PREFACE

The concept of ‘eminent domain’ and the principle embodied under the legal maxim, ‘salus populi est suprema lex’ justify the State’s power to acquire lands owned or held by individuals for “public purposes”. The phrase ‘public purpose’ itself signifies the importance of acquisition for the development of society. However, since family is the smallest unit of society, any interference in the name of development without considering the interest of the displaced persons will lead to unrest in the society as is testified by recent incidents like the ‘Nandigram episode’ in West Bengal. So it is imperative that individuals would not have to bear untold hardships in the wake of development and hence the development schemes have to be implemented with the least burden to individuals.

The statutory provisions relating to land acquisition for public purpose are subjected to vehement criticism from various quarters. Excessive acquisition for development schemes, payment of inadequate compensation, illogical methods of classification of land into different units, political and religious interference, inadequacy of re-settlement schemes, official supremacy, delay etc. are the frequently raised grounds for challenging the acquisition processes. The new legislation, ‘The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, which is intended to be a panacea for mitigating the hardships, also remains controversial.

Against this backdrop, the doctoral thesis attempts to unravel the social, psychological, economic and legal implications of land acquisitions for public purpose.
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