

AWARD NO.

11/2003-04

NAME OF THE VILLAGE

HOLAMBI KHURD

NATURE OF ACQUISITION

PERMANENT

PURPOSE OF ACQUISITION

FOR PUBLIC PURPOSE NAMELY
FOR DEVELOPMENT OF
FREIGHT COMPLEX AT NARELA
UNDER P.D.D.

INTRODUCTORY

These are the proceedings for determination of compensation U/s 11 of LA Act, 1894 in respect of land measuring 46 bigha in village Holambi Khurd, Delhi. The land is required by the Government for a public purpose namely for development of Freight Complex at Narela, under Planned Development of Delhi.

The land stands notified under section 4 of LA Act, 1894 vide notification No. F.10(4)/97/L&B/LA/7329 dated 22.8.2001 and corrigendum No. F.10(4)/97/L&B/LA/5148 dated 26.6.2002. The Land & Building Department issued a declaration under section 6 of LA Act, in respect of the aforesaid land vide notification No. F.10(4)/97/L&B/LA/7910 dated 26.7.2002.

In pursuance of the said notification, notices under section 9 & 10 of the LA Act, 1894 were issued to the interested persons. Also notice U/s 50 of the LA Act, 1894 was issued to the requisitioning department. In response to the notices issued, claims filed by the claimants/interested persons/requisitioning department have been discussed under the heading "CLAIMS".

6/10/04

MEASUREMENT

The area to be acquired for development of Freight Complex at Narela and 100 meter wide road under Planned Development of Delhi and declared under section 4 of LA Act, 1894 is 238-14. Out of which only 45-19 has been notified under section 6 of the LA Act, 1894 for development of Freight Complex at Narela, under Planned Development of Delhi. Field staff measured the land and found out that the actual area notified comes to 46 bigha instead of 45 bigha 19 biswa. Hence, the total area of the land to be acquired comes to 46 bigha.

Thus, the present award is for 46 bigha land as per detail given below: -

Rect. No.	Khasra No.	Area in Bigha-Biswa
18	6	3-08
	13	4-10
	14	4-05
	15	4-16
	19	4-11
	21	4-12
	4	4-16
36	23	3-14
37	24	2-14
	25	1-15
	30	0-01
47	1	2-16
	2	4-02
TOTAL		46-00

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CLAIMS

Persons interested in the notices issued under section 9 & 10 (to interested persons) and under section 50 of the LA Act to the requisitioning Department following persons/department have filed their claims: -

S.No.	Name	Kh. No.	Claim	Remark
1.	Om Prakash S/o Gordhan	47//1	Land @8000.00 per Sq Yds at least, Rs.30,000.00 for standing crops, Rs.30,000.00 for trees, Rs.1.50 lacs for T/well with kotha, alternative plot.	No proof
2.	Nihal Singh S/o Satpal Singh @ Subhash	-do-	-do-	-do-
3.	Hitender S/o Satpal Singh @ Subhash	-do-	-do-	-do-
4.	Gulzari Lal S/o Dayak ram	-do-	-do-	-do-
5.	Karan Singh S/o Gordhan	-do-	-do-	-do-
6.	Rajender Pal S/o Jai Lal	37//25, 30	-do-	-do-
7.	Dalel Singh S/o Mangat	18//21	Land @8000.00 per Sq Yds at least, Rs.50,000.00 for standing crops, alternative plot.	-do-
8.	Raj Pal S/o Jai Lal	37//24	Land @8000.00 per Sq Yds at least, alternative plot.	-do-
9.	Ranbir Singh S/o Ram Swaroop	36//4	-do-	-do-
10.	Ranbir S/o Ram Swaroops	-do-	-do-	-do-
11.	Hawa Singh S/o Kartar Singh	37//23, 47//2	-do-	-do-

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12.	Master Ashu S/o Mehtab Singh through natural guardian and mother Smt Savita	-do-	-do-	-do-
13.	Master Sunny S/o Sat Pal through natural guardian and mother Smt Kamlesh	-do-	-do-	-do-
14.	Master Ajay S/o Sat Pal through natural guardian and mother Smt Kamlesh	-do-	-do-	-do-

MARKET VALUE

While determining the market value of the land as on 22.8.2001, i.e. the date of notification U/s 4 of the Land Acquisition Act, 1894, several factors such as location of the land, nature of soil, awards announced in the recent past of the same or adjoining villages, pronouncement of different courts, claims filed by the interested persons, sale deeds and price policy of the Government regarding acquisition of agricultural land are to be taken into consideration.

The land under acquisition is agricultural land and is being used for agriculture.

The interested persons have generally claimed exorbitant prices of the land by making claims about Rs. 8000.00 per Sq. Yds. They have, however, not filed any documentary evidence(s) in support of their claims. Here, it is stated that there is no approach road in the vicinity of the land under reference. Hence, the land in question has no commercial value. Moreover this office is in possession of a sale deed executed on 4.12.2001 in

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Commissioner (North)

respect of land measuring 10 1/2 Biswa situated in village Narela for a sum of Rs.22,88,390.00 i.e Rs.12,89,000. (approx) per acre. It is clearly stated that the market value of land has not increased but has either remained same since the financial year 2001 or has decreased marginally. The claims therefore, cannot form the basis of determination of market value.

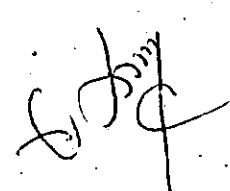
In a policy announcement which came into effect from the financial year 2001-2002, Government of National Capital Territory of Delhi fixed the indicative prices of agricultural land @ Rs.15,70,000.00 per acre for the acquisition of agricultural land vide their order No. 19(20)/80/L&B/LA/6696 dated 9.8.2001 which are applicable with effect from 1.4.2001.

In view of the absence of any documentary evidences or record to the contrary, and in light of the above discussion, I find Rs.15,70,000.00 per acre to be the most reasonable price for the agricultural land as on 22.8.2001. The notification under section 4 was issued on 22.8.2001 and the price of the land is to be determined as on the date of notification Under section 4 of Land Acquisition Act itself. I, accordingly, determine the market value of the land @ Rs.15,70,000.00 per acre.

In addition to the market value fixed above, land owners will be entitled to all other benefits as per the provision of the Land Acquisition Act.

SOLATIMUM

As provided under sub-section 2 of section 23 of the Land Acquisition (amendment) Act, 1984, solatium @ 30% shall be paid to the interested persons on the market value of the land.





ADDITIONAL AMOUNT

The interested persons are entitled to additional amount @12% p.a on the market value of the land as per the provisions of section 23(1-A) of the Land Acquisition Act, 1894 from the date of notification under section 4 i.e. 22.8.2001 till date of possession or announcement of the award whichever is earlier as per the provision of the Land Acquisition Act, 1894.

POSSESSION

Physical possession of the land under acquisition will be taken after announcement of award.

TUBEWELL

There are 2 tube well with Kotha including a Government tube well in the acquired land in Khasra No. 18//15 and 18//19. I allow Rs.5,000.00 per tube well with Kotha as removal charges.

TREES

There are some trees on the acquired land under acquisition. Some trees are in infancy stage, which cannot be converted into firewood. Hence, I do not assess any market value of such trees having less than one-quintal weight. Pipal and Banyan trees have not been assessed. The details of other trees are as under: -

Khasra No.	Name of trees	No. of trees	Weight in Quintal	Market value @Rs.100.00 quintal (in Rs) per
18//15	Amrood	2	15	1500.00
18//14	Sisam	8		
	Neem	1	4	400.00
	Sisam	3		
18//19	Shetut	1	2	200.00
TOTAL		15	21	2,100.00

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APPORTIONMENT

Compensation will be paid to the land owners as per the latest entries in the revenue record. In case of any dispute regarding title, apportionment of compensation, the matter will be referred to the court of ADJ, Delhi under section 30-31 of the LA Act, 1894. The details of apportionment is as under:

S No	Name	Rect No	Kh No	Area in Bigha-Biswa	Compensation (in Rs.)
1.	Jagjeet Singh S/o Gordha (1/6 share)	47	1	2-16	2,35,063.64
2.	Karan Singh Singh S/o Gordha (1/6 share)				2,35,063.64
3.	Om Prakash Singh S/o Gordha (1/6 share)				2,35,063.64
4.	Guljari Lal S/o Layak Ram (1/6 share)				2,35,063.64
5.	Rajesh S/o Layak Ram (1/6 share)				2,35,063.64
6.	Hitender S/o Satpal (1/12 share)				1,17,531.82
7.	Nihal Singh Hitender S/o Satpal (1/12 share)				1,17,531.82
8.	Rajpal S/o Jaipal	37	24	2-14	13,60,011.06
9.	Rajender Pal S/o Jaipal	37	25 30	1-15 0-01	9,06,011.06
			Total	1-16	
10.	Dalel Singh S/o Mangal	18	21	4-12	23,17,055.88
11.	Balbir Singh S/o Ram Swaroop (1/2 share)	36	4	4-16	12,08,898.72
12.	Ranbir Singh S/o Ram Swaroop (1/2 share)				12,08,898.72

13.	Virender Kumar S/o Ramanand (1/2 share) (tree+ T/well)	18	6 15*#	3-08 4-16	20,68,879.98
14.	Virender Kumar S/o Ramanand (1/2 share)		Total	8-04	20,68,856.98
15.	Baljeet Singh S/o Bhartu (tree+ T/well)	18	19*#	4-11	22,97,178.49
16.	Jai Singh S/o Bhartu (1/4 share) (tree)	18	13 14*	4-10 4-05	11,02,014.81
17.	Ranjeet Singh S/o Bhartu (1/4 share)		Total	8-15	11,02,014.81
18.	Baljeet Singh S/o Bhartu (1/4 share)				11,02,014.81
19.	Smt Dharma W/o Bhartu (1/4 share)				11,02,014.81
20.	Hawa Singh S/o Kartar Singh (1/6 share)	37 47	23 2	3-14 4-02	6,54,820.14
21.	Ajay S/o Satpal (1/12 share)		Total	7-16	3,27,410.07
22.	Sunny S/o Satpal (1/12 share)				3,27,410.07
23.	Ashu S/o Mehtab (1/6 share)				6,54,820.14
24.	Raj Singh S/o Shiv Daval (1/2 share)				19,64,460.42
TOTAL				46-00	2,31,63,359.00

* Trees, # Tube well.

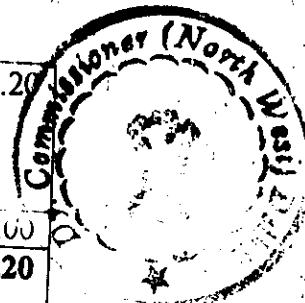
LAND REVENUE

The land revenue is assessed and deducted from the Khalsa rent roll of village from the date of taking over the possession of the land.

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SUMMARY OF AWRAD

		(In Rs.)
1	Market value of land measuring 46 bigha of @ Rs.15,70,000.00 per acre or say @Rs. 16354.16 per biswa	1,50,45,827.20
2	Market value of trees	2,100.00
3	Total Market Value (Col.1 + 2)	1,50,47,927.20
4	Solatium @30% on the market value U/s 23(2) of LA Act, 1894.	45,14,378.16
5	Additional amount @12% p.a on the market value w.e.f. 22.8.2001 to 21.8.2003 for 2 years U/s 23(1-A) of LA Act, 1894.	36,11,502.52
6	Cost of removal in respect of 2 tube well @Rs.5,000.00 per tube well	10,000.00
7	TOTAL(COL 3+4+5+6)	2,31,83,807.88 OR SAY 2,31,83,808.00



(Rupees two Crore Thirty One Lacs Eighty Three Thousand Eight Hundred Eight Only)

(Signature)
(S.R. KATARIA)
Land Acquisition Collector(N-W)

APPROVED
Secretary (Revenue)

(Signature)
18/8/2003

Award is announced in open court on
dt 21-08-2003.
Copy to copy

Application No. 1328	Date 13/10/03
Prepared by R. S. Sanyal	by R. S. Sanyal
Name of Applicant R. S. Sanyal	dt 12/5021650 21/8/03
Name of Village Helanhi	

(Signature)
Office Kannugo
Distt. North-West