

Refresher Course on Land Acquisition [P-1368]

28th & 29th October, 2023

Program Schedule

(Day 1) 28 th October, 2023 Saturday	Session: 1 09:30 AM – 11:00 AM Land Acquisition: Land Reforms and Amendments in Land Acquisition Laws <u>Proposed Scope of Discussion</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 Justice R.D. Dhanuka Justice Ashwani Kumar Mishra	T E A B R E A K	Session: 2 11:30 AM – 01:00 PM Procedural Fairness and Natural Justice Principles in Acquisition <u>Proposed Scope of Discussion</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 Justice R.D. Dhanuka Justice S.C. Dharmadhikari Justice Arvind Singh Sangwan	L U N C H B R E A K	Session: 3 02:00 PM – 03:30 PM Determination of Compensation and Rehabilitation and Resettlement of Affected Persons <u>Proposed Scope of Discussion</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 Justice R.D. Dhanuka Justice S.C. Dharmadhikari Justice Arvind Singh Sangwan

(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;">Justice M.N. Jadhav Justice Manjive Shukla Mr. V. Raghavachari</p>	<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;">Justice M.N. Jadhav Justice Manjive Shukla Mr. V. Raghavachari</p>	

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