

Land acquisition bill to re-enter with 157 changes

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NEW DELHI: The UPA government is likely to reintroduce the Land Acquisition Bill with a mammoth 157 amendments in the budget session of Parliament.

Out of the 26 'substantive' measure the government plans to push through includes a provision that in case of acquisition for urbanization purposes, 20% of the developed land would be reserved and offered to the original owners at a price equal to the cost of acquisition and development. But as has been the case in previous versions of the bill, the finer details of such provisions will decide who it favours in the end.

Say, in this case, the definition of what constitutes 'urbanization' has been left undefined. Government managers claim it will give flexibility to state governments to decide upon the matter.

The case for protecting rights of tribals in Schedule V areas has also fallen in such a grey zone. Consent from the tribal gram sabha concerned may not be a must for acquiring their lands as state governments will have the option of getting consent from a higher level panchayati raj body, such as zilla parishad or the autonomous district councils - an easier task.

Community rights granted through UPA's other 'aam aadmi' legislation, the Forest Rights Act, can be taken away by giving money to individuals but the bill fails to define how it will be done. It also allows for 'involuntary displacement' of Schedule Caste and Schedule Tribe families but suggests higher compensation for SCs/STs over other categories of displaced people.

But the Centre is likely to claim that several of these 'flexibilities' are part of its attempt to accommodate the wishes of state governments while reworking the bill. State governments have been given the powers to do away with the land-for-land formula in case of irrigated multi-crop or agricultural lands.

Similarly, deciding at what threshold the resettlement and rehabilitation provisions will be invoked in the case of purchase by private parties has been left for state governments to decide. If the projects fall above the threshold, consent would be required from 70% of land owners in case of PPP projects and 80% of landowners in case of private projects but not other project affected people. The functioning of the critical R&R committee too has been left to states for a final decision.

The states will also have the flexibility to decide the compensation amount for rural lands within a given range of market value. The upper limit on how much irrigated farm land can be acquired in each district would also be decided upon the discretion of the state governments. District magistrates will have the power to calculate market value in a more flexible manner.