

Refresher Course on Land Acquisition [P-1339]

1st – 2nd April, 2023

Program Schedule

(Yoga Classes daily from 7.00 AM to 8.00 AM)

Day 1	Session: 1 09:45 AM – 11:15 AM		Session: 2 11:45 AM – 01:15 PM		Session: 3 02:15 PM – 03:45 PM
1 st April, 2023 Saturday	Land Acquisition: Land Reforms and Amendments in Land Acquisition Laws <u><i>Proposed Scope of Discussion</i></u> <ul style="list-style-type: none"> • Justifications for Land Acquisition: Public Purpose & Other Grounds • Doctrine of Eminent Domain • Statutory Framework for Land Acquisition: <ul style="list-style-type: none"> - Land Acquisition Act, 1894 - Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 	T E A B R E A K	Procedural Fairness and Natural Justice Principles in Acquisition <u><i>Proposed Scope of Discussion</i></u> <ul style="list-style-type: none"> • Adherence to the Principles of Natural Justice especially <i>Audi Alteram Partem</i> in the acquisition • Notice to the Affected Persons – Section 11 of the 2013 Act • Hearing of Objection – Section 15 of the 2013 Act • Reference to Authority - Section 64 of the 2013 Act • Service of notice by Authority - Section 66 of the 2013 Act • Determination of Award by authority – Section 69 of the 2013 Act • Locus Standi to challenge the acquisition and other proceedings 	L U N C H B R E A K	Determination of Compensation and Rehabilitation and Resettlement of Affected Persons <u><i>Proposed Scope of Discussion</i></u> <ul style="list-style-type: none"> • Determination of Market Value & Compensation: Mandatory Parameters and Criteria - Section 23 of the 1894 Act - Sections 26, 27 & 28 of the 2013 Act • Possible Methods to Determine Market Value including Capitalization Method and Build Up Method • Resettlement and Rehabilitation Provisions of the 2013 Act • Social Impact Assessment - Sections 4 to 9 of the 2013 Act • Environment Impact Assessment - Sections 6 (2) of the 2013 Act • Rehabilitation and Resettlement in Cases of Temporary Acquisition of Land

Day 2 2 nd April, 2023 Sunday	<p align="center">Session: 4 09:45 AM – 11:15 AM</p> <p align="center">Continuity and Lapse of Acquisition Proceedings</p> <p><u>Proposed Scope of Discussion</u></p> <ul style="list-style-type: none"> • Section 24 of the 2013 Act • Continuity of Acquisition Proceedings between the 1894 Act and 2013 Act • Interpretation of Section 24 of the 2013 Act: Jurisprudence of the Supreme Court of India - Indore Development Authority v. Shailendra (Dead) through L.Rs. and Ors (2018) 1 SCC 733 • Payment of Compensation According to Section 24 of the 2013 Act 	<p align="center">Session: 5 11:45 AM – 01:15 PM</p> <p align="center">Adjudication of Offences & Penalties under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013</p> <ul style="list-style-type: none"> • Punishment for false information, mala fide action, etc. – Section 84 of the 2013 Act • Penalty for contravention of provisions of Act – Section 85 of the 2013 Act • Offences by companies – Section 86 of the 2013 Act • Cognizance of offences by court – Section 88 of the 2013 Act • Cognizable and non-cognizable offence– Sections 89-90 of the 2013 Act • Other Major Challenges in Adjudication of Land Acquisition Disputes 	
			<p>01:15 PM – 01:30 PM Feedback by Participants</p>

Academic Coordinators – Dr Amit Mehrotra & Mr Rajesh Suman, Faculty, NJA

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