



INTERNATIONAL LAW  
JOURNAL

---

**WHITE BLACK  
LEGAL LAW  
JOURNAL**  
**ISSN: 2581-  
8503**

*Peer - Reviewed & Refereed Journal*

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

[WWW.WHITEBLACKLEGAL.CO.IN](http://WWW.WHITEBLACKLEGAL.CO.IN)

## **DISCLAIMER**

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Editor-in-chief of White Black Legal – The Law Journal. The Editorial Team of White Black Legal holds the copyright to all articles contributed to this publication. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of White Black Legal. Though all efforts are made to ensure the accuracy and correctness of the information published, White Black Legal shall not be responsible for any errors caused due to oversight or otherwise.

WHITE BLACK  
LEGAL

# **EDITORIAL** **TEAM**

## **Raju Narayana Swamy (IAS) Indian Administrative Service officer**



Dr. Raju Narayana Swamy popularly known as Kerala's Anti Corruption Crusader is the All India Topper of the 1991 batch of the IAS and is currently posted as Principal Secretary to the Government of Kerala. He has earned many accolades as he hit against the political-bureaucrat corruption nexus in India. Dr Swamy holds a B.Tech in Computer Science and Engineering from the IIT Madras and a Ph. D. in Cyber Law from Gujarat National Law University . He also has an LLM (Pro) (with specialization in IPR) as well as three PG Diplomas from the National Law University, Delhi- one in Urban Environmental Management and Law, another in Environmental Law and Policy and a third one in Tourism and Environmental Law. He also holds a post-graduate diploma in IPR from the National Law School, Bengaluru and diploma in Public

a professional Procurement from the World Bank.

## **Dr. R. K. Upadhyay**

Dr. R. K. Upadhyay is Registrar, University of Kota (Raj.), Dr Upadhyay obtained LLB, LLM degrees from Banaras Hindu University & Phd from university of Kota.He has succesfully completed UGC sponsored M.R.P for the work in the ares of the various prisoners reforms in the state of the Rajasthan.



## **Senior Editor**

### **Dr. Neha Mishra**



Dr. Neha Mishra is Associate Professor & Associate Dean (Scholarships) in Jindal Global Law School, OP Jindal Global University. She was awarded both her PhD degree and Associate Professor & Associate Dean M.A.; LL.B. (University of Delhi); LL.M.; Ph.D. (NLSIU, Bangalore) LLM from National Law School of India University, Bengaluru; she did her LL.B. from Faculty of Law, Delhi University as well as M.A. and B.A. from Hindu College and DCAC from DU respectively. Neha has been a Visiting Fellow, School of Social Work, Michigan State University, 2016 and invited speaker Panelist at Global Conference, Whitney R. Harris World Law Institute, Washington University in St.Louis, 2015.

### **Ms. Sumiti Ahuja**

Ms. Sumiti Ahuja, Assistant Professor, Faculty of Law, University of Delhi, Ms. Sumiti Ahuja completed her LL.M. from the Indian Law Institute with specialization in Criminal Law and Corporate Law, and has over nine years of teaching experience. She has done her LL.B. from the Faculty of Law, University of Delhi. She is currently pursuing Ph.D. in the area of Forensics and Law. Prior to joining the teaching profession, she has worked as Research Assistant for projects funded by different agencies of Govt. of India. She has developed various audio-video teaching modules under UGC e-PG Pathshala programme in the area of Criminology, under the aegis of an MHRD Project. Her areas of interest are Criminal Law, Law of Evidence, Interpretation of Statutes, and Clinical Legal Education.



### **Dr. Navtika Singh Nautiyal**

Dr. Navtika Singh Nautiyal presently working as an Assistant Professor in School of law, Forensic Justice and Policy studies at National Forensic Sciences University, Gandhinagar, Gujarat. She has 9 years of Teaching and Research Experience. She has completed her Philosophy of Doctorate in 'Intercountry adoption laws from Uttranchal University, Dehradun' and LLM from Indian Law Institute, New Delhi.

## **Dr. Rinu Saraswat**



Associate Professor at School of Law, Apex University, Jaipur,  
M.A, LL.M, Ph.D,

Dr. Rinu have 5 yrs of teaching experience in renowned institutions like Jagannath University and Apex University. Participated in more than 20 national and international seminars and conferences and 5 workshops and training programmes.

## **Dr. Nitesh Saraswat**

E.MBA, LL.M, Ph.D, PGDSAPM

Currently working as Assistant Professor at Law Centre II, Faculty of Law, University of Delhi. Dr. Nitesh have 14 years of Teaching, Administrative and research experience in Renowned Institutions like Amity University, Tata Institute of Social Sciences, Jai Narain Vyas University Jodhpur, Jagannath University and Nirma University.

More than 25 Publications in renowned National and International Journals and has authored a Text book on Cr.P.C and Juvenile Delinquency law.



## **Subhrajit Chanda**



BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); Ph.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

## ***ABOUT US***

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

# **NAVIGATING THE LEGAL, SOCIAL AND ENVIRONMENTAL IMPACT OF THE MALLANNASAGAR RESERVOIR PROJECT**

AUTHORED BY - ANUKRITI MISHRA

National Law University and Judicial Academy, Assam

## **CHAPTER I: INTRODUCTION**

Telangana has been overlooked in various aspects, such as development, irrigation, employment, and water distribution, since its amalgamation with Andhra State in 1956. The geographical features of Telangana have made tank irrigation well-known, yet it has been disregarded by consecutive administrations. The persistent dissatisfaction among the populace towards the apathetic stance of the authorities has culminated in extensive demonstrations and has catalysed a movement for a distinct state, leading to the inception of Telangana as the 26th state in 2014.

Previously, the state has observed numerous cases of farmers' suicides attributed to consecutive periods of drought and the negligence of the agricultural and farming sector. However, the current TRS administration has accorded utmost significance to the irrigation sector and is in the process of developing significant irrigation projects aiming to extend irrigation services to an extra 60 lakh acres of land. A number of these projects entail lift irrigation strategies and are at different phases of implementation. The issue of land procurement and displacement has emerged as a significant challenge due to the development of reservoirs and canals, prompting objections concerning the reestablishment and assistance initiatives provided to the impacted populace.

Thus, the state of Telangana experienced a significant displacement as a result of the concurrent construction of multiple dams. Several protests were made particularly by the individuals facing dispossession in the development of the Mallanna Sagar reservoir, established as a component of the Pranahita Chevella project in the Siddipet district. The affected farmers were advocating for equitable reparation.

The Mallannasagar Reservoir, which is purported to be the largest man-made reservoir in India, constitutes an integral element of the Kaleshwaram Lift Irrigation Scheme within the state of Telangana. Referred to as the progenitor of all reservoirs, this reservoir, with a storage capacity of 50 TMCft, serves as a pivotal facet of the Kaleshwaram Project, renowned as the most extensive lift irrigation initiative globally, developed by the state over the Godavari river.

The reservoir which is centrally located, is projected to provide irrigation to 11.29 lakh acres across 10 districts, in addition to meeting the water demands for drinking and industrial purposes in Hyderabad and neighbouring districts. As per experts in irrigation, Mallanna Sagar stands out as the largest man-made reservoir in the nation, anticipated to be replenished solely through the extraction of water from external sources rather than relying on its self-catchment area.

Hailed as the most extensive lift irrigation system globally, the Kaleshwaram project established numerous milestones through the construction of the lengthiest water tunnels, aqueducts, subterranean surge pools, and largest pumps. The construction of the Mallanna Sagar Reservoir marks the culmination of all the reservoirs of the Kaleshwaram Lift Irrigation Project. Legal disputes concerning the project were raised, including cases brought before the High Court of Telangana. Individuals affected by land acquisition for the project moved to the High Court, contesting the alleged compulsion by the state in procuring their lands.

In the report titled 'Telangana Socio Economic Outlook, 2021', the state led Telangana Rashtra Samithi (TRS) asserted that the compensation for land acquisition was executed in compliance with the legal framework, and the rehabilitation and resettlement process adhered to the provisions of the Land Acquisition Act, 2013.

However, the ground reality presents a contrasting scenario. Conflicts regarding land have emerged concerning at least five reservoirs of the project, following opposition from villagers towards the methods employed by the state government, which bypassed and infringed upon the 2013 legislation, as indicated by information from Land Conflict Watch, a repository documenting ongoing land disputes in India.



Moreover, the state government proceeded to release water from the reservoirs before all residents could evacuate, resorting to forceful eviction tactics during late-night operations in April 2020, amidst the stringent COVID-19 lockdown period.

The Mallannasagar Reservoir Project exemplifies the intricate nature of constructing extensive infrastructure, with intricate legal, social, and environmental aspects that require meticulous handling. This research paper explores the comprehensive impact assessment of the Mallannasagar Reservoir Project and examines the legal framework, highlighting the difficulties in providing fair compensation to impacted landowners and negotiating the complexities of obtaining environmental permits and meeting compliance requirements. It also examines the impacts on communities' livelihoods, cultural heritage, and social structure, resulting in displacement, relocation, and socio-economic disturbances.

## **CHAPTER II: LEGAL FRAMEWORK AND LAND ACQUISITION**

### **PREVALENT INDIAN LAW**

In 2013, India repealed the Land Acquisition Act 1894, a colonial-era statute that granted the government extensive authority to compulsorily purchase private land for the sake of a "public purpose".

Instead, the United Progressive Alliance administration implemented the Right to Fair Compensation in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The primary aim of the initiative was to enhance openness in the land acquisition procedure and provide adequate rehabilitation for both landowners and individuals whose livelihoods were impacted, including workers and craftsmen.

An important aspect of the 2013 law was the inclusion of a strong social impact assessment clause. This clause required meetings to take place at the panchayat level with individuals affected by the project in order to analyse its costs and benefits. The objective was to restrict the arbitrary acquisition of property by requiring authorities to demonstrate a public purpose and ensuring that only the absolute necessary amount of land was obtained. In rural areas, the 2013 legislation

established a fixed compensation rate equivalent to four times the market worth of the land.<sup>1</sup>

The enactment was intended to rectify the historical injustice caused by the Land Acquisition Act of 1894, which occurred during British control. In 2006, the government of West Bengal acquired 997 acres of agricultural land in Singur to facilitate the construction of an assembling factory by Tata Motors for a certain type of vehicle. The State exercised its authority granted by the 1894 Act to acquire land and provide compensation to the affected individuals. The local community in the vicinity expressed their disappointment with this activity, as it was carried out without obtaining consent from the individuals involved. As a result, they strongly rejected the State's initiative. Soon, this evolved into a protest movement involving the opposition party, Trinamool Congress.

Therefore, the State government suggested increasing the rate of compensation by an additional 25%. The payment was exclusively available to landowners and did not include agricultural workers who claimed to have lost their jobs on government-acquired farms. The issue gained global media attention when widespread violence erupted locally. Ultimately, due to extensive conflicts and failure to secure necessary resources, Tata Motors withdrew from their agreement to establish manufacturing operations in West Bengal and relocated to Gujarat.<sup>2</sup> A survey conducted by municipalities in the Singur region revealed that numerous farmers were significantly underpaid, and their parcels of land were also incorrectly categorised in the state's land registry. The labourers had various challenges in obtaining employment and experienced variable wages, particularly in comparison to those workers who were untouched by the land acquisition. As a result, the acquisition of land in Singur caused financial hardships for numerous individuals, including residents, workers, and landowners.

The inhabitants and owners did not receive sufficient compensation, and the labourers were not been reimbursed in any way. This case involved the issues that needed to be carefully managed at the grassroots level in order to be in accordance to the old statute of 1894.

The 2013 legislation on land acquisition is founded on the concept that private land can be bought

---

<sup>1</sup> Ayushi Raghuvanshi, *Comparative Study of Land Acquisition Practice in India and the UK*, 5 INT'L J.L. MGMT. & HUMAN. 2113 (2021).

<sup>2</sup> Kedar Nath v State of West Bengal and Ors, CIVIL APPEAL NO.8438 OF 2016

for "public purposes"<sup>3</sup>. The legislation permits the acquisition of private property from individuals and provides reasonable compensation in exchange. Additionally, it acknowledges the necessity of offering rehabilitation and resettlement to individuals impacted by the acquisition. The provisions of the act comprehensively define the public purpose. The process of land acquisition commences with the initial inquiry to assess the social impact of the acquisition and establish the public purpose.<sup>4</sup> The social impact assessment provides estimates for the number of impacted families, the quantity of land that is expected to be affected, the determination of whether the acquisition would serve a public purpose, and the identification of any alternative land that may be purchased. An independent team of specialists evaluates the social impact assessment to assess its alignment with public requirements. Additionally, the committee does a cost-benefit analysis to establish the advantages and disadvantages of the project. Subsequently, there is a public hearing of the social impact evaluation and the paper is published. Subsequently, the evaluation and scrutiny of the assessment are conducted.

The notification is issued by the government authority and any objections are considered, if raised. Subsequently, the rehabilitation and resettlement programme is prepared. Upon completing an investigation, the collector issues the land acquisition reward. The current market worth of the land is assessed by the collector and the amount of compensation to be provided.<sup>5</sup> The collector also grants the rehabilitation and resettlement prize to the households affected by the situation.

The collector assesses the quantum of compensation to be granted to the impacted families, taking into account specific parameters for the evaluation.<sup>6</sup> The characteristics include the market value of the land, the damages resulting from crop removal, the severance of a portion of the land, the harmful impact on other properties or earnings, fees incurred for relocating a business or residence, and the decrease in profits due to acquisition, among others. In addition, he assesses the worth of assets, including any real estate related to land or buildings, with the assistance of a qualified

---

<sup>3</sup> The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, § 3(za), No. 30, Acts of Parliament, 2013 (India).

<sup>4</sup> The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, § 4, No. 30, Acts of Parliament, 2013 (India).

<sup>5</sup> The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, § 26, No. 30, Acts of Parliament, 2013 (India).

<sup>6</sup> The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, § 28, No. 30, Acts of Parliament, 2013 (India).

engineer or other experts.<sup>7</sup> The collector hires individuals with expertise in agriculture, forestry and related fields to assess the value of trees and plants. The payable compensation amount needs to be raised by nearly fourfold in rural regions and at least twofold in urban areas to match the estimated local market value. The solatium<sup>8</sup> is an additional payment made on top of the compensation sum, which is equivalent to one hundred percent of the established compensation.<sup>9</sup>

The rehabilitation and resettlement award, issued by the collector, encompasses various components such as the amount to be paid for rehabilitation and resettlement, obligatory employment opportunities for affected family members, specifications regarding the allocation of houses, allotment of land, one-time transportation and subsistence allowances, allowances for small traders and artisans, compensation for cattle sheds and petty shops, rights for fishing, annuities, and other entitlements. In cases where a family suffers displacement many times, additional compensation is provided.<sup>10</sup>

The rehabilitation and resettlement package will be provided to all individuals who have been affected, in addition to the mandatory compensation for the loss of assets. Regarding the determination of the scope of those considered as impacted parties, the Act expands it to include individuals and families who depended on the land as their primary source of income. This also includes agricultural labourers, tenants, beneficiaries, and so on. The collector must provide necessary infrastructure and essential amenities for the displaced individuals at the relocation site. The collector has the authority to rectify any mathematical or administrative faults in the awards, or any flaws in the award itself, within a period of six months from the date of the award. The individuals involved will be promptly notified of any revision. Once the entitled individuals have been paid or offered full compensation, as well as rehabilitation and resettlement benefits, the Collector will assume ownership of the land. This must be done within three months for compensation and within six months for the monetary portion of rehabilitation and resettlement benefits, as outlined in the Second Schedule, starting from the date the award is issued under

---

<sup>7</sup> The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, § 29, No. 30, Acts of Parliament, 2013 (India).

<sup>8</sup> The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, § 30, No. 30, Acts of Parliament, 2013 (India).

<sup>9</sup> AYUSHI, *supra* note 1.

<sup>10</sup> *Id.*

Section 30. Prior to relocating the affected families, it is the duty of the Collector to ensure that the rehabilitation and resettlement procedure is fully finished in all its components.<sup>11</sup>

## **THE MALLANASAGAR LAND ACQUISITION ISSUE**

The proposal put forth by the Telangana Government entails the development of 22 reservoirs within the state, aiming to enhance agricultural land utilization and productivity. Specifically, the Mallana Sagar reservoir is designated to be constructed along a canal branch of the Kaleshwaram irrigation project, with a planned capacity of around 50,000 million cubic feet of water to facilitate irrigation across approximately 16,500 acres of land. The envisioned distribution of water would be channelled through existing irrigation systems, catering to the regions of Medak, Nizamabad, and Karimnagar (pre-district reorganization in 2016). As part of the implementation strategy, the Telangana Government issued GO 123 on 30 July 2015, outlining the procedures for the acquisition of land and related structures from willing landowners for the development of the reservoirs under the Kaleshwaram Lift Irrigation Project.

The region witnessed widespread rallies concerning the execution of the Mallanasagar project by the government, devoid of consent from the local populace. Various protests were organized to demonstrate disapproval towards the government's indifferent position.<sup>12</sup> Alliances like Joint Action Committees were formed to pursue the matter to its logical end, with opposition factions coming together to support the demonstrators advocating for fair compensation and relocation of the affected individuals.

Nonetheless, the government, responsible for promoting the advancement of all sectors of society, has turned to coercive tactics and initiated the use of intimidation strategies, which involve engaging local political figures and pressuring farmers to agree to the government's suggested compensation scheme.

In 2016, the inhabitants of the village contested Government Order 123, which contravened the

---

<sup>11</sup> *Id.*

<sup>12</sup> Rina Chandran, *Villagers in Telangana Battle Reservoir That Will Submerge Their Homes*, REUTERS (Apr. 12, 2024, 10:00 AM), <https://www.reuters.com/article/idUSKCN11W1G3/>.

provisions of the 2013 Land Acquisition Act, resulting in a favourable judgment by the high court. The High Court passed an order of injunction which halted the land acquisition proceedings pending a definitive stance from the authorities regarding the remuneration scheme.<sup>13</sup>

### **GOVERNMENT ORDER 123**

The Government Order 123 and its subsequent revisions passed by the Telangana government bear no resemblance to The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. It is imperative to establish a clear distinction between government entities and private property developers. While a private property developer solely compensates for the loss of property, specifically the land of the landowner, the government is incapable of doing so due to its legal obligation to safeguard the lives and livelihoods of all individuals involved.

The legislation enacted in 2013 grants rights not merely to individuals whose lands and immovable assets are subject to state acquisition, but also extends coverage to households without property ownership. Specifically, it safeguards families where a member's primary livelihood source comes through working as an agricultural labour, tenant, artisan or share-cropper. The act grants specific privileges to Scheduled Tribes, traditional forest inhabitants who lost forestry rights, forest produce gatherers, hunters, fishermen, boatmen, and those assigned lands by state authorities. Consequently, the 2013 legislation bestows affected family status upon these non-landholders.<sup>14</sup>

The 2013 Act aims to ensure fair compensation for those who lose their livelihood. Attempts to bypass this through state- acts or orders essentially deny just compensation. There is a key distinction between government and private property dealings. Private dealings only compensate for the loss of land itself to the landowner.

On 5<sup>th</sup> June 2015, Government Order 75 was issued by Telangana government formulating a policy named “The Telangana State Policy for Acquisition of Land through Agreement under the 2013

---

<sup>13</sup> *Id.*

<sup>14</sup> Raksha Kumar, *From Policy To People – Successful Dilution of the LARR Act of 2013 (Part II)*, BAR AND BENCH (Apr. 12, 2024, 12:00 PM), <https://www.barandbench.com/columns/policy-people-successful-dilution-larr-act-2013>

Act". This policy was brought to help them acquire specific pieces of land that are necessary for the success of a project, such as irrigation or road work. It ensures that the project components are brought to completion in a timely manner.

Later, on July 30, 2015, the government issued Government Order 123, which allowed the procurement agencies to acquire land and other structures from willing landowners for public uses. The order states that the government may create a framework that would enable landowners to engage in the development process by voluntarily selling their land and any properties on it for consideration based on an agreement between the landowners and the Procuring Agency. This was done in order to expeditiously procure land for public projects.

The Telangana government utilized GO 123, which was released by the Revenue Department, as a tactic to acquire land in all of these villages and other Telangana districts. This Government Order was introduced as a means of circumventing the enabling provisions stipulated in the Parliament-enacted Right to Transparency and Fair Compensation in Land Acquisition, Rehabilitation, and Resettlement Act, 2013. Thousands and thousands of people who were uprooted under various development-related projects across the nation have battled for years to bring about this 2013 legislation. However, the GO 123 is contrary to the 2013 Act. The main goal of the GO 123 is the quick acquisition of land by a negotiated agreement between a willing seller (limited to patta land owners) and a willing buyer, with the supply of compensation being the only emphasis and rehabilitation and resettlement difficulties being ignored. More significantly, the GO does not stipulate any rights for different groups of households affected by land displacement or loss of livelihood, nor does it stipulate any procedures for obtaining public input, obtaining approval, or conducting impact assessments before purchasing land for a project.<sup>15</sup>

In January 2017, the Telangana High Court nullified the GO 123 issued by the Telangana government. This government order was being utilised as a substitute for the Land Acquisition Act, 2013 to acquire significant portions of land for different projects.

The Telangana HC dismissed the Telangana government's argument that the land oustees were

---

<sup>15</sup> *Id.*

provided with higher compensation under Government Order 123 compared to the compensation mandated by the 2013 Act.<sup>16</sup> Nevertheless, the bench noted its reluctance to intervene in the Telangana Government's land purchase, as doing so would have significant consequences. The court ruled that the state does not have the authority to buy or get land on a big scale for the purpose of building irrigation projects under GO 123. This decision allows for faster land acquisition by purchasing land directly from the owners for public use. The court, in its interpretation of the 2013 Act, stated that the law would not only protect those who are displaced from their land, but also individuals such as agricultural labourers and other dependents who rely on the land. On the other hand, GO 123 aims to provide compensation to those who voluntarily give up their land to the government and disregards any rehabilitation and resettlement schemes. The court also noted that the state lacks the authority to obtain the land for irrigation projects, which has an impact on the rights of the individuals dependent on the land as listed in Schedules II and III of the 2013 LARR Act.<sup>17</sup> The court stated that Article 298 of the Indian Constitution allows the Government to engage in land purchases, but this broad authority cannot be used to undermine the intentions of the 2013 Central Legislation on Land Acquisition. The division bench made numerous points in a comprehensive ruling regarding the challenges encountered by the land owners and coercive acquisition under GO 123.

### **The Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement (Telangana Amendment) Act 2017**

State legislature is prohibited from enacting legislation that would be in conflict with an Act of Parliament. Nevertheless, Article 254 of the Constitution grants the President the authority to pardon or overlook these modifications, regardless of their conflicting nature, while considering the exceptional circumstances within a particular state.

In May 2017, following the nullification of Government Order 123 by the Telangana High Court, the Telangana government officially announced The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Telangana Amendment) Act

---

<sup>16</sup> *HC bars Telangana government from acquiring land under GO 123*, BUSINESS STANDARD (Apr. 12, 2024, 12:00PM), [https://www.business-standard.com/article/pti-stories/hc-bars-telangana-govt-from-acquiring-land-under-go-123-117010500842\\_1.html](https://www.business-standard.com/article/pti-stories/hc-bars-telangana-govt-from-acquiring-land-under-go-123-117010500842_1.html)

<sup>17</sup> *Id.*



2017. In line with the directive from the Central government, the state government has also issued a notification, thereby implementing the new act immediately. Under this revised legislation, the state government has the authority to buy land and provide compensation in accordance with the updated regulations outlined in the Act.<sup>18</sup>

This exempted the government from having to perform a social impact assessment for projects related to defence, national security, inexpensive housing plan for indigent people, rural infrastructure, including electrification, industrial corridors, and social infrastructure, including PPP projects.

This virtually renders the 2013 LARR Act's Social Impact Assessment provision void. Furthermore, the Chief Minister, who has declared his intention to construct large-scale irrigation projects in order to fulfil his pledge to irrigate one lakh acres, benefits greatly from this amendment to the Land Acquisition Act.<sup>19</sup>

However, a more thorough and reasonable application of the LARR Act would have allowed for a better understanding of the social requirements of those reliant on that land.

Telangana government implemented substantial modifications to the existing 2013 legislation on land acquisition. For example, Section 10 A was added to exclude specific projects from social impact assessments. The guidelines that were put in place to restrict the acquisition of multi-crop irrigated property in order to protect food security were changed. The clauses regarding land usage were modified.<sup>20</sup> The original law states that if land remains unused for five years, it must be returned to the owner or placed in a government-approved land bank. However, through this amendment with Section 101A this requirement was modified to include a specific time frame for establishing a project, or a minimum of five years, whichever is later. The major changes made

---

<sup>18</sup> Raksha Kumar, *From Policy to People – Rocky Road Behind and Ahead: How the LARR Act of 2013 has fared (Part I)*, BAR AND BENCH (April 13, 2024, 01:00 PM), <https://www.barandbench.com/columns/policy-people-larr-act-2013>

<sup>19</sup> *Id.*

<sup>20</sup> Sukanya Shantha, *To facilitate land acquisition for irrigation projects, Telangana undermined the law*, SCROLL.IN (April 13, 2024, 3:00 PM), <https://scroll.in/article/904481/to-facilitate-land-acquisition-for-irrigation-projects-telangana-undermined-the-law>.

through this amendment are:

- Section 10A which grants exemptions to specific projects from the requirement of conducting a social impact assessment and implementing particular measures to protect food security throughout the process of acquiring agricultural land.
- Section 30A which grants the state government the authority to engage in separate agreements with farmers who are willing to sell their land.
- Section 31A stipulates that in cases where projects are exempted from social impact assessment, the state government will compensate affected landless individuals with a fixed sum of money instead of offering rehabilitation and relocation.
- Section 101A which increased the duration for returning unused land to its owners include a specific time frame for establishing a project, or a minimum of five years, whichever is later.

Notably, Section 30 A was introduced granting the government the authority to acquire land through voluntary means. The inclusion of Section 30A through 2017 Amendment Act effectively reinstated the 2015 Government Order 123 that had been temporarily halted by the court.<sup>21</sup>

## **GOVERNMENT ORDER 120**

On November 11, 2023, the High Court of Telangana ordered the state to evaluate the appeal of 80 widows to be recognised as an independent family entity and provide them with separate homes. Although the court ruling is in favour of the petitioners, it is uncertain how the state government would respond when additional widows or widowers who have been evicted seek to enforce the decision.<sup>22</sup> GO 120, which was enacted in June 2017, addresses the rehabilitation and resettlement programme for individuals who were evicted from Mallanna Sagar. However, legal professionals have criticised the concept of 'family' provided in the document as being vague. The directive does not specifically include widows or widowers as distinct families eligible for rehabilitation and resettlement. In contrast, the 2013 LARR Act provides a more precise and explicit definition of a

---

<sup>21</sup> *Id.*

<sup>22</sup> U Sudhakar Reddy, *80 Gajwel widows secure rehab package after 4-year legal battle*, TIMES OF INDIA (April 15, 2024, 10:00 AM), <https://timesofindia.indiatimes.com/city/hyderabad/80-gajwel-widows-secure-rehab-package-after-4-year-legal-battle/articleshow/105158678.cms>.

'family'.<sup>23</sup>

According to Government Order 120, a family is defined as a group consisting of a person, their spouse, minor children, and minor siblings who are dependent on them. The terms 'single family' and 'family living together' were also employed without containing precise definitions.

The 2013 Act provides greater precision in its delineation of a family. According to Section 3 (M) of the Act, widows, divorcees, and women abandoned by their families are classified as 'separate families'.<sup>24</sup>

Nevertheless, numerous lawyers and campaigners have consistently highlighted the fact that GO 120 has made the distinction more complex. According to Government Order 120, a widowed individual is required to reside with their children and is not eligible for separate residence. The special government pleader argued that the petitioners had previously agreed to receive compensation and benefits, as stated in Government Order 120 of June 2017, along with their family members. The assertion was made that the petitioners were eligible for benefits either under the Act of 2013 or under GO 120.<sup>25</sup>

The High Court decided in favour of the bereaved individuals after determining that there was no substantial evidence to indicate that the petitioners had agreed to the provision of payments under GO 120 in favour of one of their family members. Justice Mummaneni Sudheer Kumar ordered that widows and unmarried women ought to be acknowledged as distinct families. He further emphasised that the state is not allowed to withhold benefits from individuals just because similar benefits have already been given to the head of the household or the son in the household.

### **CHAPTER III: SOCIAL DYNAMICS AND COMMUNITY IMPACT**

In February 2022, during the inauguration of the Mallanna Sagar project, Telangana CM stated that the state government had successfully implemented an exceptional relief and rehabilitation

---

<sup>23</sup> Anjana Meenakshi, 'We gave govt land, now it won't let us stay alone': Widowed in Telangana face eviction threat, NEWS LAUNDRY (April 14, 2024, 11:00 AM), <https://www.newslaundry.com/2023/11/20/we-gave-govt-land-now-it-wont-let-us-stay-alone-widowed-in-telangana-face- eviction-threat>

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

package for the people who were displaced. This statement was still made despite repeated protests by those evacuated from 14 villages, who have consistently demanded rehabilitation and the application of the LARR Act, 2013.<sup>26</sup> The matter at hand pertains not just to financial remuneration, but also to a complete overhaul of one's lifestyle, existence, and surrounding environment that is being disrupted. Many families and individuals from many trades and professions rely on working in different places, even without owning any land. The government must address how it plans to provide compensation for these individuals.

*“Nothing is so painful to the human mind as a great and sudden change.” - Mary Shelley,  
Frankenstein*

### **Loss of Livelihood**

The inhabitants of submerged villages such as Vemulaghat, Pallepahad, Etigadda Kishtapur, Erravelli, Singaram, Banjarupalli, and Laxmapur engaged in an extended legal battle starting in 2016, in their pursuit of increased compensation. The villagers did not fundamentally oppose the Mallannasagar project, but rather sought the government to provide just compensation in accordance with the Land Acquisition Act of 2013. The proposal entails the allocation of an equivalent portion of land that is obtained, with the provision of a house for a house, cattle for cattle, and tree for tree. However, the government officials employed forceful strategies to obtain land by providing monetary compensation ranging from 6 lakhs to 7.5 lakh per acre, depending on the land's quality, in addition to building houses.<sup>27</sup>

A significant proportion of farmers initially resisted relinquishing their farms and pursued legal action in the high court. However, they ultimately yielded and gave up their land for the Mallannasagar project.

They were all compelled to relocate to Mutrajally, where the government built rehabilitation and resettlement colonies spanning over 600 acres of land.

Narasimha Reddy, a farmer from Erravelli lamented,

*“We lost our precious fertile land and the compensation paid by the government could have been*

---

<sup>26</sup> ANJANA, *supra* note 23.

<sup>27</sup> *Id.*

*earned by us within a couple of years. Now, we are rendered landless and are forced to work as manual labourers in the fields of other farmers."*<sup>28</sup>

Prior to the December 2018 assembly elections, the leaders of BRS party made a commitment to advocate for farmers' cause and secure an improved remuneration package. At that time, the construction of the Mallannasagar dam had not yet started, and the farmers and landowners were led to believe that they would receive more financial recompense. Over the past five years, no action was taken, compelling them to relocate to Mutrajpally.<sup>29</sup>

The individuals who have successfully secured alternative employment as agricultural labourers or security guards in urban areas have abandoned the rural settlements.

Similarly, at another R&R Colony in Tuniki Bollaram village, over 1,139 families from six villages, namely Mamidyala, Bailampur, and Thanedar, which were flooded by the Konda Pochammasagar reservoir, a component of the Kaleshwaram project, have been resettled.

The colony appears luxurious, featuring expansive roads, advanced street lighting, residential houses arranged in an organised plan, a large overhead tank providing drinking water to each household, and a shopping centre. However, even here the individuals lack any means of sustenance. According to the farmers, the government has provided a monetary compensation of ₹10-12 lakh per acre, but this amount is inadequate to purchase even a single cent of land in the local vicinity. All available funds have been depleted during the past two years due to household expenditures.

The KCR government pledged to provide financial aid for the establishment of dairy units. They made a commitment to deliver one milch buffalo to every household, but they failed to fulfil their promise. The Dalit Bandhu initiative, which offers a financial aid of ₹10 lakhs to qualified families from the Scheduled Caste community to establish their own businesses, was not accessible to all eligible households.

---

<sup>28</sup> Srinivasa Rao Apparasu, *In Telangana's Gajwel, reservoir evacuees face uncertain future*, HINDUSTAN TIMES (April 16, 2024, 10:00 AM), <https://www.hindustantimes.com/india-news/in-telangana-s-gajwel-reservoir-evacuees-face-uncertain-future-101699555742714.html>

<sup>29</sup> *Id.*

The combined population of the regions under the risk of submersion, both completely and partially, is around 16,125. This population is distributed among 3,677 families, which are located in fourteen villages throughout nine Gram Panchayats in the former Medak district, now known as Siddipet. The Gram Panchayats of Etigadda Kistapur, Rampur, Laxmapur, Vemulaghat, and Pallepahad from Thoguta mandal are anticipated to be entirely submerged in the proposed reservoir. However, Erravalli and Singaram villages from Kondapaka mandal, as well as Thoguta GP and Thukkapur from Thoguta mandal, will only have certain portions of their lands submerged. These areas are renowned for their exceptional fertility, as they are encompassed by tanks and canals and moreover irrigated by submersible pump sets. The analysis of official data and field information reveals the varied demographics and distribution of communities in the villages, as well as the functioning of agriculture-based economy. Consequently, it highlights the anticipated consequences of dispossession, which may be extensive.<sup>30</sup>

32% of households primarily earn their income from farming. Subsequently, agricultural labour accounts for 24.8 percent, while livestock comprises 23.5 percent. Agriculture and livestock collectively contribute around 80% of the studied households' income. Non-agricultural rural labour, urban labour, craftsmanship, small businesses, and self-employment collectively constitute the primary source of income for approximately 16.6 percent of households. 88.8 percent of individuals across various occupations engage in Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) projects in addition to their primary source of income. Aside from agriculture, there are many sources of income include the provision of seeds, fertilisers, private crop loans, and the private trading of vegetables, milk, and milk products.<sup>31</sup>

Determining land prices in a setting characterised by such prevailing ambiguity is a challenging task. The lack of uniformity in land prices in rural areas can be attributed to the classification of land into two types: patta lands and 'assigned' lands. This classification is a major element that influences land value in these areas.

---

<sup>30</sup> Kalpana Kannabiran & Sunkari Satyam, Anticipation of Dispossession: Narratives from the Mallanasagar Reservoir Area, 49(1) SOCIAL CHANGE 41, 41-60 (2019).

<sup>31</sup> *Id.*

Although the financially disadvantaged groups may be convinced to accept the financial assistance offered through government orders due to their extreme poverty, it is important to note that the financial benefits provided in these orders do not include all the legal rights of the families affected by the acquisition of land who do not own any land, as outlined in the Second and Third Schedules of the LARR Act, 2013.<sup>32</sup> The rehabilitation and resettlement requirements of the Act are implemented with the primary goal of reducing the distress caused by displacement and ensuring that those who are most affected have access to a sufficient means of livelihood. Hence, the GO 123 and its revisions are fundamentally distinct from and not superior to the 2013 Act.

### **Plight of Widows**

At the Mutrajally colony in Gajwel town, which is the constituency of Chief Minister KCR, widows encounter a distinct challenge. Currently, widows who were assigned houses prior to the issuance of GO 120 are being instructed to evacuate the houses. The widowed women reported that government authorities are currently approaching them with this request.

Laxmi, a widowed resident of the Mutrajally Rehabilitation and Resettlement colony states her plight,

*“The government is asking us to go stay with our sons, but we don’t want to. Eight acres of land was taken away from me. I don’t have a rupee to my name. My husband died shortly after giving up land for Mallana Sagar.”*<sup>33</sup>

She stated that following her decision to relinquish eight acres of land, her sons collected their portion of the funds. The remaining fund is currently insufficient to purchase even a single acre.

Bhagya, a resident of Vemulaghat and the daughter of late farmer Malla Reddy, expressed that no one came to see her following her father's demise. "I have not received either a two-bedroom house or the promised sum of Rs 7.5 lakhs." "My father died by suicide shortly after my mother passed away from cancer, as his compensation did not materialise," she stated.<sup>34</sup>

---

<sup>32</sup> Prof. K. Nageshwar, *GO 123, the 2013 Act and the displaced*, THE HANS INDIA (April 16, 2024, 4:00 PM), <https://www.thehansindia.com/posts/index/Editors-Desk/2017-01-11/GO-123-the-2013-Act-and-the-displaced/273142>.

<sup>33</sup> ANJANA, *supra* note 23.

<sup>34</sup> *Id.*

Hayatuddin, an activist in Gajwel advocating for the rights of persons displaced by Mallanna Sagar, emphasised that there have been cases in which elderly individuals have taken their own lives because of the embarrassment they felt about their housing conditions. A couple in Gajwel murdered their aged mother due to their unwillingness to bear the burden of her medical costs. The issue at hand is one of poverty, which, when coupled with a shortage of housing, gives rise to other challenges.<sup>35</sup>

Furthermore, a number of widows have not been officially enrolled for housing in the Rehabilitation and Resettlement colony. The individuals were relocated from Kistapuram or Vemulaghat and resettled at Mutrajally, with the possibility of being expelled at any given time. Some widows also highlighted that the documentation provided to them for obtaining their land and receiving rehabilitation packages were in English, a language they are not accustomed to. Widowed individuals who have been evacuated from Etigadda Kistapuram and Vemulaghat villages in Telangana's Siddipet district emphasise that their autonomy should not be dependent on their family relationships. In 2017, the inhabitants of Vemulaghat, one of the 14 villages that were forced to relocate, conducted a protest lasting for an entire year in opposition to the development of Mallanna Sagar.<sup>36</sup>

Although the widowed individuals have been living autonomously for a number of years, the state administration is currently determined to make them reliant on their children.

## **CHAPTER IV: ECOLOGICAL REPERCUSSIONS**

### **Lack of Detailed Seismic Studies**

According to the latest report by the Comptroller and Auditor General (CAG), the Mallanna Sagar reservoir, constructed as part of the Kaleshwaram plan, is situated in a region that is susceptible to significant seismic activity. There was an absence of a contingency plan to address an unforeseen situation. The 218-page report stated that the reservoir was constructed without conducting comprehensive seismic assessments of the region, despite receiving a recommendation from the

---

<sup>35</sup> *Id.*

<sup>36</sup> U SUDHAKAR, *supra* note 22.



National Geophysical Research Institute (NGRI), Hyderabad.<sup>37</sup>

According to the CAG, the irrigation department received explicit instructions from the Central Designs Organisation, an autonomous division of the state irrigation department, which sanctioned the initial sketches of the reservoir. These instructions stated that a comprehensive study on the seismic activity of the specific site was necessary before the final designs could be approved.<sup>38</sup> Following the NGRI's agreement to conduct the study, the department decided not to delay for the report and granted the contract in December 2017, specifying that the construction must be finished by December 2020.

In March 2018, the NGRI presented its initial findings, expressing worry regarding the reservoir's safety and suggesting a more comprehensive assessment. According to the NGRI assessment, the region has at least three prominent sets of lineaments that have distinct geomorphic characteristics. The NGRI proposed conducting a comprehensive survey with well-designed profile orientations to analyse their impact on the shallow surface and gain a better understanding of their interconnections. Although the NGRI recommended it, the Department did not carry out a thorough survey of the location and proceeded with the construction of the reservoir.<sup>39</sup>

The Comptroller and Auditor General report expressed concerns regarding the reservoir's integrity and the potential safety risks in case of an earthquake due to the lack of thorough research as advised by the National Geophysical Research Institute (NGRI).<sup>40</sup> According to the CAG, the detailed project study of the reservoir by Wapcos (Water and Power Consultancy Services) did not include any discussion on seismic examinations.

The audit also noted that the Chief Engineer of Central Design Organisation, when approving the construction plans of the earth dam sections of the reservoir between April 2018 and May 2020,

---

<sup>37</sup> *Mallannasagar Could be a Ticking Time Bomb*, DECCAN CHRONICLE (April 17, 2024, 9:07 PM), <https://www.deccanchronicle.com/nation/mallannasagar-could-be-a-ticking-time-bomb-882330>

<sup>38</sup> *Id.*

<sup>39</sup> REPORT OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA, PERFORMANCE AUDIT ON KALESHWARAM PROJECT, GOVERNMENT OF TELANGANA, REPORT NO. 1 OF 2024

<sup>40</sup> *Id.*

consistently mentioned that due to the lack of location-specific seismic studies, the approvals were granted based on the existing data and information, taking into account the urgency of the situation. The CE also recommended that the drawings should be reviewed by reputable organisations such as the Central Water and Power Research Station (CWPRS) in Pune or the Indian Institute of Technology in Roorkee. Nevertheless, there is no documentation indicating that any reputable agency was hired to review and evaluate the plans of the Sri Komuravelli Mallanna Sagar reservoir before to its construction.<sup>41</sup>

According to the CAG report, it is advised to refrain from filling the reservoir to its maximum capacity until thorough seismic investigations have been conducted and an Emergency Action Plan (EAP) has been established. This could account for the then-BRS government's decision to restrict the amount of water that could be added to Mallana Sagar, which was designed to hold 50 tmc ft of water, to 10.6 tmc ft as of February 2022.

Nevertheless, after completing around 95 percent of the construction, the Government formed a Technical Committee in January 2021 to address technical concerns such as designs, stability studies, and design verification for the SKMS reservoir.

Although the reason for establishing this committee at such a late stage was unclear, the committee has not convened any meetings or presented any reports as of February 2022. The Executive Engineer (EE), Gajwel responded to an audit inquiry in February 2022, stating that the Committee had made three visits to the site in September-October 2021. Nevertheless, the EE failed to provide specific information regarding the technical difficulties mentioned to the Committee.

In their response in 2023, the Government stated that the Mallana Sagar Reservoir is classified as being in Seismic Zone-II, which is the category with the lowest amount of seismic activity. Therefore, there is no need for specific seismic research. During the design of the earth bund, the basic horizontal seismic coefficients specified in the applicable regulation were taken into account and used to design it accordingly. The Director of the Geological Survey of India (GSI), Hyderabad, inspected the entire 22.6 Km bund and the 0.62 Km saddle bund during the execution

---

<sup>41</sup> *Id.*

of the cut-off trench of the Mallanna Sagar Reservoir. In accordance with the Director's observations and recommendations, the necessary actions were conducted to fill the cut-off trench with impermeable soils.

The CWPRS conducted a geo-technical research in March 2022 to assess the seepage and stability of the zoned earth dam of SKMS. The CWPRS assessment determined that the reservoir's cross sections are stable in terms of slope stability. Additionally, the pseudo-static earthquake analysis indicates that all three sections are secure under conditions of constant seepage and a full reservoir. In January 2021, the Government formed a Technical Committee to address technical matters including the designs, stability studies, and vetting of designs for the SKMS Reservoir. Therefore, comprehensive investigations were undertaken for SKMS, and any further research that may be necessary will be conducted based on the Committee's recommendations. The response lacks persuasiveness as the authoritative body i.e. CE, CDO in August 2016 had recommended that the Department carry out site-specific seismic studies prior to granting clearance for the designs. Consequently, the NGRI conducted a preliminary investigation and recommended that the Department do a comprehensive survey. Nevertheless, the same action was not taken. The Department undertook additional studies on the reservoir, focusing specifically on the geo-technical, structural, seepage, and stability aspects. However, these studies did not include a comprehensive examination of the lineaments seen in the region and their impact on the shallow subsurface, as advised by NGRI.<sup>42</sup>

### **Non-preparation of Emergency Action Plan**

The Department conducted a dam break analysis of the Mallanna Sagar reservoir in October 2017, as part of the Environmental Management Plan submitted to the Ministry of Environment and Forests for getting Environmental Clearance. The analysis was carried out by the Central Water and Power Research Station in Pune. The report provided by CWPRS included an evaluation of the potential consequences and the probable regions of submergence in the event of a catastrophic dam break. The study also included instructions for creating an Emergency Action Plan (EAP) for several emergency scenarios. Despite commencing the process of filling the SKMS reservoir in

---

<sup>42</sup> *Id.*

August 2021, the Department has yet to develop the Emergency Action Plan as of February 2023. As of March 2022, the reservoir has been filled with 10.637 TMC of water. The absence of EAP raises the likelihood of harm to both individuals and their belongings in close proximity to the reservoir.<sup>43</sup> This is due to the potential for delayed or insufficient action in the event of a dam failure.

Consequently, the Department failed to conduct comprehensive seismic assessments or develop an Emergency Action Plan for Sri Komuravelli Mallanna Sagar reservoir, so exposing both the reservoir and the lives of local individuals to heightened risk.

Therefore, the Department failed to conduct thorough seismic research or develop an EAP for the reservoir, thereby exposing the reservoir and the lives of local individuals to greater risk. In May 2023, the Government stated that the CWPRS in Pune prepared a Dam Break Study and Emergency Action Plan for the Mallanna Sagar Reservoir. In their response, the Government in November 2023 stated that it will adhere to the instructions of the CWPRS, Pune regarding EAP before fully utilising the reservoir. The response is untenable given the report from the CWPRS merely includes instructions for creating an Emergency Action Plan, rather than the EAP itself. The research examined the factors that need to be taken into account while developing an Emergency Action Plan. However, the Department did not provide any Emergency Action Plan for the SKMS reservoir to Audit.

## **CHAPTER V: CONCLUSION**

The intricacies associated with land acquisition, rehabilitation, and resettlement are of utmost importance in the context of infrastructure projects such as the Mallannasagar Reservoir Project. These matters encompass legal, social, economic, and environmental aspects, all of which necessitate thorough deliberation and effective administration to guarantee fair and sustainable results. Compliance with land acquisition laws and rehabilitation strategies is crucial from a legal standpoint to protect the interests of landowners and displaced communities. Ensuring equitable remuneration, clear procedures, and efficient systems for addressing complaints are essential

---

<sup>43</sup> *Id.*

factors in promoting confidence, impartiality, and adherence to legal norms.

The social consequences of displacement on communities' livelihoods, social networks, and cultural legacy are significant and should not be underestimated. The primary focus of rehabilitation and resettlement endeavours should be on enhancing community welfare, restoring livelihoods, and promoting social cohesion. Significant community engagement, consultation, and empowerment are crucial for developing resilience, safeguarding cultural identities, and promoting inclusive development.

From an economic standpoint, the process of acquiring land and resettling people can cause significant disruptions to local businesses and livelihoods. Hence, sustainable means of earning a living, programs to enhance skills, and the availability of necessary services are crucial elements of rehabilitation and resettlement plans that are effective. Securing economic stability and providing opportunities for afflicted populations are crucial for their sustained recovery and success. Furthermore, from an environmental perspective, the acquisition of land for infrastructure projects can result in significant and widespread ecological impacts. Environmental impact assessments, mitigation strategies, and sustainable land use practices are essential to reduce environmental degradation, safeguard natural resources, and enhance ecological resilience in project regions.

Resolving land acquisition, rehabilitation, and resettlement difficulties necessitates a cooperative and comprehensive approach that involves government agencies, project developers, civil society organizations, and the communities affected by these concerns. Transparent communication, involving stakeholders and engaging in participatory decision-making processes, is crucial for establishing trust, resolving problems, and promoting sustainable development results.

Essentially, effectively addressing the difficulties associated with acquiring land, rehabilitating it, and resettling people requires adhering to legal norms, fostering social integration, guaranteeing economic stability, safeguarding the environment, and giving priority to the well-being and rights of all parties concerned. By implementing such a strategy, infrastructure projects have the potential to provide a positive contribution to sustainable development objectives while also reducing

negative effects on affected communities and the environment.

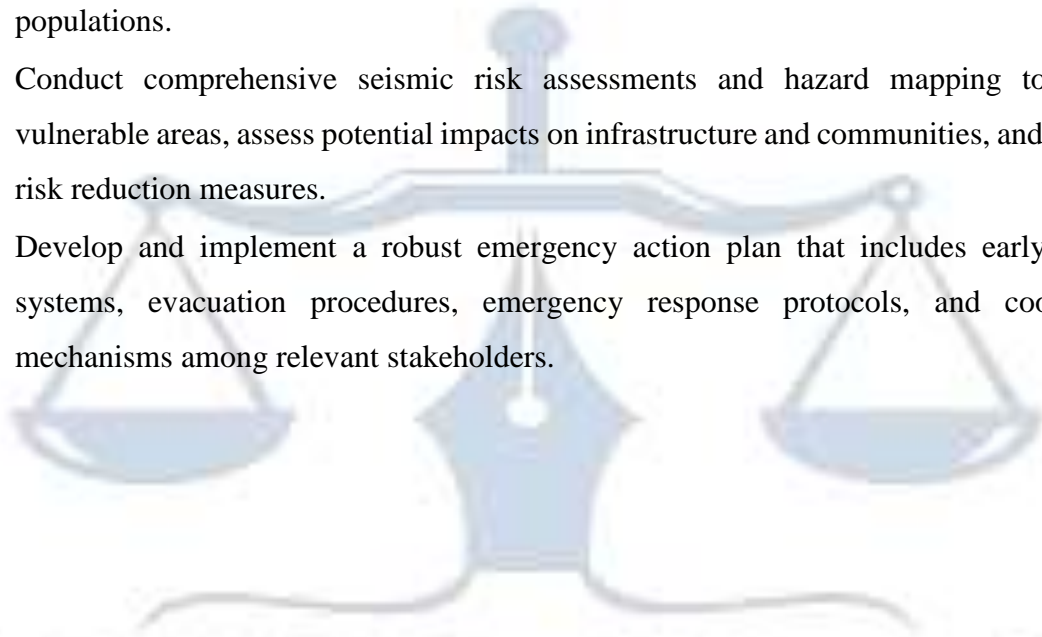
## **FINDINGS**

- The legal mechanisms governing land acquisition and compensation for the Mallannasagar Reservoir Project including GO 120, GO 123, The Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement (Telangana Amendment) Act 2017 etc. surpass the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and somehow blatantly violates the rights of the people granted under the Act of 2013.
- The displacement and resettlement process associated with the Mallannasagar Reservoir Project has significant social, economic, and cultural impacts on affected communities. Displacement disrupts social networks, traditional livelihoods, and cultural practices, leading to economic instability and loss of cultural identity. Economic stability is often compromised due to the loss of land and livelihoods, while social cohesion faces challenges as communities adapt to new environments and integrate with host communities. Preserving cultural heritage and promoting community resilience are key considerations in addressing the social impacts of displacement and resettlement.
- Seismic risks associated with the Mallannasagar Reservoir Project pose potential threats to infrastructure, communities, and the environment. These risks stem from the project's location in a seismically active region, with the potential for earthquakes to cause significant damage.
- The absence of a comprehensive emergency action plan exacerbates these risks, hindering the project's ability to effectively mitigate and respond to seismic hazards. A lack of preparedness measures, early warning systems, and evacuation plans increases vulnerability and compromises the safety of infrastructure, communities, and the environment during seismic events.

## **SUGGESTIONS**

- Strengthen mechanisms for fair compensation by conducting regular reviews of compensation rates, considering market trends and land value assessments, and providing avenues for grievance redressal and appeals.

- Enhance transparency and accountability in land acquisition processes by ensuring clear documentation, public disclosure of information, and active engagement with affected stakeholders.
- Develop comprehensive rehabilitation and resettlement plans that address the holistic needs of affected communities, including housing, livelihood restoration, access to essential services, and cultural preservation.
- Implement social support programs, skill development training, and livelihood diversification opportunities to enhance economic stability and resilience among displaced populations.
- Conduct comprehensive seismic risk assessments and hazard mapping to identify vulnerable areas, assess potential impacts on infrastructure and communities, and prioritize risk reduction measures.
- Develop and implement a robust emergency action plan that includes early warning systems, evacuation procedures, emergency response protocols, and coordination mechanisms among relevant stakeholders.



W H I T E   B L A C K  
L E G A L