

**GOVERNMENT OF INDIA
RURAL DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:6837

ANSWERED ON:07.05.2015

LAND ACQUISITION

Singh Shri Rama Kishore

Will the Minister of RURAL DEVELOPMENT be pleased to state:

(a) whether the Supreme Court has issued any directions to the Union Government in connection with the Land Acquisition Ordinance promulgated by the Government;

(b) if so, the details thereof and the reaction of the Government thereto;

(c) whether no provision regarding land acquisition for the private sector has been made in the Land Acquisition Ordinance while there is a proposal in this Ordinance for acquiring land for defence, affordable housing, rural development and setting up of industrial corridors and a provision for providing compensation worth four times of the land price to farmers has been introduced in case land acquisition for public projects; and

(d) if so, the details thereof and the steps taken by the Government to make the public aware regarding the said Ordinance?

Answer

MINISTER OF STATE FOR RURAL DEVELOPMENT (SHRI SUDARSHAN BHAGAT)

(a) & (b): The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement (Amendment) Ordinance, 2015 was promulgated on 03.04.2015. A Writ Petition challenging the Constitutional validity of the said Ordinance was Filed in the Supreme Court. Hon'ble Supreme Court has given directions on 13.04.2015 in the Writ Petition (C) No. 184 of 2015 filed by Delhi Grameen Samaj and Others to Issue notice, returnable within four weeks.

(c) & (d): The important changes brought about by the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement (Amendment) Ordinance, 2015 are inter-alia as follows:

(i) In place of the term 'private company', the term 'private entity' has been substituted.

(ii) Section 46 of the Act was amended to clarify that provisions relating to rehabilitation and resettlement in case of land purchased through private negotiations is applicable in cases when land is purchased by persons other than the Government, Government Company and Trust or Society aided or controlled by the Government.

(iii) Appropriate governments are empowered to take steps for exemption from 'Social Impact Assessment' and 'Special Provisions for Safeguarding Food Security' for national security or defence of India including preparation for defence and defence production: rural infrastructure including electrification; affordable housing and housing for poor people; industrial corridors set up by the appropriate government and its undertakings (in which case the land shall be acquired upto 1 km on both sides of the designated railway line or roads for such industrial corridors); infrastructure projects including projects under public private partnership where the ownership of the land continues to vest with the Government. In addition acquisition for such projects is exempted from the first proviso to sub-section (2) of section 2.

(iv) Compensation in accordance with the First Schedule and rehabilitation and resettlement specified in the Second and Third Schedules of the Act are extended to the thirteen Acts mentioned in the Fourth Schedule of the RFLARR Act, 2013.

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement (Amendment) Ordinance, 2015 (No. 4 of 2015) has been published in Gazette dated April 3, 2015 and is available on the website of Department of Land Resources at dolr.nic.in.