

**GOVERNMENT OF ORISSA
REVENUE & DISASTER MANAGEMENT DEPARTMENT.**

No.LA(C)-4/2008(Dkl.)-310/R&D.M. dtd. 03.01.2009

To
The Addl. District Magistrate,
Angul.

Sub: Clarification on calculation of 12% additional market value.

Sir,

In inviting a reference to your letter No.2171 dt.30.12.2008 on the above subject, I am directed to say that in implementation of provisions of Section 23 of the Land Acquisition Act, 1894, doubts have been raised as to the calculation of additional market value for disbursement of compensation to the land losers and whether 12% additional market value could be paid even if the award period is less than one year.

While determining compensation, the Collector shall be guided by the provisions contained in Sections 23 & 24 of the LA Act. Section 23(1-A) of the LA Act stipulates that 12% additional market value shall be added to the market value of the land for the period 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 of the land whichever is earlier. Questions of deviation / violation of the aforesaid section of the LA Act can not arise. It is of no consequence whether the Project Authority voluntarily agrees to pay 12% additional market value even if the award period is less than one year. During the course of assessing additional market value you are required to calculate the additional market value on days basis and payment should be made accordingly.

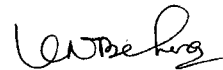
Yours faithfully,



Deputy Secretary to Govt.

Memo No. 311/R&D.M. dtd. 03.01.2009

Copy forwarded to the R.D.C(Central Divn.), R.D.C.(Southern Divn.), R.D.C. (Northern Divn.) for information and necessary action.



Deputy Secretary to Govt.

Memo No. 312 /R&D.M. dtd. 03.01.2009

Copy forwarded to all Collectors for information and necessary action.



Deputy Secretary to Govt.