



The Right to Fair Compensation and Transparency in Land Acquisition,
Rehabilitation and Resettlement (Tamil Nadu Amendment) Act, 2014

Act 1 of 2015

Keyword(s):

LARR, Land Acquisition, Land Amendment, Consent, Agricultural Land,
Land, Acquisition

Amendment appended: 36 of 2019

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TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 3]

CHENNAI, MONDAY, JANUARY 5, 2015
Margazhi 21, Jaya, Thiruvalluvar Aandu-2045

Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 1st January 2015 and is hereby published for general information:—

ACT No. 1 OF 2015.

An Act to amend the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in its application to the State of Tamil Nadu.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Amendment) Act, 2014.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall be deemed to have come into force on the 1st day of January 2014.

Short title,
extent and
commence-
ment.

Central Act
30 of 2013.

2. In the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (hereinafter referred to as the principal Act), after section 105, the following section shall be inserted, namely:-

Insertion of
new section
105-A.

“105-A. Provisions of this Act not to apply to certain Tamil Nadu Acts or to apply with certain modifications.—(1) Subject to sub-section (2), the provisions of this Act shall not apply to the enactments relating to land acquisition specified in the Fifth Schedule.

(2) The State Government shall, by notification, within one year from the date of commencement of this Act, direct that any of the provisions of this Act, relating to the determination of compensation in accordance with the First Schedule and rehabilitation and resettlement specified in the Second and Third Schedules, being beneficial to the affected families, shall apply to the cases of land acquisition under the enactments specified in the Fifth Schedule or shall apply with such exceptions or modifications that do not reduce the compensation or dilute the provisions of this Act relating to compensation or rehabilitation and resettlement as may be specified in the notification, as the case may be.

(3) A copy of the notification proposed to be issued under sub-section (2) shall be laid in draft before the Legislative Assembly of the State of Tamil Nadu and if the Legislative Assembly agrees in disapproving the issue of the notification or the Legislative Assembly agrees in making any modifications in the notification, the notification shall not be issued or, as the case may be, shall be issued only in such modified form as may be agreed upon by the Legislative Assembly.”

Addition of
Fifth
Schedule.

3. After the Fourth Schedule to the principal Act, the following Schedule shall be added, namely:-

“THE FIFTH SCHEDULE.

(See section 105-A)

LIST OF TAMIL NADU ENACTMENTS REGULATING LAND ACQUISITION IN THE
STATE OF TAMIL NADU.

1. The Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978 (Tamil Nadu Act 31 of 1978).
2. The Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (Tamil Nadu Act 10 of 1999).
3. The Tamil Nadu Highways Act, 2001 (Tamil Nadu Act 34 of 2002).”

(By Order of the Governor)

G. JAYACHANDRAN,
Secretary to Government,
Law Department.



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 341]

CHENNAI, MONDAY, AUGUST 26, 2019
Aavani 9, Vikari, Thiruvalluvar Aandu-2050

Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 19th August 2019 and is hereby published for general information:-

ACT No. 36 OF 2019.

An Act further to amend the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in its application to the State of Tamil Nadu.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Tamil Nadu Second Amendment) Act, 2014.

Short title, extent and commencement.

(2) It extends to the whole of the State of Tamil Nadu.

(3) It shall be deemed to have come into force on the 1st day of January 2014.

Central Act 30 of 2013.

2. In section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, in sub-section (2), after the proviso, the following proviso and Explanation shall be added, namely:-

Amendment of section 24.

“Provided further that nothing contained in this sub-section shall apply, in case of land acquisition proceedings initiated under the Land Acquisition Act, 1894 (Central Act I of 1894), where the land acquisition or dispossession of land is under litigation before the court as on the 1st day of January 2014 or where the land owner has not made any claim for compensation or has not claimed the compensation amount as on the 1st day of January 2014; or where the possession of the land has been taken, but the land or any portion thereof has been later encroached; or where physical possession of land or any portion of the land has not been taken on account of any encroachment.

Explanation.—Where the compensation payable under the Land Acquisition Act, 1894 (Central Act I of 1894) has been deposited in a treasury or in a court, such compensation shall be deemed to have been deposited in the account of the beneficiaries and paid in accordance with the provision of the said Land Acquisition Act, for the purpose of this sub-section.”.

(By order of the Governor)

C. GOPI RAVIKUMAR,
*Secretary to Government (FAC),
Law Department.*