

**Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013**

**47. Provisions relating to rehabilitation and resettlement to apply in case of certain persons other than specified persons.**

1. Where any person other than a specified person is purchasing land through private negotiations for an area equal to or more than such limits, as may be notified by the appropriate Government, considering the relevant State specific factors and circumstances, for which the payment of Rehabilitation and Resettlement Costs under this Act is required, he shall file an application with the District Collector notifying him of—
  - a. intent to purchase;
  - b. purpose for which such purchase is being made;
  - c. particulars of lands to be purchased.
2. It shall be the duty of the Collector to refer the matter to the Commissioner for the satisfaction of all relevant provisions under this Act related to rehabilitation and resettlement.
3. Based upon the Rehabilitation and Resettlement Scheme approved by the Commissioner as per the provisions of this Act, the Collector shall pass individual awards covering Rehabilitation and Resettlement entitlements as per the provisions of this Act.
4. No land use change shall be permitted if rehabilitation and resettlement is not complied with in full
5. Any purchase of land by a person other than specified persons without complying with the provisions of Rehabilitation and Resettlement Scheme shall be void *ab initio*.

Provided that the appropriate Government may provide for rehabilitation and resettlement provisions on sale or purchase of land in its State and shall also fix the limits or ceiling for the said purpose.

6. If any land has been purchased through private negotiations by a person on or after the 5th day of September, 2011, which is more than such limits referred to in sub-section (1) and, if the same land is acquired within three years from the date of commencement of this Act, then, forty per cent. of the compensation paid for such land acquired shall be shared with the original land owners.

Explanation.—For the purpose of this section, the expression—

- a. "original land owner" refers to the owner of the land as on the 5th day of September, 2011;
- b. "specified persons" includes any person other than—
  - i. appropriate Government;
  - ii. Government company;
  - iii. association of persons or trust or society as registered under the Societies Registration Act, 1860, wholly or partially aided by the appropriate Government or controlled by the appropriate Government.

**97. Exemption from income tax, stamp duty and fees.**

No income tax or stamp duty shall be levied on any award or agreement made under this Act, except under section 47 and no person claiming under any such award or agreement shall be liable to pay any fee for a copy of the same.

**96. Acquisition of land at cost of a local authority or Requiring Body.**

1. Where the provisions of this Act are put in force for the purpose of acquiring land at the cost of any fund controlled or managed by a local authority or of any Requiring Body, the charges of land incidental to such acquisition shall be defrayed from or by such fund or Requiring Body.
2. In any proceeding held before a Collector or Authority concerned in such cases the local authority or Requiring Body concerned may appear and adduce evidence for the purpose of determining the amount of compensation:

Provided that no such local authority or Requiring Body shall be entitled to demand a reference to the Authority concerned under section 65.

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