

Provided also that, if, in the opinion of the Collector, or in the event of a reference of the Court, the part proposed to be acquired cannot be severed from the remainder without material detriment thereto, the State Government may, at the instance of the Commissioner, order the acquisition of the remainder, and in such case no fresh declaration shall be necessary, but the Collector shall without delay furnish a copy of the order of the State Government to the person or persons interested and shall thereafter take order for the acquisition of the remainder in like manner and with like powers in all respects as if the acquisition had originally been provided for in the improvement scheme or under a compulsory acquisition order, as the case may be;

(7) section 54 of the Land Acquisition Act shall not apply to any case of acquisition of land to which section 284 O applies.

**284-O.(1)** For the purposes of the acquisition of land under a compulsory acquisition order made and confirmed under the provisions of this Chapter, the functions of the Court under the Land Acquisition Act shall be performed by a Tribunal having the constitution and powers set forth in Schedule D and in the construction of the said Act and the provisions of this Chapter the Tribunal shall be deemed to be the Court, and the President of the Tribunal shall be deemed to be the Judge.

Determination by Special Tribunal in certain cases.

(2) The award of the Tribunal shall be deemed to be the award of the Court under the Land Acquisition Act, and shall be final:

Provided that in any case in which the President may grant a certificate that the case is a fit one for appeal, there shall be an appeal to the High Court from any part of the award of the Tribunal.

(3) Every award of the Tribunal, and every order made by the Tribunal for the payment of money, shall be enforced by the District Court as if it were a decree of that Court.

**284P.** In determining the amount of compensation to be awarded for any land or building acquired under this Act, the following further provisions shall apply:—

Special provisions as to compensation.

(1) the Court shall take into consideration any increase to the value of any other land or building belonging to the person interested likely to accrue from the acquisition of the land or from the acquisition, alteration, or demolition of building;

(2) when any addition to or improvement of, the land or building has been made after the date of the publication under sub-section (2) of section 272 of a notification relating to the land or building, such addition, or improvement shall not (unless it was necessary for the maintenance of the building in a proper state of repair) be included, nor in the case of any interest acquired after the said date shall any separate estimate of the value thereof be made, so as to increase the amount of compensation to be paid for the land or building;

(3) in estimating the market value of the land or building at the date of the publication of a notification relating thereto under sub-section (2) of section 272 the Court shall have due regard to the nature and the condition of the property and the probable duration of the building, if any, in its existing state and to the state of repair thereof and to the provisions of clauses (4), (5) and (6) of this section;

(4) if in the opinion of the Court the rental of the land or building has been enhanced by reason of its being used for an illegal purpose, or being so overcrowded as to be dangerous or injurious to the health of the inmates, the rental shall not be deemed to be greater than the rental which would be obtainable if the land or building were used for legal purposes only, or were occupied by such a number of persons only as it was suitable to accommodate without risk of such overcrowding;

*Explanation.*— The word “overcrowding” in this sub-section shall have the same meaning as it has for the purposes of section 307.