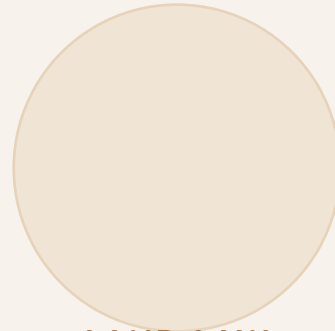




LAND LAW

UNIT – I

RFCTLARR Act 2013 – SIA, food security, notification, award

Twenty slides in this unit

1. Why the 2013 Act replaced 1894

2. Social Impact Assessment

3. Food security – s.10

4. Notification and objections

5. Award and market value

6. Rehabilitation and resettlement

7. Urgency provision

8. s.24 lapse of old acquisitions

9. Persons interested

10. Temporary occupation

11. Constitutional overlay

12. Karnataka overlay

13. Problem pattern

14. Transparency devices

15. Section pack

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17. Revision

18. Cases

19. Takeaways

20. Close

Why the 2013 Act replaced 1894

The Land Acquisition Act 1894 was collector-centric and weak on livings. The 2013 Act adds SIA, consent for some projects, food-security limits and a full R&R chapter.

Full title

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Art. 300A

Property cannot be taken except by authority of law.

Public purpose

Still required, but more tightly framed.

s.24

Old 1894 files may lapse – heavy case-law.

Social Impact Assessment

Chapter II. SIA studies livelihoods, commons and food security unless a valid exemption applies.

Public hearing

Part of SIA.

Expert group

Appraises the report.

Consent

Required percentages for PPP / private projects.

Publication

Transparency is in the Act's name.

Food security – s.10

Irrigated multi-crop land is acquired only exceptionally, with equivalent agricultural land added subject to caps.

Policy

Do not eat the granary for a factory without need.

State rules

Karnataka rules operationalise caps.

Facts to spot

Command-area / double-crop survey numbers.

Exam

Always mention s.10 on those facts.

Notification and objections

s.11 preliminary notification; s.15 objections; s.19 declaration. Sleeping clocks can kill the process.

s.11

Locality notice + survey entry.

s.15

Collector hears objections.

s.19

Declaration of intended acquisition.

Modes

Gazette, locality, website culture.

Award and market value

Collector's award under Chapter IV. First Schedule: market value, rural/urban factor, 100% solatium, other amounts.

Sales statistics

Registered deeds in the vicinity.

s.30 solatium

On market value.

Interest

For delay.

Reasons

Show the working in the award.

Rehabilitation and resettlement

Second and Third Schedules – house, land-for-land where provided, job or annuity, subsistence, colony infrastructure.

Not charity

Statutory entitlement.

Timing

R&R before displacement is the design.

Administrator / Commissioner

Separate functionaries.

SC/ST lines

Extra entitlements in the Schedules.

Urgency provision

s.40 is the successor to 1894 s.17. Courts treat it as exceptional.

Real urgency

Disaster, defence – not mere haste.

Possession

Ordinary path is after award and payment.

Abuse history

1894 urgency was over-used.

Record reasons

Or lose in a writ.

s.24 lapse of old acquisitions

Where 1894 award or possession lagged, land may return. Supreme Court has swung; write the section and the latest Constitution-Bench position taught to you.

Facts

Old notification + no award or no possession.

Honesty

Do not freeze a 2014 article as eternal.

Possession evidence

Panchnama fights.

New vs old Act

Which regime governs the file.

Persons interested

Wider than the pattadar: tenants, mortgagees, livelihood-losers listed in the Act.

Apportionment

Unit II detail.

RTC in Karnataka

Starting evidence.

Commons users

Grazing / passage.

Encroachers

Usually weak legally.

Temporary occupation

Waste or arable land may be occupied temporarily with damage paid – not a silent permanent taking.

Title stays

With the owner.

Crop damage

Pay it.

Creeping permanence

A writ fact.

Pair with urgency

Different tools.

Constitutional overlay

Art. 300A + Art. 14 + Art. 21 livelihood. After the 44th Amendment there is no 19(1)(f), but procedure must still be fair.

Narmada ethic

Rehabilitation is part of legality.

Olga Tellis

Livelihood voice.

Public purpose review

Deferential, not blind.

Adequate compensation

Schedules make review easier.

Karnataka overlay

State RFCTLARR Rules; KIADB industrial path may run beside 2013. Name the statute actually used on the facts.

KIADB

Industrial areas.

BDA / planning

City schemes.

Converted land

Valuation differs.

Gramatana

Village site fights.

Problem pattern

Multi-crop land, objections ignored, award below neighbouring sales, eviction before R&R.

s.10

Food security.

s.15

Hearing.

First Schedule

Multiplier + solatium.

Second Schedule

R&R.

Transparency devices

Publication, website, speaking award, individual notices.

Why the long title

1894 opacity.

RTI

Still useful.

Social audit

Where rules say so.

Gram sabha

Fifth Schedule / FRA areas.

Section pack

ss.2-3; 4-9 SIA; 10 food; 11-19 process; 23-30 award; R&R chapters; 24 lapse; 40 urgency; Schedules I-III.

Rules

Karnataka rules.

KIADB

Flag if industry.

Art. 300A

Always.

s.24

If file is pre-2013.

CASES

Landmark authorities

Pune Municipal / Indore Development / s.24 line

Lapse of 1894 acquisitions – use latest Bench.

Narmada Bachao

R&R as legality.

Olga Tellis

Livelihood and eviction.

Art. 300A cases

Property after 44th Amendment.

State of Karnataka valuation HC line

Sales statistics vs award.

Public purpose deference cases

Limited judicial review.

Key takeaways

- 01 2013 Act = fair price + transparency + R&R.
- 02 SIA and consent are the new gates.
- 03 s.10 protects multi-crop land.
- 04 Award = market value $\times$ factor + solatium + R&R.
- 05 s.24 is a case-law minefield.
- 06 In Karnataka, watch KIADB running beside 2013.

End of UNIT – I

LAND LAW