

SUSTAINABLE MINING AND GEOINFORMATION

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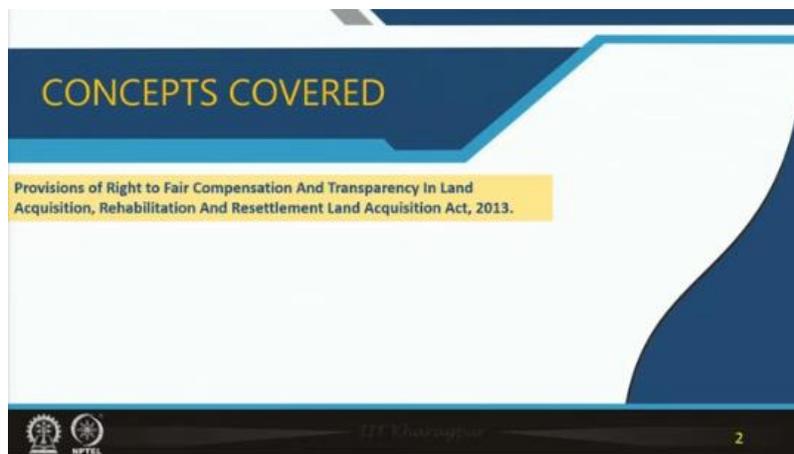
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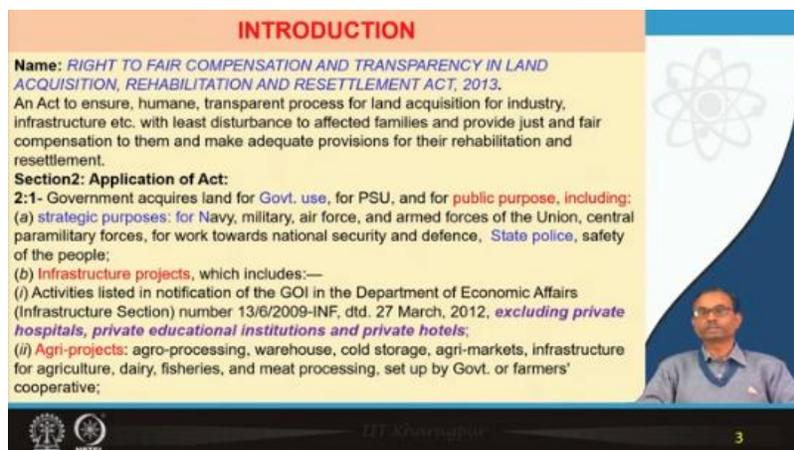
Week – 09

Lecture 41: Land Acquisition and Rehabilitation and Resettlement Act-I

Welcome, students, to the NPTEL online certification course on Sustainable Mining and GeoInformation. Today, this is the 41st lecture. The title of the lecture is Land Acquisition and Rehabilitation and Resettlement Act. We shall cover this topic in two lectures. Today and in the next lecture, that is, the 42nd lecture, we shall also discuss this topic.



Now, we are covering the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013.



So, if we remember our previous discussion on sustainable development, you will recall that out of the three major pillars of sustainable development, the pillar of society is one of the major pillars. We also know that the mining industry has a major impact on society, on the local community. Particularly, if we talk about large open-cast mining, as we have discussed previously, this will require the acquisition of a huge stretch of land, and this land may belong to people, previous owners, and in some cases, these people may have to be displaced. We call them project-affected persons (PAPs). When we acquire the land, the people who were originally residing on that land have to be displaced. These people are called project-affected persons. Now, if you want to have sustainable development, we have to provide compensatory benefits to the project-affected persons. For that, in our country, we have regulations, and these regulations have to be implemented in the proper spirit. So, what is this regulation that deals with land acquisition and provides provisions for rehabilitation and resettlement? The regulation we discuss today is the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013. The provisions of this act and its proper implementation in the context of the acquisition of land for the mining industry is a very critical step toward making the mining industry sustainable. Coming to this act, this is an act that was promulgated to ensure a humane, transparent process of land acquisition for any industry, not particularly with respect to the mining industry. This act is for the acquisition of land for any industry or any infrastructure project, with the objective to cause the least disturbance to affected families and to provide just and fair compensation to them and to make adequate provisions for their rehabilitation and resettlement. This is the overall objective of this act. Now, we will discuss the major and important provisions of this Land Acquisition Act. So, Section 2, 2.1, that is, the government acquires land for government use, own use for public sector undertakings, and for public purposes. What are the different public purposes for Government can acquire the land? Some of these public purposes are strategic purpose, for use of Indian navy, military, air force or armed forces of the union of India, for central paramilitary forces, for any work or project which will be used towards national security and defense of the country, for state police. and for any project which will enhance the safety of the people. For these purposes, the government, state government can acquire the land. Similarly, for infrastructural projects the state government can acquire the land. Now, what do we mean by the infrastructure project? It has been defined or listed in the notification of the government of India, by the Department of Economic Affairs (Infrastructure Section), Number 13/6/2009, dated 27 March 2012. Under the notification there are many projects which are listed to be infrastructure projects. So, for carrying out these infrastructure projects the state government can acquire the land. Of course, when we say infrastructure projects, it will exclude private hospitals, private educational institutions and private hotels. All, other projects, the state government can acquire the land.

Table. List of Infrastructure projects as per GOI notification

S.No.	Category	Infrastructure Sub-sectors
1	Transport	<ul style="list-style-type: none"> Road and bridges Ports Inland Waterways Airports Railway Track, tunnels, viaducts, bridges Urban Public Transport (except rolling stock in case of urban road transport)
2	Energy	<ul style="list-style-type: none"> Electricity Generation Electricity Transmission Electricity Distribution Oil pipelines Oil/Gas Liquefied Natural Gas (LNG) storage facility Gas pipelines
3	Water & Sanitation	<ul style="list-style-type: none"> Solid Waste Management Water supply pipelines Water treatment plants Storage collection, treatment and disposal system Impoundment (dams, channels, embankments, etc.) Storm Water Drainage System Sherry Pipelines
4	Communication	<ul style="list-style-type: none"> Telecommunication (Fixed network) Telecommunication towers Telecommunication & Telecom Services
5	Social and Commercial Infrastructure	<ul style="list-style-type: none"> Education Institutions (except schools) Hospitals (except stock) Three star or higher category classified hotels located outside cities with population of more than 1 million. Common Infrastructure for industrial parks, Special Economic Zones, seaports facilities and agriculture markets. Facilities (Capital Investment) Post-harvest storage infrastructure for agriculture and horticultural produce including cold storage Terminal markets Soil-sealing laboratories Cold chain Buildings with project cost¹ of more than Rs.200 crores each in any place in India and of any size rating. Convention Centres with project cost² of more than Rs. 300 crores each.

You can see this list which was given in that notice. So, you can see there are 5 different categories. Transport project, road and bridges, ports, inland waterways, airport, railway, urban public transport system like that these are treated as infrastructure projects. Energy project, electricity generation, transmission distribution, oil pipeline, storage oil storage, gas pipelines these are called infrastructure project. Water and sanitation, solid waste management, communication system telecommunication towers are also infrastructure project. Social and commercial infrastructure projects include the educational institution, public educational institution, public hospitals and some of the hotels set up by government. Agricultural infrastructure includes: the fertilizer facilities, post agricultural facilities, terminal markets, etc. These are some of these infrastructure projects for which state government can acquire the land. The third category is agricultural project for agro-processing, warehousing, Agri-markets. These are agricultural-oriented project for which the government can acquire the land.

APPLICABILITY

(iii) project for industrial corridors, mining, national investment and manufacturing zones (as per the National Manufacturing Policy);

(iv) project for water harvesting and conservation, sanitation;

(v) project for Govt. and Govt. aided educational/ research institutions;

(vi) project for sports, health care, tourism, transportation, space program;

(vii) any infrastructure project by Government;

(c) project for project affected families;

(d) Govt housing schemes, land for residential purposes for the weaker sections in rural and urban areas, people affected by natural calamities.

Now, projects for industrial corridors, mining, national investment, etc., the state government can acquire land. Then project for water harvesting, conservation, and sanitation. Project for government and government-aided educational or research

institution, projects for sports, healthcare, tourism, transportation, space programs or any other infrastructure project. Then project for project-affected family, we are acquiring the land for an infrastructure project and then displacing the people project affected person. We have to give them alternate land or we have to establish R & R colony for the project-affected person; for that, government can acquire land. Government housing schemes, land for residential purposes for the weaker section of the people, people affected by natural calamities, government has to give them housing, give them land. For this purpose, the state government can acquire land under this Act.

APPLICABILITY

(2) When the Govt. acquires land for:

- (a) for public private partnership projects, where the ownership of the land continues to remain with Govt.
- (b) for private companies for public purpose

In case of acquisition for :

- i) pvt. companies, prior consent of minm 80 % of affected families have to be taken along with SIA study;
- (ii) public-pvt. partnership projects, prior consent of minm 70% of affected families have to be taken along with SIA study.

Social Impact Assessment (SIA) study to be carried out as per Sec. 4.

No land shall be transferred by way of acquisition, in the Scheduled Areas;

Section 2: that is when the government acquire the land for public private partnership projects. Government can acquire land for private company which will be involved in public purpose. When the government acquires land for private company, then minimum 80 percent of the affected families' consent have to be taken and also they have to carry a social impact assessment study. When the government acquires land for public-private partnership project, the consent of minimum 70 percent of the affected families' have to be taken and the SIA study or social impact assessment study has to be carried out. Now, the social impact assessment study have to be carried out as per section 4 of this act. There is one provisions which we should keep in mind that no land shall be transferred by way of acquisition particularly in the scheduled areas we should not do this. So, this is the exclusion.

Chapter II- Sec 4: Social Impact Assessment Study

4.1: Before, Govt. acquires land, it shall consult the Panchayat/ Municipality and carry out a Social Impact Assessment (SIA) study.
SIA study to be completed **within 6 months** from commencement.

4.3: The SIA report shall be made available to the public and other stakeholders.

4.4: SIA study shall include:—

- (a) assessment whether proposed acquisition serves public purpose;
- (b) estimation of affected families and number of families to be displaced;
- (c) extent of lands, public and private, houses, settlements and other common properties likely to be affected by the acquisition;
- (d) whether the extent of land proposed for acquisition is the absolute bare-minimum extent needed for the project;



7

So, section 4 mandates that the government has to carry out social impact assessment study. Before the government acquires land it shall consult panchayat, municipality and carry out a social impact assessment study which should be completed within 6 months. The report of the study shall be made available to the public and other stakeholders. The SIA study should include assessment whether proposed acquisition serves public purpose or not. This public purpose is very important. What do we mean by public purpose? That we have to understand. So, whether this project is serving the public purpose? That we have to establish. Then the SIA study should also include estimation of affected families and number of families to be displaced by the project. Estimation of extent of lands, public and private land, houses, settlement and other common properties which are likely to be affected by the acquisition. Whether the extent of the land proposed for acquisition is the absolute bare minimum that is necessary or it can be reduced that also the SIA study have to establish.

Social Impact Assessment Study

- (e) whether land acquisition at an alternate place has been considered and found not feasible;
- (f) study of social impacts of the project, and the nature and cost of addressing them and the impact of these costs on the overall costs of the project *vis-a-vis* the benefits of the project:
 - The Environmental Impact Assessment study may be carried out simultaneously independently.



8

Whether the land acquisition at an alternate place has been found and found not feasible? You are proposing your project in a particular land, whether that is the only land or can you carry out that project in some other land which will have a lesser social impact? The

SIA study will assess that. For mining project this point is not valid. Mining project will be opened wherever the mother nature has provided the mineral resources. You cannot open a mine in an urban area, that is not possible because you will open a mine where the ore body is located. So, that is decided by the nature, and you have no choice there. In some cases, the environment impact assessment study may be carried out simultaneously independently. So, section 4 suggest that you have to do a social impact assessment study, but under certain condition you may also have to carry out an environment impact assessment study independently that is under different provisions not under the Land Acquisition Act.

Social Impact Assessment Study

4.5: SIA will cover the impact of the project on:

- Livelihood of affected families,
- Public and community properties, assets ;
- Infrastructure: roads, public transport, drainage, sanitation,
- Sources of drinking water, water for cattle, community ponds, grazing land, plantations,
- Public utilities: post offices, food storage godowns,
- Electricity supply, health care facilities,
- Schools and training facilities, anganwadis,
- Children parks, places of worship,
- Land for traditional tribal institutions and burial and cremation grounds.

Social impact assessment (SIA) study will cover the impact of the project on the following points. What are the points? Whether livelihood of the families are affected? What are the public and community properties and assets that are affected? Any infrastructure, that is roads, public transportation, drainage, sanitation, that is affected. Whether sources of drinking water, water for cattle, community pond, grazing land, plantation, whether they are affected. What are the public utilities that is affected? Post offices, food storage godowns, schools, training facilities, Anganwadi, hospital, whether there is any such amenities that is affected? Electricity supply, health care, children park, place of worship and any land for tribal institutions, burial and cremation ground are affected? These things have to be studied in SIA.

Social Impact Assessment Study

4.4. SIA study will include **Social Impact Management Plan (SMP)**.

- SMP to include: *ameliorative measures required for addressing the impacts*.

4.5. **Public hearing to be carried out for Social Impact Assessment study.**

4.6. **Publication of Social Impact Assessment study**

SIA and SMP should be made available to:

- ✓ Panchayat, Municipality / Corporation (in local language),
- ✓ offices of the DC, Sub-Divisional Magistrate and the Tehsil
- ✓ uploaded on the website of the Govt.



10

Once you have done the SIA study and explored, and surveyed about these facilities, then under the same study you will also propose a social impact management plan (SMP). The SMP will include the ameliorative measures or remedial measures which will be required for minimizing the impact, for addressing the socio-economic problems which were ascertained by the social impact assessment study. Through SIA we are ascertaining what are the socio-economic impacts and we have to propose a SMP which will suggest what should be the remedial measure to minimize the social impacts of the project. For carrying out SIA and for SMP, you have to carry out public hearing as per 4.5, section 4 and subsection 5. Once the SIA and SMP is over, you have to publish that social impact assessment study; it should be made available to the community, to the panchayat, municipality in the local language. It should be available to the different other stakeholders like government offices, district collector offices, sub-divisional magistrate office, Tehsildar offices and it should be uploaded in the official website. So that everyone can see that what is the SIA and SMP that is being proposed.

Social Impact Assessment Study

4.7. **Appraisal of Social Impact Assessment report by an Expert Group** constituted by Govt.

Composition of expert group:

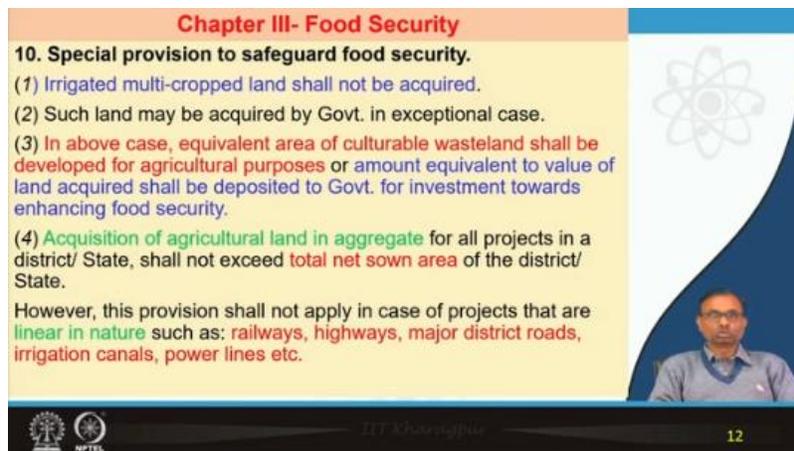
- (a) 2 social scientists;
- (b) 2 persons from Panchayat/ Gram Sabha/ Municipality/ Corporation;
- (c) two experts on rehabilitation;
- (d) a technical expert from the project.

- Govt. will nominate one Expert Group member as Chairperson.
- If Expert Group is of the opinion that, social costs and adverse social impacts of the project outweigh the potential benefits,
- It may recommend (in 2 months) to abandon the project and land acquisition process will not be initiated.



11

Appraisal of social impact assessments report that was prepared by the SIA, it has to be evaluated by an expert group which is to be constituted by the government. The composition of the expert group under the section 4 subsection 7 is that, it should constitute 2 social scientists, 2 persons from the panchayat or gram sabha or the municipality, two experts on the rehabilitation and a technical expert from the project. For example, if it is a mining project, the technical expert from the mining domain has to be present in the committee. If it is a tourism project, one technical expert from the tourism industry, if it is an airport project, one expert from the airport domain has to be included. The Government will nominate one expert group member as the chairperson of the expert group. The expert group will study the social impact assessment, and it will also study the social management plan. If it comes to the opinion that the social cost and adverse social impact of the project is far more than the benefit is less, adverse impact is more, then the expert group can provide a recommendation within 2 months to abandon such a project because the net social benefit is negative. So, it can give a recommendation that this project is not socially desirable. If the expert group gives a negative recommendation, then the land acquisition process will not be initiated. It will stop there.



Chapter III- Food Security

10. Special provision to safeguard food security.

(1) Irrigated multi-cropped land shall not be acquired.

(2) Such land may be acquired by Govt. in exceptional case.

(3) In above case, equivalent area of culturable wasteland shall be developed for agricultural purposes or amount equivalent to value of land acquired shall be deposited to Govt. for investment towards enhancing food security.

(4) Acquisition of agricultural land in aggregate for all projects in a district/ State, shall not exceed total net sown area of the district/ State.

However, this provision shall not apply in case of projects that are linear in nature such as: railways, highways, major district roads, irrigation canals, power lines etc.

12

Now, we come to Chapter 3, which is about food security and Section number 10. Special provision to safeguard the food security of the country. While we are acquiring land for many purposes—industrial purposes, infrastructure purposes, even agricultural purposes—the Government should always consider the primary importance of food security. The multi-crop agricultural land should not, by and large, be acquired for industry and infrastructure purposes or for other public purposes. because those multi-crop lands are helping provide food to the nation, which is very, very important. However, in exceptional cases, if the Government thinks that the acquisition of any multi-crop land is also necessary for a strategic project of the country, then it can recommend the acquisition of that land, provided the Government develops an equivalent area of culturable wasteland. In that same district, there may be wasteland that can be developed by using reclamation technology. It

can be developed into agricultural land. So, an equivalent area of culturable wasteland should be acquired and then converted into agricultural land. If such an equivalent area of culturable wasteland is not available, then in that case, the equivalent amount of money (equivalent to the value of that land) shall be deposited to the Government. The Government, in turn, will invest that money towards enhancing food security. For example, the Government can spend that money for research and development purposes to increase our food production, to make our food distribution network efficient, or any such kind of project that will enhance our food security. So, that money will be used. This is the provision. Now, the acquisition of agricultural land in aggregate for all projects in a district or state shall not exceed the total net sown area of the district or state. Every district in any state has a net sown area that is available in the reports of that state or district. When we are acquiring agricultural land for any development projects, the acquisition of total agricultural land should not exceed the total net sown area. That is the boundary condition; that is the limitation. However, this provision shall not apply in the case of projects that are linear in nature, for example, railway projects, highway projects, roadway projects, irrigation power lines. There is a relaxation for these projects.

Chapter IV

11. Publication of preliminary notification in Gazette / News paper/ website.

12. Preliminary survey of land by Govt or authorized agency for ascertaining the requirement of land and demarcation.

16. Preparation of R & R Scheme by the Administrator.–

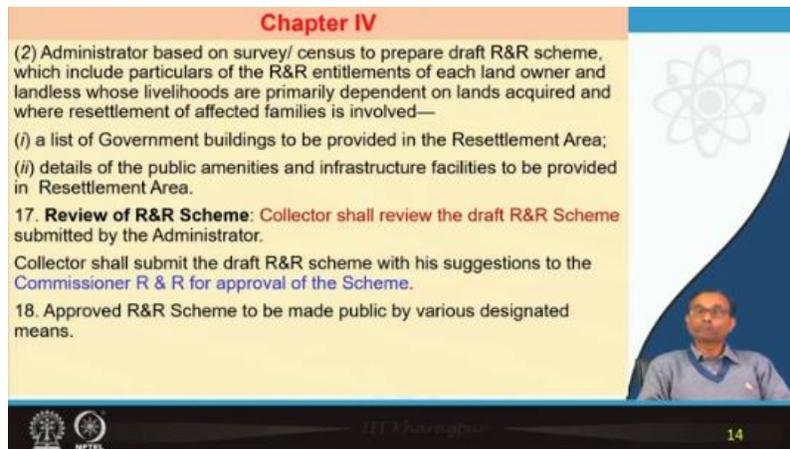
(1) After publication of preliminary notification, the Administrator for R & R shall conduct survey / census of affected families and collect following information:

- (a) particulars of lands and immovable properties being acquired of each affected family;
- (b) livelihoods lost in respect of land losers and landless whose livelihoods are primarily dependent on the lands being acquired;
- (c) list of public utilities and Govt. buildings which are likely to be affected;
- (d) details of amenities and infrastructural facilities likely to be affected; and
- (e) details of any common property resources being acquired.

13

Now, we come to the process of land acquisition. First, as per Section 11, the Government has to bring a preliminary notification in the official Gazette, in the newspaper, or on the official website. After the preliminary notification, the Government can go ahead with the preliminary survey of the land by the Government or an authorized agency to ascertain the requirement of the land for acquisition and demarcation of the area. A preliminary survey can be undertaken under Section 12. Next, the preparation of a rehabilitation and resettlement scheme by the administrator. Now, whenever the Government wants to acquire certain land for a certain project—whether it is a mining project or other projects—the Government has to appoint an administrator who will be responsible for coordinating

the land acquisition process. The administrator will be preparing a rehabilitation and resettlement scheme which will be followed for the land acquisition. After publication of the preliminary notification, the administrator for R and R shall conduct survey or census of the affected families and collect the following information. What all information are to be collected for preparing the R and R scheme? Particulars of the land and the immovable properties being acquired of each affected family. Livelihood lost in respect of the land losers and landless whose livelihoods are primarily dependent on that particular land which is being acquired. List of public utilities or government buildings which are likely to be affected because of the acquisition of that land. Details of amenities and infrastructure facilities likely to be affected and details of any common property or resource being acquired by the acquisition process.



Chapter IV

(2) Administrator based on survey/ census to prepare draft R&R scheme, which include particulars of the R&R entitlements of each land owner and landless whose livelihoods are primarily dependent on lands acquired and where resettlement of affected families is involved—

(i) a list of Government buildings to be provided in the Resettlement Area;

(ii) details of the public amenities and infrastructure facilities to be provided in Resettlement Area.

17. Review of R&R Scheme: Collector shall review the draft R&R Scheme submitted by the Administrator.

Collector shall submit the draft R&R scheme with his suggestions to the Commissioner R & R for approval of the Scheme.

18. Approved R&R Scheme to be made public by various designated means.

14

The administration will carry out the survey or census, collect these information and based on these survey data or the census he will prepare a draft rehabilitation and resettlement scheme. The scheme will include particulars of the R and R entitlement. of each land owner or the landless labor who are dependent on that particular land. So, the administrator will prepare the draft R&R scheme which will mention the list of government buildings to be provided in the resettlement area. The details of the public amenities and infrastructure facilities to be provided in the resettlement area. Then draft R&R scheme will be sent to the collector. The collector will review the draft R & R scheme and he will give his comment and observation and send the draft R and R scheme to the commissioner R&R for approval. The commissioner R and R office is normally in the state capital. We have a resettlement and rehabilitation commissioner in the state capital. So, collector will study the draft R & R prepared by the administrator, give his observation and comment and send it to the R&R commissioner. The R & R commissioner is the final authority which will approve the draft R&R. Once the draft R&R scheme is approved by the commissioner, that

becomes the final R&R document. The approved R&R scheme will be notified to all the stakeholders including the project affected persons.

CHAPTER IV

21. Notice to PAP, and persons interested.–
(1) Collector shall put public notice on website and at convenient places on/ near the land stating that Govt. intends to acquire that land, and inviting claims towards compensations and R & R.

23. Enquiry and land acquisition award by Collector.
On a day fixed, Collector shall enquire into the objections (if any) of PAP pursuant to notice (sec. 21), to **measurements** of land (Sec. 20) and into **value of land**, and then shall make an award about —

(a) true area of the land;
(b) compensation under sec. 27 along with **R&R Award (sec. 31)**; and
(c) apportionment of this compensation among all eligible persons.

15

Now, once the R&R scheme is approved and becomes final, the collector shall put notice on government website and at convenient location on or near the land to be acquired and it will put a notice that government intends to acquire the land for such and such purpose and there we are inviting claims towards compensation and R and R benefit with respect to the land. Whoever is the project affected families or interested party they should put forth their claim. On a particular date fixed by him, the collector, shall enquire into the claims or objections of any project affected person. The objection could be with respect to the value of the land, objection could be with respect to the measurement of the land, area of the land and then the collector shall make an award after going through those objections and resolving the objection. He will make a final award about what is the true area of the land that the PAP of a project is going to lose. Then what will be the final compensation under section 27 and what will be the final rehabilitation and resettlement award for each project affected person. Then apportionment of this compensation among all eligible persons. Now, you can have a piece of land and there may be more than one persons who are having share in that. So, what will be the share among different claimants? Let us say a plot of land is acquired and there are three brothers claiming for compensation. Each of them have share. So, what should be the share for each?

CHAPTER IV

26. Determination of market value of land by Collector.

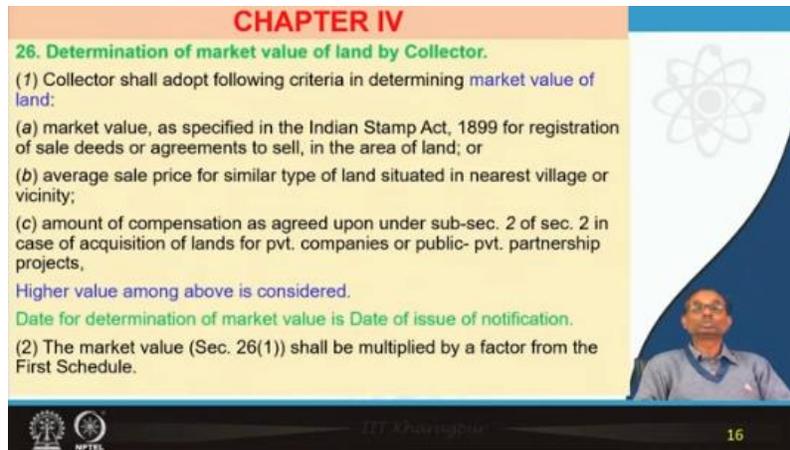
(1) Collector shall adopt following criteria in determining market value of land:

- (a) market value, as specified in the Indian Stamp Act, 1899 for registration of sale deeds or agreements to sell, in the area of land; or
- (b) average sale price for similar type of land situated in nearest village or vicinity;
- (c) amount of compensation as agreed upon under sub-sec. 2 of sec. 2 in case of acquisition of lands for pvt. companies or public- pvt. partnership projects,

Higher value among above is considered.

Date for determination of market value is Date of issue of notification.

(2) The market value (Sec. 26(1)) shall be multiplied by a factor from the First Schedule.



Also, the determination of market value of the land is done by the collector. The award of the compensation will depend upon what is the market value of the land. The collector shall adopt the criteria as mentioned below in determining the market value of the land. What are the criteria? There are some three criteria, one is market value as specified in the Indian stamp act 1899 for registration of sale deeds or agreement to sale in the same area. Or average sale price of similar type of land situated in the nearest village or vicinity or amount of compensation as agreed upon under subsection 2 of section 2 in case of acquisition of land for private companies or public private partnership. So, out of these three cases whichever is the higher value that will be considered as the market value for the acquisition process. Market value: The date of determination of the market value is the date of issue of the notification. When the notice was put for the land acquisition, on that date, whatever the value is, that is the market value to be considered. For the compensation, the market value shall be multiplied by a factor. taken from the first schedule. So, when we are calculating the compensation, we have the market value and we have the location of the land. As per the location of the land, we will have a multiplying factor from Schedule I. This factor will be multiplied with the land value. That is how we will calculate the compensation. Of course, there are some other components also. We will discuss how to calculate the total compensation as per the provisions of this Act.

CHAPTER IV

27/28. Determination of amount of compensation.

Collector shall calculate amount of compensation to land owners by including all assets attached to the land.

- (1) Using market value (sec. 26) and award amount in as per First and Second Schedules;
- (2) Damage sustained by the PAP, because of any standing crops and trees on the land at the time of the Collector's taking possession;
- (3) Damage sustained by the PAP, at the time of the Collector's taking possession of the land, by reason of severing such land from his other land;
- (4) Damage sustained by PAP, by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings;
- (5) Consequence to acquisition of land, PAP is compelled to change his residence or place of business, reasonable expenses incidental to such change;
- (6) Damage *bona fide* resulting from diminution of profits of the land between the time of the publication of notice (sec. 19) and the time of acquisition of the land; and
- (7) Any other ground which may be in the interest of equity, justice and beneficial to PAP.



17

Determination of the amount of compensation according to Sections 27 and 28: the collector shall calculate the amount of compensation to landowners by including all assets attached to the land. So, what are the points to be kept in mind? Using the market value, our amount as per the first and second schedule. I shall show you the first and second schedule. Damage sustained by the PAP because of any standing crops and trees on the land at the time of the collector taking possession of the land. So, on the date of taking possession, which standing crops are there, which trees are there. You have to give some value towards the standing crops and trees. Damage sustained by the PAP at the time of the collector taking possession of the land by reason of severing such land from other land. Let us say you have a stretch of land. The government is acquiring certain land from that total stretch of land, and because of acquiring the land, the connectivity from one part of the land to the other part is getting disconnected. So, that is creating a problem for you. That has to be compensated. Similarly, damage sustained by the PAP by reason of acquisition injuriously affecting his other properties, other movable and immovable property in any other manner. If by acquisition of the land, certain damage is taking place to your house or other infrastructure in the house, that compensation has to be given with respect to that damage. Consequent to the acquisition of land, the PAP is compelled to change his residence or change his place of business. Reasonable monetary compensation for these expenses incidental to such change has to be given. So, you have to change your house from one area to another area because now you cannot stay there. Those incidental changes have to be compensated. Damage resulting from the diminution of profits of the land between the time of the publication of the notice and the time of the acquisition has to be compensated. Now, the government has put the acquisition notice, and it has taken 6 months for the acquisition of the land. After the publication of the notice, some of your businesses have incurred losses, and it can be established that the loss is because of the

acquisition notification. In such cases, that loss will be compensated by the government. So, these are the different points on which the compensation amount will be calculated.

Schedule I		
S. N.	Component of compensation package	Manner of determination of value
1.	Market value of land	To be determined as per section 26.
2.	Factor by which the market value is to be multiplied in the case of rural areas	1.00 (One) to 2.00 (Two) based on the distance of project from urban area, as may be notified by the appropriate Government.
3.	Factor by which the market value is to be multiplied in the case of urban areas	1(One).
4.	Value of assets attached to land or building	To be determined as provided under section 29.
5.	Solatium	Equivalent to one hundred per cent. of the market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 2 for rural areas or serial number 3 for urban areas plus value of assets attached to land or building against serial number 4 under column (2).
6.	Final award in rural areas	Market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 2 plus value of assets attached to land or building mentioned against serial number 4 under column (2) plus solatium mentioned against serial number 5 under column (2).
7.	Final award in urban areas	Market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 3 plus value of assets attached to land or building mentioned against serial number 4 under column (2) plus solatium mentioned against serial number 5 under column (2).
8.	Other component, if any, to be included	

Now, this is Schedule 1. Schedule 1 is as per the location of the land in the rural area or in the urban area. So, you have the market value; there will be a multiplying factor which will be multiplied with the market value to calculate the compensation. This multiplication factor is taken from Schedule I of this Act. So, what it says is that the multiplying factor will be 1, and it will vary between 1 to 2 based on the distance of the project from the urban area as may be notified by the government. So, this Schedule 1 and Schedule 2 will come later; we will discuss them in the next class.

REFERENCES

- THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013

So, to summarize, these are the references. The reference was taken from this Act itself: 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013'. This Act is available in the public domain. So, what did we cover today? We covered the provisions of the Land Acquisition and Resettlement and Rehabilitation Act. We are halfway through this Act. In the next class, we will continue the discussion. So, thank you very much for your patient hearing. Thank you.