

Simpler laws needed to avert conflict over India's scarce land

Rina Chandran | Thursday, Aug 18, 2016- 10:59am

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MUMBAI (Thomson Reuters Foundation) - Conflicts over land in India will only increase as its economy grows quickly, and the most effective way to prevent them is to ensure land laws are simpler and more transparent, a leading campaigner said.

India has introduced several land laws in the past decade aimed at giving more rights to farmers and indigenous people. But the complex web of legislation has not always helped the most vulnerable, said land rights expert Baladevan Rangaraju.

"We need fewer laws, and we need them to be clear and predictable," Rangaraju, co-founder of India Property Rights Alliance, told the Thomson Reuters Foundation.

"Many of these conflicts can be resolved if there is greater transparency in how land is acquired and allotted for business."

India ranked 59 of 128 countries in the newly-released International Property Rights Index 2016. The index measures factors including the legal and political environment, physical property rights and intellectual property rights.

"India has introduced several land laws over the years, and many of them are opaque and confusing and take time to implement," said Rangaraju, whose group helped compile the index published by Washington-based Property Rights Alliance.

Finland, New Zealand and Luxembourg top the annual index this year, with Nepal, Pakistan, Bangladesh and Myanmar in the bottom fifth.

India scored lower on all components compared with its emerging-market peers Brazil, Russia, China and South Africa. Its ranking has remained more or less static since the index was established in 2007.

INDIGENOUS RIGHTS

A raft of new land laws over the past decade include the landmark 2006 Forest Rights Act, which is meant to improve the lives of impoverished tribes.

And several Indian states are now adopting a model land leasing law that gives poor tenant farmers greater security.

But last month, the parliament passed a new law on forest lands that activists said ignored the importance of indigenous people and trampled on their rights.

Opposition from farmers last year also forced Prime Minister Narendra Modi to step back from a move to make it easier for businesses to acquire land.

"Unfortunately, decisions about land are based on political compulsions. On top of that, we have poor land records, which creates a problem in determining ownership," Rangaraju said.

"The law may say a piece of land can be acquired a certain way if it's in the public interest. But what's seen as public interest is relative, so we need to clearly define these terms and ensure there is greater transparency to the process."

(Reporting by Rina Chandran @rinachandran, Editing by Ros Russell. Please credit the Thomson Reuters Foundation, the charitable arm of Thomson Reuters, that covers humanitarian news, women's rights, trafficking, corruption and climate change. Visit news.trust.org to see more stories).