

Give farmers a stake in development, says LokSatta Party

Written by Maharashtra Administrator
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New Delhi: Dismissing the shrill 'debate' over the Land Acquisition Bill as nothing more than political cacophony aimed at scoring brownie points, the LokSatta Party has offered an innovative solution to the current impasse over the law.

Urging all parties to refrain from petty politics and to analyse the issue objectively, LSP National vice-president Dr. Ashwin Mahesh said we would be living in a fool's paradise if we ignored the land needs of a large number of projects that are essential for India's development (such as infrastructure projects) or its security (defence projects). At the same time, he said, issues relating to land must be handled "carefully, fairly and lawfully" so that landowners get justice.

"Farmers have historically been cheated by the land acquisition law," Ashwin said. "The only way to ensure they are not cheated is to give farmers **trade-able stake-holding rights** in projects that come up on their lands."

Ashwin said any 'compensation' that is limited to the act of acquisition would continue to cheat farmers irrespective of the amount offered. "Land-losers should have the opportunity to benefit from projects in the same way as the promoters," he suggested

LSP's senior leader and Delhi chief, Achyutam Kallani suggested that a win-win situation can be created if the land owners are given a right to buy-back a fraction of the land at acquisition cost plus a reasonable development cost so that the land-owner benefits from the future increase in market rates. In this context Government's move to allow 20% of the land to be bought back is welcome.

Achyutam also added that the LSP is strongly against the proposed clause that would make prior sanction from the government necessary to initiate legal proceedings against any erring official. Such provisions, he said, are not healthy for the rule of law. "Offences committed should be examined by the judiciary," he said. "The government should not pre-empt prosecution of its officials."

LSP National President Surendra Srivastava hoped good sense would prevail and the various parties would work together to safeguard the interests of farmers without jeopardizing the

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country's future.

Following is the LokSatta Party's stand on various issues in the proposed law:

- LSP supports bringing all previously exempted 13 laws within the purview of the Land Acquisition, Rehabilitation and Resettlement Act of 2013 (LAAR) so that landowners can claim the benefit of compensation for projects covered by those 13 laws. It was a mandate of the original act in 2013 to bring all such laws in its purview after a year.

- LSP supports scrapping of the explicit clause of returning the land if unused for five years. Many large infrastructure projects have a high gestation period and it is not always possible to complete a project in five years. This clause should be modified by adding the following: "or any period specified at the time of setting up the project, whichever is later".

- LSP supports in principle excluding certain categories of land use -- (i) defence, (ii) rural infrastructure, (iii) affordable housing, (iv) industrial corridors, (v) infrastructure projects -- from the purview of the consent clause, social impact audit, and the bar on using multi-crop irrigated land. However LSP is of the opinion that the list be pruned and specifically defined for only critical and narrow list of projects.

- LSP advocates addition of an explicit provision that the law may not be abused by any "private entity" or real estate behemoth to grab land and become land sharks under the pretext of 'affordable housing' — as has been witnessed over the years across the country.

- LSP believes the Social Impact Assessment (SIA) clause adds to the indirect transaction cost of the acquisition process. As long as adequate compensation and rehabilitation is provided, SIA in certain critical categories may not be necessary.

- LSP believes that even in sectors where SIA should be undertaken, the law/rules need to be firmed up and define the process clearly.

- LSP believes the definition of "PPP projects where Government holds the land" should be clarified further.

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- LSP opposes the idea of Government acquiring land on behalf of private schools, hospitals and NGOs. Land dealings by such parties should be handled by themselves. LSP advocates keeping these outside the purview of Land Acquisition law

LokSatta Party calls upon the Government and the Opposition to rise above the narrow political interests and negotiate the changes to the Land Acquisition Law which is fair, just and pragmatic. LSP urges urgency in this regard so that the impediments to our critical infrastructure projects are removed and the economic vitality is restored.