

Award No.

Made by:- Sri. Sathyapalan Nair C.P , .Special Tahsildar (LA) GCDA, Kadavanthra, Ernakulam.

Under section 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013).

Where an extent of land measuring ...0.0104 Hectares of land and situated in Re.Sy. No...531/21 part. (subdivided from Resurvey No.531/1 for LA) in the Village of Kadamakkudy in the Taluk of *Kanayannur* in the District of *Ernakulam* and registered in the name of, or occupied by the persons specified below, has been declared by Government in the Kerala gazette, dated26/3/19 , and in *Deshabhimani* daily dated ..26/3/19. and *Madhyamam* daily dated.....26/3/19..... to be needed for the construction of Moolampilly Pizhala Bridge&its approaches and undersigned after full enquiry into the case and on due consideration of the various circumstances connected with the acquisition as hereto before set-forth makes the following award under her hand:-

I. Compensation of land –

The true area of the land in Ares 1.04 Ares

The compensation allowed for the land is Rs... 4,31,262/-
shown below

	Rs. Ps.
a) Market value of the land @ Rs 5,42,733./- per are for 1.04 Ares:	56,44,42.32
(i) the damage sustained by the person interested, by reason of the taking of any standing crops and trees which may be on the land, if any:	:
(ii) the damage sustained by the person interested, by reason of severing such land from his other land, if any:	:
(iii) the damage sustained by the person interested, by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings, if any:	:
(iv) reasonable expenses incidental to due to the change of residence or place or business of the person interested, if any:	:
(v) the damage bonafide result in from diminution of the profits of the land between the time of the publication of the declaration under section 19 and the time of the Collector's taking possession of the land, if any:	:
b) Factor by which market value is to be multiplied	1.2
c) Value of improvements/ Structures	900.00
d) Market value of land (total of a * b +c)	6,78,230.78
100% Solatium on (d)	6,78,230.78
Total	13,56,461.56



Since the land was taken possession before 4(1) notification
 Increase on Market Value @ 12% per annum under : 0.00
 Other component if any :
 Total - (items (ii) (d) + (iii) + (iv) +(v) : 13,56,461.56
Round to 13,56,462
 Less amount already disbursed to the claimants 9,25,200
 Balance Amount to be given to the claimants : 4,31,262

District, Taluk and Village (1)	Block & Re Survey Number (2)	Extent Are (3)	Name of Registered Holder or Occupier (4)
Ernakulam Kanayannur Kadamakkudy	1 531/1- 21 part	1.04	TP Joseph, Panakkal house, Moolampilly, Ernakulam. Sri.Alex

(iv) The persons or person to whom the compensation is due:

Serial No.	Name	Rs	Ps
1.	Sri.Alex Joseph, Panakkal house, Moolampilly, Ernakulam.	13,56,462.00	
	Less amount already disbursed to the Registered Holder as per WP@21517/2015	9,25,200.00	
	Balance amount to due to the Registered Holder	4,31,262.00	

The amount will be deposited before the LARR Authority (Hon'ble Additional District & Sessions Court under Section 77(2) of the Act, if the claimant fails to produce documents to establish title over the land under acquisition.

The undersigned certifies that:

- Notices have been promulgated or served in accordance with Section 36 of the Right to Fair Compensation and Transparency Rehabilitation and Resettlement Act of 2013 and that evidence for such promulgation or service forms part of the record
- There is a plotted plan of the land or lands to be acquired.

II Rehabilitation and Resettlement Award
 NIL


 Land Acquisition Officer

സംരക്ഷണ കമ്മീഷൻ (എൽ.എ)
 ജി.സി. ഡി. എ., എറണാകുളം

DRAFT AWARD APPROVED

 DISTRICT COLLECTOR
 ERNAKULAM



NOTE TO AWARD

The award relates to the acquisition for the construction of Moolampilly Pizhala Bridge & its approaches. The Secretary, Goshree Islands Development Authority, GIDA submitted requisition under LARR Act 2013, for the acquisition of 0.6087 Hectares of land comprised in Resurvey No. 514, 515, 516, 531/1, 531/2, 283/3 & 282/2 in Kadamakkudy Village in Kanayannur Taluk for the above project and District Collector, Ernakulam via proceedings no. C4-2414/2017 dated 27/01/2017 appointed Special Tahsildar (LA) GCDA, Ernakulam as Land Acquisition Officer.

The Notification under Section 6(1) of the Kerala Survey & Boundaries Act 1961 was published in the ordinary Kerala Gazette on 30/09/2014 and in local dailies Deshabhimani and Madhyamam on 29/09/2014 & 27/09/2014 respectively. The Govt. vide G.O.(M.S)1889/2013/LSGD dated 17/7/2013 & G.O(RT)2539/2014/LSGD dated 27/09/2014 & G.O(RT) 873/2015 dated 24/03/2015 have accorded administrative sanction to the project. The notification under Section 4(1) of Right to Fair Compensation Rehabilitation and Resettlement Act 2013 was approved by the District Collector, Ernakulam. The District Collector appointed Rajagiri College of Social Sciences, Kalamassery as SIA unit for conducting Social Impact Assessment Study. The notification regarding this was published in ordinary Kerala Gazette No. 33 dated 15/08/2017. The notification was also published on 23/10/2017 in the office of Revenue Divisional Officer, Fort Kochi, on 10/10/2017 in Kanayannur Taluk, on 30/10/2017 in Kadamakkudy Panchayath and in locality and in LA office. The erratum Notification was published in ordinary Gazette No.43 on 31/10/2017. Hence the last date of 4(1) notification is 31/10/2017.

The Public Hearing on SIA study was conducted on 15/11/2017 at St. Augustine Church, Monica Hall, Moolampilly. The Rajagiri College of Social Sciences submitted final Report of SIA study on 20/12/2017. The Expert Committee convened on 21/02/2018 under the chairmanship of Deputy Collector (LA), Ernakulam considering merits decided to proceed with the acquisition and submitted report to the District Collector. The Report of Expert Committee was approved by the District Collector as per proceedings No. C4-2414/2017 dated 20/3/2018 and recommended to proceed with the acquisition. The same has been published in various offices as prescribed under the LARR Act.

The Notification under Section 11(1) of LARR Act 2013 was approved by the District Collector and was published in Kerala Gazette No.26 Vol.No7 dated 26/06/2018. The Notification was also published in 18/5/2018 in Deshabhimani and Madhyamam. The erratum notification in 15/6/2018 & 22/6/2018 in Deshabhimani and Madhyamam respectively. The notification was also published on 17/5/2018 in this office, in Fort Kochi RDO Office, in Kadamakkudy Panchayath, in Locality and on 16/5/2018 in Kanayannur Taluk and also in District Collector's website. The last date of Notification is 26/06/2018.

The Draft Declaration under Section 19(1), Rule 21(16) of LARR Act 2013 was approved by the District Collector and the declaration was Published in Vol.8 of Kerala Extra ordinary Gazette No.794 on 25/03/2019. The Declaration was also published in Deshabhimani and Madhyamam on 26/03/2019. The Declaration was also published in the office of RDO Fort Kochi, in Kanayannur Taluk on 25/3/2019 and in Locality and in Kadamakkudy Panchayath on 26/3/2019.

The value of land under acquisition was determined as per the provisions laid down under Section 26 of LARR Act and Basic Valuation Report was approved by District Collector as per Proceedings DC-2414/2017 dated 13/3/2019 and the land was categorized into three categories- Category I, II & III.

Category I Dry Land (Purayidom)

The following documents involving transactions of similar type of land have been considered for the determination of land value.

- 1) Document No. 1141/2017 dated 12/7/2017 of SRO Njarakkal
- 2) Document No. 858/2016 dated 5/5/2016 of SRO Njarakkal
- 3) Document No. 787/2016 dated 26/4/2016 of SRO Njarakkal
- 4) Document No. 1376/2017 dated 21/8/2017 of SRO Njarakkal
- 5) Document No. 1231/2016 dated 1/7/2016 of SRO Njarakkal
- 6) Document No. 2348/2015 dated 16/11/2015 of SRO Njarakkal
- 7) Document No. 687/2016 dated 08/4/2016 of SRO Njarakkal
- 8) Document No. 498/2016 dated 10/3/2016 of SRO Njarakkal

The land value was fixed by taking average of first four documents and having highest sale prices and was categorized as dry land with a land value of Rs. 7,75,333/- per Acre (3,13,772/- per cent).

Category II Wet Land (Nilam)

The following documents involving transactions of similar type of land have been considered for the determination of land value.

- 1) Document No. 89/2017 dated 16/01/2017 of SRO Njarakkal
- 2) Document No. 1834/2016 dated 5/10/2016 of SRO Njarakkal
- 3) Document No. 91/2016 dated 16/1/2016 of SRO Njarakkal
- 4) Document No. 2584/2015 dated 28/12/2015 of SRO Njarakkal
- 5) Document No. 349/2016 dated 20/2/2016 of SRO Njarakkal
- 6) Document No. 121/2017 dated 20/01/2017 of SRO Njarakkal
- 7) Document No. 32/2016 dated 06/1/2016 of SRO Njarakkal
- 8) Document No. 1512/2015 dated 20/7/2015 of SRO Njarakkal

The land value was fixed by taking average of first four documents and having highest sale prices and categorized as wet land with a land value of Rs. 1,58,529/- per Acre (64,155/- per cent).

Category III Wet now dry Land (Nilam Nikathu purayidom)

Since the sale deeds within the specified date and of similar natures and of similar category have not been obtained, the land value for this category was fixed by deducting 30% from the land value obtained for Category I, i.e. 5,42,733/- per Acre (Rs. 2,19,641/- per cent)

The land described in this award is included in category III-wet now dry land. The revised records were approved by the District Survey Supdt., Land Records Ernakulam. An extent of 1.04 Ares of land comprised in Re Survey No. 531/1 was subdivided for LA as 531/1-21. The area of land under possession of the claimant Sri Alex Joseph, Panakkal was

computed to 1.04 Ares in Re survey No. **531/1-21 Part** and the Detailed Valuation Statement was approved by the District Collector on 25/07/2019. Notice under Section 21 of the Act was issued on 26/05/2019. The claimant did not appear on but filed claim statement.

The construction of Moolampilly Pizhala Bridge and its approaches was through negotiable purchase. The District Level Purchase Committee (DLPC) held on 14/09/2015 under the District Collector fixed the land value. But some land owners did not give consent to the land value fixed by DLPC. The land owner filed WP© 21517/2015 before the Hon'ble High Court of Kerala. The Hon'ble High Court ordered to initiate steps under LARR Act 2013 and also ordered to give 80% of the land value as fixed by the DLPC since their land was already utilized for the construction of the bridge. Hence the LAO as per the judgement of Hon'ble High Court has already been disbursed an amount of Rs.9,25,200/- (Rupees.Nine lakhs twenty five thousand two hundred only) vide D-form cheque No...054435 & 054436 dated...17/12/2016 of Additional Sub Treasury ,Ernakulam to Sri.Alex Joseph for 2.57 cents(1.04 Ares) of land @ Rs...4,50,000 per cent. ie.@DLPC rate based on an agreement between GIDA Secretary and the claimant. The land was taken possession and handed over to Requisition authority on 17/12/2016. So the land owners are not entitled for 12% additional market value.

Hence the compensation awarded to the claimant is as follows
 Re. Sy.No...531/1-21part 1.04 Ares

	Market value of the land @ Rs 5,42,733./- per are		
a)	for 1.04 Ares:		5,64,442.32
b)	Factor by which market value is to be multiplied	:	1.2
c)	Value of improvements/ Structures	:	900.00
d)	Market value of land (total of a * b +c)	:	6,78,230.78
(iii)	100% Solatium on (d)	:	6,78,230.78
	Total	:	13,56,461.56
(iv)	Since the land was taken possession before 4(1) notification Increase on Market Value @ 12% per annum under section 30(3) from	:	0.00
	Total compensation	:	13,56,461.56
	Rounded to		13,56,462
	Less amount already disbursed to the claimants as per the judgement in WP(C) 21517/2015		9,25,200
	<hr/> Balance to be given to claimant		<hr/> 4,31,262.00

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	<hr/> Balance to be given to claimant		<hr/> 4,31,262.00

II Rehabilitation and Resettlement Award Nil

The land with all improvements buildings and other structures will vest with the Government of Kerala free from all encumbrances and will be transferred to Puramboke.

Notice under section 36 of the Act has been issued. The Award amount will be deposited to the bank account of the claimant / before the competent authority u/s 77(2) of the LARR Act, if the claimant filed to establish the title of the property under acquisition.

Place: Ernakulam

Dated 27/8/2019



Land Acquisition Officer

സ്പെഷ്യൽ തഹസീൽദാർ (എൽ.എ)
ജി.സി. ഡി. എ., എറണാകുളം