

ANNEXURE 15.1

Tools for Obtaining Land for Public Purpose

Alternative	Land Acquisition through 1894 Act	TDR	Development of land through PAPR Act 1995, TDS under PRTPD Act 1995 and Development Schemes under PTI Act, 1922	Land Pooling	Govt. / Panchayat / Board lands
Plan Proposal	Land designated for public purposes	Land designated for public purposes	Land designated for public purposes	Land designated for public purposes	Land designated for public purposes
Regulation	No separate regulatory provision necessary	Regulation about use of TDR on receiving plots is necessary	Certain proportion (about 40%) of land is dedicated for public purposes.	This requires a separate legal process to be followed for reconstitution of plots along with evaluation of compensation and betterment as provided in Chapter XII of the 1995 Act.	No separate regulatory provision necessary
Means of securing land	Compulsory acquisition by paying monetary compensation	Monetary compensation substituted by Transfer of Development Rights (TDR)	Availability of land through layout plan provisions	-As Above-	Land can be made available through transfer of ownership from one department to another. No monetary compensation is involved
Limitations	Lack of finances for compensation	Lack of finances For compensation	This is the method currently relied upon where minimum stipulated area for colony is 10 acres, as in case of PAPRA	Comprehensive Land Pooling Policy is required to be framed	Locational disadvantages in Certain cases
	Landowners' resistance	Landowners' resistance	This is to be market driven and present response is said to be not so encouraging	Difficulty in pooling of land of large number of owners	Minimum area requirement may not be fulfilled
	Iniquitous distribution of costs and benefits. Cost borne by those who lose land and benefits enjoyed by surrounding landowners	Iniquitous distribution of costs and benefits. Cost borne by those who lose land and benefits enjoyed by surrounding landowners		Time consuming and complicated process	Source of revenue for Panchayat Bodies / Board gets depleted

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		But where real estate prices are high particularly where land price is several times the construction cost, chances of success are high			
		Could also be used for heritage conservation		Equitable distribution of costs and benefits to different share holders	
		New concept difficult to be implemented		New concept difficult to be implemented	