

Land Acquisition Law

Dilution through Bypass Tactics

The Narendra Modi government amended the Land Acquisition and Rehabilitation Act 2013 to make it easier for the government and big bourgeoisie to forcefully grab lands owned by peasants. It issued and reissued ordinance to this effect. There was a nation-wide protest from the various sections of people. Unable to get the approval of the Parliament, the central government withdrew the ordinance. It devised tactics to bypass the peoples protest and dissuade it by transferring the amendments to state level/

Modi government asked the state governments to amend their existing land laws that would remove the rigidities in acquiring lands for the so-called development projects. It assured the states that the President's assent would be granted to such state level laws without any delay or problem.

Following the cue many state governments have amended their land acquisition laws and framed rules that effectively dilute the L A & R Act 2013 enacted by the central government.

For instance, Gujarat has exempted land acquisition from social impact assessment (SIA) and consent of the land owner for several types of projects. In Maharashtra, the SIA and consent requirements are now imposed only on private projects excluding Public-Private Participation (PPP) projects. Tamil Nadu has exempted SIA and consent for land acquisition for industrial purpose and highways. Telangana too has exempted several kinds of projects including PPP from SIA and consent requirements.

Some states have also begun framing rules for the existing Land acquisition law 2013 in a way that give leeway to the bureaucracy. They include Uttar Pradesh (easier SIA rules) Jharkhand (easier gram sabha consent) Odisha and Tamil Nadu (release of unused land for land bank use made easier). Some states like Haryana, Chhattisgarh and Tripura have reduced the quantum, of compensation for the land acquisition.

It was argued that such dilution of land acquisition law is needed to revive the India's manufacturing sector. Many of the industrially advanced states as well as backward states have amended the state level laws as back as three years from now. Yet there is no sign of revival of manufacturing sector in these states. Even after the dilution of laws the manufacturing sector has not picked means only that the fault or problem of the sector lies elsewhere; not in the land acquisition laws.

In the case of labour laws also the same tactics was employed. As many as nine states have amended their industrial disputes law as a result of which retrenchment norms in Madhya Pradesh, Rajasthan, Gujarat, Jharkhand, Uttar Pradesh, Haryana Maharashtra, Assam and Andhra Pradesh have been blatantly eased. The central government too allowed short term contracts in all sectors which provide no protection for the workers.

The same spurious argument of the revival of manufacturing sector was employed to justify this anti-worker policy.
