

IN THE OFFICE OF THE ADDITIONAL DEPUTY COLLECTOR, 1-North
Panaji.

Case No.2-16-84-LAND

Project: Implementation of the Housing Schemes at
Borda-Bicholim

A W A R D

Introduction:

This is a case in which land is proposed to be acquired for implementing housing scheme at Borda-Bicholim Taluka.

2. The land acquisition proceedings commenced with the publication of Notification under Section 4 of the Land Acquisition Act 1894, as ammended upto date (hereinafter referred to as the said Act) bearing No.22/92/84-RD dt.11/5/84 published on page 188 of Series II No. 9 of Official Gazette dated 4/6/84. The requisite public notices under Section 4(1) of the Act were issued and published at concerned places on 21/6/1984, and individual notices under Section 4 were also issued to the respective parties. The land was inspected by my predecessor Shri J.M.Almeida and objections heard and 5A report was submitted to Government.

3. The declaration under Section 6 of the Act was made in Government Notification No.22/92/84-RD dt. 21/6/85 published on pages 333 Series II, No.20 of Official Gazette dated 16/8/1985 and in two local newspapers namely Navhind Times dt.5/7/85 and Navprabha dt.30/6/85 declaring Government intention to acquire the land specified in the Schedule attached to the said Notification namely land surveyed under No.63/2 part & 64 part of village of Bordem of Bicholim Taluka for public purpose namely implementing housing scheme at Bordem of Bicholim Taluka. The Additional Deputy Collector 1-North, Panaji, was appointed to perform the function of a Collector for all proceedings in respect of the said land and was directed Under Section 7 of the Act to take order for acquisition of the said land.

4. The land to be acquired has been properly surveyed and demarcated with boundary stones and the plans and survey report prepared. The survey report incorporated the particulars of the land to be acquired. The plan so

prepared referred to in the last para of the Government Notification dated 21/6/85 was kept for public inspection in this office alongwith the survey report.

5. The requisite public notices under Section 9 & 10 of the Act were issued and published at the appropriate places on 12.9.85 & 16.9.85 through the Mamlatdar of Bicholim. Individual notices were also served on the interested parties in the manner prescribed under Section 45 of the said Act. Thereafter the site inspection was carried out by me on 24/2/86 in order to ascertain to the area to be acquired in the presence of the representatives of the Acquiring Department, Goa Daman and Diu Housing Board, Panaji-Goa.

TRUE AREA AND NATURE OF THE LAND

6. As per Notification under Section 4 of the Land Acquisition Act, the total area of the land to be acquired was 60286.00 sq.mts. being 46218.00 sq.mts. of the land surveyed under No.63/2 and 14068.00 sq.mts. of the land surveyed under No.64, part. However after the said notification was published the land under acquisition was duly measured and demarcated by the surveyor of Directorate of Land Survey, Panaji, and the Acquiring department furnished the survey report and plan prepared by the surveyor of the Directorate of Land Survey. As per the said survey report and plan, the total area to be acquired admeasures 59602.00 sq.mts. being 46194.00 sq.mts. of land surveyed under No.63/2 and 13408.00 sq.mts. of land surveyed under No.64. In the Notification under Section 6 of the Land Acquisition Act issued in this respect also the area of 59602 sq.mts has been shown as area of land to be acquired. The land in question is situated in the village of Bordem of Bicholim Taluka, within the limits of the Bicholim Municipal Council. The land surveyed under No.63/2, part of which is proposed to be acquired is bharad type land plain in most of part and little hilly in some other parts.

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This land is cultivable waste land, but some portion is a little rocky. There are also some Cashew trees and other type of trees in this land. The land surveyed under No.64, part of which is proposed to be acquired is also bharad type of land, but primarily appears to be Cashew garden as there are many Cashew trees in it. Both the said lands are adjoining to the road Mapusa to Bicholim and they are more or less on the boundary of the Municipal area of Bicholim. The interested parties did not file any objections as respects pf area of the land proposed to be acquired. In view of the aforesaid, I hold that 59602.00 sq.mts. is the true area of the land under acquisition.

COMPENSATION

7. One Shri Vassudev Laxman Pednekar filed applications dated 28/5/85, 12/6/85 and 24/9/85 claiming interest as tenant in respect of property surveyed under No.63/2. He produced certified copy of Record of Rights in respect of the said property in form No. I & XIV issued to him by the Talathi of Bicholim on 3/4/85 alongwith his application dated 28/5/85. In that certified copy his name is recorded as tenant. Further he attached to his application dated 12/6/85 a Zerox copy of said certified copy of Record of Rights and Zerox copy of Judgement & Order of the Avak karkum of the Office of the Mamlatdar of Bicholim functioning as Mamlatdar under Agricultural Tenancy Act, declaring him as tenant of the paddy field known as Galac or Thorle Galau situated at Bordem ~~Rishnakim~~ village and surveyed under No. 63/2. In his application dated 24/9/85 he claimed compensation of Rs.75/- per sq.mt. for the Land under acquisition surveyed under No.63/2. He also stated in that application dated 24/9/85 that in view of the enactment of 5th Ammendment to the A.T. Act and ~~xxxx~~ inclusion of that Act in the 9th Schedule of the constitution, he became the exclusive owner in respect of that property.

8. One Shri Blasco William Pereira representing as attorney of 1) Antonio Aleixo Emeliano Romeo Rocha 2) Maria Morena Pulqueria Isabel Rocha e Nogueira and her husband 3) Flavia Yolanda Rocha Correia and her husband and 4) Maria Mauricia Elder de Rocha e Rodeira and her husband, who have been shown as interested parties in the Notification under Section 6 disputed the claim of the said Shri Vassudev Pednekar as tenant of the land surveyed under no.63/2 and engaged Adv. Shri A.P.Furtado to represent the said interested parties in the present case. Shri Vassudev Pednekar gave power of attorney to one Shri Anant Krishna Kamat. The said Shri Kamat as attorney of Shri Pednekar in his deposition dated 28/10/85 though claimed that Shri Pednekar was the tenant of the said property and cultivating the same, admitted that the application filed by said Shri Pednekar before the Mamlatdar of Bicholim for declaring him as tenant of that property was subsequently dismissed and added that Shri Pednekar filed appeal before the Deputy Collector, Goa North Sub-Division, panaji against the said order and that said appeal bearing No.TNC/AK/10/84 is pending disposal. On further inquiry in the matter it transpired that the said Shri pednekar had filed an application before the Mamlatdar of Bicholim, requesting to declare him as tenant in respect of property surveyed under No.63/2, part of which is under acquisition and that the learned Aval Karkun functioning as Mamlatdar under Agricultural Tenancy Act passed ex-parte order dated 30/3/84 declaring the said Shri Pednekar as tenant of the paddy field known as Galau or Thorle Galao situated at Bordem village under survey No.63/2 belonging to late Francisco Vicente Avertino Carvalho. On the strength of that order the said Shri Pednekar got included his name as tenant in the Record of Rights. His name was not figuring in the Record of Rights of that property earlier. Subsequently the heirs of Late Shri Francisco Vicente Avertino Carvalho through their attorney Shri Blasco William Pereira filed application dated 21/5/85 requesting to set aside the ex-parte order and rehear the

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case on merits. The learned AK vide his order dated 4/6/85 set aside his order dated 30/3/84 and the case was fixed for hearing on merits. Thereafter the said case was dismissed by order of the learned Aval Karkun dated 17/9/85. The applicant i.e. Shri Pednekar preferred appeal against the order of the learned A.K. as his attorney has already stated in his statement given before me on 28/10/85. The said appeal/revision however has not been allowed by the Deputy Collector, Goa North Sub-Division, Panaji who, by her order dated 20/12/85 passed in Case No. TNC/APK/10/85 upheld the judgement of Lower Court. After the learned A.K. dismissed the case of Shri Pednekar, the interested parties whose names appear in the Notification under Section 6, through their attorney got deleted the name of Shri Vassudev Pednekar from the tenants column in the Record of Rights in respect of that property surveyed under No.63/2 as can be seen from the certified copy of Record of Rights issued by the Talathi of Bicholim on 20/9/85 attached to the application dated 29/11/85 of Adv. Shri A.P. Furtado. From the aforesaid, as the things stand at present, there is no proof to substantiate the claim of Shri Pednekar that he is the tenant of the said property. His claim for compensation as tenant or deemed purchaser of the land in question is therefore rejected. Shri Blasco William Pereira through his advocate Shri A.P. Furtado filed claim for compensation of Rs.100/- per sq.mt. He produced in support of his claim the sale deed dated 18/7/85 under which a property admeasuring 1025.00 sq.mts. and situated at a distance of about 1 kilometre, according to him has been sold @ Rs.91/- per sq. mt.

9. As per Section 23(1) of the Land Acquisition Act various factors are to be considered for the purpose of determining the amount of compensation of the land to be acquired such as the market value of land at the date of publication of the Notification under Section 4(1) the

the damage sustained by the interested party, development potential of the land in question etc. The Notification under Section 4 in respect of land in question has been published in the Official Gazette on 4/6/84. Therefore for the purpose of determining the compensation the market value of the lands in question and lands situated in the vicinity within a radius of 3 kilometres and Sale transactions of which have taken place within 3 years prior to the publication of the Notification under Section 4(1) are to be considered. The sale of land mentioned by Adv. Shri A.P.Furtado is executed on 18/6/1985 i.e. one year after the date of publication of Notification under Section 4(1). Besides the said land is at a distance of about 1 Kilometre from the land under acquisition towards the main Bicholim Town and the land under acquisition is almost on the boundary of Municipal limits.

10. The land cited by Shri Furtado is also comparatively a small plot of land admeasuring 1025 sq.mts. whereas the land under acquisition surveyed under No.63/2 has vast area admeasuring 46194.00 sq.mts. The prices of lands in the towns as also in the Urban areas are increasing every day. Considering the aforesaid and the facts that the land cited by A.P.Furtado is more closer to said town and also its area is smaller and the sale deed effected one year after the publication of Notification under Section 4(1) naturally the price of that land will be on higher side. On the date the Sale deed was executed. The said Sale deed and price of land quoted therein are not helpful in determining the market value of land under acquisition.

11. The land surveyed under No.64 is shown in the name of Comunidade of Borda as interested party in the Notification under Section 4 as well as Section 6. In the Record of Rights also the said land is recorded in the name of Comunidade. However One Shri Vinayak Dadu Pal, resident of Gaekarwada Bicholim in his application dated

5/7/84 and 30/5/85 claimed that he is the sole owner/occupant in possession of the said land. He did not however produce any document to prove that he is the owner of that property nor his name is recorded in the Record of Rights of that property as owner. Further in the deposition given by him on 28/10/85 he has stated that he is the tenant of One Shri Eufemiano Dias in respect of that property. He could not substantiate his claim as tenant by producing sufficient evidence to the effect, either Order from competent authority declaring him as tenant or certified copy of Record of Rights mentioning his name as tenant in respect of that property. It is worthwhile to note here first said Shri Vinayak Dadu Pal claimed to be sole owner of that property and subsequently he changed his stand that he is the tenant of the same and both these submissions are not substantiated with any proof. One Eufemiano C. Dias filed application dated 26/10/85 claiming that he is the owner of property surveyed under No. 64 under acquisition and that the said property was purchased by his late father and that it was devolved on him and his wife on the death of his parents by the deed of declaration of partition dated 3/1/1963. He further stated that the said property is registered in the Conservator da Regista Predial Bicholim in the name of his father Late Shri Luis Joao Dias alsias Luis Joao Santana Dias by virtue of deed of Sale dated 24/1/1942, the vendors being Damu Krishna Pal son of Krishna Damu Pal and his wife Kashi. He further stated in his application that from the date of purchase his family is enjoying the said land. In his deposition recorded on 28/10/85 he accepted that in the Record of Rights the land under acquisition is recorded in the name of the Comunidade and that his name is not recorded therein as occupant. He also accepted that he did not file application before the authorities of survey department or Record of Rights to include his name as occupant in the Record of Rights in respect of that property when the Record of Right was published in draft form, nor that he filed any suit in the Civil Court after the

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ced vide his application dated 30/10/85 the true copy of the documents of Sale executed on 24/1/1942 said to be in respect of property under acquisition and also property surveyed under No.65 as well as copy of the transcription of that property registering it in the name of his late father Luis Joao Dias, From the description given in the said documents produced by Shri Eufemiano Dias and the sketch plan produced by him alongwith his application dated 26/10/85 it appears that said Shri Eufemiano C. Dias may have some interest in the land under acquisition. The representative of the Comunidade of Borden who was present at the time of enquiry was told by me to produce documents if any to prove that land under acquisition belongs to the Comunidade of Borden, besides the certified copy of Record of Rights in form I & XIV. However he could not produce any other documents except the certified copy of Record of Rights in Form I & XIV. When his attention was drawn to the fact that the certified copy of Record of Rights produced by him was based on the survey and Record of Rights recently prepared and questioned on what basis Comunidade got its name included in the Record of Rights and whether the Comunidade is having any document prior to the preparation of recent survey records he could not give any satisfactory reply. From the aforesaid according to me, there is dispute in respect of ownership of the land surveyed under No. 64 under acquisition.

12. The Said Shri Eufemiano Dias in para 10 of his letter dated 26.10.85 has stated that the acquisition of his land surveyed under No. 64 part shall turn the remaining portion of his land under S.No.65 into a land locked property and cause a tremendous depreciation for an area of 79100.00 sq.mts. and he requested therein to provide for an access road or right of access 10mts wide as per the prevailing Bye-laws through one or both the pieces from land under acquisition for the Housing Board.

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He added therein that his request will not over burden the Housing Board as their project may^{be} of the Sub-Division of the lands into plots and/or construction of buildings and if so in any case involving internal roads This matter was referred to the acquiring department i.e. G.D.D. Housing Board Panaji. The Housing Engineer of the Acquiring Department vide his letter dated 25.2.1987 stated that once the land is acquired, the layout plan will be prepared as ~~xxx~~ per the prevailing bye-laws and the layout will have to be approved by the Town Planning Departmen-t and the concerned Local Authorities. During my^s site inspection I saw that the land surveyed under No. 65 is adjoining to the lands surveyed under no. 63/2 part and 64 Part under acquisition and that the said land surveyed under No. 65 lies on the northern side of the said two pieces of land under acquisition . If the land S. No. 64 part under acquisition and land S.No. 65 both belongs to the Eufemiano Dias as claimed by him though ownership of land S. No. 64 part under acquisition is under dispute the contention of Shri Dias that he was having access to his property S.No.65 through the land surveyed under No.64 Part under acquisition and now after the acquisition of the land S.No.64 part , his land surveyed under No.65 will become a land locked property appear to have some substance.In view of aforesaid the Acquiring Department may take necessary steps of providing access road to the land surveyed under No.65 as per the bye-laws.

13. The President of Comunida of Borden claimed compensation of Rs.100/- per sq.mt. in respect of land under acquisition . He however did not produce any documentary evidence to substantiate his claim for compensation therefore his claim for compensation @ Rs.100/- per sq. mt. is rejected.

The acquiring department vide its letter dated 10/9/86 furnished a copy of the award dated 30/6/85 given by the Deputy Collector, Goa North Sub!Division, Panaji. as Land Acquisition Officer in respect of land acquired

for construction of Industrial Training Institute for Borda Bicholim admeasuring an area of 34175 sq.mts. The Notification under Section 4 in respect of this land was published on 9/9/82 i.e. nearly tow years prior to the publication of Notification under Section 4(1) of the land un er acquisition in the present proceedings. The land acquired in the said Land Acquisition proceedings bearing No.LQN/21/9/82 by award of the Deputy Collector, Panaji, dated 30/6/83 is situated just opposite to the land under acquisition in the present proceedings surveyed under No.63/2 on the other side of the road Mapusa-Bicholim. But the nature of the said land acquired in the proceedings is hilly and rocky whereas the nature of land under acquisition in the present proceedings is far better than the said land. The Deputy Collector, Goa North Sub-Division Panaji in her award has given the compensation for the land acquired for I.T.I. Bicholim @ Rs.10.50 per sq.mt. As ~~xxx~~ said above the land prices in Municipal area are increasing every day and there is also a time gap of one year and 9 months between the date of publication of Notification under Section 4(1) of those land acquisition proceedings and present land acquisition proceedings. During this time limit ^{there} has been considerable price increase of the land not only in the urban areas but also in village areas. Therefore the price of Rs. 10.50 awarded by the Deputy Collector Goa North Sub-Division Panaji for the land acquired for the construction of I.T.I. Bicholim is not helpful for the ourpose of determining compensation of the land under acquisition.

14. Having discussed as above, now remains the lands quoted by the Mamlatdar of Bicholim in Sales Statistics report. The Mamlatdar in his report attached to his letter No.MAM/LND/C.I/86/977/34 dated 9/1/86 has furnished the

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information of the following Sale transactions.

Sr. No.	Date of Sale	Area in sq.mts.	Total value of land	Rate per sq.mt	Distance as per Mamlatdar report	Approx. distance as per inspection held
1.	2.	3.	4.	5.	6.	7.
1.	12-11-82	500.00	20,000.00	Rs.40/-	1 Km.	500 mts.
2.	3-2-82	575.00	15,000.00	26.08	"	800 "
3.	1-6-82	300.00	8,000.00	22.66	"	750 mts.
4.	15-12-83	444.00	17,764.80	40/-	"	500 mts.
5.	5-4-83	417.80	8,500.00	20.38	"	"
6.	1-9-83	432.00	8,000.00	18.50	"	"
7.	17-7-84	302.00	17,500.00	57.94	"	"
8.	15-10-84	325.00	20,000.00	61.54	"	800 "
9.	17-11-84	998.00	47,904.00	48.00	"	500 to 600 mts.

I have inspected all the said lands alongwith the Circle inspector of the Office of Mamlatdar of Bicholim. The lands shown at Sr. No.1, 4, 5, 6 and 7 are bharad type rocky lands situated at in the interior from the road Mapusa Bicholim at a distance of about 500 mts. from the land under acquisition. The said lands are also situated at a hilly place. The Sale transactions of said lands took place on 12-11-82, 15-12-83, 4-5-83, 1-9-83 and 17-7-84 and the price offered works out to Rs.40/-, 20.38, 18.50 and 57.94 respectively. One Shri A.K.Kamat, attorney of Shri Vassudev Laxman pednekar who has claimed as tenant of property surveyed under No. 63/2 has filed copy of the sale deed dated 11/1/84 of an area of 302 sq.mts. for a price of Rs.19,500.00 which works out to Rs.64/- per sq.mt. approximately. This land appears to be same as that mentioned at Sr. No.7 of Sale Statistics report furnished by ~~Mam~~ Mamlatdar. The land at Sr.No.3 was sold on 1/6/82 and the rate offered is 26.62 per sq.mt. This land is also situated interior of the Bicholim Municipal area at a distance of 750 sq.mt. The land shown at Sr.No.2

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was sold on 3-2-82 at Rs.26.08 per sq.mt. The said land is situated at a distance of about 800 mts. from the land under acquisition towards the Bicholim town and about 30 mts. insider the main road Bicholim Mapusa. The land at Sr. No.8 was sold on 15-10-84 @ Rs. 61.54 and it is situated at a distance of about 800 mts. from land under acquisition towards the Bicholim town and about 25 mts. from main road. The land shown at Sr. No.9 was sold on 17/11/84 @ Rs.48/- per sq.mt. and it is situated at a distance of about 600 mts. from land under acquisition towards the Bicholim town.

15. As can be seen from the Sales Statistics report of Mamlatdar all the lands shown therein are small plots of land ranging ~~from~~ from 300 sq.mts to 998 sq.mts. purchased for construction of houses. The Sale of 3 said plots were effected in the year 1982 and 3 plots in the year 1983 and 3 plots in the year 1984. Since they are small plots, their price at the relevant time of Sale will naturally be on the higher side and the said price will not be of any help in determining the compensation of the lands under acquisition.

16. As said above ~~the~~ both the lands under acquisition are close to the main road Mapusa-Bicholim. The land Surveyed under No.63/2 is plain in nature in most of the part except small portion and the land at Survey No. 64 is slightly hilly in nature. Besides the land surveyed under No. 63/2 is open land in most of its parts, whereas the land surveyed under No. 64 has many Cashew trees and other trees therein. Besides there is a small hut with ~~xxxx~~ walls of wooden planks and the roof covered with mangalore tiles in the land surveyed under No. 64 constructed recently after the Notification under Section 4(1) was published as admitted by Shri Vinayak Dadu Pal. The said construction is illegal. The distance between the land under acquisition surveyed under No. 63/2 and 64 may be about 100 mts. The land surveyed under No. 64 is lying closer to the Bicholim town. In both the said

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lands i.e. surveyed under No. 63/2 and 64 there are some trees. The land under survey No. 63/2 has small number of trees as compared to its area whereas in the portion of land surveyed under No. 64 under acquisition, there are more trees as compared to its area. In the land acquisition proceedings we pay separately for the trees. Both the said lands being adjoining to the main road and at a distance of about 1 kilometre from Bicholim Town, there is great developmental potentiality for the said lands. If the said lands are developed into plots for constructions purposes there is no doubt the plots would have been sold at the rates not lesser than Rs.50/- per sq.mt. on the date of publication of Notification under Section 4. Considering the fact that both the lands under acquisition comprise of ~~very~~ vast area and they are not developed and taking into consideration the land prices in the vicinity of the lands under acquisition of the plots purchased for construction of houses etc. I feel that compensation of Rs.20/- per sq.mt. for the lands under acquisition should be the minimum compensation. I therefore fix the compensation of Rs.20/- per sq.mt. for the land under acquisition. In the land surveyed under No.63/2 there are trees which the Agricultural Department has valued as far as fruit value is concerned at Rs.1975/- and Forest Department has valued the same as far as wood value is concerned at Rs.1394.24. The total value of the trees of the land surveyed under No. 63/2 therefore is Rs.3369.24, which I accept.

17. In the land surveyed under No.64 under acquisition there are trees and the Agricultural Department has valued the said trees as far as fruit value is concerned at Rs. 3325/- and Forest Department has valued the same as far as wood value is concerned at Rs. 1595.00. The total value of trees existing in the land under acquisition in survey No. 64 thus comes to Rs.4920.00 which I accept.

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I therefore award Rs.3369.25 as value of the trees in the land under acquisition at Survey No.63/2 and Rs.4920.00 as value of the trees in the land under acquisition survey under No.64, beside the price of the land already fixed @ Rs. 20/- per sq.mt.

18. As regards the hut existing in land surveyed under No. 64, I do not award any compensation since the same has been constructed illegally after the publication of Notification under Section 4(1)

19. Besides the compensation fixed as above, the interested parties are entitled for solatium charges @ 30% on market value i.e. price of land and price of trees as provided in sub-section (2) of Section 23 of the Land Acquisition Act. In addition, the interested parties are entitled to interest @ 12% per annum as provided in Sub-Section (1A) of Section 23 of the Land Acquisition Act.

The compensation in respect of land under acquisition thus comes as follows:

<u>SURVEY No. 63/2</u>	
1. Value of 46194.00 sq.mts of land @ Rs.20/- per sq.mt.	Rs. 9,23,880.00
2. Value of trees	Rs. 3,369.25
3. Solatium charges @ 30%	Rs. 2,78,174.75
4. Plus 12% interest per annum from the date of publication of Notifi- cation under Section 4(1) to the date of publication of award i.e. 4.6.84 to 4.3.87	Rs. 3,05,992.25
Total Rs.	<u>15,11,416.25</u>

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SURVEY NO. 64 part

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|---|-----------------|
| 1. Value of 13408.00 sq.mts. of land
at Rs.20/- per sq.mt. | Rs. 2,68,160.00 |
| 2. Value of trees | Rs. 4,920.00 |
| 3. Plus 30% solatium charges | Rs. 81,924.00 |
| 4. Plus 12% interest per annum from
the date of publication of Noti-
fication under Section 4(1) till
the date of publication of award | Rs. 90,116.40 |

4,45,120.40

20. The total amount of compensation in respect of lands under acquisition in the present land acquisition proceedings thus works out to Rs. 19,56,536.65 (Rupees nineteen lakhs fifty six thousand five hundred and thirty six and paise sixty five only) which I hereby award.

A P P O R T I O N M E N T

21. As already mentioned above, Shri Vassudev Laxmen Pednekar has filed the claim for compensation as tenant in respect of land surveyed under No.63/2. However his claim has been rejected for the reasons given in the foregoing para 8. After rejection of the claim of Shri Pednekar, the following persons remain as interested parties in respect of the said land surveyed under No. 63/2.

1. Shri Antonio Aleixo Emeliano Romeo Rocha
2. Smt. Maria Morena Pulqueria Isabel Rocha e Nogueira and her husband.
3. Smt. Flavia Yolanda Rocha Correia and her husband,
4. Smt. Maria Mauricia Elder de Rocha e Rodeira and her husband.

I apportion the compensation in respect of land under acquisition surveyed under No.63/2 in equal

share to said persons Sl. No. 1 to 4 i.e. $\frac{1}{4}$ to the persons at sl. No.1, $\frac{1}{4}$ to the person at Sl.No.2, $\frac{1}{4}$ to the persons at Sl.No.3 and $\frac{1}{4}$ to the person at Sl.No.4 . However the payment to the persons mentioned at Sr. Nos. 2 to 4 shall be made only after they produce the necessary permission from the Reserve Bank of India since they are not residents of India.

22. In respect of compensation for the land surveyed under No.64 part, no apportionment is made. Reference in this respect should be made to the District Court under Section 30 of the Act.

23. The interested parties who may receive the compensation under this award are given to understand that they will be liable under the third proviso of Section 31(2) of the said Act, to refund the said compensation or a portion thereof, in the event of any other person being adjudged to be lawfully entitled thereto.

24. The Acquiring Department should ensure that the Record of Rights and all the relevant documents relating to the ownership of the land are accordingly modified showing that the transfer of plots indicated in this Award vests solely in Government consequent to the handing over possession of the land and the payment of the awarded amount of compensation to the concerned interested parties.

25. This Award is declared with the prior approval of the Government, i.e. Collector of Goa under powers delegated in terms of Section 11(1) of the said Act, vide his O.M. No.12/1/87-Conf/129 dated 16.2.1987

Panaji.

Dated: 4.3.1987


(G. V. P. Dessai)
Additional Deputy Collector
1-North, Goa North Sub-Division
Panaji-Goa.

LAND ACQUISITION VIDE GOVERNMENT NOTIFICATION NO.22/92/84-RD DATED 11/5/84 IN
VILLAGE BORDEN, BICHOLIM-TALUKA

Sr. Survey No. No. Sub. Div. No.	Area in sq. mts.	Rate/ sq. mt.	Value of land	Value of trees	Total	30% sola- tion cha- rges	12% inter- est for 4-6.84 to 5/3/87	Total of col. 7, 8 & 9	Name of the persons bel- ieved to be interested.	Personal- se net amount	Remark
1. 63/2 part	46194	20/-	9,23,880.00	3,369.25	927249.25	278174.75	305992.25	1511416.25	1. Shri Antonio Aleixo Eme- liano Romeo Rocha.	377854.10	Payment will be made to persons mentioned at Sr. No 2 to 4 only aft producin necessar permissi from Re- serve Ba of India since th are not resident of India
2. 64	13408	20/-	2,68,160.00	4,920.00	273080.00	81924.00	90116.40	445120.40	2. Maria Morena Pulqueria Isabel Rocha e Nogueira & her husband	377854.05	
									3. Flavia Yolanda Rocha Correia and her husband	377854.05	
									4. Maria Mauricia Elder de Rocha e Rodeira and her husband.	377854.05	
									Community of Borden	445120.40	Apporition ment has not been made sinc there is dispute regarding ownership. Reference to be made to the Dis trict Court U/S. 30
Total	59602		11,92,040.00	8,289.25	1200329.25	260098.25	326108.40	1956536.65		1956536.65	

Panaaji.
Dated : 4-3-1987.

(G. V. P. Dessai)
Additional Deputy Collector
1-North, Goa North Sub-Division,
Panaaji-Goa.