

**Government of Jammu and Kashmir
Revenue Department
Civil Secretariat, Jammu/Srinagar**

Subject: Acquisition of land for construction of road from Karipora to Railway Approach Road in District Budgam.

**Notification No: 02-Rev (LAK) of 2023
Dated: 21.03.2023**

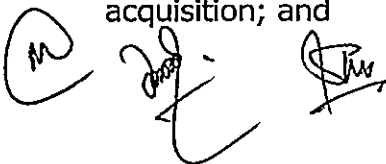
Whereas, on the basis of indent placed by Chief Engineer, PW (R&B) Department, Kashmir vide letter dated 07.12.2017, notification under section 4 (1) of Land Acquisition Act, Samvat, 1990 was issued by Collector Land Acquisition (ACR), Budgam vide letter dated 09.05.2019 for land measuring 12 Kanal & 16 sq. ft situated at village Karipora, Tehsil & District Budgam, calling upon the objections from the owners/interested persons if any; and

Whereas, Collector Land Acquisition (ACR) Budgam vide letter dated 08.10.2020 has reported that an area of land measuring 12 Kanal 16 sq. ft came to be notified for public purpose viz construction of road from Karipora to Railway Approach Road by issuance of above referred notification. Accordingly, the instant case was placed before the District PNC on 29.05.2019 and after threadbare discussions a rate of Rs.38.00 lac per kanal was proposed and accepted by 23 out of 43 land owners, who also put forward their signatures on PNC sheet. The committee decided to afford number of opportunities to the aggrieved left out land owners for negotiation of the rates, but the left out land owners did not agreed the rates adopted by the committee. The committee finally decided that the case for left out land owners should be processed under compulsory mode of acquisition; and

Whereas, Deputy Commissioner, Budgam has intimated that the indenting department has deposited funds to the tune of Rs.10809000/- with the Collectorate, which stands disbursed among the land owners/interested persons whose land has been acquired under PNC mode of acquisition for the construction of aforementioned road; and

Whereas, Deputy Commissioner, Budgam vide No.DCB/LAS/021/476 dated 10.08.2021 recommended the case to Divisional Commissioner, Kashmir who vide No.Divcom/LAS-Acq/3858/921 dated 23.01.2023 for issuance of declaration under section 6, 7 & 17 of J&K Land Acquisition Act, Samvat 1990 for land measuring 08 Kanal 3 Marla and 50 sq. ft at village Karipora, Tehsil & District Budgam; and

Whereas, the report furnished by District Collector (DC), Budgam vide letter referred to above duly endorsed to Divisional Commissioner, Kashmir has been examined and found that no one objected with regard to Section-4 (1), when it was notified rather they had objected with regard to compensation as such that objection cannot be construed as objection under notification 4 (1), even Deputy Commissioner has granted opportunity of being heard and accordingly, it does not merit any consideration, hence rejected and recommendation of the Deputy Commissioner is agreed to consider the case under compulsory mode of acquisition; and



Whereas, the Government is satisfied that the aforesaid land is required for public purpose i.e. construction of road from Karipora to Railways Approach Road situated at village Karipora, Tehsil & District Budgam; and

Now, therefore, in pursuance of section 6 of the Land Acquisition Act, Samvat 1990, it is declared that the land measuring 08 Kanal 3 Marla and 50 sq. ft at village Karipora, Tehsil & District Budgam is required for public purposes i.e. construction of road from Karipora to Railways Approach Road. Further, the Collector Land Acquisition (ACR) Budgam is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/rules.

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is also ordered that on expiry of fifteen days from the publication of the Notification under Section 9 (2) of the said Act, the Collector will take possession of the aforementioned land at village Karipora, Tehsil & District Budgam required for public purposes, subject to fulfillment of the conditions prescribed under Section 9 (2) and Section 17-A of the Land Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be held specifically responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the interested persons/ rightful claimants, in accordance with the relevant laws/ rules in force, while making the award. The Collector/indenting department shall also ensure that no compensation shall be made for the portion of land which has already been acquired for the road in question and compensation disbursed.

Sd/-

(Dr. Piyush Singla) IAS

Secretary to the Government

No:Rev-LAK/7/2023 (7138548)

Dated:21.03.2023

Copy to the:-

1. Financial Commissioner (Revenue), J&K, Jammu.
2. Divisional Commissioner, Kashmir.
3. Deputy Commissioner, Budgam.
4. Collector, Land Acquisition (ACR), Budgam. He is advised to follow all provisions of the Land Acquisition Act, Agrarian Reforms Act and/or any other law governing the subject matter, while making apportionment of compensation in favour of the rightful claimants.
5. General Manager, Government Press, Jammu/Kashmir for publication in the next issue of Government Gazette with five copies to the Revenue Department, Civil Secretariat.
6. Private Secretary to Secretary to the Government, Revenue Department.
7. I/C Website Revenue Department.
8. Notification file.
9. Stock file.

Muzammil Hassan Choudhary
(Muzammil Hassan Choudhary)

Under Secretary to the Government