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**The Problems Resulting From Nationalization Of  
The Long-Distance Line Projects And The  
Solution Offers**

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KADINHANI – KONYA / TURKEY

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### **BIOGRAPHICAL**

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In this article; nationalization's geometrical effects on the rural area of Kadınhanı Kolukısa Town where the high speed railway line passes, economical and sociological effects on the people living in the area and the results have been examined, new solution offers have been tried to be found out. In Turkey, acquiring of the real estates needed for operations of the state institutions and organizations occurs usually by nationalization. The great deal of money paid for nationalization brings any benefits for neither citizens nor the government. Moreover, it is faced with economical, technical and sociological problems during nationalization process.

The state institutions and organizations in Turkey have created some kind of methods in accordance with laws and regulations to acquire the lands they need timely or permanently. These methods are given in Table.1 as timely and permanently acquiring methods.

Table.1: Methods of Land Acquiring

<b>TIMELY</b>	<b>PERMANENTLY</b>
Donation	Donation
Barratry-Exchanging	Barratry-Exchanging
Allocation	Buying
Renting	Forward Buying (Redemption)
Temporary Utilization	Development Plan Implementation (3194/15-16-18)
Constitution of Servitude	Land Consolidation
	Nationalization

## **2. NATIONALIZATION**

Nationalization is the process in which state institutions and organizations acquire real estates that belong to natural persons or legal identities by using state's public force, paying their actual values without asking and informing the property owners, and by keeping public interest over owners' to provide services they have to.

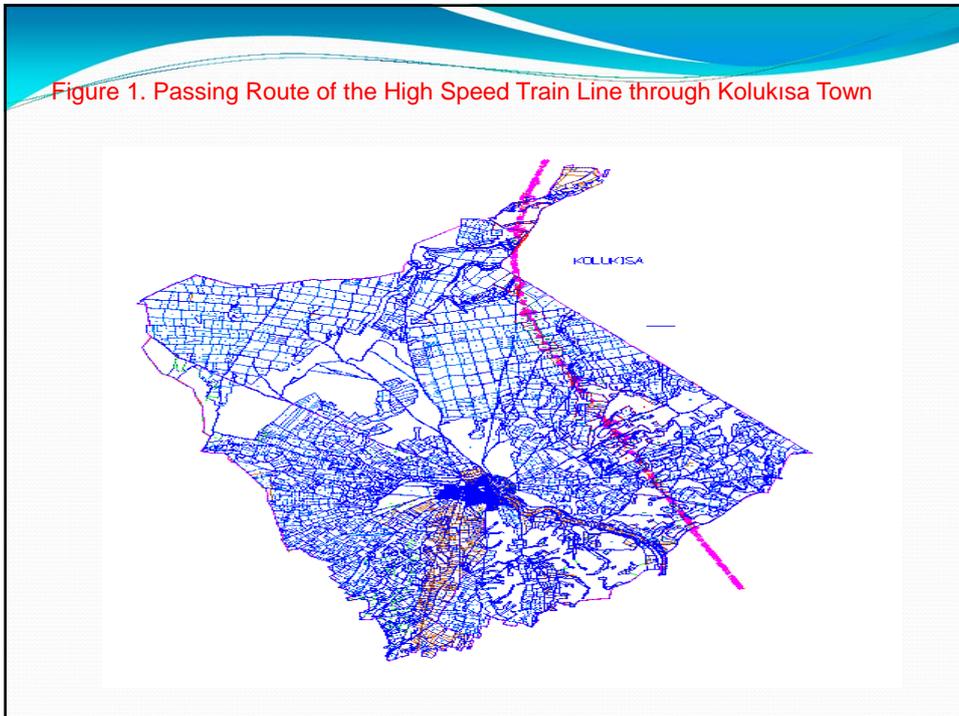
**2.1. The Legislation Concerning Nationalization In Turkey**". The act of nationalization no. 2942 was amended radically by the Act no. 4650 enacted in 2001. 3.

## **INVESTIGATION OF THE SAMPLE AREA (KADINHANI- KOLUKISA TOWN- KONYA)**

Kadınhanı-Kolukısa Town (Konya) where the Konya-Ankara High Speed Train Line (Figure.1) passes through is located 31 km far from the city centre and 90 km from Konya.



Figure 1. Passing Route of the High Speed Train Line through Kolumkisa Town



### 3.1. Investigation of the High Speed Train Line Route in terms of Cadastral Parcels;

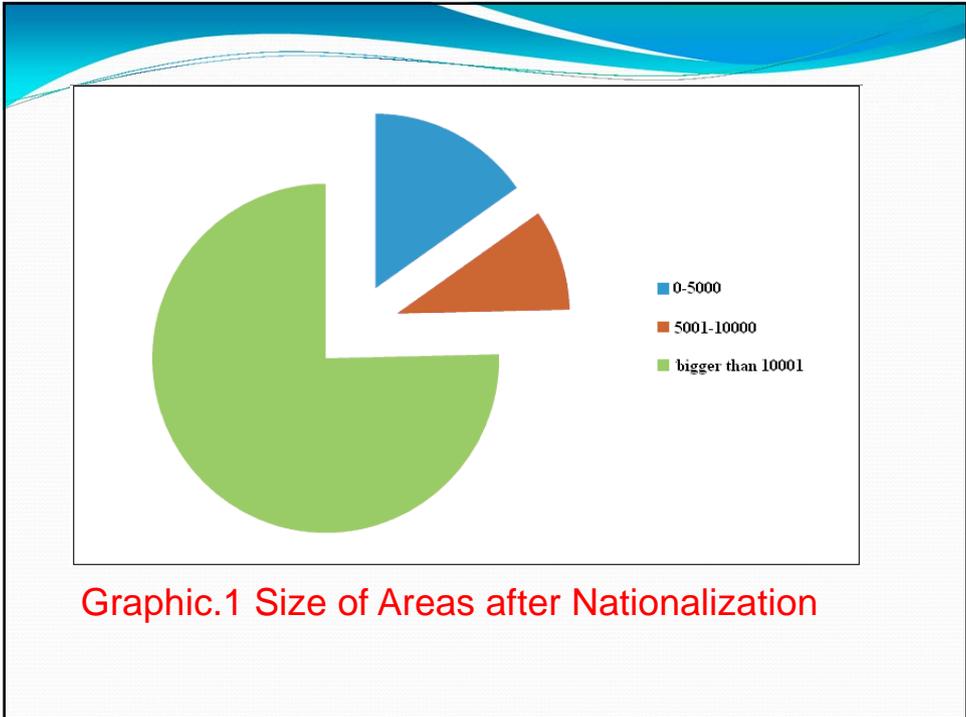
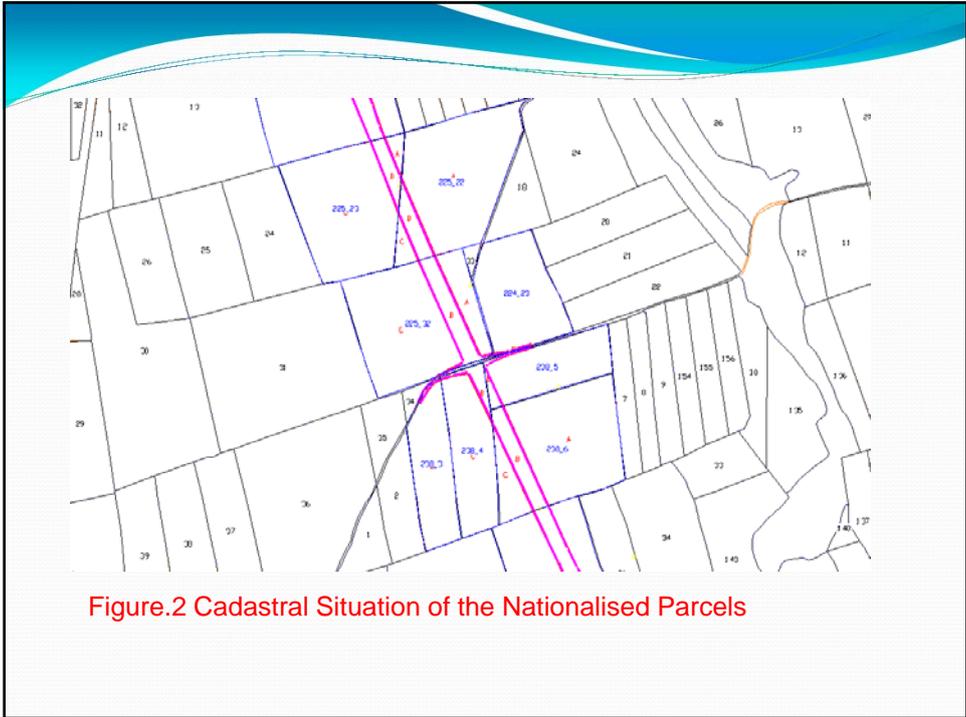
Passing of the High Speed Train Line Route through Kolukisa Town begins from 114. km and end at 130. km. Between these kilometres, the line passes through 42 personal parcels, 43 revenue treasury parcels, 20 parcels external registration; 105 parcels in total. Here, 42 parcels belong to 67 persons. It can be seen in Figure.2.

Of these parcel, 33 were divided into two parts, 72 were divided into three parts. Nationalised places on these parcels are 795282 m<sup>2</sup>. Out of these parts, 21 are smaller than 5000 m<sup>2</sup>, 13 are between 5000 m<sup>2</sup> and 10000 m<sup>2</sup>, and 104 are bigger than 100000 m<sup>2</sup>. The percentage distribution is given in Graphic.1.

In this area, 11 cadastral roads were closed; crossing over was blocked by wire fences at two sides of the route which passes through all borders of the town and blind roads formed. Along the 30-km route, 6 subways and overpasses were built (Picture.1).



Picture.1 A View of the High Speed Train Route



### **3.2. Investigation of the High Speed Train Route in terms of Juridical and Economical Aspects**

22 persons in 42 subjected to nationalization challenged against expropriated price determined. Of 42, 4 persons accepted later, 18 persons resorted to the judgement. 3.376.790 TL (2.000.000 \$) was paid in banks to be paid on 15.06.2005 to 42 persons in this area.

### **4. Technical Infrastructural Problems during Nationalization Applications**

#### **Cadastral Problems**

**Problems resulting from Immovable Property Owners**

#### **Immovable Property's Price Determination**

**Problems during Nationalization Process**

#### **Sociological and Psychological Problems;**

#### **Lands Division Problems in Rural Areas**

#### **Economical Problems;**

### 5. CONCLUSION AND SUGGESTIONS FOR FURTHER STUDIES

The expected income growth could not be provided in the real property after nationalization projects (high speed train lines, pipelines, double highways). In contrast, decreases in value occur because of the land division. So the landowners are affected negatively, behave bias against nationalization and resort to the judgement. Some of them migrate to urban areas because they have no more land to do agriculture and cause new problems to emerge.

Because there is no consistent land and plot policy in Turkey and government does not have enough stock of real estate and procedure, gaining of real property is practised by nationalization which should be the last resort.

The expropriated prices are determined without discriminating land quality and considering objectively determined standards and the prices should be paid as soon as possible.

The public institutions and organization should not gain real property by nationalization which should be the last resort (Sert, 2005). They should utilize the available laws in Turkey. Relying on the Article 17 in the Act of Soil Conservation and Land Usage no.5403, it should be utilized from the provisions that Provincial Special Administrations, Municipalities and villages, cooperatives that make agricultural activities, legal identities like unions, or other public institutions can make private land consolidation as project administrations. Land consolidation for nationalization purpose should be practised. In other words; public institutions and organizations should not gain the lands by paying their values or using disproportionate power, they should give lands in return their lands, provide the size of parcels to be appropriate and the available parcel shapes should permit people to transport among plots, regulations should be practiced addressing the needs of modern watering and agricultural mechanization techniques.

In such cases when the land consolidation for nationalization purpose can not be practised, if they nationalise, they should not gain the lands by buying from persons, they should receive them from the plots and lands which are in the possession of government (revenue treasury, meadow, lands belonging to public institutions and organizations)

If nationalization will be practised for the projects that needs full-scale of government investment; consultant financial institutions should be constituted to provide the property owners to appraise their expropriated prices correctly. That will enable the landowners whose lands are nationalised both to invest their money correctly and to prevent these people to think negative about nationalization. Moreover, these people think that the government esteem them.

In case of nationalization for land consolidation it can be provided that the amount of arable land in the field by making it a sustainable farming by paying much lower amounts than in the amount of nationalization.

It will be solved that not only prevents fragmentation but also problems arising from the estate in the area of land consolidation purposing the nationalization.

When the remaining parts are very low in the partial expropriation, also the costs are low too. For this reason, landowners do not receive this fee. This is why people do not go to the land registry and that can cause serious problems.

***THANK YOU VERY MUCH  
FOR YOUR LISTENING***

*FOR QUESTIONS AND COMMENTS  
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