

GOVERNMENT OF INDIA
MINISTRY OF RURAL DEVELOPMENT
DEPARTMENT OF LAND RESOURCES

RAJYA SABHA
UNSTARRED QUESTION No. 3004
TO BE ANSWERED ON 12.12.2016

Scrapping of Section 24(2) of RFCTLARR Act

3004. SHRI V. VIJAYASAI REDDY:

Will the Minister of RURAL DEVELOPMENT be pleased to state:

- (a) whether the National Monitoring Committee has recommended the scrapping of Section 24(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013;
- (b) if so, the reasons therefor;
- (c) whether any specific representations have been received during 2015 and 2016 for specific application of that Section of RFCTLARR Act; and
- (d) if so, the details of such applications or petitions received from Andhra Pradesh to help evicted farmers and tribals under that section of the RFCTLARR Act?

ANSWER

MINISTER OF STATE FOR RURAL DEVELOPMENT
(SHRI RAM KRIPAL YADAV)

- (a): No, Sir.
- (b): Does not arise.
- (c) and (d): Under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, land is acquired by the appropriate Government as defined in the Act.

Section 24 of the RFCTLARR Act deals with “Land acquisition process under Act No.1 of 1894 shall be deemed to have lapsed in certain cases”.

Sub-section (2) of Section 24 contains the following provision:

“Notwithstanding anything contained in sub-section (1), in case of land acquisition proceedings initiated under the Land Acquisition Act, 1894, where an award under the said section 11 has been made five years or more prior to the commencement of this Act but the physical possession of the land has not been taken or the compensation has not been paid the said proceedings shall be deemed to have lapsed and the appropriate Government, if it so chooses, shall initiate the proceedings of such land acquisition afresh in accordance with the provisions of this Act:

Provided that where an award has been made and compensation in respect of a majority of land holding has not been deposited in the account of the beneficiaries, then, all beneficiaries specified in the notification for acquisition under section 4 of the said Land Acquisition Act, shall be entitled to compensation in accordance with the provisions of this Act.”

Application of the provisions of Section 24, including Sub-section (2) of Section 24, is the responsibility of the concerned appropriate Government. Disputes that go before the courts are decided by the courts.
