

Land Acquisition in India

It refers to the process of land acquisition by the central or state government of India for various infrastructure and economic growth initiatives.

Land acquisition in India is currently governed by *The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013*, which came into force from 1 January 2014. Till 2013, land acquisition in India was governed by Land Acquisition Act of 1894.

India's cabinet used an unusual maneuver – issuing an “executive order” — to push forward with its economic overhaul agenda.

The executive order, or ordinance, tries to make it easier for industrial projects to acquire land. The ordinance chips away at a major obstacle to industrial investment. The ordinance makes land acquisition easier in these areas by exempting them from several provisions of current law.

Issue of Ordinances: Ordinance Raj

Ordinances are generally used to implement laws only in case of emergencies when Parliament isn't in session. For an ordinance to remain law, it must eventually be approved by Parliament. However, under Parliamentary rules, there are special procedures that could make it easier for the government to ultimately win Parliament's approval for these ordinances.

In similar moves last week, the cabinet approved ordinances for increasing the cap on foreign ownership in local insurance ventures to 49% from 26%, and for facilitating auctioning of coal mining licenses.

The latest move added to criticism from opposition parties, which have objected to the use of ordinances, arguing that they show the government's intention to muscle through its agenda. The government has defended its actions, saying the ordinances were necessary because opposition parties weren't allowing parliament to function.

On the other hand government is asserting that the ordinance demonstrates the firm determination of the government for reforms.

What does the ordinance to Land acquisition means, basically?

- The ordinance makes land acquisition easier in five areas: development of industrial corridors, social infrastructure such as education, rural infrastructure such as roads and power, housing for the poor, and the country's defense capabilities, areas by exempting them from several provisions of current law.
- Such projects now won't need the consent of 80% of landowners during acquisition, as is the requirement in other sectors.
- Moreover, mandatory "consent" clause and Social Impact Assessment (SIA) will not be applicable
- Increase the likelihood that landowners will be compensated in projects, such as highways and rail, where the government is involved



Topic
Introduction

- Multi-crop irrigated land can also be acquired for these purposes.
- Mandatory condition for provision of job for those whose land is acquired for industrial corridors.

Reasons for the ordinance; Government view:

Indian industry and foreign companies have faced troubles in acquiring land for projects, prompting some to cut back their investments. In 2013, Arcelor Mittal, the world's largest steelmaker, dropped its plan to build a plant in the eastern Indian state of Orissa, citing delays in acquiring land as a main reason.

The changes now being introduced are important for Prime Minister Narendra Modi's "Make in India" campaign that intends to boost Indian manufacturing by addressing foreign investors, inviting them to manufacture goods in India.

With respect to compensation and resettlement and rehabilitation norms, the cabinet also approved bringing under the ambit of the ordinance 13 most frequently used Acts for land acquisition for central government projects such as national highways, metro rail, atomic energy projects, electricity. This is expected to benefit farmers and affected families. This coupled with improved compensation to farmers whose lands will be acquired is cited as a **pro farmer step** by government.

General Issues with Land Acquisition:

- Displacement of people from their native places, leading to distress.
- Local markets, grass root businesses & micro economies disturbed.
- Unemployment issues due to above two factors.
- Inappropriate compensation for farmlands.
- Agricultural land shrinks leading to farm shortages at places.
- Economic Imbalances in societies.
- No benefits for livelihood losers who are usually far greater in number than the land owners.
- Exploitation of poor people in name of acquisition.
- Proliferation of Land mafia

Though most of these issues are advocated to be taken care by The Land Acquisition Bill of 2013, but still they are there to stay. Moreover with the ordinance passed, which will speed up the land acquisition these issues can increase rather than be mitigated.

Read further:

<http://economictimes.indiatimes.com/news/economy/policy/ordinance-raj-begins-2-days-ahead-of-2015-land-acquisitions-can-now-be-accelerated/articleshow/45682175.cms>

<http://www.prsindia.org/billtrack/the-land-acquisition-rehabilitation-and-resettlement-bill-2011-1978/>

<http://www.livemint.com/Politics/FXZ9CrJApXRowyzLd8mb2O/All-you-wanted-to-know-about-new-land-acquisition-Bill.html>

http://en.wikipedia.org/wiki/Land_acquisition_in_India

<https://www.quora.com/What-are-pros-and-cons-of-Land-Acquisition-Bill>