

EVALUATING THE RESTORATION OF VESTED PROPERTY IN BANGLADESH

ID# 191-38-327

Session-2019

Date: 30th December, 2019



Research Monograph
Department of Law
Daffodil International University

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This research work is conducted to fulfill the course requirements of Law-812 and to accomplish the degree of LL.M. (F) from the Department of Law, Daffodil International University.

EVALUATING THE RESTORATION OF VESTED PROPERTY IN BANGLADESH

Submitted To:

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Theses Paper (Law-812)
Masters of Law Program
Department of Law Daffodil International University

Acknowledgment

I am grateful to my teacher and instructor of Law-812, Ms. Ferdousi Begum, Senior Lecturer, Department of Law, and Daffodil International University for his cordial support to allow me to write this paper on my choice of topic. I am also grateful to all the researchers, journalists, victims, and authors from whom I borrowed incredible information relating to the topic.

I further acknowledge that I have not submitted this paper or any part of it for assessment in any of my undergraduate coursework or other academic endeavors. Also, I am fully aware that I have an obligation to make clear to the assessor which is my own work, and which is the work of others whom I am citing in this paper. Unless, I clearly indicate otherwise, my assessor is entitled to assume that everything being presented in the paper originates from me. I am also fully aware that resorting to plagiarism would lead me to disciplinary action as prescribed by the university's rules and regulations.

Once again, I acknowledge my gratitude to my teacher, Ms. Ferdousi Begum, whom I consider an idol of human rights. I am enormously inspired by his words and teachings which led me to work for human rights for the minorities

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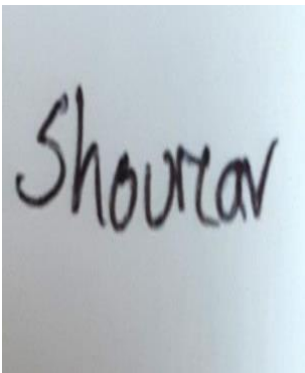
Student's Declaration

I, Shourav Mollick, ID#191-38-327, LL.M. (F), do hereby solemnly declare that the work presented in this thesis paper has been carried out by me and has not been previously submitted to any other University /college /Organization for an academic certificate /degree.

I further declare that the thesis paper on "Evaluating the Restoration of vested Property in Bangladesh" is submitted as part of the requirement for the degree of Masters of Laws at Daffodil International University.

The work, that I have presented, does not breach any existing copyright and no portion of this paper is copied from any work done earlier for any other degree or otherwise.

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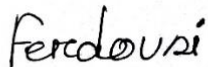
A photograph of a handwritten signature in black ink on a light-colored surface. The signature reads "Shourav" in a cursive, slightly slanted script.

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Certificate of Supervisor

This is to certify that the work entitled “Evaluating the Restoration of vested Property in Bangladesh” is an original work by Shourav Mollick, ID#191-38-327, LL.M (F), Department of Law, Daffodil International University, completed under my supervision and submitted as partial fulfillment of the requirement for the awarding of Masters of Law Degree, from Daffodil international University.

I wish her every success in all future academic and professional endeavors.



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Letter of Transmittal

December 30, 2019
Ms. Ferdousi Begum
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Subject: Submission of a dissertation paper on “Evaluating the Restoration of vested Property in Bangladesh”.

Dear Sir,

I have prepared my dissertation paper on the topic “Evaluating the Restoration of vested Property in Bangladesh” under your kind supervision as a requirement of completing the LL.M (F) program. I have tried my best to prepare the theses in consistence with the optimal standard under your valuable direction.

I made every effort to reveal to greater insight into this paper. I hope that this will meet the standard of your judgment.

Thanking you for your kind supervision.

Sincerely yours,

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Abstract

The enemy turned vested property laws of Bangladesh has determined both political and economic status of the minorities since the birth of this country and clearly depicts how the condition of living changes due to politically motivated decisions taken by the State. This research will try to unveil the unjust policies and practices through analyzing existing facts, data, legal documents, and real life sufferings. The widespread study conducted by me on literature review has brought some shocking findings and interviews of current victims show that the ongoing policies are not working for them but causing severe damages to their socio-economic and political life. Also, the research will argue how the lives affected by the politically motivated decision would be different if certain measures could be taken by the Lawmakers. The agenda of Liberation War is a failed one for few while taking away their right to own property would be another edge of argument throughout the paper.

Keywords: Vested, Enemy, Hindu, History, and Politics

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Chapter-1: Introductory

The importance of conducting this research is discussed in this chapter along with the research question and the hypothesis. It also covers the rationale of the study and research objectives. The methodology of conducting the study is elaborately explained in this part of the research while giving an insight of the limitations which were supposed to pop up during the study.

1.1. Introduction

Dedicated scholars have been studying on this problematic issue of enemy turned vested property since it was legalized by the state but very few of them ever drove into the core of this unjust and state caused suffering which has crippled the minorities in their socio-economic and political life. Understanding the reasons and the roots of appropriating properties of people who are labeled as ‘enemy of the state’ is more important than just looking for a solution. This is an issue which has spread its root into every marginal corner of the society and requires to be uprooted from the very core for a perpetual solution. Trying to solve it from the place of occurrence, or when isolated events like the *Ramu, Nasirnagar, or Rangpur* take place, could never give a permanent solution. The approaches taken by many scholars to suggest the government to amend the relevant laws or to introduce new ones never worked in reality. Instead, those approaches has increased the sufferings more and more. Samir and Arvinda quoted in their article from the United State Commission on International Religious Freedom (USCIRF) report that:

Although Hindus are Bangladesh’s largest religious minority, their proportion of the population is declining. At the time of the partition of British India in 1947, Hindus accounted for approximately a quarter of the population of what is now Bangladesh. Yet, each subsequent census since 1971, when Bangladesh gained independence, has recorded drop in the proportion of the Hindu population (Kalra & Chandrakantan, 2013).

The USCIRF statement is corroborated when we look into the statistic that the ratio of Hindu population in 1951 was 22% of the total population which reduced into 14% in 1974 but the 8.4% confirmation by the 2011 census is terrifyingly low (“Why the Hindus Of Bangladesh Are Leaving the Country”, 2015). The main reason for such declining number is losing their property under various pressure from both government and the members of majority community. For those who still live in this country, the state is causing an endless suffering by not ensuring their property

rights which were taken by the government in the name of enemy property as well as by some musclemen of the majority community under political shade. Although it could be solved within months, the different government since 1972 intentionally or unintentionally failed to do so. Why the sufferings of enemy turned vested properties is taking too long to end and

Why this inhuman but legalized problem created by the state still exist, was the question that brewed in my mind long before starting to write this paper. Politically motivated decisions taken by the state to satisfy the local influential and to gain their agenda had rooted this delinquency in the society was the assumption before conducting this research.

1.2. Rationale of the Study

The rationale of this study is to find out the original causes of the malpractice of depriving minorities from their property rights and what were the working motives for the state to enforce laws to initiate such anomaly. Going deeper into the problem and find out opinions from real life victims is another aim of this paper. This study also aims to propose some immediate and some long-term workable solutions so that the sufferings can be uprooted in near future.

1.3. Research Objectives

- a. To find out the actual and historical reasons behind this long-existing inhuman state practice.
- b. To learn and analyze depth of sufferings from real life victims of these enemy turned vested property laws.
- c. To propose some immediate and sustainable solutions to get rid of the ever-growing malice towards minorities.

1.4. Research Methodology

The study will be a combination of qualitative and quantitate method of collecting data. Both primary and secondary sources will be used to make it an exploratory research. An interpretivism approach will be taken to identify the philosophy behind the laws relating to the study. This approach will be necessary because it will allow to look into the details of the situation and to understand the reality or perhaps the reality working behind the situation. The purpose of primary data collection will be to understand today's condition of the victims and data will be gathered from victims of various places. Secondary sources will be explored to analyze legal documents i.e.

Act(s) of the Parliament, Order(s), Ordinance(s) as well as previously conducted researches on the same subject. The purpose will be to estimate and understand excuses and ambiguities which kept this long sufferings alive. Basically the research will follow an exploratory research design in which both primary and secondary data will be obtained using qualitative and quantitative data collection instruments while taking an interpretivism approach.

1.5. Literature Review:

Numerous studies have been conducted on enemy turned vested properties. Barakat et al. (1997 & 2008) found that the suffering is increasing day by day among the victims. There were different initiatives taken by several government after independence but none brought any fruitful solution. In fact, the most recent Act which was enacted in 2001 had brought several families on the roadside. Kalra and Chandrakantan (2013) reported that the number of Hindus are decreasing in the country since the c country was freed from Pakistan. Study conducted on the previous works found that the new Act is making it impossible to prove ownership when it asks for unbroken title over properties (Mohsin, 2009). Allam (2016) suggests that the sufferings has it's root deep in our history starting from 1962. It never happened overnight. It still continues in this sub-continent (Chaturvedi & Roy, 2017, Kazmin, 2017; Pradhan, 2016; Shahi, 2013) Though the Geneva Conventaion forbids appropriating properties from citizens, it continued in Pakistan and later in independent Bangladesh without complying with the Convention. A separate state for Muslims fueled the land grabbing in India and Pakistan which left an unimaginable marks of horror (Noorani, 2012; Buur, 2017; Dalrymple, 2015). Surprisingly it was found that the land grabbing never stopped though there were several laws to protect minority rights. News all over the papers found while investigating the data were heartbreaking. It goes so deep that the allegations runs through a huge number of powerful ones including close relatives of the Prime Minister. An insight of legal loopholes were found in an article of Yasmin (2016) but the report made by Mahmud (2017) was stunning when it came out that the Hindus were being forced to bribe to get remedy in the cases regarding enemy turned vested properties.

1.6. Limitation of the Study

Since the government does not have total control on the so called vested properties, it cannot be said in exact form how the sufferings are in reality. Howsoever, the estimation is possible through existing data and facts which will be explored while conducting the research. Another major limitation of this study would be to get the earliest picture of the situation given that most of the persons who were forced to leave during 1947, 1956, 1965, and in 1971 are dead while the heirs are the current victims. In some cases, it will be hard to estimate or to define the properties as Hindu properties because the muscled occupants have managed to gather doctored documents for those properties. Having these limitations and many more to come while writing the paper, I fear not to take the challenges.

1.7. Conclusion of the Proposal

The question of long existing and endless suffering is thought to be the outcome of politically motivated decisions taken by the government but it will depend on the substantial research whether the hypothesis is proved or not. It is assumed that the avenging mindset and the culture of not forgiving or forgetting plays a crucial part in this regard but that, too, requires proof which can only be found after having the study conducted in a decent manner. Restraining the different is in human nature as we can see that the world-wide minorities, who are different from the majority by religion or by skin color, are always being suppressed by the majority. But, state sponsored degradation is found in this region from the medieval time. The chain goes on and now on the hand of this generation. Incomplete or politically motivated laws like the VP Act with intended flaws are made to not bring peace but to suppress. The problem evolved and now has taken new shape but these are not unsolvable. Certain recommendations will be proposed and if the government adopts those recommendations, there might be a higher chance of getting rid of these sufferings. This will be a study conducted in specific places and the sufferings, as I gathered, are pretty shocking. Therefore, I take this matter in my own hand to come up with some solutions while having an extensive study on the roots of this heinous act sponsored by the State.

Chapter 2: Historical Background

The history behind this state caused anomaly is explained in this chapter. It also includes the agenda of the politicians to suffocate minorities by making them poorer in time. This chapter also focuses on the points that the anomaly never ended even after the country was independent from Pakistan and the policies which were taken by the new governments brought anything but peace in minority lives.

2.1. Partition of India

When it seemed to the Muslim League (ML) and Indian National Congress (INC) leaders that there can never be peace in a united country, they agreed to divide the nation into two (Buur, 2017). Since religion played the vital role, communal conflicts were inevitable and the massacres which took place after and before 14th August of 1947 are the harsh proof of the politically motivated inhuman cruelty (Dalrymple, 2012). Neighbors became 'enemies'. Childhood friends for many years ignored to recognize each other. Colleagues refused to place their eyes at each other. Basically, everyone wanted their share of lawlessness while it was still possible. It is known and reported that trains full of beheaded, pierced, mutilated, and raped corpses reached at several stations of Lahore, Delhi and other parts of Pakistan and India but another game was going on during these atrocity; grabbing properties (Noorani, 2012). Many of the Hindus of India took away as many moveable properties as possible from the Muslims who were to, forcefully, migrate into parts of Pakistan and many Muslims of Pakistan did the same to Hindus and Sikhs. Immoveable properties were left behind by those forced migrants and so was the right to own them. The general people would not be able to enjoy the immoveable properties since those could not be hidden. There came state sponsored anarchy. Under the shadow of the state, heavy weight local Hindus of India and Muslims of Pakistan took over many ancestral homes, homesteads, and crop lands of the migrants. The law of Enemy Property did not exist until 1962 but this partition was the masterseed of the idea. During the Sino-Indian war of 1962, the term 'Enemy Property' was coined by the Indians in this subcontinent. By the virtue of the Defence of India Act and Defence of India Rules of 1962, the then Indian government took over the properties of Chinese nationals as well as Indian nationals of Chinese ethnicity (Choturvedi & Roy, 2017). On an interview with the BBC, Mr. Cheng- an Indian by birth, said that his family along with other families were taken away from

Darjeeling to a camp in the desert of Rajasthan by a train that rumbled across India, the word "enemy" scrawled on its side, every compartment filled with befuddled and scared Chinese families (Roy, 2016). All those and many other families lost their properties and those properties were vested in the Indian government.

2.2. Political Agenda

Bangladesh being a part of the undivided India, it is necessary to discuss Indian politics to better understand the reasons why the legislature of Bangladesh is failing in this regard. Also, Indian politics and laws always had colossal influence on Bangladeshi legal system and enacting laws including the supreme law of the country, the Constitution (Omar, 1996). Therefore, the importance of scrutinizing Indian politics behind Enemy Property Laws has a significant importance. The motivation behind such a state caused suffering and its sources are too important to be ignored. Once, the Finance Minister of India, Mr. Arun Jaitley, whose family migrated from Pakistan to India during the partition, said in a parliamentary speech that the philosophy behind Enemy Property Laws were to disable the enemy during the war from using properties which is situated in the country (“Shri Arun Jaitley’s Speech”, 2017). He also gave a definition of who is an ‘enemy’ by stating that an enemy is either a country or a citizen of a country against whom India goes to war with. This same definition was used by Pakistan while seizing properties of the Hindus and Sikhs. No matter how angelic and logical it sounded; it existed only in documents. The practice had very little to do with the war. Religion of the victims in all over India and Pakistan played the dynamic role. Mr, Jaitley rightly said about the philosophy and that same thing remained in every document of both India and Pakistan while grabbing properties of the minorities. However, to understand the practicality of the philosophy and the political agenda behind enemy property history, the State’s grudge against a family becomes so important that we must have a brief look into it. When the demand of a separate country for Muslims of India was in its peak, the favorite political party of British Raj, the INC, failed to control it. Muslim League leaders from all over India came united for a same cause, an independent Pakistan. Muhammad Ali Jinnah of Karachi was the leader but the active role of Sir Syed Ahmad Khan of Aligarh, Huseyn Shaheed Suhrawardy of Midnapore, A.K. Fazlul Huq of Bakerganj, Sheikh Mujibur Rahman of Tungipara

and many important figures from every corner of the country flamed the movement (Rahman, 2012). Money was needed to fuel such a huge campaign and there came the then Raja of Mahmudabad. He was a close acquaintance of Muhammad Ali Jinnah and a vocal supporter of the Pakistan Campaign. His actions had consequences. His property was appropriated by the Indian government which was the largest estate in India and it is said that the Enemy Property Laws of this subcontinent came into being due to the grudge against Raja Mohammad Amir Ahmad Khan (Kazmin, 2017). He migrated to Iraq after 1947, visited Pakistan in 1957 and accepted an offer to be a Pakistani Citizen and then moved, settled, and died in London but buried in Iran (Pradhan, 2016). His son stayed active in Uttar Pradesh politics and served as a two term MLA but never could recover the ancestral home instead of fighting and winning decades long legal battle (Shahi, 2013). Overruling a 2005 Supreme Court Judgment, in 2016, the BJP government amended the country's enemy property law and passed a bill to dispose the properties of so called enemies which affected many Indian citizens including the successors of Mahmudabad and prominent Bollywood stars of Pataudi Family (Pradhan, 2016). Now, one must ask where the philosophy is. The country is not at war with anyone; the lawful successors are legal citizens; and no one is trying to use the property in favor of the enemy state. The answer is simple. It's all about political agenda and suppressing minorities. Though Bangladesh is not directly following the footsteps with India, the avenging political culture and mindset of the lawmakers are similar. To gain politically, suppressing minorities has been a common weapon used by the politicians ("সম্পত্তি দখল, হাসিনার বেয়াইয়ের বিরুদ্ধে কমিটি", 2015).

2.3. Enacting Unjust Laws

When India seized properties of Muslims in the name of Pakistani nationals during the Indo-Pak War of 1965 by the virtue of their Defence Act of 1962, Pakistan Enacted a similar legislation and started grabbing properties of the Hindus with the similar excuse. Again, people were forced to leave their ancestral homesteads. Both side played an interesting game. To turn the grabbing into a legal matter, India appointed Custodians to administer the properties taken away from Muslims and Pakistan appointed an Administration of Evacuee to manage properties taken away from Hindus. In fact, these were only to eyewash the international overseers to show that no one is violating the rules of war or human rights. In 1968, India moves another step ahead to enact Enemy Property Act, 1968. Pakistan follows and passes an Ordinance namely, Enemy Property

(Continuance of Emergency Provisions) Ordinance, 1969. Evidently these were the politically motivated laws to suppress religious minorities.

2.4. Repeating Anomy

Pakistan followed the footsteps with India as long as it benefited them. Whenever India enacted a law in the name of Enemy Property, Pakistan felt to cope up with. That resulted a state caused suffering for minorities. The damnation followed into anarchy and Bangladesh inherited this curse along with many others from Pakistan. No matter how secular and open the new country wanted to be, it always was pulled back by the defective roots spread by the Indo-Pak conflicts based on religion. Till today, for an unknown reason, Bangladesh is failing to ensure proper constitutional rights to the minorities. The anomaly continues in the deep roots of the government.

2.5. Post Liberation Policies

In the very early days of Bangladesh, while Bangabandhu Sheikh Mujibur Rahman was ruling the country, the hope was high for the minorities to get back their properties but the government faced new dilemmas. Few of the Bengalis collaborated with the Pakistani forces and some left the country during the liberation war. Dealing with their properties created this new dilemma. Thus, the government issued an order and declared that all the properties shall be vested to the government which were vested in the Pakistani Government (The Bangladesh (Vesting of Property and Assets) Order of 1972, § 2). From then on, Bangladesh did not call anyone enemy and the laws turned into vested property laws. Though the Enemy Property (Continuance of Emergency Provisions) Ordinance of 1969 was repealed in 1974, the government enacted another law with same effect (The Vested and Non-resident Property (Administration) Act of 1974). A gazette notification was made on 23rd March, 1974 declaring that no other properties shall be listed as enemy property in future. This declaration had put an end to create new victims and opened a path to settle the matters in hand. History took a turn and Bangabandhu was killed. The new regime, in 1976, again started to enlist Hindu properties as Enemy properties and declared by the Ordinance No. 92 and 93 that no property will be given back to its original owner if the property is already being used in public interest. What constituted a public interest remained an unanswered question though. In 1996, Sheikh Hasina led Awami League declared in its Election manifesto that they

will reform the legislation regarding vested property (Bangladesh Awami League Election Manifesto of 1996 Article 18). The party came into power and lost the appetite to respect minorities' interest. The long pressure from the Hindu Buddhist Christian Unity Council had no effect. Surprisingly, right before the next election, at the last Parliamentary Sitting of their term, they enacted a law namely, Arpito Sompotti Prottorpon Ain, 2001 (hereinafter mentioned as the Restoration of Vested Property Act, 2001). This Act has undergone several amendments and yet to become successful.

Chapter-3: Restoration of Vested Property Act, 2001

The features of the new Act is minutely discussed in this chapter. There are many drawbacks to make the Act as a successful one and those can be found in this chapter with a critical analysis. Furthermore, the lying culture of political parties are, too, unveiled in this chapter. New dilemmas rising out of the new Act and the discrepancy of law and practice is also revealed in this part of the research.

3.1. Features of The Act

The Restoration of Vested Property Act, 2001 (hereinafter mentioned as the Act or VP Act) came into being after year's long pressure from Hindu Buddhist Christian Unity Council and the Civil Society. The philosophy behind this law was to return the properties to the rightful owners. However, that philosophy was as good as a written document; successful implementation is yet to come. This Act has 33 sections and the main features are as follows:

- The matters raised under this Act shall be dealt by a tribunal namely Restoration of Vested Property Tribunal.
- Despite of being suits of 'civil nature', the matters will have limited access to the Code of Civil Procedure, 1908 but the Principle of *Res-Judicata* will have full impact.
- Properties will be returned back to it's legal owners as well as to *Sebayet*, *Mohanta*, or to the managing committee of properties used for public interest.
- Properties that had been permanently leased out by the government or disposed of, cannot be returned but properties which are temporarily leased shall be vested in the District Commissioner (hereinafter mentioned as DC) until the Tribunal decides the fate of such properties.
- Listed vested properties cannot be transferred.
- A list shall be published and the potential owners must file application with the Tribunal within 90 days of such publication.
- The Decrees by the Tribunals will be executed by the DC.
- Once declared as non-vested, cannot be vested again.

- Appeal will be allowed only if the application is rejected without hearing and regarding the decision of compensation and release of property. However, appeals shall lie nowhere but to the Appellate Tribunal.
- Evidence taking and testimonies will be held as the Tribunals please.
- The Tribunal and the Appellate Tribunal will be enjoying discretionary power when there is no specific provision on the Act.
- If application is not submitted within the specified time, the government will have power to dispose the property in any manner it seems fit.
- Preemption right will be respected in favor of an inherited co-sharer.
- None can claim any compensation or *manse profit* from the government under this Act.
- On the ground of acting in *bona fide* belief government and its officials are immune even if anyone suffers injury caused by the Tribunal or any other officials.

3.2. Shortcomings

This modern piece of legislation was supposed to serve the minorities in speedy proceedings and ensure their lawful right to own property. However, the law comprises with several loopholes to be notable burden for itself. The tribunal was supposed to be the speedy mode of proceeding but the Act kept the door open for it to become a civil suit by nature. The provision of proofing the claimants' case by providing appropriate documents as well as by providing witnesses was kept in this Act, perhaps, knowing the fact that the people who are vulnerable to the society will not be able to convince the neighbors to come and give testimony in the Tribunals. People who are enjoying the vested properties are, certainly, powerful and controls the village/local politics. This provision is merely an evidence that the real sufferers had no access to justice in this regard. The Act also requires the original owner or heir of the land to prove their 'unbroken and permanent citizenship' and 'continued residence in Bangladesh' (Mohsin, 2009). This is almost impossible to prove since their properties were 'vested' because they were forced to leave the country at some point. The law specifically mentions that properties which are permanently transferred by the government cannot be returned. This is tyranny in simple words. The owners did not transfer their properties to the government so that government can do whatever it pleases with them. If their

properties cannot be returned, the question of fulfilling the purpose of this law remains unanswered. In addition to that, the real owners cannot even seek compensation from the government for their properties which had been, unlawfully, taken away from and that is against every existing practice of acquisition of immovable properties by the government for public purpose in every civilized nation including Bangladesh. The law further creates agony when it says that the Tribunal judges will enjoy unlimited discretion when there is no specific provision on this Act. Giving such power away to individuals without scrutiny regarding real properties is completely against the principle of ‘check and balance’ when they are answerable to none. The immunity granted by this law unquestionably encourages exploitation when it says that no criminal or civil proceedings can be brought before any court against the government, Tribunals, or its officials if they had acted in *bona fide* belief. What constitutes *bona fide* action and limitations for such actions are not mentioned which keeps a wide hole open for venality. If we apply the interpretivism approach of jurisprudence to scrutiny the law, we can clearly reach to the understanding that the sole purpose of creating the law was to return the properties back to the lawful owners. The philosophy is to ensure property rights of the victims of oppression caused by the State during international conflicts. But, the written Act seems a silly document when the interest of the land grabbers were given more priority than the victims by imposing many limitations such as proofing unbroken residency, several documentation, testimonies, and many more.

3.3. Era of Unfulfilled Promises

We must go back and remember that Awami League promised to uphold the rights of the minorities before the 1996 election and they were elected. As usual, it was not a surprise that the politicians did not keep their promise. The Hasina-government played the trump card before 2001 election and enacted their signature legislation to please the voters just before handing the power over to caretaker government. Things went south for them and BNP along with their allies came to power. They, too, made similar promises before election and acted totally differently. The new government amended the Act and introduced unlimited time period to enlist properties as vested property (Barakat et al, 2008). This undoubtedly empowered the local authorities to takeover any properties as they pleased. The leasing system of vested property was abolished by the Act in 2001 but the 2002 amendment empowered the DC to lease it again and that literally disabled the Act

(The Restoration of Vested Property (Amendment) Act, 2002, § 3). The Law itself mentioned that a list will be published in the gazette notification consisting of returnable properties within 180 days of enacting the law which never happened. The wheel of power circled once again and Awami League assumed power with their allies in 2009. They again promised to act accordingly in upholding property rights of minorities. They promised one step ahead this time by declaring in their election manifesto that all the laws and practices inconsistent with the minority rights will be terminated (Bangladesh Awami League Election Manifesto of 2009, Article 9). Literally nothing happened. All the promises made by the two leading political parties never saw the light regarding restoration of enemy turned vested properties which left hundreds of minorities into a labyrinth.

3.4. Rise of New Dilemmas:

The last BNP-Jamaat alliance government produced a list of vested property sent by the DCs of 61 districts (Barakat et al, 2008). The list was kept with the Ministry of Land and later used by the Fakhruddin-Moeen Uddin caretaker government. The caretaker government articulated '*Vested Property Evaluation and Disposal Ordinance, 2008*' to amend the parent law. This ordinance was required because there was no parliamentary body to amend the law in the Legislature. Basically, this was the second amendment to happen and it created a forum dilemma. The District and Divisional Commissioners were empowered to hear and dispose the suits brought before them under the Act. It went against the independence of Judiciary and opposed by the minority community on the ground of 'secretly composed'. It took months for the then government to decide not to enforce the Ordinance. In the meantime, almost all the proceedings were frozen. The Awami League Grand Alliance formed their government in 2009 and the Land Minister Md. Rezaul Karim Hira proposed 'Restoration of Vested Property (Amendment) Bill, 2010'. It contained that all the unclaimed properties and those claimed but rejected after a judicial proceeding, will be declared as *Khas* Land. The Bill was not passed until 2012 by the parliament as the 'Restoration of Vested Property (Second Amendment) Bill, 2012'. After this amendment, a Statutory Regulatory Order (hereinafter mentioned as SRO) was issued to formulate 'Restoration of Vested Property Court' in every district headed by the District Judge. These dilemmas were created till 5th March, 2012 by the State. It was all making laws but implementing nothing. As a result, the sufferings never ended but gradually increased for the ill-fated.

3.5. Discrepancy of Law and Practice:

The parent law clearly stated that there will be tribunals to dispose matters regarding vested property so that disposal can be speedy but in practice, it was all treated as civil suits under the District Judges observation. An Assistant Professor at Department of Law, University of Dhaka once wrote that:

[I]t is almost like a civil suit for declaration of title. Separate vested property tribunals have been created for hearing these claims, and submitting original documents of title is only the first stage of the process and it includes even hearing of witnesses from both sides. Usually it takes more than 3/4 years to get a decree of return and that also is subject to appeal to the vested property appellate tribunals. Even when a decree has been passed for return of the property to the owner, the file would go to the office of the Deputy Commissioner who would then take steps to execute the decree. Thus although the Act was passed in 2001, till date none of the properties has been reported to have been actually returned to its owner (Yasmin, 2016).

The present law is that every application must be finally decided within 390 days. There is no way the time frame can be extended. In reality, no successful hand over is reported yet (Yasmin, 2016).

Chapter-4: Limitations

There are several limitations for the minorities to get a success in recovering their righteous land from the government as well as from the land grabbers. They have to face many socio-economic and political limitations in a daily basis. Those are focused in this chapter along with the legal limitations imposed by the state.

4.1. Socio-Political Limitations of Minorities

There are very few active members of the minorities in national politics. There is no limitation of inclusion but in most cases they are not interested in holding elected offices. In social life, the minorities are left far behind than the mainstream population. The reasons for such difference may call for another research to be conducted but the purpose of this research is to see what the limitations are that the minorities have in their socio-political life. In an interview based research conducted by Dr. Abul Barakat and his colleagues, it was found that the average yearly income of 161 affected persons of this law is 59,975 taka from which 54 percent had less than 40,000 Taka (Barakat et al, 1997). The occupation of the affected people has changed since promulgation of the enemy property laws. 77 percent of the affected families relied on cultivation from which only 16 percent remains in that occupation. When they were dispossessed, the social status degraded drastically. In another survey it was gathered that over 100 personnel were either engaged in business, trading or religious service now only 3 of them remains at the same occupation. In 7 sample Unions, the researchers found that 29 out of 100 Hindu households are affected and disposed by the Act. The following table shows how many families and their lands are affected by the VP Act (Barakat et al, 1997).

| Types of Land | Numbers of Affected Households | Amount of Affected Land (in decimal) |
|-----------------------|--------------------------------|--------------------------------------|
| Homestead | 734 | 16,192 |
| Agriculture | 1566 | 141,719 |
| Garden/Forrest | 190 | 4,996 |
| Ponds/Water bodies | 583 | 23,775 |
| Commercial land/Shops | 46 | 124 |

| | | |
|---|-----|-------|
| Religious places (worship/cremation) | 11 | 1,181 |
| Common land, roads, canals | 197 | 2,081 |

This social limitation is caused by the VP Act and it has limited the affected people to exercise their rights as equal citizens. To get back the properties, the applicants must have access to some kind of funding but they are unable to access such. A surprising finding was released by Human Development Research Centre that the Hindus in the country have been forced to bribe a total of 2,270 crore taka in some 2,00,000 cases filed since 2001 till 2017. On an average, each of the affected Hindu families spent 2,27,000 taka for their cases filed under the Act, and 50% of the costs were spent on bribery (Mahmud, 2017). Hence, the total amount spent on bribery stands at 2,270 crore taka. Now, everyone does not have access to such a huge cash and thus their hope to get back their ancestral property is doomed. The Hindus are rare in Bangladeshi politics. Only 7 were elected MPs in the 8th National Election and the current government has only 15 out of 300 MPs. In every year, there are communal conflicts backed by political leaders of different parties. There is no notable Hindu political party in Bangladesh. The only reported Hindu organization is Banga Sena and that is an extremist organization which aims to create a separate Hindu country inside Bangladesh. The other pressure creating groups such as the Hindu Buddhist Christian Unity Councils are not politically active but works to uphold the minority rights. The political limitation has a pulling force behind the Act as well as property rights of the Hindu minorities being failed for years.

4.2. Legal Limitations

The hands of the victims is tied by this evil law which has its origin in India and later in Pakistan. We must not forget that Bangladesh is not a successor of Pakistan in true sense. The country had fundamental differences with Pakistan and the Pakistani rule of 24 years is considered as occupation, not consensual endowment of charge. Therefore, the country was never bound to obey the laws enacted by Pakistan. It could simply declare the Enemy Property Laws void and enforce Succession Law to give the properties back to the original owners. Instead, it chose to keep the

evil, inhuman law by just changing the name from Enemy to Vested. Thus, the legal limitations could never be avoided and still haunts the nation in its core. The objective of equal distribution of wealth has failed for such dominating mindset of the lawmakers. The VP Act limits the rights of the minorities and takes away properties unlawfully (Barakat et al, 1997). When it says that properties permanently transferred by the government cannot be returned to its lawful owner, it violates the constitutional right of a victim to own property. When it declares that *mesne profit* or compensations cannot be claimed from the government, the law limits the victims' natural right to enjoy their property. This Act has been amended several times to increase the time limit and still it limits the victims to go for a regular suit which can be a better mechanism if practiced as written. Conversely, it operates in such a lengthy manner that it can be compared as a title suit in a different forum.

Chapter-5: Forcible Occupation

It has always been easy to grab properties from minorities. Sometimes in the name of legal management committees and sometimes forcibly by the land grabbers with the help from the law enforcers. That part is discussed in this chapter.

5.1. So-called Management Committees

Occupation of minority lands has its deep root in this subcontinent. Anciently, when any war broke out, each side appropriated other's properties as 'war loot'. After the Indo-Pak war of 1965, India promulgated the Enemy Property Act, 1968 where the government was authorized to appoint custodian to appropriate properties of Pakistani nationals in India. Thus, the Department of the Custodian of Enemy Property for India came into being. Pakistan followed the footsteps and several laws were enacted to deal with properties of Indian nationals in the then East Pakistan. States had caused a culture of anomaly of taking away minority property but it could not do so as per the article 147 of the Fourth Geneva Convention, 1949 which defines such act as war crime and 'grave breach' (Convention (IV) relative to the Protection of Civilian Persons in Time of War, adopted on 12 August 1949, article 147). Therefore, the States needed a way out from the international convention which India, successfully, achieved through the formation of Custodian of Enemy Property for India and Pakistan by setting up several management (Evacuee) committees. The task of the management committee was to look after the property left behind by the Hindus and later it would vest in the government. The persons of such committee was the locally 'respected' and powerful ones (Barakat et al, 2008). The root of forceful occupation, for Bangladesh, had outspreaded from there.

5.2. Land Grabbers and Law Enforcers

As this paper stated earlier that this is a pure political agenda by the State to suppress the minorities, a research conducted on occupants gives us an astonishing data. A total of nineteen lac fifty thousand six hundreds and six Hindu households are affected by the labyrinth of the VP Act (Sarker, 2017). Whoever is in power, grabs the lands of minorities. The ruling party is always first to get in line. During the 1995 BNP government, 71.6% of the beneficiaries were from or had alignment with the ruling party (Barakat et al, 1997). Currently, almost all of the occupied lands

belong to Awami Leaguers or to their allies. Due to the ‘Enemy’ property laws, approximately 26,00000 acres of land has been disposed from the minorities and most of that was grabbed by the politically affluent village *Matbars*/Union Council Chairmen-Members who always belong to the ruling party. During the enactment of the VP Act in 2001, 6 lac 43 thousand 1 hundred and 40 acres of land were listed as vested property from which the government did not have any control over 4 lac 45 thousand 7 hundred and 20 acres (Allam, 2014). This huge amount was grabbed by the politicians and the rest was leased to them. Basically, the whole amount of vested property is enjoyed by the people who are in power. Another research found that 36.6% said that government officials are keen to lease Hindu properties to local powerful ones, 31.1% said they help manipulating documents in favor of the land grabbers, 15% confirmed that officials take bribe from the occupants, 1.9% said that the officials directly help occupying Hindus’ land, and shockingly 3.9% said that the officials help clearing the property under VP Act in favor of the land grabbers (Barakat et al, 1997). The law says that once the property is released, cannot be vested again which makes the land grabbers lawful owners. Due to the reluctant attitude of the law enforcers, the minorities are being targeted of abasements which, eventually, leads them to vacate the property and the land grabbers easily gets possession. Victims were asked on their feelings of insecurity or threat, 28.6% said that they were threatened to be pushed-in to India, 26.1% received death threats, 24.5% admitted that the female members of their families were being continuously harassed, 18.5% had their crops damaged, 1.9% were prevented from religious freedom (Barakat et al, 1997). All these suppressions had one motive and that is to occupy the Hindus’ land. The forceful occupation takes a different dimension when the lawmakers, whip, and minister of the ruling party is accused of land grabbing. Specific instances were cited by the Hindu Buddhist Christian Unity Council on 6th August, 2015 that the LGRD minister Khandker Mosharraf Hossain, Parliament Whip Mahabub Ara Begum Gini, and Thakurgaon MP Dabirul Islam and Pirojpur lawmaker AKMA Awal had forcefully grabbed Hindus’ land (“LGRD Minister Khandker Mosharraf Faces Investigation On Land Grabbing Charges”, 2015). The law enforcers are docile in cases like these. These allegations against such powerful, and in office heavyweights do not usually come out of blue. Investigation committees are formed in such instances, as it happened against the minister too, but in most cases, the investigation dies inside the red tape.

Chapter-6: Present Condition

It was supposed to be different in this modern day that no one's right to own properties is infringed. However, that is as good as in papers for the minorities. The infringement takes different faces in urban and rural areas which can be found in this chapter.

6.1. Rural Areas

Today's suffering has its new identity. Playing with the legal loopholes replaces the religion game and political affluence enhances the muscle power. Dispossession using the current VP Act will be found in almost all upazilas if not unions. A study was conducted in 8 Unions of six upazilas of six districts (Barakat et al, 1997).

| Name of the union | Number of total Hindu households* | Number of affected households under VP Act** | Percentage of affected households | Amount of land affected (in decimal) | Percentage of land affected per household (in decimal) |
|-------------------|-----------------------------------|--|-----------------------------------|--------------------------------------|--|
| Barthy | 753 | 705 | 93.6 | 50352 | 71.42 |
| Kalicochha | 345 | 69 | 20.0 | 5372 | 77.86 |
| Kaultia | 795 | 262 | 33.0 | 40995 | 156.47 |
| Chatmohor | 283 | 390 | 137.8 | 49115 | 125.94 |
| Gunaigacha | 110 | 229 | 208.2 | 19259 | 84.10 |
| Chandaikona | 340 | 96 | 28.2 | 19827 | 206.53 |
| Madhabpur | 803 | 99 | 12.3 | 2993 | 30.23 |
| Adair | 706 | 54 | 7.6 | 2148 | 39.78 |

*Estimated from Bangladesh Population Census 1991, Vol.1 (Dhaka: BBS, 1994) and Vol.2 (Dhaka: BBS, 1993), as in Table 2

**Official VP list collected from Union Office through personal contact of the researchers (Barakat et al, 1997).

The researchers of abovementioned data estimates that almost 35,90,000 Hindu households are affected i.e. 10 households of every 34 are victims of Vested Property Act (Barakat et al, 1997). Previously (Pakistan period), it was religion which played the vital role of occupying Hindu land and now a days it is either politics or misuse of legal provisions. In an interview, 31.1% responders said that government officials help the beneficiaries to manipulate documents so that they can release the vested property in their favor (Barakat et al, 1997). The goal is to get a decree from the Tribunal because the law says that, if any property is released by the Tribunal, it will be final (The Restoration of Vested Property Act of 2001, § 12). En example must be brought here how political power and muscle power playing the role even after the VP Act came into being. One Fakir Uddin Sana, a wealthy and rich farmer who was also the local leader of the then ruling party, had his eyes on a 6 acre homestead of a Hindu family. He first asked the family to sell the homestead to him but they refused which agitated him and Mr. Sana vowed to see the end of it. He colluded with the Union Tehsil office and managed to manipulate some documents and declared the property as vested property by beating drum in the village. He frightened the family to move out to their relatives in a nearby village and suddenly occupied the land by settling some of his followers. The family tried several times to pay revenue to the Tehsil office but the Tehsildar never received their payment. The family now lives miserably and one of the daughters of Mr. Sana is settled on their homestead with her family of at least 13 members (The victim described the incident which took place in Khulna).

6.2. Urban Areas:

Grabbing Hindu Land and vested properties is a competition of the ruling parties. Whoever is in power, occupies as much minority property as possible. It was reported that a vested property was given 99 years lease to Awami League in Barishal town where they were to build their party office (Shaheen, 2016). If the government were so keen on restoration of vested property, why would they allow such lease? When asked by a journalist, a Member of Parliament and District General Secretary of Awami League answered that they are occupying vested property because it is difficult to get land in the heart of the city and also buying land is too expensive. Much interestingly, the party office of Potuakhali District Awami League is suited on an abandoned property. When BNP was in power, their party office was at the same place. It was exactly the same for previous Awami League government. Basically, it all is a competition of anarchy.

Whoever has chance, suppresses the weak. One Ranju Sarder, a ruling party leader Gouranadi municipality, had occupied a 5 crore valued property and built infrastructures (“অর্পিত সম্পত্তিতে যুবলীগ নেতার পাকা ভবন”, 2014). Locals said that the 3 acres and 61 decimals of land originally belonged to one Subhashini Devi, a Hindu woman. In urban areas, it all changes with the power transition. When Awami League will lose the power, all the party offices they are holding on vested properties will return to the upcoming party in power (Shaheen, 2016). Vice versa will apply for the next and it goes on.

Chapter-7: Case Studies

This chapter discusses the heartbreaking real life sufferings of the minorities in different part of the country. It can be shocking and distressing how miserably the victims are still being haunted due to this inhuman state caused anarchy. The stories are too painful to bear.

7.1. The VP Act List and A Staged Marriage

Mrs. Chandra, wife of late Jogesh Chandra, is a 70 year old widow who once had 770 decimals of land with two sons and now living with the mercy of a distant relative long away from home. Sometime before 1975, her land was listed as vested property. Later, one of her two sons, Subash, was illiterate and mentally challenged. Once he was allured by Mr. Moksed and was taken to the city with a false promise that he will be married to a beautiful girl. Feeding some delicious food, Mr. Moksed took his thumb impression over a sale deed. It was during the harvesting season when he understood that his property has been engulfed by the manipulation he suffered. Mr. Moksed and his gang prevented him from harvesting the crops. His brother namely Naresh, a *Muharri*, protested and was tied up with a rope by the gang and suffered inhuman torture. On other occasion, the family was dispossessed by Mr. Saker, an ally of Mr. Moksed. When Mrs. Chandra went to a court against Mr. Saker, he sent a proposal of compromise. Surprisingly, when they sat, Mrs. Chandra was taken captive and Mr. Moksed along with his stooges took her thumb impression on some documents and later spread the word that she and Mr. Saker is married. Also, she had given 300 decimals of her land to Mr. Saker. After few days, she was rescued by some other Muslims but was not allowed to the Hindu community. The sons were ashamed and could not take their mother in their home. Now she has no land, no family (Barakat et al, 1997).

7.2. A Cruel Story

One uneducated old man, Shushil Kumar, had a homestead of 6.5 acres adjacent to the main road including a pond, a bamboo bush, and many fruity trees. The president of the ruling party of the local union asked Mr. Kumar to sell the house to him with a namesake price but Kumar refused as it was his ancestral home. The political leader threatened Kumar in several occasions but he was firm in his decision. One evening, while coming from the local *Hat* after selling some vegetables, Shushil and his son was stopped by a 5/6 members gang and beaten while mentioning that Kumar

and his family will be sent to India naked if he gives anymore anxiety to their leader. Next morning, the father-son went to the local police station to file an FIR but they were convinced by someone in the station to file a General Diary instead. Police came into investigation and later handed the matter to the same leader for a local *salish*. Mr. Kumar and his son refused to attend the *salish*. After some 2 months, Mr. Kumar along with his son went to India for medical purpose and Mr. Kumar died there. His cremation was held in India where one of his cousins lives. When his son came back, he (the son) found that his wife and only daughter was living with his sister and his homestead is being used by a newly formed club chaired by the same political leader. He went to the Tahsil office and found that his property was vested in the government sometime after 1965 when his father left the property and moved to India. He was convinced that there was no chance of getting it back without proper documentations which he did not have. The leader helped him getting few decimals of *Khas* land and he now resides there (The victim told the story and was corroborated by at least 5 villagers).

7.3. A Collaborator Chairman vs. A Priest

Mr. Gurudas Nandi, an 84 old priest of ‘*Sarbodharmo Shamonnay*’ came to the Temple at the age of five. In 1969, the local UP Chairman came with his musclemen and forcefully dispossessed the priest assuring that the 2500 decimal land is declared as enemy property. The priest went to the Tehsil office and was suggested to take lease of the property but he refused arguing that the property lawfully belong to the Temple. After the liberation war, the collaborator Chairman escaped and the priest regain possession. After 1975, one of the musclemen of the Chairman again engulfed all the land except the Temple itself. Losing all the income from the land, the Temple was going through hardship and the priest decided to sell one of the beams (made out of hard Burma tick) of the Temple to maintain the financial crisis. A case was started against him for selling vested property and he was imprisoned for three months. When the case study was made, the priest and other members of the Temple mentioned that the priest was severely beaten several times by the goons of the said Chairman and his two daughters were kidnapped and tortured. Currently the thugs are using the premise as open toilet to vex the Temple goers and the priest so that they evict the place and the hooligans get what they want (Barakat et al, 1997).

Chapter-8: Recommendations

Some workable, tangible, and substantive solutions are offered in this chapter. There are short term and long term solutions which can surely eradicate this heinous crime from this country. Those are intensively engrossed in this chapter.

8.1. Things to Do Now

Many think that religion is, ultimately, responsible in regard to vested property sufferings but it actually is not. Politics is the main malefactor to this evil and endless sufferings which is pretty clear from the above discussion. Therefore, any drastic measures from the government would collapse the social pillars in a speedy manner and the victims might suffer more economic loss (Barakat et al, 2008). The local administrations are always found loyal to the local politicians and those are the real beneficiaries of the vested properties. So, a judicial approach may be taken so that police or the local administration does not have deciding powers over the vested properties or the victims. Thus, to reduce sufferings, the government may take the followings initiatives immediately.

- A *suo motu* attempt must be taken from the government to identify the real owners and successors of the vested properties listed under any previous laws and the current one(s).
- A committee should be formed in every upazila headed by the judicial authorities of the respective upazila who will be answerable to the respective District Judge. For the metropolitan areas, the committees shall be headed by the District Judge himself. The only task of these committees shall be to identify and list the owners or successors with their properties and finally prepare and send a proposal of lease to the District Judge following the law of succession.
- The District Judge shall send the lists to the DC and the DC shall only have power to lease out all the vested properties to its potential owners or successors as per the District Judge's proposal.
- The District Judge shall further advise the DC to declare all the 99 years lease or any other lease which is given to any person, organization, or

institution so that the property can be leased out to its real owner or successor.

- No administrative meddling shall be allowed in this procedure without the District Judge's consent.
- Where no owner or successor is found, the property shall be leased out to the financially poor from the minority community. No Hindu property shall be leased out to any Muslim or others.
- The duration of such lease shall expire as soon as a decision is made from the Tribunal in regard to the property.

8.2. Things to Do in Future

The majority agrees that the VP Act does not work. It is universally recognized that appropriating properties is a violation of international standard. The 4th Geneva Convention clearly states that it is a grave breach. All the properties are listed in Bangladesh as enemy or vested properties are the results of war. Since appropriating is illegal, the government may take the followings into hand in near future.

- All the laws relating to enemy or vested property shall be repealed by the parliament and law of succession shall be made applicable to all properties.
- An adequate universal provision shall be made available to the law of succession so that women can be as equal successors as men. This might cause tension among religious groups. Therefore, there shall be a provision that the women has discretion to follow or not follow the religious succession laws but none can force them to do so. In this way, the women will not be discriminated where there is no male successor in the family.
- No easement or prescription right shall be applicable for the properties which were listed as vested property.
- Extensive campaign shall be made by the government to aware victims on their rights.

- Legal provisions shall be made available to punish land grabbers if found possessing any land including minority land without lawful documentations.
- Compensations and mesne profits must be allowed.
- All vested deity properties, places of cremation, and other properties which were intended to serve any community shall be declared unvested and brought under public trust. The terms shall follow the original intention of the donors or organizers.
- All the properties transferred by the government, obviously with no exception, shall be returned to their real owners or successors. If that is not possible, exact current market-value, mesne profit, and a value added by judging the gravity of the years long sufferings must be paid by the government to the victims.

Chapter-9: Conclusion

The conclusion includes major findings which were found while conducting this study. At the same time it offers scopes to conduct researches in future while summarizing the whole paper.

9.1. Major Findings

The major findings of this enormous research are very astonishing. Still, history plays the main role to keep the sufferings thriving. Political agenda and grudges add fuels to it. Attracting the vote bank in favor of the ruling party had always been the key motive for the governments to not letting the problem out. If there is no such issue, the parties would have to come up with new ideas and promises to make while declaring election manifesto which would be hard for them and tough to convince the voters. Thus, they love to stick with the problem and make new promises right before every election and successfully spend the whole tenure with not keeping the promises. Legal loopholes are kept by the lawmakers so that they can evade any sort of trouble which may come in their way or the bureaucrats who works on their behalf. The occupation of minority lands has taken a new form in the urban areas while the rural sufferings are almost similar as it was during the Pakistani rule except there is a new addition of political interest growing on the properties. Whoever is in-charge of the country, has the right to exploit minority properties and it always is transited peacefully with the new in-charges whenever there is a new one. It is further found that the VP Act is having impact on the dispossession of minority lands and creating opportunities for the musclemen to occupy them (Barakat et al, 1997).

9.2. Future Research

The current study had raised some important questions to be solved through future researches if a complete eradication of enemy turned vested property suffering is aimed. How to cut the traditional ties with India politics relating to handling such properties would be a major field to have a research on. Also, a clear and specific research must be conducted in computing the exact amount of land appropriated by different government and those which are forcefully grabbed by the land-robbers. A research must be conducted on the multidimensional nature of this problem because there is not a singular fact which works behind the wheel.

9.3. Summary

The question of long existing and endless suffering was thought to be the outcome of politically motivated decisions taken by the government but after the substantial research it is found that the problem, actually has its origin from ancient time of this region. The avenging mindset and the culture of not forgiving or forgetting plays a crucial part in this regard. Restraining the different is in human nature as we can see that the world-wide minorities, who are different from the majority by religion or by skin color, are always being suppressed by the majority. But, state sponsored degradation is found in this region from the medieval time. The chain goes on and now on the hand of this generation. Incomplete or politically motivated laws like the VP Act with intended flaws are made to not bring peace but to suppress. The problem evolved and now has taken new shape but these are not unsolvable. If the government adopts the recommendations given in this paper, there might be a higher chance of getting rid of these sufferings mentioned in this papers. This is the study conducted in specific places and the sufferings are shocking. If the government does not act now, who knows how many families are going to be homeless in near future.

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