

GOVERNMENT OF MEGHALAYA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No.RDA.28/2006/1

Dated Shillong, the 4th Sept, 2006.

From F.R. Hynniewte,
Joint Secretary to the Govt. of Meghalaya
Revenue and Disaster Management Department.

To The Deputy Commissioner
1. East Khasi Hills District, Shillong.
2. West Khasi Hills District, Nongstein.
3. Jaintia Hills District, Jowai.
4. Ri Bhei District, Nongpoh.
5. West Garo Hills District, Tura.
6. East Garo Hills District, Williamnagar.
7. South Garo Hills District, Baghmara.
8. Sub Divisional Officer
Amlarem/Ampati/Dadengiri/Khliehriat/Mawkyrwet/
Mairang/Sohra/Resubelpara.

Subject : Date of award of the collector, payment of interest
under section 23(IA) of the Land Acquisition Act, 1894,
as amended.

Sir,

I am directed to say that the Land Acquisition (Amended) Act, 1894 (Act 68 of 1984) came into force on 24th September, 1984. The salient features of the said Amendment Act of 1984 are the provision under Section 11 relating to Enquiry and Award by the Collector and those under Section 23(IA) relating to payment of Interest at the rate of twelve per centum per annum on the market value commencing on and from the date of the publication of the Notification under Section 4, Sub-Section (1) in respect of such land to the date of the award of the Collector or the date of taking possession whichever ever earlier.

From these, two provisions of the Act it follows that the quantum of compensation payable on the market value plus interest @ 12% per annum is determined by the period from "the date of publication of the Notification under section 4" to the "date of the award of the Collector under Section 11" which the Collector may make after holding of Enquiry under Section 9.

It has however, been observed that there has been some confusion as to the date from which and to which compensation including interest is payable. It is hereby clarified that the "date of Publication of the Notification" is "the last of the four steps" taken in the publication of the Notification under section 4(1) and the "date of the award of the Collector" is the "date on which the Collector passed necessary orders under section 11 after fulfilling the requirements of section 9".

In view of this, care is to be taken to see that "the date of publication of the Notification under Section 4(1) and "the date of the award of the Collector under Section 11" and not "the date of declaration of the Award/Payment" is clearly indicated at column 13 of the draft award statement.

These instructions may kindly be noted and adhered to. A copy of the Order sheet of the Collector making the award under section 11 may also be submitted at the time of seeking Govt's approval to the draft award. A Revised draft award statement is forwarded herewith for necessary action. This has the approval of the Competent Authority.

Receipt of this letter may kindly be acknowledged.

Yours faithfully,

Sd/-

Joint Secretary to the Govt. of Meghalaya,
Revenue and Disaster Management Department.