

**GOVERNMENT OF INDIA  
RURAL DEVELOPMENT  
LOK SABHA**

UNSTARRED QUESTION NO:2082  
ANSWERED ON:06.12.2012  
ISSUES ARISING OUT OF LAND ACQUISITION  
Ramasubbu Shri S.

**Will the Minister of RURAL DEVELOPMENT be pleased to state:**

- (a) whether the Government is aware of the increasing controversies arising out of land acquisition process on various Government projects all over the country resulting in stalling/delaying of many of the ongoing and new projects;
- (b) if so, the details thereof;
- (c) whether the Supreme Court has ruled that the Government must pay owners the highest price of the land under acquisition rather than the average market price;
- (d) if so, the details thereof along with the reaction of the Government thereto; and
- (e) the steps taken by the Government in this regard?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF RURAL DEVELOPMENT (SHRI LALCHAND KATARIA)

(a) to (e): The Supreme Court in Civil Appeal number 4005 of 2012 (Arising out of SLP (C) No.26866 of 2009 Mehrawal Khewaji Trust (Regd), Faridkot & Others Versus State of Punjab & Others in its judgement dated 27.04.2012 has observed that? In our view, it seems to be only fair that where sale deeds pertaining to different transactions are relied on behalf of the government, the transaction representing the highest value should be preferred to the rest unless there are strong circumstances justifying a different course. It is not desirable to take an average of various sale deeds before the authority/court for fixing fair compensation. Further, there have been many instances of protest, against the land acquisition in the country. To address various issues related to land acquisition and rehabilitation & resettlement, this Department has formulated a revised National Rehabilitation & Resettlement Policy (NRRP), 2007, which has been published in the Gazette of India on 31st October, 2007 and has been circulated to all the Go/Ministries/Departments and the various States/UTs for its implementation. NRRP-2007 specifies that prior to initiating the acquisition of land for a project, the appropriate Government should inter-alia, take into consideration the alternatives that will minimize the displacement of people due to the acquisition of land for the project, minimize the total area of land to be acquired for the project and minimize the acquisition of agricultural land for non-agricultural use in the project. To give legal backing to the Policy, this Department has prepared 'The Land Acquisition, Rehabilitation & Resettlement (LARR) Bill, 2011'. The LARR Bill, 2011 was approved by the Cabinet on 5th September, 2011. It was introduced in the Parliament on 7th September, 2011. The Bill was referred to the Parliamentary Standing Committee on Rural Development by the Hon'ble Speaker Lok Sabha on 13th September, 2011. The Committee after detailed examination has submitted its 31st Report on the above Bill to the Lok Sabha on 17th May, 2012 which was laid in the Rajya Sabha on the same day. The recommendations contained in the 31st Report had been examined in the Department. Based on the recommendations or otherwise, note for the Cabinet for the official amendments to the LARR Bill, 2011 was prepared and sent to the Cabinet Secretariat. The Cabinet Note for the official amendments to the LARR Bill, 2011 was considered by the Cabinet in its meeting held on 28th August, 2012. As per the decision of the Cabinet, the matter was considered by a Group of Ministers (GoM) in its three meetings held on 27th September, 2012, 8th and 16th October, 2012. The GoM has finalized its report and the matter is in the process of being placed before the Cabinet. This Department intends to introduce the Official amendments to the LARR Bill, 2011 in the Lok Sabha in the Winter Session of the Parliament.