



UNIVERSITI TUN HUSSEIN ONN MALAYSIA

**FINAL EXAMINATION
SEMESTER II
SESSION 2016/2017**

COURSE NAME : VALUATION FOR LAND ACQUISITION
COURSE CODE : BPE 23003
PROGRAMME : BPD
EXAMINATION DATE : JUNE 2017
DURATION : 3 HOURS
INSTRUCTION : ANSWER ALL QUESTIONS

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THIS QUESTION PAPER CONSISTS OF **EIGHT (8)** PAGES

Q1 Land Acquisition Act, 1960 gives the Government the prerogative to acquire private lands and utilize them for public purpose.

(a) Discuss the conflict between public and private interest under the Land Acquisition Act 1960.

(10 marks)

(b) Explain the adequacy of market value under article 13 of the Federal Constitution.

(15 marks)

Q2 There are many precedents for Land Acquisition Court Cases in Malaysia in regards to compensation awards.

Discuss the decisions of courts in the following cases:

(a) Bertam Consolidated Rubber Company Ltd. V Pemungut Hasil Tanah, Seberang Perai Utara, Butterworth (1989).

(5 marks)

(b) Bukit Rajah Rubber Co. Ltd V Collector of Land Revenue, Klang (1968).

(5 marks)

(c) Lembaga Amanah Sekolah Semangat Malaysia V Collector of Land Revenue, Dindings (1976)

(5 marks)

(d) Er Boon Yan & Ors. V The Collector of Land Revenue Port Dickson (1955)

(5 marks)

(e) Nanyang Manufacturing V The Collector of Land Revenue Johor Bahru

(5 marks)

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Q3 Lot 1542, Grant 678, MukimPeserai, District BatuPahat, Johor was acquired for ‘**Projek Laluan Alternatif Menghubungkan Jalan Parit Jalil (J126) dan Laluan Peserai (FT005)**’. The Scheduled Land measuring 5,000 sq. meters shown in **Figure Q3**.

The declaration of intended acquisition under Section 8 was published vide the Johor State Gazette Notification Number 4277 dated 22 December 2016.

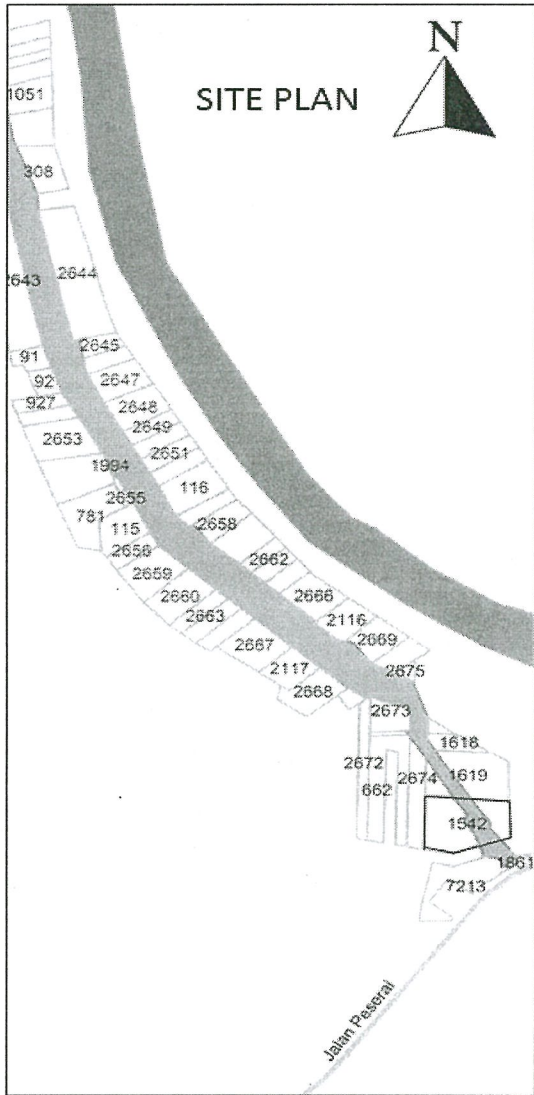
The entries appearing in the Register Document of Tittles from the Johor Land Registry Register are as follows:



Lot No. :	1542
Title No.:	Grant 678
Mukim:	Peserai
District:	BatuPahat
State:	Johor
Category:	Agriculture
Tenure:	Freehold
Area:	18,000 sq. m
Registered Proprietor:	Hamid bin Ahmad

The subject lot 1542 is a piece of agriculture land planted with oil palm about 20 years old. The land is flat and of fair maintenance. The zoning for the area acquired is for residential use.

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Figure Q3: Site plan showing subject lot 1542 and Scheduled Land (land acquired)



LEGEND	
	SUBJECT LOT 1542
	SCHEDULED LAND

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The recent sales within the vicinity is tabulated in **Table Q3**.

Table Q3: Comparison lot

Bil	No. Lot	Area	Consideration	Date of sale	Category	Tenure	Descriptions
1	923	11,120 sq.m	RM1 237 545	1 st December 2015	Agriculture	Freehold.	Oil palm, 20 years old. Fair maintenance.
2	685	16,946 sq. m	RM1 884 395	1 st December 2015	Agriculture	Leasehold expired on 2076	Oil palm 20 years old. Fair maintenance
3	8	14,620 sq.m	RM1 600 013	25 February 2015	Agriculture	Freehold	Oil palm, 25 years old. Fair maintenance.
4	2559	10,220 sq.m	RM1 699 995	10 th March 2014	Agriculture	Freehold	Kampong land with residential development potential
5	PTD 635	9,675 sq. m	RM1 339 972	30 th January 2013	Agriculture	Freehold	Kampong land with residential development potential

Based on the above information and comparison plan attached as **Appendix 1**:

- (a) State with reason on head of claims appropriate under Schedule 1, Land Acquisition Act 1960. (5 marks)
- (b) Prepare a brief Valuation Report on compensation claim for Lot 1542, Mukim Peserai, Daerah Batu Pahat, Johor. You may make appropriate assumptions to justify your claims. (20 marks)

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- Q4** Lot 7553, Grant 12, MukimSimpang Kiri, District BatuPahat, Johor was acquired for **‘Projek Laluan Alternatif Menghubungkan Jalan Parit Jalil (J126) dan Laluan Peserai (FT005)’**. The Scheduled Land measuring 4,046.8 square meters as shown in **Figure Q4**.

The declaration of intended acquisition under Section 8 was published vide the Johor State Gazette Notification Number 4277 dated 22 December 2016.

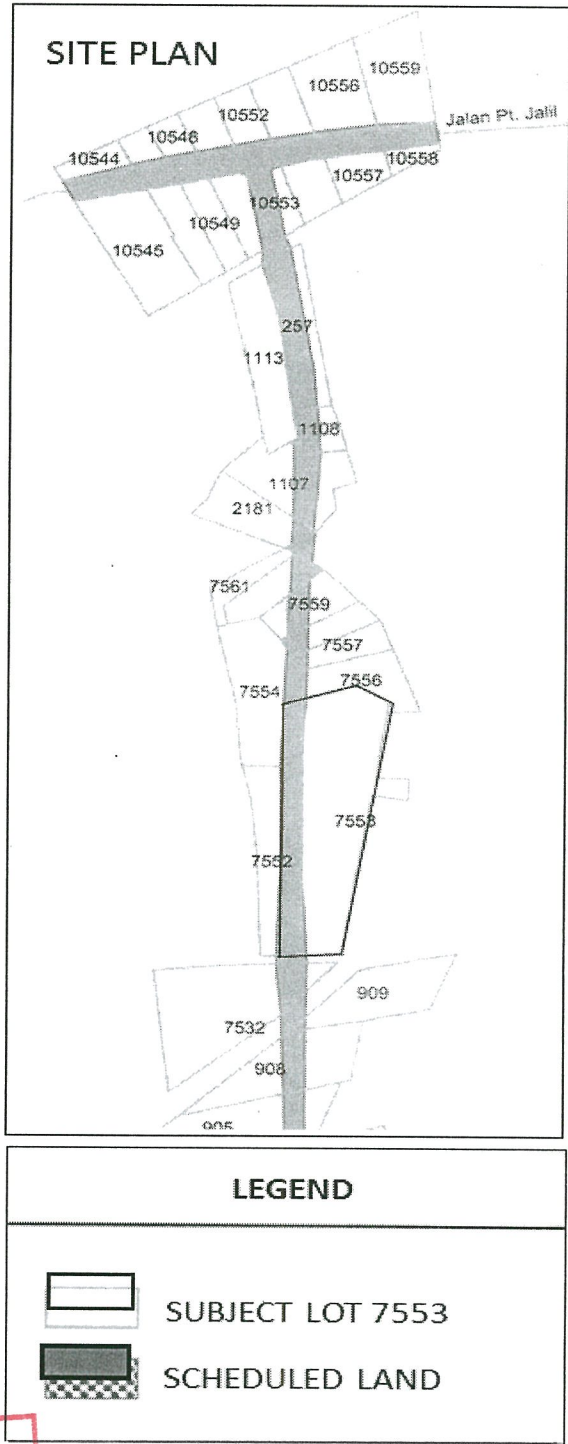
The entries appearing in the Register Document of Tittles from the Johor Land Registry Register are as follows:

Lot No. :	7553
Title No.:	Grant 12
Mukim:	Simpang Kiri
District:	BatuPahat
State:	Johor
Category:	Agriculture
Tenure:	Freehold
Area:	28,380 square meters
Registered Proprietor:	Sabariah binti Sabar.

The subject lot 7553 is a piece of agriculture land planted with productive oil palm trees about 12 years old. The land is flat and of good maintenance.

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Figure Q4: Site plan showing subject lot 7553 and Scheduled Land (land acquired)



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The recent sale within the vicinity is tabulated in Table Q4.

Table Q4: Comparable Lot

Bil	No. Lot	Area	Consideration	Date of sale	Category	Tenure	Descriptions
1	7676, Mukim Simpang Kiri	10,140sq.m	RM225 514	28 October 2014	Agriculture	Freehold.	Oil palm trees, 15 years old. Fair maintenance.
2	2942, Mukim Linau	17,760 sq. m	RM569 386	14 September 2016	Agriculture	Freehold	Oil palm trees, 7 years old. Good maintenance
3	2776 Mukim Linau	8,777sq.m	RM204 943	30 September 2016	Agriculture	Freehold	Oil Palm 18 years old. Fair maintenance.
4	529 Mukim Linau	26,659sq.m	RM790 440	11 December 2014	Agriculture	Freehold	Oil palm trees, 7 years old. Good maintenance
5	7553 Mukim Simpang Kiri	28,380 sq. m	RM690 767	18 February 2013	Agriculture	Freehold	Oil palm trees, 9 years old. Good maintenance
6	7674 Mukim Simpang Kiri	14,970 sq. m	RM332 933	28 October 2014	Agriculture	Freehold	Old rubber trees. Poor maintenance.

Based on the above information and comparison plan attached as **Appendix 2:**

- (a) State with reason on head of claims appropriate under Schedule 1, Land Acquisition Act 1960. (5 marks)

- (b) Prepare a brief Valuation Report on compensation claim for Lot 7553, Mukim Simpang Kiri, Daerah Batu Pahat, Johor. You may make appropriate assumptions to justify your claims. (20 marks)

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- END OF QUESTIONS -