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Livelihood Deprived? A critical Analysis of Livelihood in Acquisition of Private Lands in South Asia.

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There is no doubt it would be threatening and frightening on anybody whose land is acquired. In the post war era, country is geared towards development and priority has been given to development of infrastructure. For this purpose the private lands are aquired by the state. In the recent past Mattala Airport, Southern Expressway, Hambantota Harbour and Uma Oya Project are some of the projects where private lands were acquired to a larger extent. These land acquisitions has clearly omitted the value of products of the lands in paying compensation. However majority of these acquired lands offered many livelihood choices despite its size. This scenario has created social and economic impacts on people's life. Among the affected people majority was the rice farmers and others who engaged in subsistence agriculture. In some instances they are either resettled in an alien place where there is not link between their livelihood and land or sometimes not even compensation is paid for the lost livelihood which was totally based on the land. The main objective of this research is to examine the possible inadequacies of the LAA that deal with livelihood and to explore strong justifications in considering livelihood in acquisition of lands in Sri Lanka. This research is mainly a qualitative research in which books, journal articles and websites are used as secondary sources and statutes, decided cases, conventions, information gathered through relevant authorities and companies are used as primary sources. Furthermore, a comparative legal analysis on consideration of livelihood in acquisition of lands was conducted with India in reaching recommendations and conclusions. Drawing examples from India where livelihood is considered to a broader extent, the author argues that disposal and produce of lands should be considered in assessing compensation and also the need to consider the previous livelihood in the resettlement process.

Key Words: *Livelihood, Land Acquisition, Private Lands*

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