



## RESEARCH ARTICLE

### A COMPARATIVE ANALYSIS OF RESETTLEMENT POLICY BASED ON INTERNATIONAL PERSPECTIVE: A CASE STUDY ON KHULNA RAILWAY STATION REMODELING PROJECT, BANGLADESH

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#### ABSTRACT

This paper discusses the current process of eviction and resettlement of Khulna railway station remodeling project, and proposes proper compensation guidelines to ensure appellativewellbeing of the evicted slum dwellers and shopkeepers. Both legal and illegal land dwellers get resettled when a project requires land but there is no provision for compensation for illegal land dwellers in resettlement policies of Bangladesh. However, in policy guidelines of international organizations like World Bank and Asian Development Bank, provision for compensation for legal and illegal land dwellers have been kept to ensure wellbeing. The eviction of Khulna railway station remodeling was carried out following their own policy guideline. Thus evicted slum dwellers and shopkeepers didn't receive any compensation for their loss. The objective of this study was to propose proper compensation guideline to mitigate the loss faced by evicted people and draw a proper framework to assure their wellbeing. Several focused group discussion and surveys were conducted under this study for figuring out the procedure of this eviction process. Different international organizations policy was reviewed to outline best practice in resettlement process and various case studies were demonstrated to show good practice of resettlement in Bangladesh.

#### INTRODUCTION

Khulna is one of the major divisional towns of Bangladesh. This town has developed in a linear way. The networking system of the city plays a vital role in the economic growth of the city. Here, railway is an important part of the whole networking system but the existing condition of the Khulna railway station is not very satisfying. Recently govt. has started a project on remodeling the existing railway station which covers around 22 acres of land surrounding the existing station. Government is the legal owner of this land, so additional land is not required for this project. The principal legal instrument governing land acquisition in Bangladesh is the Acquisition and Requisition of Immovable Property Ordinance II (1982) and subsequent amendments of the Ordinance II (1989/93/94) and other land laws and administrative manuals (GoB, 2013). The 1982 Ordinance requires that compensation be paid for (i) land and assets permanently acquired (including standing crops, trees, houses); and (ii) any other damages caused by such acquisition. The Deputy Commissioner (DC) determines (a) market value of acquired assets on the date of notice of acquisition (based on the registered value of similar property bought and/or sold in the area over the preceding 12 months), and (b) 50% premium on the assessed value (other than crops)

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due to compulsory acquisition (GoB, 2013). However, it is well known in Bangladesh that people devalue land during transactions to pay lower registration fees. As a result, compensation for land paid by DC including premium remains less than the real market price or 'replacement value' (RV). The 1994 amendment made provisions for payment of crop compensation to tenant cultivators. The adjacent slums of the railway station are affected for this project because their shelters are resettled from one place to another. Here slum dwellers are the main victim of the project. The objective of the paper is to identify the present condition of the evicted people and figure out the existing policies followed by the Railway authority about providing resettlement to the affected people. This paper is to provide planning steps and procedures to ensure 'best practice' in compensation and resettlement according to international guideline.

#### MATERIALS AND METHODS

Khulna Railway station at Power House Mor is selected as a study area. At first, a reconnaissance survey is done for physical verification and to know the pros and cons about the study area. A field survey is conducted in the planning area to gather information's. The survey was divided into two parts: Firstly, the existing condition of the affected slum dwellers and shop owners were surveyed. Secondly the resettlement scenario and

compensation for the affected people were marked. At railway rest house, a discussion was held on the Remodeling Project and Resettlement possibilities for affected slum dwellers and shopowners between group members and Sub Assistant Engineer of the remodeling project. Sufficient Data about Remodeling Project of Khulna Railway Station was collected from IW Office, Khulna. Proper Desktop Research was needed for the study. It means using Google Map and GIS map for seeing the location of our study area, gathering secondary information about the study area from different websites. After analyzing the collected data, the survey results and findings were made.

### Present Condition of Railway Slum Dwellers

Before the starting of the railway project at power house more there exist slum for living and some shops. The dwellers of these slums lived there illegally; they had no legal document of the land, where they stayed. So they have no legal right of the property which they encroached. The rail station authority is the legal owner of this property. That's why at the time of this ongoing project many houses, shops were demolished and the slum dwellers were resettled from the powerhouse moor to other places such as 5-7 no ghat, Joragate. In Bangladesh, according to the rules of World Bank the resettled slum dwellers should be compensated by money, land or other facilities. By surveying of these study area, it was found that any rehabilitation program yet not happened for the resettled people.

Because the dwellers of slum nor the native of this land or they have no legal paper. Before liberation war, the people lived there temporary by using polythene. There are very few govt. school & college for the dwellers. Most people of this area are mainly day laborer. Most often the existing structures were demolished within a notice period of 2 days. At present, some shops are established in the 5-7 no. ghat area which is not providing any rent to the land. Most of the evicted people are now living in the joragate area by establishing a slum. They are also paying rent for the place.

### Present condition of shopkeepers

A new railway station is being constructed under the Remodeling project of Khulna railway station at power house more beside the existing railway station. Boundary wall, wash fleet, water tank, rail line is also constructed under this project. The railway authorities have a master plan of resettlement for the shops. In this master plan, the proposed location for the resettlement starts from 5 no. BIWTA Ghat to Zora Gate along the river bank. The plan still is not approved by the authority. On the other hand, the owners of the shops have opposed to shift at the proposed location. Because the location is not suitable for their business as it has been used for a fish market. The owners of the shops demand the road side land near ferry ghat more.

### Compensation

As the owner of the whole area is railway authority and they follow the railway rule, 1969; there is no measure for compensation for the affected people (GoB and ADB, 2015).

## Compensation Procedure According to WB and ADB Guideline

### Calculation of resettlement assistance for Shopkeepers

In this case monthly income, equivalent money for loss of asset and reconstruction cost of shops were considered as resettlement assistance. This resettlement assistance is given to the two groups of affected shop owners. One group is who faced a great loss of assets during demolishing the shops and other group is who have shifted before demolishing the shop.

**Table 1. Determination of Compensation According to World Bank's Policy (WB, 2001)**

Criteria	First Group (for eachshop)	Second Group (for eachshop)
Average Monthly income for 2 months	25000*2 =50000 Tk.	25000*2 =50000 Tk.
Average Reconstruction cost	200000 Tk.	200000 Tk.
Average Loss of asset	100000 Tk.	0
Total	350000 Tk.	250000 Tk.

(Source: Field Survey, 2016)

Total 46 shops have already demolished among which 13 shops have severe loss of assets. In this case according to World Bank's policy the total amount of compensation is  $\{(350000*13) + (250000*33)\} = 12800000$  Tk.

**Table 2. Determination of Compensation According to ADB Policy (ADB, 2014)**

Criteria	First Group (for eachshop)	Second Group (for eachshop)
Structural Loss	150000 Tk.	150000 Tk.
Transportation Cost for Replacement	2000 Tk.	2000 Tk.
Reconstruction Cost	200000 Tk.	200000 Tk.
Average Monthly income for 2 months	25000*2 =50000 Tk.	25000*2 =50000 Tk.
Loss of Assets	100000 Tk.	0
Total	502000 Tk.	402000 Tk.

(Source: Field Survey, 2016)

Total 46 shops have already demolished among which 13 shops have severe loss of assets. In this case according to ADB policy the total amount of compensation is  $\{(502000*13) + (402000*33)\} = 19792000$  Tk.

### Resettlement assistance and compensation for slum dwellers

The slum dwellers didn't have any legal right to land that they live in. They were evicted from one part of the land of rail and shifted to another part of slum settlements of slum. As they're engaged in the same occupation as before, and they're not shifted far from where they live in, there is less need for additional compensation. However, as they're shelter gets destroyed by the eviction process, it is necessary to provide an amount of compensation that allows them to build new shelter. This also applies for the disturbance of earning they suffer because of the eviction. According to rules of Government of Bangladesh, they don't deserve any compensation. But they deserve compensation if the guidelines of WB, ADB or IFC are followed. To compensate the cost of shelter, at least Tk.

**Table 3. Compensation for Slum Dweller According to Policy Guideline of WB (WB, 2001)**

Criteria	Compensation
Average Reconstruction cost	25,000 Tk.
Average Loss of asset	15,000 Tk.
Total	35,000 Tk.

(Source: Field Survey, 2016)

**Table 4. Compensation for Slum Dweller According to Policy Guideline of ADB (ADB, 2014)**

Criteria	Compensation
Structural Loss	15,000 Tk.
Transportation cost for replacement	500 Tk.
Reconstruction Cost	25,000 Tk.
Cost for new Water source	3000 Tk.
Cost for new Sanitary Latrine	6000 Tk.
Loss of Assets	10,000 Tk.
Others	1000 Tk.
Total	60,500 Tk.

(Source: Field Survey, 2016)

**Table 5. Comparison among Compensation According to Different Policy**

Type of Affected People	Policy of GoB		WB Policy		ADB Policy	
Slum Dweller	0.00 Tk.		35,000 Tk.		60,500 Tk.	
Shop Owner	First Group	Second Group	First Group	Second Group	First Group	Second Group
	0.00	0.00	3,50,000 Tk.	2,50,000 Tk.	5,02,000 Tk.	4,02,000 Tk.

(Source: Authors Calculation, 2016)

25,000/- should be provided to each household. There'll also be an amount of compensation provided for livelihood restoration. By summing both figures, Tk. 30,000/- should meet their need of compensation because of the eviction process. As the exact number of household is unknown, further survey needs to be conducted to find the actual evicted household can be found. From that data, total number of compensation and budget required for slum dwellers can be determined.

The comparison above shows that, policy of GoB doesn't provide any compensation for the evicted persons. Both WB and ADB are provides compensation for the evicted person. The amount of compensation is higher in policy guidelines of ADB as they cover more area affecting areas than WB.

### Conclusion and Recommendations

It can be concluded that there is no such policy of Railway Authority to resettle and compensate the evicted slum dwellers and the shop owners. Due to the eviction of the slum and shops of the adjacent area to the railway station the slum dwellers and shop owners are suffering a lot of difficulties. The difficulties include loss of income, loss of assets, degradation of living status of the slum dwellers and so on. The owners of the remaining shops which are notified to be demolished for the remodeling project are feeling insecure for their further resettlement.

Due to this adversity they have already stopped storing new goods and commodities in order to mitigate the loss. So, in one word it can be said that the remodeling project of Khulna Railway Station has a very adverse impact to the evicted Slum dwellers and Shop owners. To ensure convenience for the evicted people, Acquisition Requisition of Immovable Properties Ordinance 1982 harmonizing with policy guidelines of WB policy, ADB policy should be followed instead of Railway rule 1969. The government should amend the policy regarding illegal affected person, as there is no scope of compensation for the affected person without any legal rights.

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