

AWARD NO.

12/2003-04

NAME OF THE VILLAGE

KHERA KHURD

NATURE OF ACQUISITION

PERMANENT

PURPOSE OF ACQUISITION

FOR PUBLIC PURPOSE NAMELY  
FOR DEVELOPMENT OF  
FREIGHT COMPLEX AT NARELA.



**INTRODUCTORY**

These are the proceedings for determination of compensation U/s 11 of LA Act, 1894 in respect of land measuring 71 bigha 09 biswa of village Khara Khurd, Delhi. The land is required by the Government for a public purpose namely for development of Freight Complex at Narela, Delhi 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/7339 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, 1894 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 and notice under section 50 of the LA Act, 1894 to requisitioning department. In response to the notices issued, claims filed by the claimants/interested persons/requisitioning department have been discussed under the heading "**CLAIMS**".

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## MEASUREMENT

The area to be acquired as given in the declaration under section 4 & 6 of the LA Act is 71 bigha 09 biswa. On scrutiny it is revealed that total area comes to 71 bigha 07 Biswa instead of 71 bigha 09 biswa.

Thus, the present award is for 71 bigha 07 biswa land as per detail given below: -

| Rect. No. | Kh. No. | Area<br>(Bigha-Biswa) |
|-----------|---------|-----------------------|
| 34        | 24      | 5-00                  |
| 46        | 3       | 4-16                  |
|           | 4       | 4-16                  |
|           | 5       | 4-14                  |
|           | 6       | 4-16                  |
|           | 7/1     | 2-15                  |
|           | 7/2     | 2-01                  |
|           | 8       | 4-16                  |
|           | 13      | 4-12                  |
|           | 14/1    | 2-00                  |
|           | 14/2    | 2-16                  |
|           | 15      | 4-16                  |
|           | 17      | 4-08                  |
|           | 18      | 4-19                  |
|           | 23      | 4-06                  |
| 47        | 1/1     | 1-08                  |
|           | 10/1    | 1-00                  |
|           | 10/2    | 1-16                  |
| 67        | 3       | 4-12                  |
| TOTAL     |         | 71-07                 |



## CLAIMS

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

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| S.No. | Name                                                                                                                              | Klt. No.                           | Claim                                                                                                                                                                                                                                       | Remark            |
|-------|-----------------------------------------------------------------------------------------------------------------------------------|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 1.    | Yash Pal S/o Bhullan                                                                                                              | 46/13, 7/2, 8, 14/1                | Land @ Rs.5,000.00 per Sq Yds plus Statutory benefits, Rs.2:00 lacs for T/well, Kotha and electric connection.                                                                                                                              | No proof enclosed |
| 2.    | Yogender S/o Bhullan                                                                                                              | -do-                               | -do-                                                                                                                                                                                                                                        | -do-              |
| 3.    | Kishan Chand, Nepal Singh, Kuldeep Singh(minor) through his cousin Kishan Chand all Ss/o Rohtash Singh Sunil, Vinod Ss/o Hari Ram | 46/15                              | Land @ Rs.5,000.00 per Sq Yds plus Statutory benefits<br>                                                                                                | -do-              |
| 4.    | Raj Kumar, Virender Ss/o Ram Kishan                                                                                               | 34/24, 46/5min, 6min, 47/1/1, 10/2 | Land @Rs.10,000.00 per Sq Yds, 30% solatium, alternative plot/shop/industrial plot, damages of crop @Rs.1.00 lacs per acre, Rs.5.00 lacs as severance, Rs.5.00 lacs as damages, Rs.3.00 lacs. for T/well with Kotha, 15% statutory benefits | -do-              |
| 5.    | Nau Ram S/o Mauji Ram                                                                                                             | 46/17                              | Land @Rs.10,000.00 per Sq Yds, 30% solatium, alternative plot/shop/industrial plot, damages of crop @Rs.1.00 lacs per acre, Rs.5.00 lacs as severance, Rs.5.00 lacs as damages, 15% statutory benefits                                      | -do-              |

6/1/2017

|    |                                                                                                      |              |                                                                                                          |      |
|----|------------------------------------------------------------------------------------------------------|--------------|----------------------------------------------------------------------------------------------------------|------|
| 6. | Sube Singh S/o Shish Ram                                                                             | 46/23, 67/13 | -do-                                                                                                     | -do- |
| 7. | Smt Hasina W/o Jaipal, Bhim Singh S/o Maha Singh, Jagbir S/o Maha Singh, Sardar Singh S/o Maha Singh | 46/13, 18    | Land @Rs.10,000.00 per Sq Yds, trees @ Rs.950/- per Qtl, Crops @ Rs.70/- per Qtl plus statutory benefits |      |



### 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. However, there is "GADDHA" upto 5-7 feet in 5 Bigha 16 biswa of land. On local enquiry from the villagers it is revealed that earth has been lifted and sold for making Bricks, etc. Hence for the purpose of assessing the market value, land can fairly be divided into two category/blocks. One block will consist of level land under cultivation total measuring 65 Bigha 11 Biswa is categorized as Block "A" and second Block consisting of GADDHA measuring 5 Bigha 16 Biswa is categorized as Block "C".

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Detail of "C" Block is as under: -

| Rect. No. | Khasra No. | Area<br>Bigha-Biswa |
|-----------|------------|---------------------|
| 46        | 7/1        | 1-08                |
|           | 14/2       | 1-08                |
| 47        | 10/1       | 3-00                |
| TOTAL     |            | 5-16                |

The interested persons have generally claimed exorbitant prices of their land by making claims about Rs. 5000.00 per Sq. Yds to Rs. 10,000.00 per Sq. Yds. They have, however, not filed any documentary evidence(s) in support of their claims. The claims therefore, cannot form the basis of determination of market value. Also the market value of land has remained either the same since the year 2001 or marginally decreased.

After 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 at Rs. 15,70,000.00 per acre for the acquisition of agricultural land vide their order No. F.9(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 on record to the contrary, I find Rs. 15,70,000.00 per acre to be the most reasonable price for the best kind, i.e. land falling in "A" block 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.



As regards assessment of land falling in "C" block is concerned attention is required to be paid to the quality and level of land. As stated earlier, this land has Gaddhas upto 5-7 feet. From this land, earth has been taken out for making bricks etc. It is a general practice to lease out the land to the Bhatta owners who removes earth from the land for making bricks for a consideration. Thus land owners have already got some compensation for their land which has now become of inferior quality. To make this inferior quality land level earth filling have to be done. Local enquiries were made and it came to my notice that earth has been removed 10-12 years back and the owners received amount @ Rs. 1,20,000 to Rs. 1,30,000 per acre. The owners of these land had received money out of sale of earth to Brick Kiln owners. Attention is drawn to the Award No. 10/99/2000 of village Sannoht wherein the land having Gaddhas upto 3 feet have been categorized in Block "B" and the market value assessed of the B block land was lower by Rs. 1,20,000.00 from the A block level land. i.e. the owners of B block land received a sum of Rs. 1,20,000.00 per acre on selling their land. The land in village Sannoht under reference was notified Under Section 4 of Land Acquisition Act on 1.6.1977. The notification for 12% p.a. raised the market value of land at the rate of 12% p.a. which taking into the consideration the increase of 12% p.a. in the market value of this land, the market value of B block is to be reduced by Rs. 1,70,000.00 per Acre as on 22.8.2001, i.e. the date of notification under section 4 of L.A. Act in the present matter. The land under consideration is of C Block from which earth upto 5-7 feet has been removed i.e. twice the level of the block B. Hence a deduction of Rs. 3,40,000.00 per acre is made from that of A block land. As such I assess the market value of C block land @ Rs. 12,30,000.00 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.

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### SOLATIUM

As provided under sub-section 2 of section 23 of the Land Acquisition (amendment) Act, 1984, solatium @ 30% shall be paid to 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 shall be taken after announcement of award.

### TUBEWELL

There are 3 tube well with Kotha in the acquired land in Khasra No. 34/24 (two) and 46/3. 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

*[Handwritten signature]*



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### POSSESSION

Physical possession of the land has been taken over by the Government of India on the date of announcement of award.

### TUBEWELL

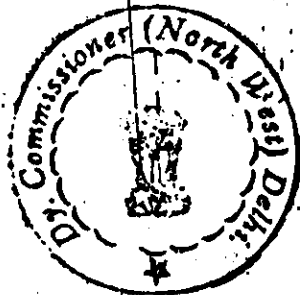
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### TREES

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 (Quintal) | Market value @Rs. 100.00 per quintal (in Rs) |
|--------------|---------------|--------------|------------------|----------------------------------------------|
| 34/24        | Shetul        | 1            |                  | 100.00                                       |
| 46/3         | Safeda        | 1            |                  | 100.00                                       |
| <b>TOTAL</b> |               | <b>2</b>     |                  | <b>200.00</b>                                |



### APPORTIONMENT

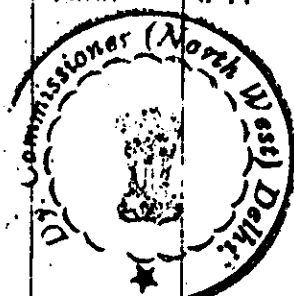
Compensation will be paid to the land owner as per the latest entries in the revenue record. In case of any dispute regarding title or apportionment of compensation, the matter will be referred to the court. For details of apportionment, see section 30-31 of the Act, 1947.

S. No. Name

|    |                                                           |          |                                       |                                       |              |
|----|-----------------------------------------------------------|----------|---------------------------------------|---------------------------------------|--------------|
|    | Shish Ram                                                 | 67       |                                       |                                       |              |
| 2. | Master Yograj S/o Sant Ram                                | 47       | Total 10-15                           | 8-18<br>3-00                          | 11-83,875.00 |
| 3. | Raj Kumar S/o Ram Kishan (1/2 share)<br>(1 T/well - tree) | 34<br>47 | 24min #<br>1/1<br>10/2                | 2-11<br>1-08<br>1-16                  | 28,35,933.37 |
| 4. | Virender Kumar S/o Ram Kishan (1/2 share)                 | 46       | 5min<br>6min                          | 2-14<br>2-16                          | 28,35,933.37 |
| 5. | Ram Narayan S/o Daryav Singh<br>(1 T/well)                | 34<br>46 | Total<br>24min #<br>4<br>5min<br>6min | 11-05<br>2-09<br>4-16<br>2-00<br>2-00 | 56,71,712.75 |
|    |                                                           |          | Total                                 | 11-05                                 |              |

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|       |                                                                       |    |                          |                              |                |
|-------|-----------------------------------------------------------------------|----|--------------------------|------------------------------|----------------|
| 6.    | Nau Ram S/o Mauji                                                     | 46 | 17                       | 4-08                         | 22,16,314.32   |
| 7.    | Yashpal Singh S/o<br>Bhulan Singh (1/2<br>share)<br>(1/T/well + tree) | 46 | 3*//<br>7/2<br>8<br>14/1 | 4-16<br>2-01<br>4-16<br>2-00 | 34,40,382.73   |
| 8.    | Yogender Singh S/o<br>Bhulan Singh (1/2<br>share)                     |    | Total                    | 13-13                        | 34,40,382.73   |
| 9.    | Dilip Singh S/o<br>Maha Singh (1/5<br>Share)                          | 46 | 13<br>18                 | 4-12<br>3-19                 | 8,61,340.33    |
| 10.   | Sardar Singh S/o<br>Maha Singh (1/5<br>Share)                         |    | Total                    | 8-11                         | 8,61,340.33    |
| 11.   | Jagbir Singh S/o<br>Maha Singh (1/5<br>Share)                         |    |                          |                              | 8,61,340.33    |
| 12.   | Bhim Singh S/o<br>Maha Singh (1/5<br>Share)                           |    |                          |                              | 8,61,340.33    |
| 13.   | Smt Hasina W/o<br>Jaipal (1/5 share)                                  |    |                          |                              | 8,61,340.33    |
| 14.   | Nepal Singh S/o<br>Ranbir Singh (1/6<br>share)                        | 46 |                          |                              | 4,02,966.24    |
| 15.   | Kishan Chand S/o<br>Ranbir Singh (1/6<br>share)                       |    |                          |                              | 4,02,966.24    |
| 16.   | Kuldeep S/o Rohtash<br>(1/3 share)                                    |    |                          |                              | 8,05,932.48    |
| 17.   | Sunil S/o Hari Ram<br>(1/6 share)                                     |    |                          |                              | 4,02,966.24    |
| 18.   | Vinod S/o Hari Ram<br>(1/6 share)                                     |    |                          |                              | 4,02,966.24    |
| 19.   | Gram Sabha                                                            | 46 | 7/1\$<br>14/2\$          | 2-15<br>2-16                 | 24,90,146.45   |
|       |                                                                       |    | Total                    | 5-11                         |                |
| TOTAL |                                                                       |    |                          | 71-07                        | 3,53,22,201.00 |



\* Trees, # Tube well, \$ Land of C grade.

*Signature*



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|   |                                                                                                                            | (In Rs.)                                                        |
|---|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| 1 | Market value of land measuring 65 bigha 11 biswa of A Block land @ Rs.15,70,000.00 per acre or say @Rs. 16354.16 per biswa | 2,14,40,303.76                                                  |
| 2 | Market value of land measuring 5 bigha 16 biswa of C Block land @ Rs.12,30,000.00 per acre or say @Rs. 12,812.50 per biswa | 14,86,250.00                                                    |
| 3 | Market value of trees                                                                                                      |                                                                 |
| 4 | Total Market Value (Col 1+2+3)                                                                                             | 2,29,26,553.76                                                  |
| 5 | Solution @ 30% on the market value                                                                                         | 68,77,966.13                                                    |
| 6 | Additional amount @ 10% on the market value                                                                                | 22,92,655.38                                                    |
| 7 | Cost of improvement per 100 sq. ft. well @ Rs. 5,000.00 per 100 sq. ft. well                                               |                                                                 |
| 8 | <b>TOTAL (COL 4+5+6+7)</b>                                                                                                 | <b>3,53,22,200.75</b><br><b>OR SAY</b><br><b>3,53,22,201.00</b> |

(Rupees Three Crore Fifty Three Lacs Twenty Two Thousand Two Hundred One Only)

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

Secretary (Revenue) 18/8/2003

Award is announced in open court on 21/8/03

Application No. 4-1189... Date 2-21-63

Prepared by P. S. ... Compared by ...

Name of Applicant: 66-1447