



ABSTRACT

Fisheries- Acquisition of additional land through private negotiation for the formation of approach road and land side facilities to the Fishing Harbour at Thengapattinam in Kanniyakumari District – Administrative Sanction and Financial sanction for a sum of Rs. 13,29,16,309/- – Orders – Issued.

Animal Husbandry, Dairying and Fisheries (FS-1) Department

G.O(Ms)No.112

Dated.29.7.2016

Thiruvalluvar Aandu-2047
Aadi-14

Read:-

1. G.O(Ms)No.216, Animal Husbandry, Dairying and Fisheries (FS-1) Department, dated 21.12.2005.
2. G.O(Ms)No.168, Animal Husbandry, Dairying and Fisheries (FS-1) Department, dated 3.7.2013.
3. G.O(Ms)No.3, Animal Husbandry, Dairying and Fisheries (FS-1) Department, dated 4.1.2007.
4. Commissioner of Fisheries, letter Rc.No.23162/T1/2004, dated 31.7.2015 and 7.8.2015.
5. Government letter No.13484/FS.1/2015, dated 12.8.2015.
6. Additional Chief Secretary/Commissioner of Land Administration, letter Rc.No.I1/20172/15, dated 10.12.2015.

ORDER:

In the Government order first read above, the Government had accorded Administrative approval for a sum of Rs.30.55 crore for the construction of Fishing Harbour at Thengapattinam village in Kanniyakumari District under Centrally Sponsored Scheme on 50:50 basis, to be shared by Government of India and State Government. A sum of Rs.2.7275 crore was also sanctioned for implementation of the project (Rs.200.00 lakh) and for acquisition of private land (Rs.72.75 lakh).

2. In the Government order second read above, the Government have issued second Revised Administrative Approval for Rs.97.40 crore for the construction of this Fishing Harbour at Thengapattinam, Kanniyakumari District. The Government have so far released a sum of Rs.8170.00 lakh (Central share- Rs.3300 lakh and State share- Rs.4870 lakh) for this project.

(P.T.O)

3. In the Government order third read above, the Government had accorded administrative sanction for acquisition of 5.44 acres of patta dry land in S.No.445 etc., at Panaikulam village, Vilavancode Taluk, Kanniyakumari District by invoking urgency clause under Section 17(2) of the Land Acquisition Act, 1894, for formation of Thengapattinam Fishing Harbour.

4. In the letter fourth read above, the Commissioner of Fisheries had informed to the Government that an extent of 1.75.7 hectare of land in S.No.445/1 of Panaikulam village has been acquired for the purpose of landside facilities and the land in S.No.464/1, 466/1,3, 467/2B, 9,10,12&13 and 468/16B, 17, 18D & 20 of Panaikulam village have also been acquired for creating approach road to Thengapattinam Fishing Harbour. Among the acquired land, the land in S.No.445/1 is under dispute and a case is pending in Madras High Court. Further, since the land in S.No.464/1, 466/1,3, 467/2B, 9,10,12 &13 and 468/16B, 17, 18D &20 of Panaikulam village acquired for the formation of approach road had submerged, there is a need for selection of an alternate site.

5. The Commissioner of Fisheries has also informed that an extent of 2.75.80 hectare of alternate site (Description-dry land) for the formation of approach road to Thengapattinam Fishing Harbour was identified at Vilavancode Taluk, Amsi Junction-Parakani Road in S.No.444/2,3 & S.No.445/2 and Thengapattinam -Inayamputhanthurai road in S.No.467/2A, 9A, 468/4A, 4B, 14A and 16A. The Commissioner of Fisheries has reported that the District Collector, Kanniyakumari District has initiated action to acquire the patta land through private negotiations and requested the Government to sanction Rs.11.05 crore towards payment of compensation to the land owners.

6. In the letter fifth read above, the Government had sought for the remarks of the Additional Chief Secretary/Commissioner of Land Administration for the acquisition of 2.75.80 hectare of patta private lands through negotiation for creation of land side facilities and formation of the approach road to Thengapattinam Fishing Harbour.

7. Based on the remarks of the Additional Chief Secretary / Commissioner of Land Administration, the Government have requested the District Collector, Kanniyakumari to process the purchase of 2.75.80 hectare of patta lands of Panaikulam village, Vilavankode Taluk through private negotiation.

8. In this connection, the Assistant Director (Fisheries) Nagercoil, had reported to the District Collector that an extent of 3.23.38 hectares of dry lands in Painkulam Village, Vilavankode Taluk is required for formation of approach road and landside facilities at Thengapattinam Fishing Harbour. The District Collector Kanniyakumari District had convened the District Level Private Negotiation committee meeting on 26.10.2015 by inviting all the land owners. In the above meeting the land owners have consented to part with their lands and it was unanimously decided that 50% of land cost may be provided as additional compensation in addition to the land cost. Land cost (100%) + Additional compensation (50%) and in total 150% amount may be paid as

compensation to the land owners for acquiring their land. However, as per G.O.(Ms) No.885, Revenue Department, dated 21.9.1995 and G.O.(Ms) No.103, Revenue Department, dated 28.02.2011, the District Level Negotiation Committee could negotiate 150% of the land value and conferred with powers for approval of negotiated price upto Rs.1 crore i.e., where the value per Acre/Hectare is equal to or less than 150% of the market value, whichever is lower. The District Collector, Kanniyakumari District has, therefore, forwarded the land acquisition proposal to the Additional Chief Secretary / Commissioner of Land Administration for placing before State Level Private Negotiation Committee as the land cost works out to more than Rs. 7.00 crore.

9. The Additional Chief Secretary / Commissioner of Land Administration had convened the State Level Private Negotiation Committee meeting on 17.11.2015. The State Level Private Negotiation Committee had examined the proposal of the District Collector, Kanniyakumari District and accepted the land value at Rs.4,043/-per square metre (Rupees Four thousand and forty three only) based on the recommendation of the District Level Private Negotiation Committee and report received from the District Collector and authorized the Additional Chief Secretary / Commissioner of Land Administration to recommend the same to the Government for approval. The State Level Negotiation Committee has also authorized the Additional Chief Secretary / Commissioner of Land Administration to accept the proposal of the District Collector dated 2.11.2015 for allotment of funds of Rs.13,29,16,309/- towards land value, tree value, registration fees and other incidental charges and also to request the Government to issue necessary administrative sanction for acquiring the above lands under private negotiation as well as financial sanction for the amount required.

10. In the letter sixth read above, the Additional Chief Secretary/ Commissioner of Land Administration has therefore recommended to the Government to issue necessary administrative sanction for acquiring an extent of 3.23.38 hectares of land in S.No.459/7, etc., in Painkulam village, Vilavankode Taluk, Kanniyakumari District for the creation of landside facilities and formation of the approach road to Thengapattinam Fishing Harbour in Kanniyakumari District under private negotiation as well as financial sanction for the sum of Rs.13,29,16,309/- towards land value at the rate of Rs.4,043/- per square metre, tree value, registration fee and other incidental charges.

11. The Government after careful examination of the recommendations of the Additional Chief Secretary / Commissioner of Land accord Administrative Sanction for the acquisition of an extent of 3.23.38 hectares of land in S.No.459/7 and others in Painkulam village, Vilavankode taluk, Kanniyakumari District through Private Negotiations. The Government also sanction a sum of Rs.13,29,16,309/- (Rupees Thirteen crore twenty nine lakh sixteen thousand three hundred and nine only) towards land value at the rate of Rs.4043/-per square metre, including tree value, Registration fee and other incidental charges for the creation of land side facilities and formation of the approach road to Thengapattinam Fishing Harbour in Kanniyakumari District under Privation Negotiation.

12. The expenditure sanctioned in para-11 above shall be debited to the following new head of account:-

4405-00-Capital Outlay on Fisheries -104 Fishing harbour and landing facilities – Schemes in the Twelfth Five Year Plan – II. State Plan – JK. Land Acquisition for Fishing Harbours-64. (DPC:4405-00-104-JK-6400)

13. The Commissioner of Fisheries is the Estimating, Reconciling and controlling authority for the above new head of account.

14. The expenditure sanctioned in para-11 above shall constitute an item of "New Service" and the approval of the Legislature shall be obtained in duecourse of time by an inclusion in the Supplementary Estimates for the year 2016-17. Pending approval of the Legislature, the expenditure may be initially met by drawal of an advance from the Contingency Fund. The Commissioner of Fisheries is directed to calculate the actual amount required for the period up to next Supplementary Estimates and apply for sanction of the same as advance from the Contingency Fund to Finance (BG-I) Department directly in Form "A" appended to the Contingency Fund Rules, 1963 along with a copy of this order. Orders for sanction of an advance from the Contingency Fund will be issued from Finance (BG-I) Department. The Commissioner of Fisheries shall also send necessary draft explanatory notes for inclusion of this expenditure in the Supplementary Estimates for the year 2016-2017, without fail.

15. This order issues with the concurrence of the Finance Department vide its U.O.No.36757/Finance(AHD&F)/2016, dated.29.7.2016 and with Additional Sanction Ledger No.563 (Five hundred and sixty three).

(BY ORDER OF THE GOVERNOR)

GAGANDEEP SINGH BEDI
Secretary to Government

To

The Commissioner of Fisheries, Chennai-6.

The Additional Chief Secretary / Commissioner of Land Administration,
Chennai-5.

The District Collector, Kanniyakumari District.

The Pay and Accounts Officer (South), Chennai-35.

Copy to:

Office of the Hon'ble Chief Minister, Chennai-9.

The Senior Personal Assistant to Hon'ble Minister (Finance, P&AR), Chennai-9.

The Senior Personal Assistant to Hon'ble Minister (Revenue), Chennai-9.

The Senior Personal Assistant to Hon'ble Minister(Fisheries), Chennai-9.

The Finance(AH&F/BG-I/BG-II) Department, Chennai-9.

The Revenue Department, Chennai-9.

The Private Secretary to Secretary to Government, Animal Husbandry,
Dairying and Fisheries Department, Chennai-9.

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//Forwarded By Order//

Section Officer