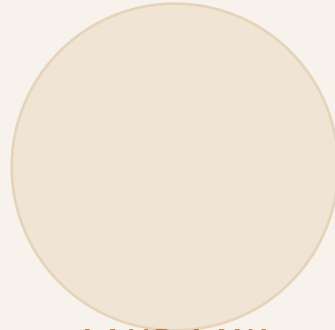




LAND LAW

UNIT – II

RFCTLARR 2013 – utilisation, authorities, payment

ROADMAP

Twenty slides in this unit

1. Utilisation and change of purpose

2. National Monitoring Committee

3. LARR Authority

4. Apportionment

5. Payment before possession

6. R&R officers

7. Karnataka stacking

8. Person interested – wider net

9. Reference procedure

10. Urgency versus ordinary possession

11. Transparency in Unit II

12. Federal design

13. Problem pattern

14. R&R before displacement

15. Body-and-section pack

16. Revision

17. Revision

18. Cases

19. Takeaways

20. Close

Utilisation and change of purpose

Land taken for purpose A cannot silently become a private project B. Unused land and change of purpose are Unit-II problems.

Original purpose

Must still live.

Land bank hoarding

Legal hook is non-use.

State rules

Some require return after N years.

Planning conversion

Still needed besides acquisition.

National Monitoring Committee

Central body to watch R&R delivery across States.

Function

Review and advise.

Not a title court

Implementation auditor.

Reports

Useful in later writs.

Pair

State R&R Commissioner.

LARR Authority

Statutory forum against the Collector's award – the new s.18-style reference.

Who

Person interested, including R&R-denied.

What

Quantum, apportionment, entitlements.

Appeal

To HC as the Act provides.

Limitation

Clocks are fatal.

Apportionment

One survey number may carry owner, tenant, mortgagee, occupancy.

Collector first

Tries to split in the award.

Dispute

Refer and deposit.

Karnataka tenants

Occupancy can take a large share.

Proof

RTC, tenancy certificate, mortgage deed.

Payment before possession

2013 ethic: pay, then take. Deposit if someone refuses.

Individual accounts

Not a village lump.

Minors / fights

Deposit and proceed.

Interest

Runs on late money.

SC/ST

Extra Schedule lines.

R&R officers

Administrator drafts the plan; Commissioner oversees; Collector remains on compensation.

Plan

Village-wise displaced list.

Colony site

Consent often skipped – a writ point.

Third Schedule

Roads, school, water.

Job vs annuity

Must match Schedule options.

Karnataka stacking

KIADB, planning authorities and 2013 can all appear on one fact pattern. Name the statute actually used.

KIADB

Industrial area path.

BDA

Planning acquisitions.

Wrong statute

Wrong limitation.

s.3 definitions

Who is 'government' / company.

Person interested – wider net

Livelihood attached to land counts, not only patta.

Tenants

Schedules see them.

Commons

Grazing and passage.

Societies

Religious and co-op bodies.

Encroachers

Usually weak.

Reference procedure

Application, limitation, Collector's statement, hearing, authority award.

Scope

Quantum, not a fresh SIA appeal unless allowed.

Stay of possession

Exceptional after a valid award.

Deposit

Sometimes a condition.

Speaking order

Reasons or remand.

Urgency versus ordinary possession

s.40 is exceptional. Ordinary path is award + payment + R&R milestone.

Recorded reasons

Needed for urgency.

Court test

Real emergency, not impatience.

Demolition law

Do not confuse with municipal demolition.

Unit I link

Same section, now in operation.

Transparency in Unit II

Online awards, individual notices, R&R progress, monitoring notes.

RTI

Still a tool.

Gram sabha

FRA / Fifth Schedule facts.

Newspaper publication

s.11 / s.19 disputes.

Website

2013 culture.

Federal design

Acquisition is Concurrent-list territory; States may amend with assent.

Karnataka tweaks

Check current State amendments.

Art. 254

If a State clause clashes.

Central project

Whose agency leads SIA.

Authority

State-constituted.

Problem pattern

Paid only the owner; tenant ignored; land unused 8 years; purpose flipped to commercial.

Apportionment

Tenant.

Non-use

Return argument.

Purpose

Illegal diversion.

Forum

LARR Authority + writ.

R&R before displacement

The design of 2013 is that the colony and entitlements precede the bulldozer.

Paper allotment

Not enough if no water.

Narmada ethic

Implementation, not promises.

SC/ST extra

Schedules.

Monitor

Committee + Commissioner.

Body-and-section pack

Monitoring Committee; Administrator; Commissioner; LARR Authority; payment and unused-land rules.

Schedules

Open them in the viva.

KIADB

Industry facts.

s.24

If the file is old.

Rules

Karnataka RFCTLARR Rules.

CASES

Landmark authorities

s.24 Constitution Bench line

When 1894 files die.

Narmada supervision

R&R must be real.

Karnataka valuation HC cases

Sales vs award.

Olga Tellis

Non-owner livelihood.

KIADB challenge line

Parallel path.

Public purpose deference

Limited review.

Key takeaways

- 01** Unused or diverted land is a Unit-II problem.
- 02** LARR Authority hears quantum and apportionment.
- 03** Pay and rehabilitate before displacement.
- 04** Tenants are persons interested.
- 05** Watch KIADB versus 2013 on Karnataka facts.
- 06** Central Monitoring Committee + State Commissioner.

End of UNIT – II

LAND LAW