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The Right to Fair Compensation: An Evaluation of Compensation Standards and Transparency Mechanisms under the Land Acquisition, Rehabilitation and Resettlement Act, 2013

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ABSTRACT

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 ('LARR Act' or 'the Act') was enacted as India's constitutional and legislative answer to more than a century of State-centric, compensation-poor land acquisition under the colonial Land Acquisition Act, 1894. It sought to fuse two guarantees, a quantified right to fair compensation and a procedural right to transparency through Social Impact Assessment, public hearing and consent, into a single rights-based framework for eminent domain. This article undertakes a doctrinal and critical evaluation of that framework. It traces the constitutional trajectory from the extinguishment of the fundamental right to property in 1978 to the residual protection under Article 300-A; examines the architecture of compensation, rehabilitation and resettlement, and transparency under the 2013 Act; analyses the principal judicial pronouncements interpreting the Act, in particular the Constitution Bench ruling in Indore Development Authority v. Manoharlal*; and interrogates the systematic legislative dilution of the Act through the 2014-15 Amendment Ordinances and a wave of State amendments upheld by the Supreme Court in* G. Mohan Rao v. State of Tamil Nadu. *The article argues that although the LARR Act represents a significant normative advance over its predecessor, the gap between its transformative text and its administrative and political implementation has produced a fragmented and increasingly hollowed-out regime of land acquisition, and concludes with proposals for statutory and institutional reform.*

Keywords: *Land Acquisition, Right to Fair Compensation, Rehabilitation and Resettlement, Social Impact Assessment, Eminent Domain, Article 300-A.*

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I. Introduction

Land acquisition sits at the fault line between the State's sovereign power of eminent domain and the individual's claim to security of property and livelihood. For over a century, this fault line in India was governed by the Land Acquisition Act, 1894, a statute drafted by a colonial administration whose principal object was to facilitate the swift and inexpensive transfer of land to the State for public works, railways and, later, industrial development. The 1894 Act provided no meaningful floor for compensation beyond an approximation of market value, prescribed no consultative process with those whose land, livelihood or homestead stood to be extinguished, and made no legal provision at all for the rehabilitation of persons displaced by acquisition.[1] By the early years of the twenty-first century, this framework had become emblematic of a wider crisis of legitimacy surrounding State-led development, visible in the protracted conflicts at Singur, Nandigram, Kalinganagar and numerous Special Economic Zone sites across the country.

It was against this backdrop that Parliament enacted the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, which received Presidential assent on 26 September 2013 and came into force on 1 January 2014.[2] The very title of the Act signals its dual normative ambition: to guarantee a quantified right to fair compensation, and to embed transparency, through social impact assessment, public hearing and consent, as a structural precondition to the exercise of eminent domain. The Act further makes rehabilitation and resettlement of affected families, not merely of landowners but of all persons whose livelihood is affected, a mandatory and simultaneous incident of every acquisition.

II. Historical background: from the Land Acquisition Act, 1894 to the LARR Act, 2013

The Land Acquisition Act, 1894 codified the colonial State's power of eminent domain in a form largely untouched by considerations of distributive justice. Compensation was pegged to the "market value" of the land as on the date of the Section 4 notification, a valuation exercise that was structurally biased against landowners because registered sale-deed values in India have long understated actual transaction prices for the purpose of minimising stamp duty. The

[1] PRS Legislative Research, *The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Bill, 2013*, Bill Summary.

[2] The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, No. 30, Acts of Parliament, 2013 (India) [hereinafter LARR Act], pmbl. (long title); Gazette of India, Extraordinary, pt. II sec. 1, No. 40 (Sept. 27, 2013) (recording assent on Sept. 26, 2013).

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1894 Act contained no provision for rehabilitation of the displaced, no requirement of prior consultation with affected persons, and no assessment of the social or environmental consequences of acquisition. Amendments introduced over the following century, including the insertion of solatium and interest provisions, did little to alter this basic architecture.

Two developments changed the register within which land acquisition was debated. First, the National Policy on Resettlement and Rehabilitation, 2007 acknowledged, for the first time at the level of Central policy, that displacement without adequate rehabilitation generated cycles of impoverishment among displaced populations, and proposed a framework of entitlements independent of the 1894 Act's compensation provisions. Second, and more consequentially, a series of land conflicts, most visibly the acquisition of agricultural land for a Tata Motors plant at Singur in West Bengal and for Special Economic Zones at Nandigram, generated sustained political mobilisation against involuntary displacement and produced cross-party consensus that a wholesale replacement of the 1894 Act, rather than incremental amendment, had become politically unavoidable.

The Singur conflict is illustrative of the stakes involved. Approximately one thousand acres of largely multi-crop agricultural land in West Bengal's Hooghly district were acquired in 2006 under the 1894 Act for a small-car manufacturing facility; the acquisition proceeded without a rehabilitation plan for displaced sharecroppers and agricultural labourers, provoked sustained agitation led by opposition political parties and civil society organisations, and ultimately contributed to the project's relocation out of the State altogether. Nandigram, where a proposed Special Economic Zone in the same State triggered violent confrontation between police and villagers in 2007, reinforced the perception that the 1894 Act's compensation-only model was structurally incapable of securing social legitimacy for large-scale land acquisition. These episodes, replicated with variations across Kalinganagar in Odisha and numerous other sites, gave land acquisition reform a political salience that had eluded earlier, more technical proposals for amending the 1894 Act.

The Land Acquisition, Rehabilitation and Resettlement Bill, 2011 was introduced in this climate and, after reference to the Parliamentary Standing Committee on Rural Development and extensive public consultation, was enacted as the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The Act was explicitly designed to fuse two streams, compensation and resettlement, that had previously been governed separately (by the 1894 Act and the non-statutory 2007 Policy respectively) into a single, justiciable framework, and to condition acquisition itself on prior social impact

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assessment and, for private and public-private partnership projects, on the consent of a defined super-majority of affected families.

The long title of the Act records this aspiration in unusually explicit terms, describing its object as ensuring "a humane, participative, informed and transparent process for land acquisition" and securing "that the cumulative outcome of compulsory acquisition should be that affected persons become partners in development".[3]

III. The constitutional framework: property, eminent domain and the residual right to compensation

The constitutional status of the right to compensation for compulsorily acquired property in India has been shaped decisively by the Constitution (Forty-fourth Amendment) Act, 1978, which omitted Article 19(1)(f) and Article 31 from Part III and inserted Article 300-A, providing simply that "no person shall be deprived of his property save by authority of law".[4] The effect of this amendment was to remove the right to property, and with it any judicially enforceable requirement of "just" or "equivalent" compensation, from the category of fundamental rights, leaving it a constitutional right that can no longer be enforced by petition to the Supreme Court under Article 32, though it remains enforceable before the High Courts and through ordinary remedies, and subject to whatever compensation standard the acquiring statute itself chooses to prescribe.

This constitutional context is essential to understanding the significance of the LARR Act's compensation formula. Because Article 300-A imposes no independent quantitative floor on compensation, the adequacy of compensation payable on acquisition is entirely a function of ordinary legislation. The 1894 Act's persistent failure, in practice, to approximate real market value therefore represented not a constitutional violation but a policy and drafting failure that could only be corrected by Parliament itself. The LARR Act's response, a statutory multiplier over ascertained market value, discussed in Part IV below, should accordingly be read as an attempt to compensate, through legislative design, for the absence of a constitutionally entrenched compensation guarantee, and for the well-documented undervaluation of land in official registration records.

A second constitutional dimension concerns the distribution of legislative competence. "Acquisition and requisitioning of property" falls within Entry 42 of List III (the Concurrent

[3] LARR Act, long title.

[4] The Constitution (Forty-fourth Amendment) Act, 1978, §§ 2, 6, 34 (India) (omitting art. 19(1)(f) and art. 31 and inserting art. 300A, with effect from June 20, 1979); INDIA CONST. art. 300A.

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List) of the Seventh Schedule, meaning that both Parliament and State Legislatures may legislate on the subject, subject to Article 254. Article 254(1) provides that where a State law is repugnant to a Union law on a Concurrent List subject, the Union law prevails and the State law is, to the extent of the repugnancy, void; Article 254(2), however, permits a State law that has received the President's assent to prevail within that State notwithstanding such repugnancy.[5] This provision, apparently a technical feature of Indian federalism, in fact became the principal legal instrument through which several States diluted the LARR Act's protections after 2014, a development examined in Part VIII.

IV. Salient features of the LARR Act, 2013

A. Application and scope

The Act applies to acquisition of land by the appropriate Government for its own use, and to acquisition for public sector undertakings, public-private partnership projects and private companies for a "public purpose" as defined in Section 2. Section 105, read with the Fourth Schedule, excluded thirteen enactments, including the Atomic Energy Act, 1962 and the Railways Act, 1989, from the Act's application, while requiring the Central Government to extend to them, by notification, the Act's provisions on compensation and on rehabilitation and resettlement; that extension was finally made by an order of 28 August 2015.[6]

B. Social impact assessment

Section 4 requires the appropriate Government, before undertaking any acquisition, to conduct a Social Impact Assessment study in consultation with the concerned Panchayat, Municipality or Municipal Corporation, examining the number of affected families, the extent of lands, dwellings and public utilities likely to be affected, and whether the acquisition serves a genuine public purpose that could not reasonably be served by using alternative, un-acquired land.[7] The SIA report, together with a Social Impact Management Plan, is required to be placed before an independent multi-disciplinary Expert Group for appraisal, and both documents must be made available to the public, including through translation into the local language and publication on the appropriate Government's website.[8] A mandatory public hearing in the affected area is required at the SIA stage, intended to surface objections before, rather than after, the acquisition process formally commences.[9]

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[5] India Const. art. 254, sched. VII, list III, entry 42.

[6] LARR Act § 105, sched. IV; The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Removal of Difficulties) Order, 2015, S.O. 2368(E) (Aug. 28, 2015) (India).

[7] LARR Act §§ 4–7.

[8] *Id.* §§ 6–7 (publication of the SIA report and Social Impact Management Plan; appraisal by the Expert Group).

[9] *Id.* § 5.

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C. Consent requirements

For acquisitions undertaken for private companies, the prior consent of at least eighty per cent of affected families is required; for public-private partnership projects, the threshold is seventy per cent.[10] This consent requirement, entirely absent from the 1894 Act, represents perhaps the single most significant structural innovation of the LARR Act, converting acquisition for non-State commercial or quasi-commercial purposes from a unilateral exercise of sovereign power into a conditionally consensual transaction. As discussed in Part VII, it was also the provision most consistently targeted for dilution by subsequent Ordinances and State amendments.

D. Compensation

The Act's compensation architecture, set out in Sections 26 to 30 read with the First Schedule, departs from the 1894 Act's reliance on ascertained market value alone.[11] Market value is first determined as the higher of the value specified under the Indian Stamp Act, 1899 for the registration of sale deeds in the area, the average sale price for similar land in the nearest village or vicinity over the preceding three years, or, where relevant, the consented amount for private company or public-private partnership acquisitions. This market value is then multiplied by a factor of one in urban areas and of between one and two in rural areas, depending on the project's distance from an urban area; the value of any assets attached to the land is added; and a solatium equal to one hundred per cent of the resulting figure is imposed, so that the final award can reach about twice the market value in urban areas and up to four times the market value in rural areas. Interest at twelve per cent per annum on the market value is added for the period between the notification of the SIA study and the award or the taking of possession, whichever is earlier. The rural multiplier was designed explicitly to correct for the systematic under-registration of rural land values and the greater dependence of rural households on land as their principal productive asset.

E. Rehabilitation and resettlement

For the first time in Indian land law, the Act makes rehabilitation and resettlement a mandatory and simultaneous, rather than discretionary or subsequent, incident of every acquisition, and extends its entitlements beyond titleholders to encompass agricultural labourers, tenants, sharecroppers and artisans whose livelihood depends on the acquired land, categories wholly outside the compensation framework of the 1894 Act.[12] The Second Schedule specifies a detailed matrix of entitlements, including a house in the resettlement area or equivalent

[10] *Id.* § 2(2) proviso.
[11] *Id.* §§ 26–30, sched. I.
[12] *Id.* §§ 31–37, sched. II.

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monetary compensation, a one-time subsistence allowance, transportation and resettlement allowances, and a choice, which the appropriate Government must offer to each affected family, between employment for at least one member of the family where jobs are created through the project, a one-time payment, or an annuity.

F. Safeguards for food security and vulnerable groups

Section 10 imposes a special restriction on the acquisition of irrigated multi-cropped agricultural land, permitting it only "under exceptional circumstances, as a demonstrable last resort" and, even then, requiring that an equivalent area of culturable wasteland be developed for agricultural purposes or that an amount equivalent to the value of the land acquired be deposited with the appropriate Government for investment in agriculture.[13] The Act additionally contains dedicated provisions and Schedule entitlements addressing the special vulnerabilities of Scheduled Castes and Scheduled Tribes, including a requirement to obtain the prior consent of the Gram Sabha before acquisition in Scheduled Areas and a statutory obligation to prepare a Development Plan where a project displaces Scheduled Caste or Scheduled Tribe families.[14]

G. Urgency acquisitions and timelines

The Act preserves, in Section 40, a residual power to invoke an urgency procedure dispensing with several of the Act's procedural safeguards, but restricts it to the minimum area required for the defence of India or national security, for emergencies arising out of natural calamities, or for any other emergency with the approval of Parliament. This textual narrowing was a deliberate legislative response to the misuse of the analogous urgency provision in Section 17 of the 1894 Act, which had permitted the acquiring authority to dispense with objections and take possession on the expiry of fifteen days from notice, and which, as the Supreme Court repeatedly cautioned, had been invoked well beyond the genuinely urgent circumstances the provision was designed to address. The Act additionally imposes, for the first time, outer time limits on several stages of the acquisition process: the declaration under Section 19 must be made within twelve months of the preliminary notification, failing which the notification is deemed rescinded, and the award must follow within twelve months of the declaration under Section 25, failing which the entire proceedings lapse, in each case subject to a power of extension. These limits are a structural safeguard against the indefinite "acquisition limbo" that

[13] *Id.* § 10.
[14] *Id.* §§ 41–42.

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had characterised a significant proportion of proceedings under the 1894 Act and that gave rise to much of the Section 24 litigation discussed in Part VI.[15]

H. Grievance redressal: the LARR Authority

Sections 51 to 74 of the Act establish, for the first time in Indian land acquisition law, a dedicated adjudicatory forum, the Land Acquisition, Rehabilitation and Resettlement Authority, empowered to entertain disputes relating to the apportionment of compensation, the adequacy of rehabilitation and resettlement entitlements, and related grievances, with an appeal lying to the High Court.[16] The Authority was conceived as a specialised, procedurally accessible alternative to ordinary civil litigation, intended to be more responsive than a general-jurisdiction court to the particular evidentiary and valuation questions that land acquisition disputes typically raise. As Part IX(E) below discusses, however, the promise of this institutional innovation depends on each State actually constituting the Authority and making it operational; where it has not done so, affected landowners are left to pursue the ordinary, and comparatively more costly and protracted, route of writ or civil litigation.

V. Transparency mechanisms under the Act: an independent assessment

Although "transparency" appears in the Act's title as a distinct value alongside fair compensation, it is analytically useful to separate the several mechanisms through which the Act attempts to operationalise it, since their legal character and enforceability differ considerably. The first is informational transparency: mandatory publication of the SIA report, the Social Impact Management Plan, and subsequent draft and final rehabilitation and resettlement schemes, in the local language and in a manner accessible to affected communities, rather than merely gazetted in English in a manner functionally inaccessible to most rural landholders.

The second is procedural transparency: the requirement of a public hearing at the SIA stage and a further hearing at the rehabilitation and resettlement stage, intended to create a formal record of community objection that the appropriate Government, and later a reviewing court, can examine. The third, and most legally consequential, is what might be termed consent-based transparency: the requirement, discussed above, that affected families themselves ratify acquisition for private and public-private partnership projects.

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[15] *Id.* §§ 19(7), 25, 40; The Land Acquisition Act, 1894, No. 1 of 1894, § 17(1) (India); *see Radhy Shyam v. State of U.P.*, (2011) 5 SCC 553 (India).

[16] LARR Act §§ 3(f), 51–74.

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Two structural weaknesses in this architecture deserve early note, and are developed further in Part IX. First, transparency obligations under the Act are overwhelmingly procedural rather than substantive: the Act mandates that an SIA be conducted and published, but imposes only a weak, non-binding standard of Expert Group appraisal, and does not require that the acquiring authority actually decline to proceed where the SIA identifies substantial adverse social impact. Second, the entire transparency apparatus, SIA, Expert Group appraisal and public hearing, is disapplied for acquisitions falling within categories subsequently exempted by Ordinance and State amendment, a legislative technique examined in Parts VII and VIII, which has the practical effect of confining the Act's most distinctive transparency innovations to a narrowing subset of acquisitions.

VI. JUDICIAL INTERPRETATION OF THE ACT

No provision of the LARR Act has generated as extensive or as contested a body of case law as Section 24, the transitional provision governing the fate of acquisition proceedings commenced under the repealed 1894 Act but pending as on the Act's commencement date of 1 January 2014.[17] Section 24(1) preserves proceedings where no award had been made under the 1894 Act, subject to the compensation provisions of the new Act, and continues proceedings where an award had been made, under the 1894 Act's compensation regime. Section 24(2) provides that where an award had been made five years or more before commencement, but physical possession of the land had not been taken or compensation had not been paid, the proceedings are deemed to have lapsed, leaving the appropriate Government, if it still wishes to acquire the land, to begin afresh under the 2013 Act.

A. *Pune Municipal Corporation v. Harakchand Misirimal Solanki* (2014)

A three-judge Bench of the Supreme Court in *Pune Municipal Corporation* held that the word "or" in Section 24(2) had to be read disjunctively, so that failure to satisfy either of the two conditions, taking possession or paying compensation, sufficed to lapse the acquisition.[18] The Court further held that mere deposit of compensation in the government treasury, as opposed to actual payment to the landowner or deposit in court under Section 31 of the 1894 Act, could not be treated as "payment" for the purposes of Section 24(2). This interpretation was landowner-protective, and it was relied upon in a very large number of subsequent cases to declare lapsed acquisitions across the country, including for major public infrastructure projects.[19]

[17] LARR Act § 24.
[18] *Pune Municipal Corporation v. Harakchand Misirimal Solanki*, (2014) 3 SCC 183, ¶¶ 11, 19–20 (India).
[19] *See Government of NCT of Delhi v. K.L. Rathi Steels Ltd.*, 2024 INSC 454, ¶ 15 (India).

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B. *Indore Development Authority v. Shailendra* (2018)

A differently constituted three-judge Bench, by a 2:1 majority, subsequently held that *Pune Municipal Corporation* had failed to consider several relevant aspects of Section 24(2) and declined to follow it, holding instead that deposit of compensation in the treasury, where the landowner had refused to accept it, would suffice to save the acquisition from lapsing.[20] Because two coordinate Benches of equal strength had thus arrived at directly conflicting interpretations of the same provision, a position generally regarded as impermissible in a system of precedent that binds coordinate Benches to follow one another, the resulting uncertainty prompted a reference to a larger Bench.[21]

C. *Indore Development Authority v. Manoharlal* (2020): the Constitution Bench ruling

A five-judge Constitution Bench resolved this conflict in March 2020. The Bench held that the word "or" in Section 24(2) must, applying ordinary principles of statutory interpretation to a provision using two negative conditions, be read as "nor" or as "and": an acquisition lapses only where the State has neither taken possession nor paid compensation for five years or more, and is saved if either condition is satisfied.[22] The Bench further held that once possession vests in the State, any person who continues to occupy the land thereafter must be treated as a trespasser without a right to possession, and that a landowner to whom compensation had been tendered under Section 31(1) of the 1894 Act, and who had refused it, could not claim that the acquisition had lapsed for non-payment.[23] The Court accordingly overruled *Pune Municipal Corporation* together with every decision that had followed it, and held that its own decision in *Indore Development Authority v. Shailendra* could not prevail either.[24]

This aspect of the ruling, its disturbance of litigation already concluded in reliance on *Pune Municipal Corporation*, has been criticised by commentators on the ground that it sits uneasily with the doctrine of finality of judgments, under which a decided dispute between parties ordinarily cannot be reopened merely because the law is subsequently interpreted differently in an unrelated proceeding; the same commentators observe that the Bench missed the opportunity to apply the doctrine of prospective overruling, which would have preserved the finality of already-concluded cases while applying the new interpretation only going forward.[25] From the

[20] *Indore Development Authority v. Shailendra (Dead) through LRs*, (2018) 3 SCC 412 (India).
[21] *Indore Development Authority v. Manoharlal*, (2020) 8 SCC 129, ¶¶ 3–4 (India).
[22] *Manoharlal*, *supra* note 21, ¶ 363(3).
[23] *Id.* ¶¶ 244, 363(5), 363(7).
[24] *Id.* ¶ 362.
[25] Siddharth Batra & Chinmay Dubey, *Section 24 of Land Acquisition Act 2013 and Doctrine of Finality: An Overview*, SCC ONLINE BLOG (June 13, 2022), https://www.scconline.com/blog/post/2022/06/13/section-24-of-land-acquisition-act-2013-and-doctrine-of-finality-an-overview.

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perspective of landowners specifically, the practical effect of *Indore Development Authority v. Manoharlal* was to narrow substantially the class of acquisitions that would lapse for non-payment, since tender of compensation, or its deposit in the treasury rather than in court, previously held insufficient, could now save an acquisition, thereby recalibrating the balance struck by the 2013 Act back somewhat in the State's favour.[26]

D. Other significant interpretive developments

Subsequent decisions have refined the practical operation of Section 24 and related provisions, including on the treatment of persons who purchased land after a Section 4 notification under the 1894 Act, who have generally been held to acquire no independent right to invoke Section 24(2) since their underlying sale is void,[27] and on the point at which a State amendment to the LARR Act is to be treated as having been "made" for purposes of the repugnancy analysis under Article 254, a question of direct relevance to the State-amendment litigation discussed in Part VIII.

E. Judicial approach to compensation determination

Beyond the Section 24 litigation, courts exercising jurisdiction over compensation references under the Act have generally continued to apply valuation principles developed under the 1894 Act, including reliance on comparable sale instances, the deduction of an appropriate percentage for development costs where the exemplar sale concerns a smaller, already-developed plot, and the belting method for valuing large tracts of acquired land at differential rates depending on proximity to road frontage or other amenities.

This judicial continuity is significant: because the 2013 Act's compensation innovation lies principally in the statutory multiplier applied over an ascertained market value rather than in a novel method of ascertaining that value itself, the practical adequacy of compensation awarded under the Act remains substantially dependent on the same body of valuation jurisprudence, and the same evidentiary difficulties in proving true market value, that had developed under its predecessor, a continuity that qualifies without negating the Act's overall protective advance and that is examined further in Part IX(B) below.

F. The interface with forest and tribal land rights

A related interpretive difficulty, not resolved by the Constitution Bench in *Indore Development Authority v. Manoharlal*, concerns the relationship between the LARR Act and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, which

[26] *Manoharlal*, *supra* note 21, ¶¶ 363(4)–(5).
[27] *Shiv Kumar v. Union of India*, (2019) 10 SCC 229, ¶ 21 (India); *Manoharlal*, *supra* note 21, ¶ 337.

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separately vests forest-dwelling communities with individual and community forest rights and requires the consent of the Gram Sabha before diversion of forest land for non-forest purposes.

Because a significant proportion of infrastructure and mining-related acquisitions in central and eastern India involve land that is simultaneously subject to the LARR Act's consent and SIA requirements and to the Forest Rights Act's own consent mechanism, acquiring authorities have on occasion treated compliance with one statute as substituting for compliance with the other, a practice that sits uneasily with the LARR Act's own Section 41, which imposes special additional safeguards, including a requirement of Gram Sabha consent independent of the Forest Rights Act, for acquisition in Scheduled Areas. The absence of a definitive appellate ruling squarely reconciling the two statutes' consent architectures remains, in our assessment, an under-litigated gap in the Act's judicial interpretation to date.

VII. The 2014-15 Amendment Ordinances: Dilution and Political Contestation

Within a year of the Act's commencement, the Union Government, having changed following the 2014 general election, promulgated the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Ordinance, 2014 on 31 December 2014.[28] The Ordinance's core amendments empowered the appropriate Government to exempt five categories of projects, defence and national security, rural infrastructure including electrification, affordable housing for the poor, industrial corridors, and infrastructure and social infrastructure projects including public-private partnerships where land ownership continued to vest in the Government, from three of the Act's central safeguards: the requirement of a Social Impact Assessment, the restriction on acquisition of irrigated multi-cropped land, and, most controversially, the consent requirement itself.[29] The Ordinance also proposed to modify Section 24 by excluding periods during which a stay or injunction was operative, and periods during which compensation lay validly deposited, from the five-year computation for lapse, a change that would have legislatively reversed much of the protective effect of *Pune Municipal Corporation*, then still in force.[30]

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[28] The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Ordinance, 2014 (India) (promulgated Dec. 31, 2014).

[29] PRS Legislative Research, *The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Second Amendment) Bill, 2015*, https://prsindia.org/billtrack/the-right-to-fair-compensation-and-transparency-in-land-acquisition-rehabilitation-and-resettlement-second-amendment-bill-2015 (last visited Nov. 17, 2026).

[30] *Id.*

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The stated justification for the Ordinance was that the SIA and consent requirements, applicable without any monetary or size threshold to virtually every acquisition, had produced significant delays in infrastructure and housing delivery. Critics responded that the categories exempted were drawn so broadly, in particular "infrastructure" and "industrial corridors", that the exemption threatened to swallow the general rule, since a very large proportion of acquisitions for private and public-private projects could plausibly be classified into one of the five exempted heads.[31] The Ordinance also proved constitutionally precarious: because an Ordinance under Article 123 lapses six weeks after the reassembly of Parliament unless replaced by an Act, the Government was compelled to re-promulgate it in substantially similar form in April and again in May 2015, an unusual sequence that itself became a point of political controversy given the constitutional expectation that ordinance-making power be exercised only in circumstances of genuine urgency rather than as a substitute for parliamentary enactment.[32]

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Bill, 2015, intended to give the Ordinance permanent statutory form, passed the Lok Sabha with nine amendments in March 2015 but did not pass the Rajya Sabha, where the Government lacked a majority; a fresh (Second Amendment) Bill, introduced in the Lok Sabha on 11 May 2015, was referred to a Joint Parliamentary Committee the following day.[33]

Facing sustained opposition from farmers' organisations, civil society groups and Opposition parties, and having allowed the third Ordinance to lapse without re-promulgation, the Union Government effectively abandoned the amendment project at the Central level by August 2015. This retreat, however, proved only partial: as Part VIII demonstrates, several of the Ordinance's substantive proposals were subsequently enacted piecemeal by individual States exercising their own legislative competence under Article 254(2), a route that attracted markedly less national political attention than the Central Ordinance had, notwithstanding its materially similar effect on affected landowners.

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[31] *See, e.g.*, Kanchi Kohli, OXFAM INDIA, *Land Acquisition Ordinance 2014: Dismissing Democracy, Displacing Safeguards?* (Policy Brief No. 11, Feb. 2015), https://policy-practice.oxfam.org/resources/land-acquisition-ordinance-2014-dismissing-democracy-displacing-safeguards-346708/.

[32] INDIA CONST. art. 123(2)(a); The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Ordinance, 2015 (India) (promulgated Apr. 3, 2015); The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Second Ordinance, 2015 (India) (promulgated May 30, 2015); *see* PRS LEGISLATIVE RESEARCH, *supra* note 29.

[33] PRS LEGISLATIVE RESEARCH, *supra* note 29.

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VIII. State amendments and the fragmentation of the LARR regime

Because "acquisition and requisitioning of property" falls within the Concurrent List, and because Article 254(2) permits a State law repugnant to a Union law to prevail within that State upon receiving Presidential assent, a number of States moved, between 2015 and 2019, to enact their own amendments to the LARR Act, in each case obtaining the requisite assent. Gujarat, Telangana, Jharkhand, Andhra Pradesh and Maharashtra amended the Act as it applied within their territories to exempt broad categories of infrastructure, industrial and irrigation projects from the SIA and consent requirements, closely tracking the categories originally proposed in the lapsed 2014-15 Central Ordinances.[34]

The scale of this dilution at the State level has generally exceeded what public attention to the Ordinance controversy would suggest. In Gujarat and Telangana, for instance, a long list of project categories was exempted from both SIA and consent requirements; in Jharkhand, the quorum required for the Gram Sabha to record its consent was reduced from one-half to one-third of members.[35]

Tamil Nadu pursued a more ambitious strategy. Rather than merely exempting categories of projects from specific LARR safeguards, it sought, by a State amendment that received Presidential assent on 1 January 2015 and was applied retrospectively from 1 January 2014, to exclude the LARR Act's application altogether to acquisitions under three pre-existing State enactments, principal among them the Tamil Nadu Highways Act, 2001 and the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997, statutes that together accounted for a majority of land acquisition activity in the State and that lacked the LARR Act's SIA, consent and rehabilitation provisions entirely.[36] The Madras High Court struck down this exemption on 3 July 2019, holding that the three State enactments had become void by operation of Article

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[34] The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Gujarat Amendment) Act, 2016, Gujarat Act No. 12 of 2016 (India); The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Telangana Amendment) Act, 2016, Telangana Act No. 21 of 2017 (India); The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Jharkhand Amendment) Act, 2017, Jharkhand Act No. 7 of 2018 (India); The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Andhra Pradesh Amendment) Act, 2018, Andhra Pradesh Act No. 22 of 2018 (India); The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Maharashtra Amendment) Act, 2018, Maharashtra Act No. XXXVII of 2018 (India).

[35] Citizens for Justice and Peace, *Land Acquisition Act: Legislative Brief and Factsheet* (Nov. 20, 2017), https://cjp.org.in/land-acquisition-act.

[36] The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Act, 2014, Tamil Nadu Act No. 1 of 2015 (India) (inserting § 105-A and sched. V); *G. Mohan Rao v. State of Tamil Nadu*, AIR 2021 SC 3126, ¶ 5 (India); Nihar Gokhale, *How Maharashtra, Karnataka & Tamil Nadu Use Outdated State Laws to Acquire Land*, IndiaSpend (Oct. 9, 2019), *republished in* SabrangIndia, https://sabrangindia.in/article/how-maharashtra-karnataka-tamil-nadu-use-outdated-state-laws-acquire-land/ (reporting a 2019 Centre for Science and Environment estimate).

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254(1) from the date on which the LARR Act was made and could not be revived by a subsequent amendment that merely purported to exclude the LARR Act's application without curing the underlying repugnancy.[37]

The Tamil Nadu Government responded within weeks, tabling on 19 July 2019 a Bill that became the Tamil Nadu Land Acquisition Laws (Revival of Operation, Amendment and Validation) Act, 2019. The Act revived the three State enactments retrospectively from 26 September 2013, and received Presidential assent on 2 December 2019.[38] Landowners challenged the 2019 Act directly before the Supreme Court, which, in *G. Mohan Rao v. State of Tamil Nadu*, delivered on 29 June 2021 by a Bench of Justices A.M. Khanwilkar and Dinesh Maheshwari, upheld the validity of the 2019 revival, holding that a State Legislature may validate a law previously rendered void for repugnancy by removing the cause of the invalidity through a fresh legislative exercise, that such validation may operate retrospectively, and that once the requirements of Article 254(2) are satisfied the State law prevails within the State notwithstanding its repugnancy to the Central Act.[39]

The judgment expressly leaves open a distinct challenge under Article 14 of the Constitution: that permitting some categories of acquisition (those falling within the three revived State enactments) to proceed without LARR safeguards, while other acquisitions in the same State remain subject to the full LARR Act, produces an irrational and discriminatory classification among similarly situated landowners depending solely on the administrative label attached to the project for which their land is acquired.[40] Should this challenge ultimately succeed, it would represent the most significant judicial check yet on the State-amendment strategy; as matters stand, however, *G. Mohan Rao* has been read as validating the constitutional route by which several States, at least six of them discussed in this Part, have, in substance if not in name, reconstructed much of the pre-2013 acquisition regime within their own territories.

The trajectory of State action has not been uniform. Rajasthan, having initially signalled an intention to follow Gujarat and Tamil Nadu in curtailing LARR safeguards, proceeded more cautiously.[41] Maharashtra relied on older State enactments predating the LARR Act, among them the Maharashtra Industrial Development Act, 1961, but did so through a formal amendment, inserting in 2018 a Section 105-A that took acquisitions under them outside the

[37] *Caritas India v. Union of India*, W.P. No. 22448 of 2018, (2019) 5 MLJ 641 (Mad. HC July 3, 2019) (India); *G. Mohan Rao*, *supra* note 36, ¶¶ 6–7.
[38] The Tamil Nadu Land Acquisition Laws (Revival of Operation, Amendment and Validation) Act, 2019, Tamil Nadu Act No. 38 of 2019 (India); *G. Mohan Rao*, *supra* note 36, ¶ 8.
[39] *G. Mohan Rao*, *supra* note 36, ¶¶ 28–29, 37, 53–54, 56.
[40] *Id.* ¶ 55.
[41] CITIZENS FOR JUSTICE AND PEACE, *supra* note 35.

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LARR Act.[42] Even before that amendment, it had relied on those older State enactments rather than on a formal amendment to the LARR Act.[43] This variegated pattern, formal amendment in some States, reliance on unamended older State legislation in others, and continued full application of the unamended Central Act in a residual group of States that took no dilutory action at all, means that the compensation and transparency standard actually applicable to a given acquisition in India today depends on a combination of the State in which the land is situated, the category of project for which it is acquired, and the specific statute under which the acquiring authority elects to proceed, a degree of variability the original 2013 Act was specifically designed to eliminate.

IX. Critical analysis: the gap between text and implementation

A. The erosion of the consent and SIA safeguards

The cumulative effect of the developments traced in Parts VII and VIII is that the two provisions most distinctive of the 2013 Act's transparency architecture, mandatory Social Impact Assessment and landowner consent, now apply to a materially smaller proportion of acquisitions than the Act's text, read in isolation, would suggest.

Because exemptions have been enacted project-category by project-category and State by State, rather than through a single transparent national debate, the practical reach of the Act's transparency guarantees can only be ascertained by examining the acquisition law actually in force in a given State for a given category of project, a level of fragmentation that itself undermines the transparency the Act was designed to secure, since affected communities cannot straightforwardly ascertain from the Central statute alone what procedural protections apply to them.

B. Valuation and the persistence of under-compensation

The Act's statutory multiplier over market value was designed to compensate for the well-documented understatement of land values in official registration records, a phenomenon driven by stamp-duty avoidance rather than genuine market conditions. Because the multiplier is applied to an already depressed base figure, however, its protective effect is only as strong as the accuracy of the underlying market-value determination; where the base figure itself remains substantially below actual transaction value, even a four-times multiplier may fail to approximate genuine replacement value for the land, particularly in peri-urban areas

[42] Maharashtra Act No. XXXVII of 2018, *supra* note 34; Maharashtra Bill No. 35 of 2019, Statement of Objects and Reasons ¶¶ 2–3 (India) (listing the State Acts exempted and recording that the 2018 Act came into force on Apr. 26, 2018).
[43] Gokhale, *supra* note 36.

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experiencing rapid appreciation that outpaces the three-year historical sales data the Act uses as its principal valuation benchmark.

C. Delay and the institutional capacity deficit

The Act's effective operation depends on institutional capacity that its text takes for granted: trained personnel to conduct Social Impact Assessments, Expert Groups constituted in time to appraise SIA reports, and SIA reports that engage meaningfully with site-specific social consequences rather than following a template. A shortfall in any of these is a significant obstacle to the Act's working. Rehabilitation and resettlement obligations, in particular the provision of alternative housing and employment, are equally exposed to delay, and any lag leaves affected families displaced from acquired land before the compensating entitlements to which they are legally entitled have been delivered, a sequencing failure the Act's own structure, which bars the Collector from taking possession until compensation and rehabilitation and resettlement entitlements have been paid or tendered, was specifically intended to prevent.[44]

D. Federal fragmentation and the limits of a national standard

Perhaps the most fundamental structural weakness exposed by the developments examined in Part VIII is that a Concurrent List subject permits genuine national uniformity in compensation and transparency standards only for so long as no State chooses to exercise its Article 254(2) power to the contrary, and *G. Mohan Rao* confirms that such exercise, provided it is procedurally correct and receives Presidential assent, will ordinarily be upheld by the courts regardless of how substantially it departs from the Central standard. The LARR Act was conceived, and marketed politically, as establishing a uniform national floor of compensation and transparency; the accumulated effect of State amendments is that no such floor can now be assumed to exist without State-by-State verification, a result difficult to reconcile with the Act's own stated purpose of ensuring a "humane, participative, informed and transparent process" across the country.

E. Access to justice and the cost of enforcement

A further, comparatively under-examined implementation gap concerns the practical accessibility of the remedies the Act does provide. Challenges to SIA adequacy, to the computation of market value, or to the denial of rehabilitation entitlements ordinarily require recourse to the High Court or to the specialised Land Acquisition, Rehabilitation and Resettlement Authority contemplated by Section 51 of the Act, forums that presuppose access to legal representation and the resources to sustain litigation over a period of years, resources

[44] LARR Act § 38.

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disproportionately unavailable to the marginal farmers, sharecroppers and landless labourers the Act's Second Schedule entitlements were specifically designed to protect. The practical effect is that the Act's most vulnerable intended beneficiaries are frequently the least able to invoke its formal remedies, leaving compliance to depend heavily on the diligence of the acquiring authority itself rather than on a credible threat of judicial correction.

F. The data and monitoring deficit

A final, cross-cutting implementation gap concerns the near-total absence of consolidated, publicly accessible data on the Act's own operation. No Central repository systematically records how many acquisitions have proceeded under the unamended Central Act as against an exempting State amendment, how many SIA reports have been completed against how many acquisitions initiated, what proportion of Second Schedule entitlements have actually been delivered against what proportion merely awarded on paper, or how many disputes have been carried to the Section 51 Authority where one exists. This absence of monitoring data is not a peripheral administrative shortcoming: it means that the very fragmentation described in Part VIII, and the very implementation gaps catalogued in this Part, can be documented by researchers and litigants only through piecemeal State-specific reporting, journalistic investigation and individual litigation records, rather than through the kind of systematic official data that would allow Parliament, or indeed the Ministry administering the Act, to evaluate the Act's own performance against its stated objectives with any rigour. Any of the reforms proposed in Part XII below would be considerably strengthened by a statutory obligation on the appropriate Government to publish standardised, machine-readable acquisition and rehabilitation data on an annual basis.

G. The political economy of post-enactment dilution

It is worth pausing to ask why a statute enacted with rare cross-party consensus in 2013 became the target of sustained dilution within a single election cycle. Part of the explanation lies in the asymmetry of political mobilisation before and after enactment: the coalition that produced the 2013 Act, farmers' organisations, displacement-affected communities, and civil society groups working across a series of high-profile individual conflicts, was mobilised around specific, visible acquisitions with identifiable victims, a form of political pressure that is comparatively difficult to sustain once the statute is on the books and subsequent dilution proceeds through the diffuse and technical medium of delegated legislation, State amendment and administrative exemption notification, each individually less visible than a single contested acquisition.

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A second part of the explanation lies in the genuine, and not wholly illegitimate, administrative complaint that a uniform SIA and consent requirement, applied without any size or value threshold to every acquisition regardless of scale, imposed real transaction costs on categories of acquisition, rural electrification and small affordable-housing projects prominent among them, where the case for such elaborate procedural safeguards was comparatively weak; the difficulty, as this Part has argued, is that both the 2014-15 Ordinances and their State successors addressed this legitimate concern through category-based exemptions drawn broadly enough to sweep in a much larger volume of acquisition than the underlying administrative justification could support.

X. THE ACT IN SCHOLARLY PERSPECTIVE

The LARR Act has generated a substantial interdisciplinary literature situating it within the wider political economy of land in contemporary India. Sanjoy Chakravorty's influential account of Indian land markets argues that conflict over land acquisition in India is best understood not as a simple contest between the State and dispossessed communities but as a consequence of chronically distorted land price signals, themselves a product of fragmented land records, stamp-duty avoidance and speculative urban expansion, a diagnosis that offers an important corrective to accounts that treat inadequate compensation purely as a problem of legislative or administrative bad faith.[45] On this reading, the LARR Act's compensation multiplier, discussed in Part IX(B) above, is best understood as a second-best legislative correction for a price-discovery problem that the Act does not, and perhaps cannot, resolve at its root.

Michael Levien's ethnographic and comparative work on land dispossession offers a complementary, though more structurally critical, account. Levien characterises much post-liberalisation land acquisition in India, particularly for Special Economic Zones and similar private-sector development projects, as a distinctive "regime of dispossession" in which the State functions less as a neutral adjudicator of competing claims than as what he terms a "land broker", assembling and transferring land to private capital on favourable terms while distributing the social costs of dispossession onto agrarian communities with limited capacity for legal or political resistance.[46,47,48] Read alongside the developments traced in Parts VII and

[45] SANJOY CHAKRAVORTY, THE PRICE OF LAND: ACQUISITION, CONFLICT, CONSEQUENCE (2013).
[46] Michael Levien, *The Land Question: Special Economic Zones and the Political Economy of Dispossession in India*, 39 J. PEASANT STUD. 933 (2012).
[47] Michael Levien, *Special Economic Zones and Accumulation by Dispossession in India*, 11 J. AGRARIAN CHANGE 454 (2011).
[48] MICHAEL LEVIEN, DISPOSSESSION WITHOUT DEVELOPMENT: LAND GRABS IN NEOLIBERAL INDIA (2018).

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VIII of this article, Levien's framework suggests that the post-2014 dilution of the LARR Act's consent and SIA requirements is not an aberration from, but a continuation of, this underlying dynamic: legislative safeguards enacted in response to organised resistance to dispossession tend, as a general pattern, to be wound back once the acute political salience of individual conflicts (Singur, Nandigram, and their successors) recedes from public attention.

There is, further, reason for caution against treating a compensation-centred statute, however generous the compensation formula, as a sufficient response to displacement: monetary compensation and even in-kind rehabilitation entitlements do not readily substitute for the loss of an agrarian livelihood, particularly for landless agricultural labourers and tenant cultivators whose relationship to the acquired land is one of dependence rather than title, and for whom the Act's employment and annuity options may prove difficult to enforce against reluctant acquiring authorities.

XI. A BRIEF COMPARATIVE NOTE

Comparative practice offers a useful, if partial, benchmark against which to assess the LARR Act's design choices. In England and Wales, compulsory purchase operates on a principle of "equivalence", intended to leave the dispossessed owner financially no worse off than before acquisition, but historically excludes any statutory uplift comparable to the LARR Act's rural and urban multipliers, relying instead on a detailed, tribunal-supervised process for ascertaining true market value, including disturbance and injurious-affection payments, rather than a fixed multiplier applied to a potentially understated base figure.[49] In the United States, the Takings Clause of the Fifth Amendment guarantees "just compensation", judicially interpreted as fair market value,[50] but, as in pre-2013 India, contains no independent statutory rehabilitation entitlement for non-titleholders comparable to the LARR Act's Second Schedule, leaving displaced tenants and licensees largely outside the constitutional compensation guarantee.[51]

A further comparative reference point is furnished by land requisition systems in jurisdictions where land is not privately titled in the common-law sense, most notably China, where rural land remains collectively owned and compensation for State requisition has traditionally been calculated with reference to the historical agricultural output value of the requisitioned land rather than to a comparable-sales market standard, a methodology that has itself been the subject of sustained domestic criticism for systematically undervaluing land on the urban fringe relative

[49] *Horn v. Sunderland Corp.* [1941] 2 KB 26 (CA) (Eng.); Land Compensation Act 1961, c. 33, § 5 (UK).
[50] *United States v. 564.54 Acres of Land*, 441 U.S. 506, 511 (1979).
[51] U.S. Const. amend. V ("nor shall private property be taken for public use, without just compensation").

to its post-conversion commercial value.[52] The comparison is instructive for the LARR Act primarily by way of contrast: because the Indian Act operates within a private-titling system and expressly anchors compensation to ascertained market value rather than to agricultural output, it avoids the specific undervaluation dynamic that has characterised the Chinese requisition model, even as it remains exposed, as Part IX(B) discusses, to a structurally analogous undervaluation risk arising from distorted registered sale-deed data.

Viewed against this backdrop, the LARR Act's twin innovations, a compensation multiplier designed to correct for structurally understated market values, and a rehabilitation entitlement extending to non-titleholders, represent a genuinely distinctive and, in comparative terms, relatively generous statutory response to involuntary displacement. The comparison also underscores, however, that none of these jurisdictions relies as heavily as the LARR Act does on a landowner-consent threshold as a precondition to acquisition for private development; the LARR Act's consent requirement is consequently best understood not as an adaptation of an established comparative model but as a distinctively Indian legislative response to the specific political conditions, most immediately the Singur and Nandigram conflicts, that produced the Act, which may explain both its normative significance to affected communities and the intensity of subsequent efforts to dilute or exempt it.

XII. TOWARDS REFORM: SOME PROPOSALS

1. Parliament should consider amending the Fourth Schedule and Section 105 of the Act to narrow, rather than expand, the categories of acquisition legislatively exempted from Social Impact Assessment and consent, reversing the direction of travel established by the 2014-15 Ordinances and their State-level successors, and should in particular revisit the breadth of the "infrastructure" and "industrial corridor" exemption categories, whose open-textured drafting has permitted a wide range of acquisitions to escape the Act's central safeguards.
2. Because a purely Central legislative response cannot bind States exercising their Article 254(2) power, meaningful national uniformity in compensation and transparency standards is unlikely to be restored through Central legislation alone. A more durable response may lie in establishing minimum compensation and procedural floors through constitutional, rather than purely statutory, means, for instance by legislative entrenchment analogous to that available for laws under the

[52] Matt Jenkins, *Cultivating Change: China Amends Land Regulations, Giving Farmers a Fairer Deal*, LAND LINES (Jan. 12, 2021), https://www.lincolninst.edu/publications/articles/cultivating-change-china-amends-land-regulations-giving-farmers-fairer-deal/.

Ninth Schedule, though any such route would itself require the kind of sustained cross-party political consensus that produced the 2013 Act and that has proved elusive since 2014; or, more modestly, by strengthening the role of the National Human Rights Commission and State Human Rights Commissions in monitoring State-level compliance with baseline LARR entitlements regardless of formal statutory exemption.

3. Every State should be statutorily required to notify and operationalise the Land Acquisition, Rehabilitation and Resettlement Authority contemplated by Section 51 of the Act, with power to award costs against acquiring authorities found to have proceeded on inadequate SIA compliance, so as to reduce the practical access-to-justice barrier identified in Part IX(E) and to create a specialised, less resource-intensive forum than the High Court for the enforcement of Second Schedule entitlements by landless and marginal claimants.
4. The accuracy of the base market-value determination under the First Schedule would be considerably improved by accelerating the digitisation and periodic revision of land records and registered transaction data envisaged under the Digital India Land Records Modernisation Programme, since a compensation multiplier of any magnitude can only be as reliable as the underlying valuation base to which it is applied, a point developed in Part IX(B) above.
5. The valuation methodology in the First Schedule should be revisited to reduce dependence on historical registered sale-deed data, which remains structurally prone to understatement, in favour of independent, professionally conducted contemporaneous valuation, with the compensation multiplier recalibrated, if necessary, once the underlying base valuation more accurately reflects true market conditions.
6. The enforceability of Second Schedule rehabilitation entitlements, in particular the employment and annuity options, should be strengthened through statutory timelines with automatic financial penalties for non-compliance by the acquiring authority, on the model of the interest on delayed payment of compensation already provided under Section 80, rather than leaving these entitlements to discretionary administrative implementation.[53]

[53] LARR Act § 80.

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7. Social Impact Assessment reports and Expert Group appraisals should be made subject to a more exacting standard of judicial review than has generally been applied to date, requiring acquiring authorities to demonstrate genuine engagement with adverse SIA findings rather than treating SIA compliance as a purely procedural formality.

XIII. CONCLUSION

The LARR Act, 2013 remains, on its text, one of the more progressive statutory frameworks for involuntary land acquisition anywhere in the comparative world, combining a compensation formula calibrated to correct for structurally depressed land valuations with a rehabilitation entitlement extending well beyond registered titleholders and a transparency architecture, Social Impact Assessment, public hearing and landowner consent, without precedent in Indian land law. The history traced in this article, however, demonstrates that a progressive statutory text is not self-executing. Within a year of the Act's commencement, its central safeguards became the object of sustained legislative contestation, first through Central Ordinances that could not survive the requirement of parliamentary replacement, and subsequently, and more durably, through a wave of State amendments whose validity the Supreme Court has now substantially confirmed in *G. Mohan Rao v. State of Tamil Nadu*. The consequence is a national land acquisition regime considerably more fragmented, and in several States considerably less protective of affected communities, than the Act's proponents intended in 2013.

This article has sought to demonstrate that the two values named in the Act's title, fair compensation and transparency, cannot be assessed in isolation from one another. The compensation multiplier is only as protective as the transparency mechanisms, Social Impact Assessment, public hearing and consent, that determine whether an acquisition proceeds at all and on what terms it is negotiated; conversely, the transparency architecture examined in Part V is only as consequential as the compensation and rehabilitation entitlements it is designed to secure for affected communities. The systematic weakening of the Act's consent and SIA requirements documented in Parts VII and VIII therefore does more than remove a discrete procedural safeguard: it removes the principal mechanism through which the adequacy of compensation for a given acquisition could be tested, in advance and by the affected community itself, before the acquisition proceeded. Restoring the Act's original balance between these two values, rather than treating compensation and transparency as severable objectives to be pursued independently of one another, should accordingly be the organising principle of any future reform effort of the kind proposed in Part XII.

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Whether the LARR Act can yet be restored to something closer to its original design depends less on further doctrinal refinement of Section 24 or comparable interpretive questions than on whether the political conditions that produced the Act in 2013, sustained, cross-party pressure generated by visible and organised resistance to dispossession, can be reconstituted in a period when individual land conflicts attract markedly less sustained national attention than Singur or Nandigram once did. Until that occurs, the gap between the Act's transformative promise and its fragmented practice is likely to remain the defining feature of land acquisition law in India.

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