

**GOVERNMENT OF MEGHALAYA
REVENUE DEPARTMENT**

No.RDA.1/2006/17

Dated Shillong, the 6th March, 2006.

From: W.M.S. Pariat, IAS
Principal Secretary to the Govt. of Meghalaya
Revenue Department.

To

The Deputy Commissioner

1. East Khasi Hills District, Shillong.
2. West Khasi Hills District, Nongstoin.
3. Jaintia Hills District, Jowai.
4. Ri Bhoi District, Nongpoh.
5. West Garo Hills District, Tura.
6. East Garo Hills District, Williamnagar.
7. South Garo Hills District, Baghmara.

The Sub Divisional Officer

1. Amlarem Sub Division, Amlarem.
2. Ampati Sub Division, Ampati.
3. Dadenggiri Sub Division, Dadenggiri.
4. Khliehriat Sub Division, Khliehriat.
5. Malrang Sub Division, Malrang.
6. Mawkyrwat Sub Division, Mawkyrwat.
7. Resubelpara Sub Division, Resubelpara.
8. Sohra Sub Division, Sohra.

Subject: *Payment of Interest under Section 23(A) of the Land Acquisition Act, 1894 as amended.*

Sir,

I am directed to say that you are aware that the validity of the land acquisition proceedings under the Land Acquisition Act, 1894 as amended is for a period of three years w.e.f. that last of the four dates of the Notification under Section 4(1). It may also be reiterated that Section 23(1A) of the said Act provides that in addition to the market value of the land, in every case an amount calculated at the rate of 12% per annum on such market value for the period commencing for the period from the date of the publication of the notification under Section 4 Sub Section(1) to the date of the award of the Collector or the date of taking possession of the land whichever is earlier is also to be awarded. As provided under the Act as mentioned above, the interest payable is generally estimated for a period of three years.

With a view to reduce the impact of the payment of interest, especially as 30% on the market value of the land is allowed and payable as provided under Section 23 Sub Section (2) of the Act, it is decided that henceforth the interest component in each case of acquisition is to be calculated/estimated (in form 5) for a period of 18 (eighteen) months only. This would mean that it is to be ensured by all concerned especially at the office of the Collector to see that timely action is taken to finalise each and every land acquisition proceeding within that period.

In this regard it may also be mentioned that consequent upon the Amendment of the Land Acquisition Act, 1894, in 1964, a suggested time frame for completion of land acquisition proceedings has been circulated to all concerned, copy enclosed herewith for reference and guidance. It is, however, noted that in some cases, the period for finalisation of a land acquisition proceedings take more time than what is actually required and is therefore uncalled for.

Contd..2..

One of the means to speed up the proceedings is to put in place a monitoring system by which each and every stage of the proceedings under the Act is reflected in a statement, which format is appended herewith. I would therefore request you to see that the said format is utilised for each and every Land Acquisition case and care is taken to see that it is put into use immediately by the concerned staff. An officer of the rank of E.A.C. or above may also be entrusted with the duty of monitoring the progress of each case every week and corrective measures taken in time so as to ensure that the proceedings under the Act are completed and finalised within 1(one) year or at the most within a period of 18(eighteen) months from the date of issue of the Notification under Section 4.

Receipt of this letter may please be acknowledged.

Yours faithfully,

(W.M.S. Paria)

Principal Secretary to the Govt. of Meghalaya
Revenue Department.

Memo No. RDA.1/2006/17

Dated Shillong, the 6th March, 2006.

Copy forwarded for information & necessary action to:-

- 1) All Administrative Departments.
- 2) All Heads of Departments.
- 3) Member Secretary, M.S.F.B., Lum Jingshai, Shillong.
- 4) All Deating Assistants.
- 5) Guard File.

By order, etc.,

Joint Secretary to the Govt. of Meghalaya
Revenue Department.

Phone No. 0364 - 2504275
Fax No. 0364 - 2223615

PARTICULARS OF THE DRAFT AWARD

- (a) Date of disbursement of land compensation.
- (b) Date of taking/handling over possession of land.
- (c) No/Name of Awardee(s) along with amount payable to each.
- (d) Whether the land owner(s) received the amount of land compensation under protest or otherwise.
- (e) To indicate whether Establishment and Contingency charges have been realised at prescribed rate and deposited to the appropriate head of account that is "2029-Land Revenue-800-Other Receipts-4-Other items". Copy of Treasury Challan thereof to be enclosed.
- (f) To indicate balance amount of compensation refunded to the requiring Department Cheque No. Bank Draft No. and date to be mentioned clearly.

Register to be maintained by the Collector

Name of the Project _____

Area proposed to be acquired _____

Estimated amount of compensation
(including Establishment & Contingency charges) _____

Date of placement of fund _____

Land Acquisition Case No. _____

1.	Date of submission of Notification under Section 4 to Government.	Time allowed
2.	Number and date of Notification as approved by Government	
3.	Date of sending Notification under Section 4 for publication in local papers	1(one) month
4.	Last of the four dates of the Notification under Section 4.	Time allowed 2(two) months
5.	Date of conducting Survey and verification thereof under Section 4.	
6.	Objection under Section 5A, if any.	
7.	Date of hearing of objection, if any.	
8.	Date of orders etc., of the Collector on the petition.	
9.	Date of recommendation of the Collector on the objection.	Time allowed 3(three) months.
10.	Date of order of the Government on the recommendation of the Collector.	
11.	Date of submission of the Declaration under Section 6.	
12.	Number & Date of Declaration approved by the Government	Time allowed 3(three) months.
13.	Date of sending the Declaration for publication in the local papers.	
14.	Last of the four dates of the Declaration under Section 6.	
15.	Date of Notice under Section 9 to interested persons/Occupiers.	
16.	Date of hearing under Section 9(2).	
17.	Date of Award of the Collector.	Within 3(three) months.
18.	Date of submission of Draft Award to the Government.	
19.	Date of approval of Draft Award by the Government.	Time allowed 2(two) months.
20.	Date of filing of Award Under Section 12.	
21.	Date of Issue of Notice under Section 12 (2) to persons interested.	
22.	Date of payment of compensation.	
23.	Date of taking over possession under Section 16/17 as the case may be.	
24.	Date of making over possession and delivery of certified land plan/papers etc., to requiring Department.	Within 1(one) month from the date of payment of compensation.
25.	Date of Report of completion of Acquisition proceedings to Government (as per prescribed format) enclosed.	
26.	Remarks of the Collector.	