

GREATER NOIDA INDUSTRIAL DEVELOPMENT AUTHORITY

Ref. No.

Dated: 08-07-1999

Office Order

The system of procedure for Land Acquisition has been finalised. All activities of Land Acquisition shall henceforth be computerised. Meanwhile manually the system is to be followed and all records from 01.04.1999 are to be transferred to this system.

Strict compliance is to be ensured.

Sd/-
(Brijesh Kumar)
Chief Executive Officer

Copy for information and necessary action:-

1. ACEO
2. DCEO
3. All Division Heads.
4. Manager (Computer) for deputing one person for development of the system on computer.

Chief Executive Officer

WORK PROCEDURE LAND ACQUISITION

System for Land Acquisition

1.0 Procedure for Land Acquisition

- 1.1 Based on the requirements for land as forwarded by Planning Division, an initial proposal is submitted by the Land Acquisition Division to the ADM (LA) for a notification u/s 4(17).
- 1.2 The Proposal is examined by the ADM(LA) and a report is asked for from Tahsildar on 23 points prescribed by the Board of Revenue. A report form SDM is separately sought from the Ceiling Deptt. This process takes about one month. Thereafter demand of 10% advance cost of tentative land rate is raised to be deposited by GNIDA by the Finance Division on the advice of Land Acquisition Division.
- 1.3 When the above proposal is found in order, a recommendation is made by the District magistrate to Director Land Acquisition for further recommendation to the Government in the Industries Department for Government Notification.
- 1.4 The Director Land Acquisition at his level examines each proposal and after he is satisfied, forwards them to the Government in Industries Deptt. otherwise he may refer back to Collector for clarification and proposal is resubmitted.
- 1.5 After the Government Notification has been made, the same is to be published in two local newspapers by the Land Acquisition Division, 8 copies of which are forwarded to ADM (LA) who then issues notice by beat of drum in the concerned villages which is considered the last date of 4/17 Notification.
- 1.6 Normally Sale Deeds for the preceding 3 years prior to the date of Notification u/s 4(17) are studied for purposes of fixation of land rate. The ADM (LA) after taking the consent of GNIDA, asks for a deposit of 70% of estimated land cost along with solarium and 12% additional compensation. At present however a negotiated rate based on cost Inflation Index has been fixed in terms of Board's resolution dated 28.10.97 on the basis of which payment is made in three stages in camps organized in the village itself.
- 1.7 A recommendation for Notification u/s 6(17) is made by ADM (LA) through the Director Land acquisition to the Government. Since all formalities are done at the sage of 4/17 Notification the Collector as per decision in Industries Deptt. has been asked to send proposal for 6/17 Notification direct to the Industries Deptt.
- 1.8 Once the Notification u/s 6 (17) has been made by the Government the same is got published in two local newspapers by the Land Acquisition Division. Thereafter ADM (LA) issues notice u/s 9 to the farmers. On expiry of 15 days Notice possession can give to GNIDA. ADM (LA) in the meanwhile prepares a statement for disbursement of compensation of at least 80% in form 11 for which the time schedule of one month from the date of section 6/17 Notification is prescribed.
- 1.9 Finally Award is made by the Distt. Magistrate/Commissioner/Board of Revenue as the case may be and balance 20% of the land compensation plus Land Acquisition charges and Land Revenue for the entire land computed at 40 times of the Land Revenue known as capitalised value and cost of the properties standing on the land as acquired is payable by the Acquiring Body/GNIDA. This process in normal circumstances is completed within 8 months from the date of 4/17. Notification and the process of disbursement of compensation are required to be completed without 3 months from the date of Award. As per approval in Board's 28th meeting it was decided that the payment could be made to farmers by an agreement through negotiation against Awards of compensation by Agreement, under which 80%

payment is made to the farmers in the camps organized for the purpose against consolidated rate of compensation based on cost Inflation Index.

- 1.10 Where the compensation amount is decided on the basis of negotiation under Award of compensation by Agreement the process of taking consent/signing of Agreement should take 15 days from the date of delivery of possession and compensation paid to the farmers in the village itself on fixed dates with prior information.
- 1.11 Normally in cases where section 17(1) is implemented the time schedule for delivery of possession is 5 months from the date of Notification u/s 4/17. In exceptional cases, possession can however be taken much earlier, within one month.
- 1.12 It shall be the responsibility of General manager (LAO) to coordinate all activities relating to the acquisition of Land and ensure that physical possession of land, related accounting, Management Information and other legal processes are completed within the schedule finalized.

2.0 **PROCESS OF TAKING PHYSICAL POSSESSION OF LAND**

To ensure minimum wastage of time and avoid encroachments of acquired land, the following process shall be adopted by G. M. (LAO), in association with Projects Division and Planning Division as and when required.

- 2.1 At the time when survey is being conducted for requirements of Sec. 4(17), representatives of LAO Division and Project Division shall certify the Khasra Numbers and other existing structures, Tubewells, Borings, Trees etc on the land in question.
- 2.2 After the Notification u/s 4(17), prior to the processing of 6(17) notification superimposition of Shajra numbers on the layout/outline development plans shall be undertaken by the concerned Project Work Circle, Land Acquisition Division and the Planning Division so as to ensure that no individual Khasra numbers have been omitted. It shall also be ensured that all structures and other details are superimposed on the Shajra plan so as to enable proper documentation of abadi and various structures.
- 2.3 On completion of formalities u/s 9, physical possession it taken from land owners G.M. (ALO) shall coordinate the activity of formal taking over of the land by GNIDA and taking charge of he same by the duly authorised officer of the Project Division.
 - 2.3.1 Possession of land shall be taken over after allowing a reasonable time for standing crop to be disposed i.e. normally in the months of April/May/June and October/November.
 - 2.3.2 The Work Circle in-charge of Project Division duly assisted by the lekhpal/Asstt. Manager shall maintain a LAND POSSESSION Register (as per format ACCLAO-01 enclosed). This register shall be maintained in triplicate, one copy to be kept central by the LAO & Law Division, the second by the Planning Division and the third retained by the Project in-charge.
 - 2.3.3 The register and the land along with structures taken over shall be in conformity with the possession letter, which shall be verified and certified by official of the two concerned Departments, i.e. LAO/Project Work Division.
 - 2.3.4 In all areas where possession is taken, stone pillars in the extremities will be put up, along with boards, delineating GNIDA property by the concerned Project Manger. A similar exercise shall be undertaken around the abadi area so as to ensure that no encroachments take place.

- 2.3.5 The Stone pillars shall be of the similar dimensions as those used for making of pavements take place.
- 2.3.6 The land surfaces shall be made even, as far as possible removing the physical demarcation line of existing plots, using tractors etc.
- 2.3.7 It shall be the sole responsibility of the concerned Project Manager to ensure that no encroachments take place on the land taken in possession. Independent inspection by the Land Acquisition staff/GNIDA Police shall be carried out fortnightly to report if any encroachment has taken place.
- 2.3.8 The time period between survey and planning of development activity shall be restricted to the minimum so as to reduce the chances of encroachment. The maximum period between physical possession & planning the layout shall not exceed one month.
- 2.3.9 For possessions of land taken earlier, through different acquisition activities, the above mentioned procedure should be carried out so as to ensure updating of information and records.

3.0 ACCOUNTING PROCEDURE

- 3.1 The LAO & Law Division does not, on its own, handle any funds. Advances and other payments to ADM (LA) are however, made by the Finance Division on the Advice of GM (LAO).
- 3.2 ADM (LA) issues a Form 11CC within one month after release of payment to the land owner, giving village-wise details of payment made, name of farmer/land owner, fathers name, Khasra number, area and amount paid. (Monitoring of above will be done by G.M.(LAO).
- 3.3 It shall be the responsibility of LAO Division to ensure the collection of all Form 11CC, maintain records of advances or payments made, and reconciliation of the same with the office of ADM (LA). For this purpose, Dy. Manager Finance will be posted in the Land Acquisition Division. The details of account shall be furnished to the Finance and Accounts Division so as to enable them to transfer the entry from the Accounting Heads “Advance for Land Acquisition” to “Land-Work-in-progress” i.e. payment towards Land Acquisition.
- 3.4 For this purpose, LAO Division shall maintain the following computerized records and undertake the reconciliation activities as listed hereunder:
 - a) Land Control Records Format LAO-ACC-02

This record shall be maintained according to each proposal moved for acquisition. It shall be initiated from the moment the proposal has been submitted, providing details of villages, Khasra numbers, amounts paid to ADM (LA), and adjustments made against part or final payments made to land owners as informed by ADM (LA) in form 11CC.

- b) Reconciliation:

The following reconciliation activity shall be carried out by Land & Law Division: Reconciliation of payments made by GNIDA and as recorded by ADM (LA) Reconciliation of Form 11CC with records of ADM (LA). Reconciliation of the land taken in possession of (as per format LAO-ACC-01) should be done with financial records (as per Format LAO ACC 02). Ensure entry for adjustment of Advance for Land to Land Work in progress after the Award is declared by the Collector.

THE FILES MAY BE AS BELOW

1	Law policy file	LAO & / LAW / LA / Pricing / 99 / ()
2	Counsel file	LAO & / LAW / LA / APP.LOS / 99/ ()
3	Law advertisement file	LAO &/ LAW / LA/ Adtg./ 99/ ()
4	Office order file	LAO & /LAW / LA/ A/ OFF. Order /99/ ()
5	Assembly Question Etc. file	LAO &/ LAW/ LA/ Ass. Quess./ 99/ ()
6	Divisional meeting file	LAO &/LAW / LA/ Div. Meet./ 99/ ()
7	Coordination meeting file	LAO &/ LAW / LA/ Coord. Meet./ 99/()
8	Audit & compliance file	LAO &/LAW/ LA/ Aud. Comp./ 99/ ()
9	Board meeting file	LAO &/LAW/ LA/ Board meet./ 99/ ()
10	Mis. File	LAO & /LAW/ LA/ Mis./ 99/()
11	Proposal file	LAO &/ LAW / LA/ Action Plan/ 99/()

Any other file if required may be added to this list but with proper permission of G.M. (LAW & LAO) and final list may be submitted to the MSD division for monitoring.

FORMAT LAO -ACC-01

STATEMENT OF PHYSICAL POSSESSION OF LAND

Date of taking Possession :

Name of Sector/ Project :

Name of village Leveling Stone pillars erected	Khasra No.	Area	Date & No. of	Date of Land
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Signature of Lekhpal

Signature of site in charge

Signature of project

Manager

