

**GOVERNMENT OF INDIA
RURAL DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:5435

ANSWERED ON:13.12.2010

ACQUISITION OF LAND

Yadav Shri Ranjan Prasad

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether there is demand from farmers that there should be a provision for a judicial review of cases in which the Government acquired land for public purposes but later sold them at the market price to private firms;

(b) if so, the details thereof;

(c) the cases where the Government has sold the farmers' lands to private firms during the last three years, State-wise; and

(d) the remedial steps taken/proposed to be taken by the Government in this regard?

Answer

MINISTER OF STATE FOR RURAL DEVELOPMENT (SHRI SISIR KUMAR ADHIKARI)

(a) to (d) : A National Policy on Resettlement and Rehabilitation for project Affected families was formulated in 2003 & it came into force w.e.f. February, 2004. Experience of implementation of this Policy indicated that there were many issues addressed by the Policy which needed to be reviewed. Accordingly, the Department of Land Resources in the Ministry of Rural Development formulated the National Rehabilitation & Resettlement Policy, 2007 (NRRP-2007) to replace the National Policy on Resettlement & Rehabilitation for Project affected families, 2003. The NRRP- 2007 has been published in the Gazette of India on 31st October, 2007.

Para 6.24.1 of NRRP-2007 provides that land compulsory acquired for a project cannot be transferred to any other purpose except for a public purpose, and after obtaining the prior approval of the appropriate Government.

Para 6.24.2 provides that if land compulsorily acquired for a project or part thereof, remains unutilized for a project for a period of five years from the date of taking over the possession by the requiring body, the same shall revert to the possession and ownership of the appropriate Government without payment of any compensation or remuneration to the requiring body.

Para 6.25 provides that whenever any land acquired for a public purpose is transferred to an individual or organisation (whether in private sector, public sector and joint sector) for a consideration, eighty percent, of any net unearned income so accruing to the transferor, shall be shared amongst the persons from whom the lands were acquired or their heirs, in proportion to the value at which the lands were acquired. The fund shall be kept in a separate account which shall be administered in such manner as may be prescribed.

Moreover, to give a statutory backing to NRRP, 2007, the introduction of the Land Acquisition Amendment Bill, 2010 and Rehabilitation and Resettlement Bill, 2010 in the Parliament are under consideration of the Government.

Data relating to the farmers land sold to private firms is not maintained at the Central Government level.