



National Conference on the **Five-Year Journey of** **THE RFCTLARR ACT, 2013** **THE WAY FORWARD**

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Concept Note on National Conference Five Year Journey of The RFCTLARR Act, 2013: The Way Forward

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARR Act), 2013 has created a distinctive rubric aimed at establishing a fair, participatory and transparent land acquisition regime in India. The redefining of land market for industrial and infrastructural activities, pursuant to the Act, has generated differing viewpoints and responses among various stakeholders - landowners, state government, central agencies, industry and judiciary. Even as existing institutional arrangements align with the new legislation, organizational structures are emerging in accordance with the processes and procedures stipulated in the RFCTLARR Act, 2013, The RFCTLARR (SIA and Consent), Rules 2014 and The RFCTLARR (Compensation, Rehabilitation and Resettlement and Development Plan), Rules 2015. The enactment of Rules by several state governments under Section 112 read with Section 109 of The RFCTLARR Act, 2013 has smoothed the execution process but capacity-deficit of stakeholders remain an area of concern. The judicial scrutiny of the legislative action of state governments and interpretations of certain critical provisions of the law are likely to significantly impact the course of acquisition of land for public purposes. A compilation of best practices through experience-sharing of social impact assessment studies, public hearing and consent seeking, computation of cash compensation and

designing of rehabilitation and resettlement award can be a useful guide to policy formulators and practitioners.

Five years since its enactment, it has become important, in the interest of policy and practice, to examine the extent to which the stated objectives of the Act have been met, identify challenges to its implementation, comprehend the emergent land acquisition scenario and explore the approaches and strategies for a sustainable land procurement framework.

TERI proposes to organize a two-day National Conference in October, 2018 at India Habitat Centre, New Delhi for bringing together key stakeholders – Ministries, PSUs, Corporates, state revenue departments, SIA Units, SIA agencies, practitioners, academicians, NGOs, civil society members - to confer on various aspects of the implementation of The RFCTLARR Act, 2013 and deliberate on the future course of action.

Specifically, the objectives of the national conference are:

1. Critique the implementation of The RFCTLARR Act, 2013 in furthering the objectives laid down in the Preamble to the Act.
2. Discuss efficient land provisioning options for industrial and infrastructure projects.
3. Reflect upon the prevalent SIA and R&R practices to enhance capacities through experience-sharing.
4. Collate ideas and suggestions to facilitate the framing of Rules by Central and state governments in respect of the provisions of The RFCTLARR Act, 2013.

5. Foster academic interest in the area of SIA and R&R to advance policy and research.

The objectives will be achieved through four interactive sessions, spanning over two days. The session will focus on:

- Implications of judicial interpretations of provisions of The RFCTLARR Act, 2013 and enactments by state governments.
- The efficacy of different land procurement models, post 2013.
- Ground realities in assessing social impacts.
- Issues in rehabilitation through livelihood restoration.

The national conference will be an occasion for the release of the Special Issue of TERI's Journal of Resources, Energy

and Development on The RFCTLARR Act, 2013. Policy makers, practitioners, researchers and academicians have contributed Papers to the Special issue.

Expected outcomes

1. Submission of policy suggestions on each session topic to DoLR and state governments.
2. Report of conference proceedings in a TERI Journal and on TERI website for wider dissemination.
3. Conceptualization of a national platform- Land Acquisition Knowledge Management Hub.
4. Set the stage for annual deliberations and consultations among stakeholders.