



Government of Jammu & Kashmir
OFFICE OF THE COLLECTOR LAND ACQUISITION
(SUB DIVISIONAL MAGISTRATE) MAHORE (REASI)

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Subject:- Final Award under Section 23 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 read with section 32 of the Jammu and Kashmir Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and consent) Rules, 2023 for the land measuring 08 Kanal 09 Marlas local (05 Kanal 07 Marlas Ordinary) situated at village Majrakund, Tehsil Chassana, District Reasi to be acquired for Construction/Up gradation of Budhal-Mahore-Gool (BMG) road to NHDL specifications.

Detail of Land Acquisition Case

S. No	Detail of land acquisition case: -		
1	Indenting Department:	GREF 110 RCC 31 BRTF	
2	Purpose of land acquisition	Construction/Up gradation of Budhal-Mahore-Gool (BMG) road to NHDL specifications.	
3	Location of the Project	Village: Majrakund	Tehsil: Chassana District: Reasi
4	Total area proposed for acquisition	08 Kanals 09 Marlas	
5	Notification of SIA bearing No.	DC/RSI/SQ/22-23/776-80 Dated 12-05-2022	
6	Notification issued under section 11 (1) of the (RFCTLARR) Act, bearing No.	CLA/SDM/M/2022-23/50-65 Dated: -18-05-2022	
7	Notification issued under section 19 of the (RFCTLARR) Act, bearing No.	DC/Rsi/SQ/22-23/8004-10 Dated: -22-12-2022	
8	Notification issued under section 21 of the (RFCTLARR) Act, bearing No.	CLA/SDM/M/2023-24/16-30 Dated: -15-04-2023	

Final Award

1. Preliminary Proceedings

The Ministry of Defence, Government of India has taken up the "**Construction/Up gradation of Budhal-Mahore-Gool (BMG) road to NHDL specifications**" in the UT of J&K and in pursuance of which Officer Commanding 110 RCC (GREF) C/o 56 APO had placed an indent vide **No. 2010/LA/BMG/82/E2 dated: 28-11-2019** for acquisition of land for public purpose namely "**Construction/Up gradation of Budhal-Mahore-Gool (BMG) road to NHDL specifications**" at village Majrakund Tehsil Chassana District Reasi;

Whereas, on the identification of the indenting department revenue papers and map of land measuring **08 Kanals 09 Marla's Local (05 Kanal 7 Marlas ordinary)** situated at village Majrakund of Tehsil Chassana District Reasi were got prepared by the field staff of Revenue Department through Tehsildar Chassana;

(I) SIA Exemption: - Whereas, vide this office No. SDM/M/2022-23/42-45 Dated: 06-04-2022, The competent authority i.e. (District Collector cum Deputy Commissioner), Reasi was requested to accord exemption from undertaking Social Impact Assessment study under section 09 read with section 40 of the of the (RFCTLARR) Act, for acquisition for land measuring 08 Kanal 09 Marlas as the project affects the security and strategic interest of the State/UT;

Whereas, appropriate authority i.e., Deputy Commissioner Reasi was pleased to accord exemption from undertaking Social Impact Assessment vide No. DC/Rsi/SQ/22-23/776-80 dated: 12-05-2022;

(II) Preliminary Notification: - Whereas, notification under section 11 of the of the (RFCTLARR) Act, 2013 was issued by this Collectorate vide No: CLA/SDM/2022-23/50-65 dated: 18-05-2022 which was served upon the land owners, interested persons and intending Department, who were asked to file their objection/objections if any within 60 days from the date of issuance/publication of the notification;


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Whereas, the notice was given wide publicity by publishing the same in the Government gazette, official website of the district, newspapers (Daily Excelsior Dated 24th of May 2022 Page 12) and was also got published the same on the notice Board of Collector Office, Office of Tehsildar Chassana, Panchayat Ghar, Patwar Khana and other prominent places as per the provisions laid down in the RFCTLARR Act 2013. However, no such objection(s) has/have been received in this Collectorate in response to the above quoted notification Dated: - 18-05-2022;

The Particulars of the land based on authenticated revenue record/field book as mentioned in the section 11 notification Dated 18-05-2022 are as under: -

Table 1. Proprietary Land

S. No.	Name of the land Owners	Name of cultivators	Name of occupant	Khasra No.	Area		Kind of soil	Boundaries				Trees				Structures	
					K	M		N	S	E	W	Fruits		Non-Fruits		Type	Plinth Area (in Sqft)
												Variety	No	Variety	No		
1.	Hasan Mir, Baj Din, Abdul Gani, Mohd Munshi son's Roshni Wd/o Shams Din equally 1 share Bag Din S/o Ghulam Hussain 1 share out of half sharer Lal Din S/o Karma Half Gujjar Phamara	In self cultivation of Hasan Mir, Baj Din, Abdul Gani Mohd Munshi Roshni equally half sharer Lal din half sharer owners	Hasan Mir, Baj Din, Abdul Gani, Mohd Munshi Roshni equally half sharer Lal din half sharer owners	193/72	02	04	2 W1, 04 M Adak	Kh. No. 73 (land of Bagga and ors)	Kh. No. 78 (State land)	Kh. No. 71 (land of Bhag Hussain and ors)	Kh. No. 106 (State land)	Walnut Fig	05 03	Kikar	01	Nil	Nil
2.	Bag Hasan, Mohd latif sons roshni w/do Mir Mohd equally 1 share Munshi Shahbaz, Mir Baz, Manzoor Hussain sons & Noor Fatima w/do Wazir Mohd equally 1 share Mishri Mehr Din, Hakam Din, Baj Din sons of Sai equally 4 shares Mohd Munshi, Billu, Klam DIN, Abdul Latif sons & RESHMA W/DO Wali Mohd equally 7 shares Mehandia, Subaa, Hussain Mohd sons of Azim equally 21 shares Kangan S/o Rusla Kala S/O Sab Din equally 7 shares from one 4th share Mohd Hussain, Makhan, Soba, Lal Din, Mishri fist wife sons Hakam Din 2nd wife son equally 6 shares Talab Hussain, Manir Hussain, Zakir Hussain, Mohd shafi sons Arsha w/do Boba equally 1 share from one 4th Baggi w/do Fazal din one 4th Gujjar.	Mendia S/o Azeem	Mendia S/O Azeem	193/72	1	18	Adak	Kh. No. 73 (land of Bagga and ors)	Kh. No. 78 (State land)	Kh. No. 71 (land of Bhag Hussain and ors)	Kh. No. 106 (State land)	Nil	Nil	Nil	Nil	Nil	Nil
3.	-Do-	Bagh Hussain, Mohd Latif & Roshni equally 1 share. Munshi and others sons of Wazir Mohd equally Hasan Din, Baz Din equally five shares	Bagh Hussain, Mohd Latif & Roshni equally 1 share. Munshi and others sons of Wazir Mohd equally Hasan Din, Baz Din equally five shares	191/71	4	7	4 W1 7 GM	Kh. No. 70 (land of Nizam Din and Ors)	Kh. No. 78 (State land)	Kh. No. 78 (State land)	Kh. No. 72 (land of Hassan Mir and Ors)	Walnut Fig	02 03	Manu Salali	02 01	Kacha House	1395
																Kacha House	286
																Pacca House & Shop	1079
																Pacca with CGI Sheet Shop	541
																Kacha House	1335
Total (05 Kanal 07 Marlas Ordinary)					08	09	Local										

Table-II: Government Land

S. No	Khasra No.	Type of Land	Area			State Land in Possession of	Mode of Transfer of state Land
			Kanal	Marla	Sarsai		
01	167/78	Gair Mumkin Kassi	01	06	00	State Land under possession of Revenue Department	The state land measuring 01 Kanal 06 Marlas falling under Khasra No167/78 in possession of the Revenue Department in Village Majrakund will be transferred

							directly from the Concerned Department through Book transfer or any other appropriate method adopted by Both the Department/Governments as per law
02	106	Gair Mumkin Jungle	02	14	00	State Land under possession of Forest Department	The state land measuring 02 Kanal 14 Marlas falling under Khasra No. 106 in possession of the Forest Department in Village Majrakund will be transferred directly from the Concerned Department through Book transfer or any other appropriate method adopted by Both the Department/Governments as per law
Total			04	00	00	4 Kanal 0 Marlas in Local	

2. Declaration that Land is required for Public Purpose: -

Whereas, this Collectorate vide letter No. CLA/SDM/M/2022-23/366-67 Dated: 26-09-2022 requested the appropriate authority i.e., Deputy Commissioner, Reasi as per SO 17 issued by the Revenue Department, Government of J&K Dated 14th of January 2022 to issue declaration under section 19 of the RFCTLARR Act, 2013 to the effect that land measuring 08 Kanal 09 Marlas local (05 Kanal 07 Marlas) ordinary (excluding Forest/State land) at village Majrakund, Tehsil Chassana, District Reasi was required for public purpose namely "**Construction/improvement of Budhal-Mahore-Gool GREF Road**";

Whereas, in response to the request, the appropriate authority vide notification No. 08 DC (Rsi) of 2022 dated: 22-12-2022 issued under endorsement No. DC/Rsi/SQ/22-23/8004-10 Dated: 22-12-2022 was pleased to issue declaration under section 19 of the of the (RFCTLARR) Act, 2013 for land measuring 08 Kanal 09 Marlas local (05 Kanal 07 Marlas) ordinary situated at village Majrakund, Tehsil Chassana, District Reasi for public purpose namely "**construction of Budhal-Mahore-Gool GREF Road to NHDL specifications**" and copy of the same was endorsed to this office with the directions to undersigned to follow all the provisions of the (RFCTLARR) Act, 2013, LB-10 of 1980 and any other law governing the subject matter while making apportionment of compensation in favour of the rightful claimants of the land involved;

3. Notification under Section 21 of the (RFCTLARR) Act, 2013: -

Whereas, this Collectorate issued notification under section 21 of the of the (RFCTLARR) Act, 2013 vide CLA/SDM/M/2023-24/16-30 Dated:-15-04-2023 asking all the stakeholders/land owners/interested persons to file their objections/attend this office either in person or through an authorized agent or advocate within 35 days from the date of publication of the notice i.e. on or before 09-07-2023 during office hours to state their respective interests in the land, the amount, particulars of their claims to the compensation for such interests and to the measurement of land, if any;

Whereas, the notice was given wide publicity by publishing the same in the Government gazette, official website of the district, newspapers and also published the same on the notice Board of Collector Office, Office of Tehsildar Chassana, Panchayat Ghar, Patwar Khana and other prominent places as per the provisions laid down in the RFCTLARR Act 2013. However, no such objection(s) has/have been received in this Collectorate in response to the above quoted notification Dated: - 18-05-2022;

4. Basis of Determination of the Market Value: -

As per section 26 of the (RFCTLARR) Act, 2013, The collector shall adopt the following criteria in assessing and determining the award of land, namely: -

- The market value, if any, specified in the Indian stamps Act, 1899 (2 of 1899) for the registration of sale deeds or agreements to sell, as the case may be, in the area wherein the land is situated; or
- The average sale price for similar type of land situated in the nearest village or nearest vicinity area; or
- Consented amount of compensation as agreed under sub-section 02 of section 2 in the case of acquisition of land for private companies or public private partnership projects. **Whichever is higher**

5. Determination of Market Value of the land: -

The market value of the land has been assessed and proposed as per the stamps duty rates notified by the Deputy Commissioner, Reasi vide Notification No: -01 of 2021, Dated: -20-12-2021, issued under endorsement No: -DC/Rsi/21-22/SQ/3903-23 Dated: -30-12-2021 for the year 2022, (the year of section 11 notification) and as approved in the Collectors Meeting dated 09-09-2023 and issued in its minutes of the meeting vide District Collector (Deputy Commissioner) Reasi's vide No:-DC/Rsi/SQ/23-24/3226-39 Dated:- 09-09-2023;

S. No	Stamp duty notification No & Date for year 2022	Name of the Village	Tehsil	Type of Land	Rate per Kanal (INR)	Remarks
01	No: -DC/Rsi/21-22/SQ/3903-23 Dated: -30-12-2021 for the year 2022	Majrakund	Chassana	Un-irrigated	176000/-	

6. Multiplication Factor: -

The Multiplication factor by which the value is to be multiplied in caser of rural areas shall be 2.00 (Two) as per the notification issued by the Revenue Department, Government of Jammu & Kashmir vide No: - Rev/LAJK/254/2020 Dated 26-08-2020;

7. Value of Assets attached to the land: -

The valuation of Assets (Structures, trees (Fruit Bearing/Non-fruits)) has been done as per the provisions of section 29 (1) and 29 (2) of the RFCTLARR Act 2013 by the concerned specialized Departments i.e., Public Works (R&B) Department, Forest Department and Horticulture Department, Government of Jammu & Kashmir, respectively;

8. Solatium: -

As per the provisions of section 30 of the RFCTLARR Act 2013, the collector having determined the total compensation to be paid, shall, to arrive at the final award, impose a "solatium" Amount equivalent to one hundred percent of the compensation amount. It is further clarified that solatium amount shall be in addition to the compensation payable to any person whose land has been acquired;

9. Additional amount @12%.

As per the section 30 of the RFCTLARR Act 2013, in addition to the market value of the land provided under section 26, the Collector shall, in every case, award an amount calculated at the rate of twelve percent, per annum on such market value for the period commencing on and from the date of publication of social impact assessment study under sub section 2 of section 04 in respect of such land, till the date of the award of the Collector or the date of taking possession of the land whichever is earlier. In this case the notification of SIA Exemption was issued vide Deputy Commissioner, Reasi vide No: DC/RSI/SQ/22-23/776-80 Dated 12-05-2022;

10. Final Award Summary

Final Award Summary as per schedule 01 of the (RFCTLARR) Act, 2013

S. No.	Description	Amount (In Rupees)
1	Basic Market Value of the land in accordance with sub section 01 of section 26 read with Sub section 3 of section 26 and section 28 of the Act.	1487200 (Fourteen Lakh eighty-seven thousand two hundred only)
2	Value after applying multiplication factor 2.0 (Two) in terms of sub section 2 of section 26 of the Act (step 1 X 2.0)	2974400 (Twenty-Nine Lakh Seventy-four thousand four hundred only)
3	Solatium@100% in terms of Section 30 (1)	2974400 (Twenty-Nine Lakh Seventy-four thousand four hundred only)
4	Total Value of the Land Without Interest	5948800 (Fifty-Nine Lakh Forty-Eight Thousand & Eight Hundred only)
5	Additional Amount (interest component) @12% per annum on the market value determined under SIA exemption date (under section 30(3))	269896 (Two Lakh Sixty-Nine Thousand Eight Hundred and Ninety-Six only)
6	Damages under Section 28 of the Act	Nil
7	Total Amount of Compensation of land	6218696 (Sixty-Two lakh Eighteen thousand Six Hundred and Ninety-Six only)
8	Total Value of Structures	2347600 Twenty-three Lakh Forty-Seven Thousand Six Hundred Only
9	Value of Fuit Bearing Trees	63189 Sixty-Three Thousand one hundred and eighty-nine only
10	Value of non-Fruit Trees	13081 Thirteen thousand and eighty-one only
11	Total Value of the Assets	2423870 Twenty-Four Lakh Twenty-Three Thousand Eight Hundred and Seventy Only
12	Solatium 100% on the Value of the Assets	2423870 Twenty-Four Lakh Twenty-Three Thousand Eight Hundred and Seventy Only
13	Total Value of the Assets Without Interest	4847740 (Forty-Eight Lakh Forty-Seven Thousand Seven Hundred and Forty only)
14	Interest @12% per annum on the market value determined under SIA exemption date (under section 30(3))	439882 Four Lakh Thirty-Nine Thousand Eight Hundred and Eighty-Two Rupees Only
15	Total Value of the Assets	5287623 Fifty-Two Lakh Eighty-Seven Thousand Six Hundred and Twenty-Three Only
16	Total Value of the Land and Assets (6+11)	11506319 (One Crore Fifteen Lakh six Thousand Three Hundred and Nineteen Only)
17	Administrative Cost @2.5%	287658(Two Lakh Eighty-Seven Thousand Six Hundred and Fifty-Eight Only)
18	Total Amount of award	11793977 (One Crore seventeen Lakh Ninety-Three Thousand Nine Hundred and Seventy-Seven Only)

11. Apportionment of Compensation: -

Particulars of the land and the amount of compensation calculated as per the provisions of the (RFCTLARR) Act, 2013 and Jammu and Kashmir Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and consent) Rules, 2023 are annexed as Annexure "A";

12. Possession of the Land: -

The possession of the Land shall be handed over within 60 days from the date on which full amount of compensation would be deposited with this office. Notice in this regard will be issued to land owners/interested persons who may be in possession of then acquired land, on which the receipt of the compensation amount from the acquiring Department, the compensation will be disbursed to the eligible land owners/interested persons;

13. Mode of Payment: -

The payment will be made to the land owners and interested persons according to their share as per revenue record at the time of notification U/S 11 read with Section 21. However, on account of the death of any owner, the compensation would be paid to the legal heirs of the deceased decided by the Competent Authority;

If any mutation is sanctioned during the process of acquisition, the record will be updated. If there is any loan/mortgage/charge amount outstanding against any land under acquisition, then the compensation of that land will be withheld and the same will be released on the production of clearance certificate/no dues/non-encumbrance Certificate from the concerned Bank/institution/society etc.;

If any dispute regarding the ownership/entitlement of compensation of land comes up, then compensation will be withheld till compromise/decision/adjudication by the Competent Court of Law;

The compensation shall be paid through DBT/RTGS/PFMS after necessary deductions under the Income Tax Law;

Any clerical error which may have crept inadvertently during calculation and detected after the announcement of Award shall be corrected by a corrigendum to Award;

Any amount disbursed to the landowners more than what is due to them shall be recovered as arrear of land revenue under the provisions of the J&K land revenue Act Svt. 1996;

The compensation of structures and trees shall be disbursed to the beneficiaries only after receipt of the title certificate and demolition certificate from the competent Authority;

14. Vesting of Ownership of the land in Central Government: -

The ownership of the Acquired land as mentioned in Notification U/s 21 of Jammu and Kashmir Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, shall vest absolutely in the Government of India free from all encumbrances;

The acquiring department/user agencies shall ensure that the record of Rights and all the relevant documents relating to the ownership/occupancy of the said land are accordingly updated by way of mutation as per existing laws to show transfer of said land in the name of "President of India" through ministry of Defence (GREF), consequent to taking over possession of the said land and the payment of the compensation to the entitled persons;

15. Issuance of Draft Award;

Whereas, this collectorate vide this office letter No. CLA/SDM/M/2023-24/723-38 Dated: - 16-11-2023 has issued Draft award for an amount of Rs. **11793977 (One Crore seventeen Lakh Ninety-Three Thousand Nine Hundred and Seventy-Seven Only)** for the land measuring **08 Kanals 09 Marlas Local (05 Kanal 7 Marlas ordinary including the assets attached to it)** as detailed above situated at village Majrakund Tehsil Chassana District Reasi for "Construction/Up gradation of Budhal-Mahore-Gool (BMG) road to NHDL specifications".

16. Request for Approval of Awarded Amount: -


Whereas, the awarded amount fell in the pecuniary jurisdiction of Deputy commissioner as per rule 32, hence undersigned requested Deputy Commissioner Reasi for approval to issue Final award vide this office letter No. CLA/SDM/M/2023-24/739-41 Dated: - 17-11-2023, and in response to which District Collector (Deputy Commissioner) Reasi was pleased to accorded approval for issuance of final award Vide No. DC/Rsi/SQ/2023-24/4504-08 Dated 02-12-2023.

17. Announcement of Final Award: -

Now, therefore, in exercise of the powers conferred upon me, by virtue of **section 26 read with section 30** of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and section 32 of the Jammu and Kashmir Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and consent) Rules, 2023, **I, Mazahir Hussain Shah, SDM (Collector Land Acquisition) Mahore** do hereby pass an Award of Rs. **11793977 (One Crore seventeen Lakh Ninety-Three Thousand Nine Hundred and Seventy-Seven Only)** for the land measuring **08 Kanals 09 Marlas Local (05 Kanal 7 Marlas ordinary including the assets attached to it)** as detailed above situated at village Majrakund Tehsil Chassana District Reasi for "Construction/Up gradation of Budhal-Mahore-Gool (BMG) road to NHDL specifications".

Notice of this award be given to the land owners/interested persons by publishing the same in the Government gazette, newspapers, official website of the district and also publish the same on the notice Board of this Collectorate, Office of Tehsildar Chassana, Panchayat Ghar, Patwar Khana and other prominent places as per the provisions laid down in **the RFCTLARR Act 2013**.

Issued under my seal and signature, this 5th day of December, 2023.


Mazahir Hussain Shah (JKAS)
Collector Land Acquisition
(Sub Divisional Magistrate)
Mahore

No: CLA/SDM/M/2023-24/809-824

Dated: - 05-12-2023

Copy to the;

1. Financial Commissioner (Rev) J&K, Jammu for favour of kind information.
2. Principal Secretary to Government, Revenue Department, Civil Secretariat, J&K, Jammu for favour of kind information.
3. Divisional Commissioner, Jammu for favour of kind information.
4. District Collector (Deputy Commissioner), Reasi for kind information.
5. Joint Director Information, Jammu for publication in two daily leading newspapers having largest circulation in the said locality of which at least one shall be in the regional language.
6. Manager Government Press Jammu with the request to publish in the Government Gazette.
7. Officer Commanding, 110 RCC, C/o 56 APO, GREF, Budhal for information.
8. Divisional Forest Officer, Dharmari for information.
9. Executive Engineer PWD Sub Division Mahore for information.
10. District Informatics Officer, NIC, Reasi, with the request to upload the notification on the official website of the district.
11. District information Officer, Reasi for publication in the local newspapers.
12. Tehsildar Chassana with the directions to serve upon the notices to owners/interested person and a copy of the same be also pasted on the conspicuous places and original be returned to this Collectorate after due service for record. He is also directed to prepare apportionment of compensation as per LB-10 of 1980 and other rules governing the subject and submit the same to this collectorate within a week's time for disbursement of compensation.
13. Block Development Officer, Chassana with the direction to serve the notifications to Gram Sabah and past the same on Panchayat Ghar (s) of the Village.
14. Notice Board O/o Deputy Commissioner, SDM Mahore and Tehsildar Mahore.
15. Office Copy.


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Sub Divisional Magistrate
Mahore