

**GOVERNMENT OF INDIA
RURAL DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:4639

ANSWERED ON:30.03.2017

Land Acquisition

Singh Shri Sunil Kumar

Will the Minister of RURAL DEVELOPMENT be pleased to state:

- (a) whether there is a provision to return the additional land acquired by the Government for specific purposes to the farmers after fulfilment of the purpose and if so, the details thereof;
- (b) whether the excess acquired land have been returned to the farmers after the completion of mining work and if so, the details thereof; State/UT-wise;
- (c) the present status of the acquired land returned to the farmers, State/UT-wise; and
- (d) whether the land has been returned after making it arable or levelled and if so, the details thereof?

Answer

MINISTER OF STATE FOR RURAL DEVELOPMENT
(SHRI RAM KRIPAL YADAV)

(a) to (d) As per Entry 18 and Entry 45 of List II (State List) of the Seventh Schedule of the Constitution, the subject of 'Land' and its management falls in the jurisdiction of States. Entry 42 List III (Concurrent List) of the Seventh Schedule of the constitution provides for "Acquisition and requisitioning of property". Land acquisition is undertaken by the Central and State Governments under various Central and State Acts, including the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Section 101 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 provides as under:

"When any land acquired under this Act remains unutilised for a period of five years from the date of taking over the possession, the same shall be returned to the original owner or owners or their legal heirs, as the case may be, or to the Land Bank of the appropriate Government by reversion in the manner as may be prescribed by the appropriate Government

Explanationâ€"For the purpose of this section, "Land Bank" means a governmental entity that focuses on the conversion of Government owned vacant, abandoned, unutilised acquired lands and tax-delinquent properties into productive use."

Further, as per the information provided by Ministry of Mines, Mines and Minerals (Development and Regulations) Act, 1957 is the central Act for regulation of mines and development of minerals. There is no provision in this Act or the rules framed thereunder whereby land can be acquired by Government for mining purposes.

Information on state-wise or district-wise land acquired or returned is not maintained centrally in Department of Land Resources.
