Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (LARR Act):

This act has replaced the Land acquisition act, 1894

Main features of act:

Clearly defines various types of “public purpose” projects for which, Government can acquire private land.

1. Acquiring land:
   For private project- 80% affected families must agree.
   For PPP project- 70% affected families must agree.(Only then land can be acquired)

2. Social impact assessment:
   Under Social impact assessment (SIA) necessary to obtain consent of the affected artisans, labourers, share-croppers, tenant farmers etc whose livelihood will be affected because of the project.

3. Compensation:
   Compensation proportion to market rates. 4 times the market rate in rural area.
   2 times in urban area. Affected artisans, small traders, fishermen etc. will be given one-time payment(even if they don’t own any land).

4. To ensure food security:
   Fertile, irrigated, multi-cropped farmland can be acquired only in last resort. If such fertile land is acquired, then Government will have to develop equal size of wasteland for agriculture purpose.

5. Private entities:
   If Government acquires the lands for private company- the said private company will be responsible for relief and rehabilitation of the affected people. Additional rehabilitation package for SC/ST owners.

6. Safeguards:
   State Governments have to setup dispute settlement Chairman must be a district judge or lawyer for 7 years.

7. Accountability:
   Head of the department will be made responsible, for any offense from Government’s side. If project doesn’t start in 5 years, land has to be returned to the original owner or the land bank. Establishment of Land Acquisition, Rehabilitation and Resettlement Authority for speedy disposal of disputes.

Limitations:

The Central Act of 2013 was brought to give effect to pre-existing fundamental right to livelihood of citizens. It ensures that livelihood will not be taken away unless:

(i) it is in public interest and that is seen by social impact assessment
(ii) The affected citizens are given rehabilitation. The amendments made without considering the above factors will take away fundamental rights of the citizens.