



### **ABSTRACT**

National Highways – Tirunelveli (NH) Circle - Administrative and Financial sanction for a sum of Rs.75.36 crore towards acquisition of land for construction of flyover at Km.2/0-4/4 of NH 47B (Vadaseri – Oluginaseri) including approaches - Accorded - Orders - issued.

### **Highways and Minor Ports (HV2) Department**

**G.O.(MS) No.68**

**Dated:10-07-2019.**

விகாரி, ஆணி-25, திருவள்ளூர்வராண்டு 2050.

**Read:-**

1. From the Chief Engineer (National Highways), Highways Department, Chennai letter No.9239/Sa2/NH/2018, dated 21.12.2018.
2. Government Letter No.18142/HV2/2018-3, dated 20.3.2019.
3. From the Additional Chief Secretary / Commissioner of Land Administration, Chennai Letter No.11/6618/19, dated 13.5.2019.
4. Government Letter No.18142/HV2/2018-4, dated 10.6.2019.
5. From the Chief Engineer(National Highways), Highways Department Letter No.9239/Salai2/NH/ 2019, dated 11.6.2019.

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**ORDER:-**

During Bharat Ratna Puratchi Thalaivar Dr. M.G.R centenary celebration held on 22.09.2018 at Kanniyakumari District, the Hon'ble Chief Minister of Tamil Nadu has announced that a fly over will be constructed in NH 47B at Vadaseri – Oluginaseri.

2. In the reference 1<sup>st</sup> read above, the Chief Engineer (National Highways), Highways Department, Chennai has stated that Kavalkinaru - Nagercoil road is an important National Highway in the State of Tamil Nadu and serves as a main route connecting the famous Tourist Centre Kanyakumari to other parts of the State. Nagercoil Municipal town is District head quarters of Kanyakumari District and can be accessed from Thiruvananthapuram and Tirunelveli i.e junction point of State of Tamil Nadu and State of Kerala. The vehicular traffic on this road is very high and within Nagercoil Town, the traffic jam occurs frequently. Moreover, during peak hours, the traffic intensity is too high with addition of local traffic and leads to traffic congestion. Presently, Right of Way (ROW) available on town area is very much less than the minimum requirement to carry out the widening work on the existing roads. In order to avoid traffic congestion and accidents inside the town, construction of flyover at Km 2/0-4/4 & both side widening and construction and improvements of bridge at Km 4/4 and junction improvement of NH 47B (Vadaseri – Oluginaseri) in the State of Tamil Nadu. It is necessary to construct the flyover at Km 2/0-4/4 for the segregation of through traffic and Link roads traffic with the Local traffic.

3. The total length of the proposed fly over road is about 2831m. The proposed fly over alignment starts at Km.1/997 and ends at km.4/828 of the National Highway No.47B. Nagercoil town would get decongested of the avoidable by-passable traffic to that significant extent. The present carriage way at this stretch is a mere 2 lane without paved shoulder configuration and the ROB is proposed to construct to 4 lane configuration. Further to avoid the hindrance of an ancient temple & built-ups' nearby the highway which leads to heavy Rehabilitation and Resettlement cost and unnecessary aggrieve to the local habitat and the residents in the vicinity, the alignment has been slightly shifted little away from the existing location. Since the present Right of Way (ROW) is inadequate, sufficient land is proposed for acquisition. Total extent of land to be acquired is 1.3127 Hectare.

4. The Ministry of Road Transport and Highways have accepted for the "Construction of fly over at Km 2/0 - 4/4 & both side widening and construction and improvements of bridge at Km 4/4 and junction improvement of NH 47B (Vadaseri – Oluginaseri) in the State of Tamil Nadu for an amount of Rs.206.00crores under Additional Annual Plan 2018-19. On completion of Nagercoil bypass, the proposed flyover stretch will be abandoned and will be handed over to the State Government. Land acquisition cost will be borne by the State Government. Based on the guideline values and other L.S provisions as per State Government norms and Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (RFCTLARR Act 2013) the above Land Acquisition estimate has been prepared for an amount of Rs.79.50 crore.

5. As the work of "Construction of fly over at Km 2/0-4/4 of NH 47B (Vadaseri – Oluginaseri) including approaches is among one in the Hon'ble Chief Minister announcement, the Chief Engineer (National Highways), Highways Department, Chennai has requested to accord administrative sanction for an amount of Rs.79.50 crore towards acquisition of land for the "Construction of fly over at Km 2/0-4/4 of NH 47B (Vadaseri – Oluginaseri) including approaches"

6. In the letter third read above, the Additional Chief Secretary / Commissioner of Land Administration has stated that as per the Tamil Nadu RFCTLARR Rules 2017 and various instructions given by the Government and by that office, the Guideline Values shall be gathered for each and every survey number of the proposed acquisition land. Further, as per the RFCTLARR Act, 2013 TNRCTLARR Rules 2017, State Government Orders and instructions, land value is fixed based on the Guideline Value / Average Sale Value whichever is higher. In addition to this, in G.O.(Ms) No.29, Revenue and Disaster Management Department, dated 24.01.2019, the Government have stated that "12% additional market value under section 30(3) of the RFCTLARR Act, 2013 shall be applied only on the basic market value of land is determined only under sub-section (1) of section 26 of RFCTLARR Act, 2013, but not considering sub-section (2) of section 26 of RFCTLARR Act, 2013, containing the provisions of multiplying factor". As per the Act provisions, Rules, Government Orders & Instructions, the tentative compensation amount is calculated as below:-

Land Value	::	Rs. 26.71 crore
Lane Value with multiplier factor	::	Rs. 26.71 crore
Structure value	::	Rs. 04.53 crore
Tree and Plant Value	::	Rs. 00.05 crore
<b>Total</b>	<b>::</b>	<b>Rs. 31.29 crore</b>

Solatium 100%	::	Rs. 31.29 crore
12% additional market value only on the land value for 1 year	::	Rs.03.21 crore (26.71 X 12/100)
Establishment charges 14.5% (Total + solatium)	::	Rs. 09.07 crore (31.29 + 31.29 X 14.5%)
Advertisement charges	::	Rs. 00.40 crore
Supervision and Contingencies	::	Rs. 00.10 crore
<b>Total</b>	<b>::</b>	<b>Rs.75.36 crore</b>

7. In the Government letter fourth read above, the Chief Engineer (National Highways), Highways Department was requested to offer his remarks in this regard.

8. In the letter fifth read above, the Chief Engineer (National Highways), Highways Department has stated that the proposal for sanction of Rs.79.50 crore towards the cost for the land to be acquired for the above work has been arrived by adding additional market value 12% of Rs.3.21 crore initially to land value itself. As stated by the Additional Chief Secretary / Commissioner of Land Administration, Chennai now the Land Acquisition amount is corrected and worked out as Rs.75.36 Crore as in para 6 above and requested the Government to accord administrative sanction for an amount of Rs.75.36 crore towards acquisition of land for the "Construction of fly over at Km 2/0-4/4 of NH 47B (Vadaseri – Oluginaseri) including approaches".

9. The Government, after careful examination, accepted the proposal of Chief Engineer (National Highways), Highways Department and accordingly, accord administrative and financial sanction for an amount of Rs.75,36,00,000/- (Rupees Seventy five crore and thirty six lakhs only) towards acquisition of land for the "Construction of fly over at Km 2/0-4/4 of NH 47B (Vadaseri – Oluginaseri) including approaches".

10. The amount sanctioned at para 9 above shall be debited to the following Head of account:-

"5054. Capital Outlay on Roads and Bridges – 01. National Highways – 337. Road Works – State's Expenditure– JA. Original works – 464.Lands-01.Lands. IFHRMS (DPC 5054-01-337-JA-46401)  
[Old DPC: 5054-01-337-JA-6409]

11. The expenditure sanctioned in para – 9 above is an item of "New Instrument of Service". The approval of the Legislature will be obtained in due course. Pending approval of the legislature, the expenditure may be initially met by drawal of an advance from the Contingency Fund. The Chief Engineer (National Highways), Chennai are directed to calculate the actual amount required for the period upto next supplementary estimates and apply for sanction of the same as advance from the Contingency Fund to Finance (B.G-I) Department directly in Form 'A' appended to the Tamil Nadu 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 (B.G-I) Department. He is also directed to send a draft explanatory notes for including the above expenditure in the Supplementary Estimates 2018-19 to Finance (PW-I/BG-I) Department without fail.

12. This order issues with the concurrence of Finance Department vide its U.O.No.28438/PW1/19, dated 10.07.2019 and Additional Sanction Ledger No.665 [SIX HUNDRED AND SIXTY FIVE].

(By order of the Governor)

S.K.Prabakar  
Additional Chief Secretary to Government (FAC)

**To**

The Secretary to Government of India, Ministry of Road Transport & Highways, New Delhi.  
The Chief Engineer (National Highways), Highways Department, Chennai -25.  
The Accountant General, Chennai - 8/35.  
The Treasury Officer, Nagercoil.

**Copy to**

O/o the Hon'ble Chief Minister, Chennai -9.  
The Private Secretary to Additional Chief Secretary to Government (FAC), Highways and  
Minor Ports Department, Chennai-9.  
Finance (PW-1 / BG-I / BG-II)) Department, Chennai-9.  
C.No.18142/HV2/2018.  
SF/SC.

// Forwarded By Order //

M. Saravathi  
10.7.19  
Section Officer

10/7/19