

Refresher Course on Land Acquisition [P-1368]

28th & 29th October, 2023

Program Schedule

(Day 1)	Session: 1 09:30 AM – 11:00 AM	Session: 2 11:30 AM – 01:00 PM	Session: 3 02:00 PM – 03:30 PM
<p>28th October, 2023 Saturday</p>	<p>Land Acquisition: Land Reforms and Amendments in Land Acquisition Laws</p> <p><u>Proposed Scope of Discussion</u></p> <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 	<p>Procedural Fairness and Natural Justice Principles in Acquisition</p> <p><u>Proposed Scope of Discussion</u></p> <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 	<p>Determination of Compensation and Rehabilitation and Resettlement of Affected Persons</p> <p><u>Proposed Scope of Discussion</u></p> <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) 29th October, Sunday	Session: 4 09:30 AM – 11:00 AM	Session: 5 11:30 AM – 01:00 PM	
	<p style="text-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 - <i>Indore Development Authority (LAPSE-5 J.) v. Manoharlal (2020) 8 SCC 129</i> • Payment of Compensation According to Section 24 of the 2013 Act 	<p style="text-align: center;">Adjudication of Offences & Penalties under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 &</p> <p style="text-align: center;">Open House Discussion: Major Challenges in Adjudication of Land Acquisition Disputes</p> <p><u>Proposed Scope of Discussion</u></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 <p style="text-align: center;">01:00 PM – 01:15 PM Feedback by Participants</p>	

Academic Coordinators:

1. Mr. Rajesh Suman (6261013029; rajesh.nja@gmail.com) – Assistant Professor, NJA
2. Mr. Krishna Sisodia (8770427535; krishna.sisodia@nja.gov.in) – Law Associate, NJA

Administrative Assistance:

1. Mr. Chetan Nehete (9425601233) (Email: nchetan@nja.gov.in), Event Manager, NJA.
2. Mr. Ranjan Verma (9425648964) (Email: ranjan.verma@nja.gov.in), Manager (Hospitality), NJA.