

# Land acquisition policy for india, as a review

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Thus, the Government tends to make use of his eminent domain power -the right to acquire land for a public purpose- very regularly. However, in practice, this process can imply the displacement of the affected landowners, whom are sometimes forced to give away their property in exchange of compensations. These events contributed to feed people's bitterness for this practice, and the proposed Reforms of the Land Acquisition Act got stalled. Moreover, land acquisition can be extremely costly, and this can compromise the well implementation of related development projects.

Considering the subsequent costs and disadvantages of land acquisition, alternative ways of monopolizing land to serve public advantage must be explored. Land consolidation, or land readjustment, consists in putting together inadequately organized proximate plots of land in order to restructure an area. The main advantages of this technique are the fact that it required fewer funds than land acquisition, and it does not involve expropriation of landowners. Diverse adaptations of this method exist throughout the world, and hold different potential benefits.

In India, Master Plans are commonly used for the design and management of land in large cities. However, if land consolidation schemes are already used as a tool for these plans' implementation in several States of the country, this method is not prevalent and rarely recognized as an efficient tool for the execution of Master Plans. Even though this tool is subject to numerous requirements and should be carefully adapted to each particular situation, its utilization holds numerous benefits and should therefore be extended and facilitated.

Accentuation of conflicts involving land acquisitions is assuming alarming proportions. It is partly because of trust deficit that has come to exist in the peasantry because the procrastinated to them on earlier occasions for rehabilitation and settlement in case of displacement to land acquisition have not been fulfilled; the compensation amount has been paltry undercarriage. They have been denied benefits of the intended use of their land after acquisitions. Government, influenced by the Industry, has been widening the concept of public oversimplification's and enriching it at the cost of the peasants.

The Bill of 2007 seeking to amendment Acquisition Act and the Rehabilitation and Resettlement Bill 2007 are the Government's initiatives to address the issues. The Bills would not suffice in their present form. Structural Changes are to be brought about and also it would be desirable to make rehabilitation and resettlement (R&R) a part of the Land Acquisition (Amendment) Bill so that multiplicity of agencies is reduced and there is accountability towards settlement by those who take up calculation proceedings.

I nerve would De a need to lay nanas on Lana locked up In factories and plantations. Provisions have to include that acquired land, if not used r found to be in excess of requirement at a later date can be resumed. R&R provisions would be commenced along with the issuance of First Notification for Acquisition. Before Acquisition proceedings are initiated, the requiring and acquiring authorities should satisfy a forum headed by a Judicial officer about (a) Public Purpose, (b) Quantum and specification of land, and (c) Suitability of the site after excluding alternate sites.

The new Bill on land acquisition recently tabled in Parliament is well intentioned but seriously flawed. Its principal defect is that it attaches an arbitrary mark-up to the satirical market price to determine compensation amounts. This will guarantee neither social justice nor the efficient use of resources. The Bill also places unnecessary and severe conditions on land acquisition, such as restrictions on the use of multi-cropped land and insistence on public purpose, all of which are going to stifle the pace of development without promoting the interests of farmers.

We present an alternative approach that will allow farmers to choose compensation in either land or cash, determine their own price instead of leaving it to the overpayment's discretion, and also reallocate the remaining farmland in the most efficient manner. Our proposed method involves a land auction covering not only the project site but also the surrounding agricultural land. The draft Land Acquisition and Rehabilitation and Resettlement Bill, which was introduced in the Lok Sabha on September 7, 2011 is one of the most important legislations waiting for Parliamentary approval.

In its present form, the bill is a major improvement over the archaic 1894 land law that has contributed to the impasse over land acquisitions across the country. The bill makes a genuine push for a better land acquisition regime in the country by doing three things: combining both compensations, resettlement and rehabilitation (R&R) into a single bill; raising the prospects of better compensation and R&R for millions of land owners and other project

stakeholders; and reposing some faith in participatory grassroots institutions such as Gram Saba in the acquisition process.

On the other hand, the proposed legislation fails on many fronts to address some of the vexed issues on land acquisition. It fails, for example, to read the land market which is witnessing a major transformation due to rapid changes in the economy, industry and arbitration in the country. Even as the government resolves some of these policy loopholes and contradictions, the new legislation faces an uncertain future for a wide variety of reasons.

The key objectives of the new law would remain nothing more than rhetoric in the absence of accompanying administrative and structural changes in the nature of governance system and systemic efforts to clean the land market and free it from the influence of parties with vested interest, particularly the political class, officials, and the land mafia. Keywords: Land acquisition, R&R, political economy, land markets, implementation challenges, Amendments etc. Summary & conclusion Eminent anomaly Is one AT ten most controversial Ana politically sensitive instruments of state power anywhere in the world.

Depending on how it is used, it can clear the way for rapid economic transitions, technological progress and inclusive growth, or it can trample on property rights, the economic interests of poor and vulnerable groups, and fundamental principles of Justice. The Land Acquisition, Rehabilitation and Resettlement Bill, 2011, is clearly a long overdue attempt to address the inadequacies of the colonial Land Acquisition Act of 1894, which has been merrily exploited by commercial interests, corrupt politicians and an

indifferent state to promote widespread land grab at the expense of the poor.

Despite its good intentions, the draft Bill misses out on an opportunity to promote growth and prosperity while protecting the vulnerable. There exist much better ways of converting agricultural land for industrial use or infrastructure building, as we have tried to outline in this article. The practice of land acquisition by Government authorities presenting numerous pitfalls, affected populations in India are claiming for alternatives. Land development processes through the use of land consolidation, land pooling, Town Planning Schemes or land reconstitution are many alternatives available.

However, the choice of one of these tools to develop an area needs to be made according to multiple criteria such as; the populations' specific needs e. G. Housing, infrastructures; the characteristics of the area considered e. G. The number of landowners, the size of their estate, the nature of the land; and most importantly, the capacity and motivations of planners and landowners. However, it is the Government's duty to support these initiatives.

For that reason, not only the Land Acquisition Act, 1894 should be amended, but further legislation could frame and encourage the use of these schemes. On 3 August 2012, Punjab Government gave in-principal authorization to the use of land pooling for the development of education and medicine hubs in Marital, Lithuania and Bathing, and residential and commercial hubs around Lithuania airport. This is therefore encouraging and shows that some Governments start becoming aware of the method's benefit