singapore expands its cities wisely and saves green areas, and the housing for its people is affordable, all thanks to the Urban Redevelopment Authority's land use strategy (Urban Redevelopment Authority, 2019).

**A secure hold on land, vulnerable groups for better protection:** After reforming the Ejido land system, Mexico was able to give rural farmers legal rights to their land, improve their farming, and reduce poverty in villages (World Bank, n.d.). The Philippines gave farmers land throughout the land reform program, which secured credit for them and strengthened their ability to earn a stable income (World Bank, 2020).

**Land Bank and Climate Resilience Programs:** One strategy in China is to buy rural land, relocate it for city development, and give farming families compensation for the lost fields. As a result, managed growth in cities has become easier (Van der Krabben, Tiwari, & Shukla, 2020). The Netherlands' Flood Protection and Land Reclamation: Land management lessons for countries like Bangladesh at risk from climate change can be learned from the Netherlands' flood management projects (United Nations Office for Disaster Risk Reduction, 2022).

## 12.2 Measures for Bangladesh

**Land Redistribution:** The government could intensify land redistribution programs, particularly for the landless and marginalized communities, ensuring access to land for all, especially those affected by floods, river erosion, and climate change.

**Reform the Vested Property Act:** This law, which governs the confiscation and redistribution of land, should be reformed to be more transparent and equitable, ensuring that land is returned to rightful owners promptly.

**Complete Digitization of Land Records:** Bangladesh should continue to scale up the Automated Land Management System (ALMS), covering all districts, to digitize land records and reduce human errors, manipulation, and corruption.

**Integration of Land Information Systems:** The integration of cadastral data (property boundary maps) with other databases (e.g., taxation, land transfer) will help streamline services and prevent illegal land activities.

**Use of Geographic Information Systems (GIS):** Using GIS technology to map and monitor land use, ownership, and boundaries can help manage land more effectively, track land changes, and improve dispute resolution.

**Specialized Land Courts:** Establish dedicated land courts or fast-track procedures within existing courts to resolve land disputes quickly. It would make it easier for those with land-related issues to get justice.

**Alternative Dispute Resolution (ADR):** Promote the use of mediation and arbitration mechanisms at the local level to resolve disputes outside of the formal court system. This can reduce the workload on judges and make it less expensive and faster for people to solve their problems.

**Land Title Regularization:** Expedited issuance of legal land titles or ownership certificates to landholders, especially in rural areas, would formalize land ownership, reduce disputes, and encourage investment.

**Land Transactions Transparency:** The government should ensure that land transactions are publicly accessible through online portals, allowing citizens to verify property ownership and transaction history, reducing fraudulent activities.

**Strengthen Anti-Corruption Efforts:** Introduce independent audits and regular inspections of land administration offices to curb corruption at local land offices. Create benefits for officials who act with integrity, and Atlanta Airport Shuttle organizes repercussions for those who don't.

**Public Access to Land Records:** Creating a digital platform or National Land Portal, where all land records are publicly accessible online, will enhance transparency, allowing people to track their land status and reduce manipulation.

**Land Use Zoning and Urban Planning:** Bangladesh should implement stricter zoning regulations, especially for rapidly urbanizing areas. It would lead to better control over urban development, the conservation of fields, and a sustainable future for cities.

**Environmental Considerations:** Given Bangladesh's vulnerability to climate change, land-use planning must integrate environmental factors such as flood risk zones, river erosion, and coastal protection measures to ensure land is managed sustainably and resiliently.

**Public-Private Partnerships (PPPs):** Promote PPPs to address land scarcity in urban areas and support infrastructure development projects that can help optimize land use, while ensuring affordable housing and improved living conditions for low-income citizens.

**Formalize Land Rights for Women and Marginalized Groups:** Strengthen policies to ensure land tenure security for women, who often face discrimination in land inheritance and ownership.

Legal land ownership should be open to marginalized communities, especially to indigenous people, who have difficulties getting land.

**Khas Land Distribution:** The government should speed up the distribution of state-owned Khas Land to the landless poor, ensuring that the land is distributed transparently, without political interference, and with secure legal tenure.

**Establish a Land Bank:** The government could create a land bank to acquire and manage land for urban development, infrastructure projects, and climate resilience. As a result, urban development would happen more cohesively, and land would be used in a more efficient way.

**Invest in Climate Resilience:** Given Bangladesh's vulnerability to flooding, river erosion, and sea-level rise, implementing climate-resilient land management practices is essential. Example methods include installing better flood defenses, restoring land, and improving farming in districts exposed to floods.

### 13. Comparative Analysis

Around the world, many countries have tackled land governance challenges similar to Bangladesh's, using innovative legal, administrative, and technological approaches.

**India** is a regional leader with its *Digital Land Records Modernization Program (DLRMP)* launched in 2008. It integrates cadastral maps with digital titling and online mutation services. Karnataka and Andhra Pradesh, for instance, report over 90% digital coverage of rural land, leading to faster transactions and reduced fraud.

**Rwanda** implemented the *Land Tenure Regularization Program (LTRP)* in the early 2000s, which mapped and registered over 10 million parcels in just four years, boosting security of tenure, reducing disputes, and encouraging investment. This was possible due to strong political will, donor support, and robust public awareness campaigns.

**Estonia** has become a global model for digital governance. Its *e-Government ecosystem* connects land registries directly with national ID databases and taxation systems, making land transactions

secure, transparent, and efficient. Citizens can verify land titles and transfer ownership entirely online.

**Kenya** established the *National Land Commission* to decentralize land management, fight corruption, and digitize land records. Through its *Ardhi Sasa* portal, Nairobi County now allows online land searches, payments, and title transfers — significantly reducing bribes and delays.

**Brazil's** *Rural Land Governance Program* digitized millions of land parcels, prioritized community consultations, and created open data portals so the public could check who owns what land, discouraging illegal grabbing and increasing trust.

**Philippines'** *Comprehensive Agrarian Reform Program* redistributed large estates to landless farmers, strengthened smallholder land rights, and launched the *Parcelization of Lands of the Comprehensive Agrarian Reform Program (CARP)* project in 2020, providing formal titles to more than 750,000 farmers.

**Germany** combines strong urban planning with strict farmland protection under its *Regional Planning Act*. Local municipalities balance development needs with farmland and forest preservation, ensuring environmental sustainability alongside economic growth.

These examples show that clear property rights, digital integration, community awareness, and accessible legal frameworks can drastically reduce land conflicts and improve governance. Bangladesh can tailor lessons from these cases by:

- Rolling out nationwide digitization beyond pilot districts.
- Strengthening independent oversight institutions.
- Engaging communities in mapping and monitoring.
- Combining technological upgrades with strong legal safeguards and accountability measures.

## 14. Policy Implications

The comparative examples above demonstrate that successful reform depends on a comprehensive approach that combines legal clarity, administrative efficiency, technological innovation, and community trust.

For Bangladesh, this implies several key policy directions:

**Strengthen Legal Clarity:** Outdated colonial-era laws must be harmonized under a modernized national land code. Special provisions should protect customary land rights of indigenous communities, especially in the Chittagong Hill Tracts.

**Secure Women's Land Rights:** Despite formal guarantees, many women struggle to claim or inherit land. National inheritance laws must be enforced through local legal aid, public campaigns, and training for village courts and local officials.

**Boost Digital Governance:** National roll-out of the *Automated Land Management System (ALMS)* should link cadastral surveys with national IDs and online payment systems, following Estonia's model. All mutation and registration services should be made available online with easy-to-understand instructions in Bengali.

**Establish Specialized Land Tribunals:** Dedicated fast-track land courts can ease backlogs in civil courts and encourage timely resolution, learning from Singapore's dedicated land courts model.

**Promote Community-Based ADR:** Village courts and local mediation panels should be trained to handle family and co-sharer disputes promptly. Kenya's decentralized commissions are a useful reference.

**Protect Farmland and the Environment:** Inspired by Germany's balanced planning, Bangladesh's urban expansion must integrate climate resilience, zoning restrictions, and farmland protection to ensure food security and sustainability.

**Foster Institutional Accountability:** Independent audits and citizen oversight committees can check corruption in local land offices. Lessons from Brazil's open data portals and Kenya's anti-corruption measures could be replicated.

**Implement Public Awareness Campaigns:** Secure land rights depend on people understanding their rights. Bangladesh should invest in mass campaigns, legal literacy training, and accessible helpdesks at Union Land Offices.

Taken together, these policy directions require strong political will, inter-ministerial coordination, and partnerships with local communities, civil society, and international development partners. Phased implementation with clear targets and annual progress reviews can ensure that reforms move beyond paper and deliver secure, fair, and transparent land governance for all.

## 15. Research Findings and Recommendations

### Research Findings:

Bangladesh's land management is challenged by problems that make it difficult for everyone to use the land safely and fairly. Almost all land disputes arise because of old and manual registration systems that cause disagreements to drag on in the courts. As a result of land grabbing by powerful people, many marginalized communities are being moved. Changing agricultural sites for urban and industrial projects results in fewer food supplies and greater risks to the environment. Frequently, cultural restrictions hurt women's ability to receive what they deserve through family inheritance. The slow resolving of disputes and a lack of confidence among people are caused by corruption, weak organizations, and a broken legal arrangement. Despite being the original inhabitants, Indigenous people do not have enough laws protecting their ancestral lands, and getting public projects approved often involves not paying close attention to proper compensation and not involving the communities affected. When politics involve land affairs, responsibility and equality in land use can be difficult to achieve. The interviews revealed that land officials believe a lack of training and political interference hinder digitisation success. More than half of the community respondents expressed distrust in local officers, citing bribery demands. Female respondents highlighted barriers to claiming inheritance, often due to family opposition and fear of social stigma. These findings echo the literature review and underline the urgent need for integrated policy, technology, and social awareness campaigns.

## **Recommendations:**

Several minor policy and organizational developments might help improve how land is managed in Bangladesh. Land management technology can be enhanced by digital land registration and titling, along with checking ownership using national IDs, to guarantee transparency and minimize problems. Placing landless, marginalized, and indigenous communities first when sharing out land can help even out inequality widely. Applying land zoning policies and using sustainable land planning may reduce the risks to the environment and food security that come from unchecked city growth. Improving women's rights to inherit land and protecting those rights should help decrease the gender difference in land ownership. Land requires special courts, so introducing alternative ways to settle disputes makes it easier and quicker to do so. If laws for acquiring land are modified positively, those who are displaced will be better protected by ensuring equal treatment and promoting all voices. Additional changes that give secure tenure to farmers, open land financing for smallholders, and increase legal and awareness support can all help make land governance more open and effective. To succeed, these reforms would require leaders to keep the reform process going, cooperation between agencies, and active involvement by all important stakeholders.

## **16. Conclusion**

Overall, land administration in Bangladesh continues to matter, given that it is often hindered by legal challenges, lots of land disputes, bad record-keeping, landlessness, and sensitivity to changes in nature. Recently, major progress has been achieved thanks to changes in law, enhanced institutions, and technological adoption. Making land records more modern increased the performance of institutions, and the introduction of new dispute settlement mechanisms is already starting to solve numerous past issues. Even now, much is left to do to clear land disputes, assist landless residents, and secure tenants against the effects of climate change. To build sustainable and effective solutions, Bangladesh must keep focusing on improved legislation, their institutions, and the use of high-tech methods. This change will benefit the nation by allowing people to enjoy equal access to land and enhancing long-term economic strength and ability to resist growing environmental dangers.

## Bibliography

### Books:

- Islam, M. T. (2013). *Lectures on land law*. Northern University, Bangladesh.
- Hasan, M. K. (2018). *Land law and policy in Bangladesh: A socio-legal study*. University Press Limited.
- Islam, M. T. (2018). *Land law: Text, cases & materials* (3rd ed. 2023). Center for Human Rights and Legal Research, Bangladesh.
- Billah, S. M. M. (2021). *The politics of land law*. University Press Limited.
- Hossain, M. S. (2016). *Land disputes and resolution mechanisms: Case studies from Bangladesh*. Bangladesh Institute of Development Studies.
- Islam, N. (2017). *Legal framework of land administration in Bangladesh*. Bangladesh National University.
- Chowdhury, A. M. R. (2015). *Land policy and development in Bangladesh*. University of Dhaka Press.

### Journal Articles:

- 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.
- Islam, S., Moula, G., & Islam, M. (2015). Land rights, land disputes, and land administration in Bangladesh - A critical study. *Beijing Law Review*, 6, 193-198.
- Ali, M. A. (2020). Settlement of land disputes in Bangladesh: Legal issues and challenges. *Southeast University Journal of Law*, 3, 2020.

### Case List:

©Daffodil International University

- *Afsaruddin Ahmed v. Banque Indosuez*, 44 DLR (App. Div.) 136 (1992).
- *Ali Hussain v. Abdul Ali*, 59 DLR (App. Div.) 84 (2007).
- *Asaduzzaman v. Government of Bangladesh*, 36 DLR (App. Div.) 108 (1984).
- *Gopal Chandra Das & Ors. v. Nikunja Behari Sukra Das & Ors.*, 61 DLR (App. Div.) 509 (2009).
- *Moharram Ali v. Mohammad Madhu Mia*, 41 DLR (App. Div.) 92 (1989).
- *Salma Khatun v. Chittagong Zilla Parishad*, 51 DLR (App. Div.) 257 (1999).
- *Shamsul Haque v. Bangladesh*, 35 DLR (App. Div.) 1 (1983).
- *Gopal Chandra Das & Ors. v. Nikunja Behari Sukra Das & Ors.*, 61 DLR (AD) 509 (2009).

#### Website:

- Worldometer. (n.d.). *Bangladesh population (2025)*. Retrieved April 12, 2025, from <https://www.worldometers.info/world-population/bangladesh-population/>
- Jochnick, C., & Studwell, J. (2016, October 17). *Land reform for the modern era*. Devex. <https://www.devex.com/news/land-reform-for-the-modern-era-88732>
- Press Information Bureau. (2023, December 22). *Year end review 2023: Achievement of the Department of Land Resources (Ministry of Rural Development)*. <https://pib.gov.in/PressReleasePage.aspx?PRID=1989671>
- Vassil, K. (2015, June). *Estonian e-government ecosystem: Foundation, applications, outcomes* (WDR16BPEstonianeGovecosystemVassil). World Bank. <https://thedocs.worldbank.org/en/doc/165711456838073531-0050022016/original/WDR16BPEstonianeGovecosystemVassil.pdf>
- Singapore Land Authority. (n.d.). *SLA land titles registry*. <https://www.sla.gov.sg/regulatory/property-ownership/sla-land-titles-registry>
- African Natural Resources Centre. (2016). *Land tenure regularization in Rwanda: Good practices in land reform*. African Development Bank. [https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/anrc/AfDB\\_RwandaLandReform\\_FA.pdf](https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/anrc/AfDB_RwandaLandReform_FA.pdf)

- World Bank. (2013, February 1). *Brazil land governance assessment*. <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/105561468191049199/brazil-land-governance-assessment>
- Ministry of Lands and Physical Planning. (2017, October). *National land use policy (Sessional Paper No. 1 of 2017)*. Government of Kenya. <https://faolex.fao.org/docs/pdf/ken181087.pdf>
- Dembski, S. (2020). *Germany: A balanced planning system*. Scottish Land Commission. [https://www.landcommission.gov.scot/downloads/5fdcb56543ca9\\_Germany%20-%20A%20Balanced%20Planning%20System%20-%20Case%20Study.pdf](https://www.landcommission.gov.scot/downloads/5fdcb56543ca9_Germany%20-%20A%20Balanced%20Planning%20System%20-%20Case%20Study.pdf)
- Urban Redevelopment Authority. (2019). *Master plan*. Urban Redevelopment Authority. <https://www.uragov.sg/Corporate/Planning/Master-Plan>
- World Bank. (n.d.). *Documents & reports*. World Bank. <https://documents.worldbank.org/en/publication/documents-reports>
- World Bank. (2020, June 26). *Philippines: New project to help provide individual land titles to 750,000 agrarian reform beneficiaries*. World Bank. <https://www.worldbank.org/en/news/press-release/2020/06/26/philippines-new-project-to-help-provide-individual-land-titles-to-750000-agrarian-reform-beneficiaries>
- Van der Krabben, E., Tiwari, P., & Shukla, J. (2020). *Land use management strategies for equitable infrastructure and urban development: Overview of strategies and tools* (ADBI Working Paper No. 1191). Asian Development Bank Institute. <https://www.adb.org/sites/default/files/publication/648256/adbi-wp1191.pdf>
- United Nations Office for Disaster Risk Reduction. (2022, March 30). *Netherlands and Bangladesh: Allies in flood control and water management*. PreventionWeb. <https://www.preventionweb.net/news/netherlands-and-bangladesh-allies-flood-control-and-water-management>

241-38-015

## ORIGINALITY REPORT

|                  |                  |              |                |
|------------------|------------------|--------------|----------------|
| <b>11</b> %      | <b>9</b> %       | <b>8</b> %   | <b>7</b> %     |
| SIMILARITY INDEX | INTERNET SOURCES | PUBLICATIONS | STUDENT PAPERS |

## PRIMARY SOURCES

|           |                                                                                                                                                                                                                                               |                |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <b>1</b>  | <b>publicadministration.un.org</b><br>Internet Source                                                                                                                                                                                         | <b>1</b> %     |
| <b>2</b>  | <b>repository.ubn.ru.nl</b><br>Internet Source                                                                                                                                                                                                | <b>1</b> %     |
| <b>3</b>  | <b>Submitted to Far Eastern University</b><br>Student Paper                                                                                                                                                                                   | <b>1</b> %     |
| <b>4</b>  | <b>angoc.org</b><br>Internet Source                                                                                                                                                                                                           | <b>&lt;1</b> % |
| <b>5</b>  | <b>Mohammad Moin Uddin Chowdory.</b><br><b>"Overview of Governance and Rampant</b><br><b>Corruption in Land Administration in</b><br><b>Bangladesh", South Asian Journal of Social</b><br><b>Sciences and Humanities, 2024</b><br>Publication | <b>&lt;1</b> % |
| <b>6</b>  | <b>Submitted to Indian School of Business</b><br>Student Paper                                                                                                                                                                                | <b>&lt;1</b> % |
| <b>7</b>  | <b>www.ukhousingreview.org.uk</b><br>Internet Source                                                                                                                                                                                          | <b>&lt;1</b> % |
| <b>8</b>  | <b>Submitted to The Hong Kong Polytechnic</b><br><b>University</b><br>Student Paper                                                                                                                                                           | <b>&lt;1</b> % |
| <b>9</b>  | <b>www.coursehero.com</b><br>Internet Source                                                                                                                                                                                                  | <b>&lt;1</b> % |
| <b>10</b> | <b>Submitted to National University of Singapore</b><br>Student Paper                                                                                                                                                                         | <b>&lt;1</b> % |
| <b>11</b> | <b>Submitted to Universidad de Deusto</b><br>Student Paper                                                                                                                                                                                    | <b>&lt;1</b> % |