

# IN THE COURT OF THE COLLECTOR IMPHAL WEST DISTRICT, MANIPUR

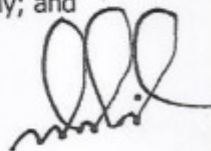
Reference: Land Acquisition Case No. DC(IW)/6/71/LA/MI/92 /546

In the matter of acquisition of land for a public purpose, that is, the Improvement of NH-39 Maram Imphal Section Km.305 to Km. 307 at Village No. 36- Tendongyan in Imphal West District.

## ORDER FOR AWARD OF COMPENSATION

Imphal, the 17<sup>th</sup> May, 2019

1. Whereas, it appears to the Government of Manipur that land located at the aforementioned villages, measuring an area of a total of **0.35 acre** is likely to be needed for a public purpose, that is, the improvement of NH-39 Maram Imphal Section Km.305 to Km. 307; and
2. Whereas, preliminary notifications to that effect as required under **Section 11(1)** of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 (or the RFCTLARR Act 2013, hereinafter referred to as the Act of 2013) for the aforesaid public purpose was issued by the Government of Manipur in the Revenue Department vide No. 4/11/LA/2014-Com(Rev) dated 20.02.2015 for area of 0.35 acres of land situated at Village No-36-Tendongyan; and
3. Whereas, substance of the notification dated 20.02.2015 in the Manipuri language, inviting therein, written objections from interested persons under **Section 15** of the Act of 2013, was duly notified, published and displayed at conspicuous places in the affected localities vide notice no. DC(IW)/6/11/LA/MI/92 dated 26.05.2015 and an opportunity for hearing such objections was given on 02.06.2015 in the office of the Collector, Imphal West. In that connection, written objection filed by affected pattadar was received; and
4. Whereas, such objections as admissible under Section 15 of the Act of 2013 were disposed of and submitted to the State Government in the Revenue Department vide letter no. DC(IW)/6/11/LA/MI/92(Pt) dated 23.06.2015 along with recommendations on the objections as required under the said Section; and
5. Whereas, vide the aforementioned notification at para 2 dated 20.02.2015, the State Government in the Revenue Department had also appointed the Additional District Magistrate, Imphal West as the Administrator under Section 43 of the Act of 2013 for the purpose of rehabilitation and resettlement; and
6. Whereas, thereafter, the Government of Manipur in the Revenue Department issued notifications bearing No. 4/11/LA/2014-Com(Rev) dated 26.09.2015 under Section 19(1) of the Act of 2013 declaring that the lands measuring 0.35 acre situated at Village No. 36- Tendongyan in Imphal West District is needed for a public purpose and that, under Section 19(2) of the Act of 2013, the Rehabilitation & Resettlement Scheme is not applicable to the aforesaid project. The declaration under Section 19(1) & 19(2) of the Act of 2013 was published in the local dailies namely, Poknapham (Manipuri edition) and the Sangai Express (English edition) in their publications dated 07.09.2015 & 08.09.2015 respectively; and



7. Whereas, markings and measurements were thereafter caused to be made on land under Section 20 of the Act of 2013 in the presence of pattadars; and

8. Whereas, General and Special Notices vide No. DC(IW)/6/71/LA/MI/92(Pt) dated 31.10.2015 under Sections 21 & 22 of the aforesaid Act were issued, calling for claims and objections, if any, from persons interested as well as from the land owner requiring them to appear before this Court and to state the nature of their interest in the land, the amount of claim they may wish to prefer and their objections, if any, to the measurements made on land. No claims and objections were received; and

9. Whereas, it is required to determine the amount of compensation to be awarded for land acquired for the public purpose, and in this connection -

9(a). The first point for determination is the market value of the lands for fixation of the compensation amount on the date of publication of the Notification under Section 11(1) of the aforesaid Act. In this regard, market value of the lands has been fixed as per provisions of Section 26(1) as approved by the Government of Manipur vide letter No. 4/11/LA/2014-Com(Rev) dated 06.09.2015. These approved rate is Rs. 2,17,949/- (Rupees two lakh seventeen thousand nine hundred forty nine only) per acre which is equivalent to Rs.5/-(five) per Sq.ft.

9(b). The next point for determination is the factor of the multiplier for determination of compensation in case of rural areas for each village under Section 26(2) read with the First Schedule of the RFCTLARR Act 2013 as per the rate notified by the State Government vide Notification No. 4/12/LA/2014-Com(Rev) dated 03.08.2015. The multiplying factor for the village as furnished by the Sub Divisional Officer of Lamsang, is 1.25.

9(c). The next point for determination is the damage, if any, sustained by the person(s) interested by reason of the taking of any standing crops and trees which may be on the land described above at the time of the Collector's taking possession thereof. In this regard, there is no claim for damage;

9(d). The next point for determination is the damage, if any, sustained by the person(s) interested at the time of the Collector's taking possession of the land, by reason of severing such land from his other land. In this regard, there is no claim for damage;

9(e). The next point for determination is the damage, if any, sustained by the person(s) interested at the time of the Collector's taking possession of the land, by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings. In this regard, there is no claim for damage.

9(f). The next point for determination is the expenses incidental to change of residence or place of business compelled upon an interested person as a consequence of the acquisition of land. No interested person is compelled to change place of residence or place of business as a consequence of the acquisition and hence such incidental expenses do not arise;

9(g). The next point is the damage, if any, resulting from the diminution of the profits of the land between the time of publication of the declaration under Section 19 and the time of the Collector's taking possession of the land. In this regard, there is no claim for such damage;



9(g). The next point is the damage, if any, resulting from the diminution of the profits of the land between the time of publication of the declaration under Section 19 and the time of the Collector's taking possession of the land. In this regard, there is no claim for such damage;

9(h). The next point for determination is the market value of the buildings and other immovable property or assets attached to the land or buildings which are to be acquired. In this regard, there is no claim for damage;

10. After having examined the relevant facts, circumstances and having perused the documents and records, I hereby make the Award for payment of a total amount of Rs. 2,00,103.75 [Two lakh one hundred three and seventy five paise] as compensation to the affected family and person interested for acquisition of land for an area of **0.35 acre** for Improvement of NH-39 Maram Imphal Section Km.305 to Km. 307 at Village No. 36- Tendongyan in Imphal West District.  
as per details given below:

- (i) Rs. 95,287.50 [Ninety five thousand two hundred eighty seven and fifty paise] only being the value of land measuring 0.35 acre after due multiplication by the relevant factor under Section 26(2) of the Act of 2013.
- (ii) Rs. 95,287.50 [Ninety five thousand two hundred eighty seven and fifty paise] only being Solatium @ 100% over the value of land (after due multiplication by the relevant factor under Section 26(2) of the Act of 2013 market value of the land).
- (iii) Rs. 9528.75 [Nine thousand five hundred twenty eight and seventy five paise] only being the value of additional charge @ 12% additional interest.
- (iv) Rs. 0.00 [Rupees Nil] as value on assets on land.

Issued under Section 30 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 on this day, the 17<sup>th</sup> of May, 2019.



(Naorem Praveen Singh)  
Deputy Commissioner & Collector  
Imphal West District: Manipur

Copy to:

1. Secretary (Revenue), Government of Manipur
2. Chief Engineer, PWD, Imphal
3. SDOs, Lamshang – with a request to serve the information to the affected pattadar.
4. Executive Engineer, NH-Div No.1, PWD, Manipur
5. DIO, NIC, Imphal West – with a request to webcast the above order for information of all affected family / person interested.
6. Office file.