Chief Administrative Officers,
All Indian Railways.

Sub: Land Acquisition.

Subsequent to enactment of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, most of the State Governments have framed a policy in terms of section 108 of the Act for land acquisition in their respective states. The policy formulated by most of the states provide for acquisition of land through direct negotiation with fixation of price/compensation by District level Committee. Some of the State Governments are insisting that all land acquisition be acquired through direct negotiation only. Thus there is no uniformity regarding route to be followed for land acquisition by various State Governments. This issue has been examined and it has been decided that:-

1. In case of Doubling, Traffic facilities, Passenger amenities works and other works, normally requirement of land is minimal as most of the land required is available with Railways, therefore acquisition of land can be done through direct negotiation if the State Government has formulated policy/guidelines under section 108 of RFCTLARR Act 2013. If State Government has not formulated any policy that acquisition of land has to be either through RA Act 2016 or RFCTLARR Act 2013.

2. In case of New Lines & Gauge Conversion, acquisition should be carried out either through RA Act 2016 or RFCTLARR Act 2013. For projects which have been declared as Special Railway Project, land should be acquire through RAA 2008.

However, if the left over/balance acquisition due to missing plots from bulk acquisition, deviation in the boundaries while interpreting the revenue map, change in Khasra number, additional requirement to accommodate minor alteration necessitated due to unforeseen technical, social or environmental considerations is less than 10% of the total acquisition of land for particular phase (if phasing has been done in advance) or targeted stretch, than balance land can be acquired through direct negotiation through policy formulated by State Government in term of section 108 of RFCTLARR Act 2013, with approval of General Manager.

3. In case all land acquisition in a State, either by State Government or by Centre Government agencies, is being done through direct negotiation only and State Government is categorically stating that they are not in a position to acquire land through RFCTLARR Act 2013 & are not ready/willing to spare/associate any District officials as competent authority for facilitating acquisition under RA Act 2008, than land for New Line/Gauge Conversion can also be acquired through direct negotiation through the policy/guidelines formulated by the respective state in term of section 108 of RFCTLARR Act 2013 with approval of General Manager.

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