

Terms of Reference (ToR)

Follow-up study on the Status of Agricultural Khas Land, the Government Policy on Khas Land for Distribution, Implementation and Impact

1. Background of the Organization

ALRD was formally registered with the Joint Stock Company under Societies Registration Act 1860 and also with the NGO Affairs Bureau in 1991. Since its formation, ALRD has been playing an instrumental role in mobilizing grassroots actors and promoting advocacy and networking for establishing rights of the poor and the marginalized rural communities including women and IPs over land and natural resources. At present, its network is spread all over the country of Bangladesh with the involvement of 200 plus NGOs both local and national. ALRD took first initiative to carry out a study on the status of agricultural khas land and rights and access of the rural poor, especially the landless, to the khas resources both land and water which was published as a book in August 2001. Now ALRD intends to do a follow-up on the status of the agricultural khas land both on record as well as grabbed illegally by influential individuals or any agency.

2. Rationale

ALRD has been playing central role in focusing the issue of khas land and the rights of the landless and land poverty over the last two decades consistently along with its grassroots level partners. The findings of the aforesaid study were widely disseminated, and the larger civil society groups including human rights activists, NGOs, journalists, lawyers involved themselves in the campaign. But unfortunately, the priority of the issue has been sidelined and eventually lost in the subsequent decades since late nineties, because of the inaction and negligence of the concerned authorities in implementation of the govt. policy.

The government made commitments at different times for distribution of agricultural khas land among the landless and agricultural workers, but it was realized on the ground with very little effect. On the other hand, it is quite evident that khas land, both agricultural and non-agricultural, are being allotted by the government to the non-agricultural elites and different government and private agencies for different purposes other than agriculture such as EPZ, Special Economic Zones and for other industrial and commercial use, real estate companies, Govt. Officers' Housing, Golf Club, urbanization, cantonments, roads expansion, etc.

So, it has become imperative to assess and understand the visible changes in policies and impact on the rural economy in general and on the livelihood of the rural marginalized communities dependent on agriculture and the land poor and the consequences on agriculture along with the question of food security and aspirations of the land poor for sustainable development.

3. Objectives:

The **aim of the study** will be as follows:

- To assess present status of agricultural khas land management and distribution among the landless and the land poor including women as per existing policy and guidelines;
- To revisit the areas of earlier study (2001) and update the data and information along with new dimensions and dynamics that are visible at present;
- To identify changes and priorities of the government and challenges in implementing set policies of the government;
- To find out whether any specific law for recovering khas lands that are occupied by illegal possessors through unfair means is necessary;
- To suggest measures and put forward recommendations for recovering and distribution of khas land both agricultural as well as non-agricultural for the greater benefit of the society;

- Finally, to put forward measures and steps to expedite the process of distribution of agricultural khas land among landless with a view to attaining food security at the grassroots level and sustainable agricultural growth and development.

4. Methodology:

The detail methodology and plan will be designed and implemented by the study team itself.

5. Scope of Work:

- Estimating total amount of khas land in Bangladesh segregated by regions and classified with usage;
- In-depth follow up study collecting current survey data from eight sub-districts of Bangladesh, including four covered in the first study by ALRD in 2001 namely, Debhata, Gaibandha, Hatiya and Shailkupa; and two sub-districts representing success stories of organized land rights campaigns. Selection of the sub-districts for the study will have to be finalized in consultation with ALRD.
- Finding existing possessors of khas lands and their existent influence, if they have;
- History of transforming khas land and resultant impacts;
- Khas land possessed by the marginalized sections of the society including women, religious and ethnic minorities and indigenous peoples;
- Policy recommendations for recovery and equitable distribution of khas lands in Bangladesh;
- Recommendations for efficient and productive use of khas land, especially relating to poverty reduction and ensuring food security.

6. Eligibility

Only competent Bangladeshi research firms having at least ten years of experience are eligible to apply. Applications from individuals will not be entertained.

7. Composition of the Team:

The consulting firm is expected to clearly portray the structure and composition of the team, which will be arranged for this assignment. The consulting firm should list the main areas of the assignment, the key expert responsible and propose technical and support staff along with their curricula vitae (CVs). It is desirable that majority of the key professional staff are office bearers / permanent employees of the bidder or have an extended and stable working relationship with the bidder. ALRD will strictly follow-up the deployment of the experts during the study period and ensure they executed their roles and responsibilities as described on the contract. Once the study is started, any change or modification made on the team composition and qualification against the initial agreement may result in termination of the contractual agreement unless communicated. In addition, the consulting firm should attach with the proposal a copy of relevant similar research report that has been completed recently (in the last 3 years' period) as an example of their work.

Required qualification of the Principal Investigator (Team Leader) and his/her role in the study:

Key Personnel	Qualifications and Experience	Roles and Responsibilities
One Team Lead/ Principal Researcher	# Ph. D in Social Science discipline and at least 15 years research experience in similar issues related to land ;	-Lead preparation process of the research protocol and data collection tools; -Ensure technical soundness of the study/research (validity and reliability of the methodologies employed for the study);

	#Ten years of experience in social research; #Experience in studying resource management and inequality issues are desirable; #Fluency in Bengali and English languages.	-Coordinate overall process of the study including team management, coordination and supervision; -Lead data analysis process; -Lead the write up of the study result as per the guideline; -Ensure quality and timeliness of the deliverables; -Facilitate meetings with ALRD and its partners whenever needed and serves as a point of contact throughout the study period. #Presentation of the draft report to ALRD and final report at a Press Conference.
Research Assistants	#Master's or doctorate in Social Science discipline; #At least five years of experience in social research;	# To be assigned by the principal/lead researcher

The consulting firm should provide the team composition and tasks assigned using the below table:

Name of staff	Area of expertise	Assigned for position	Task Assigned	No. of days assigned for

8. Deliverables

- i. Methodology and work plan of the study;
- ii. Draft Report;
- iii. Presentation of the Draft Report to ALRD;
- iv. Final Report;
- v. Presentation of the Final Report in a public dissemination programme;
- vi. Complete collected dataset on Khas land in Bangladesh.

9. Reporting Language:

Fact Report may be English. But in case of report sharing with different stakeholders and partners, it should be translated in Bangla. Before presentation, the consulting firm is obliged to submit the report to the project authority for checking validation and appropriateness. Final publication will be Bangla

10. Timeframe:

The study should be completed within 6 (six) months commencing from April 2019 and an analytical report will be considered as the immediate outcome. This report will then be shaped into a book for publication.

- The draft report should be submitted to ALRD for consideration by 15th of September 2019.
- The Final report should be submitted by 15th of October 2019.

8. Expected deliverables:

Three sets of hard and soft copies of the draft and final report will have to be submitted to ALRD as per the deadlines mentioned under the section, Timeframe, of this document.

9. Budget/ Remuneration: Tk. **XXX** [to be discussed & agreed] will be provided to the consultant Firm by 3 installments – 1st installment (30%) will be provided upon signing the Contract. 2nd Installment (40%) will be paid after the field work is completed and the final installment (30%) will be paid after submission of all deliverables. Tax and VAT will be deducted at source as per the govt. rules.

11. Mode of Payment: Account payee cheque or Bank Transfer

12. Evaluation Process:

In response to the invitation, the consulting firm will have to submit a technical proposal as per the ‘**Terms of Reference**’ and a financial proposal. The selection committee will evaluate both the technical and financial proposal of the firms based on proposed tasks. The Consultant Firm must submit the following documents along with Technical & Financial Proposal

- 2-page profile highlighting consulting firm related assignment completed with client names, contract persons and mobile numbers;
- Updated Firm profile, trade license, TIN certificate and any other relevant document(s), (if necessary);

13. General terms and conditions:

- ALRD reserve the right to accept or reject any proposal without providing verbal and/or written rationale;
- All reports and documents prepared during the assignment will be treated as the property of ALRD;
- The reports/documents or any part, therefore, cannot be sold, used and reproduced in any manner without prior written approval of ALRD;
- ALRD reserve the right to monitor the quality and progress of the work during the assignment.