

AWARD NO.

19/DC(N-W)/2004-05

NAME OF THE VILLAGE

DARYAPUR KALAN

NATURE OF ACQUISITION

PERMANENT

PURPOSE OF ACQUISITION

**FOR CONSTRUCTION OF DRAIN
FROM, DARYAPUR FIELDS TO
NEW GHOGA LINK DRAIN AT RD
770M.**

INTRODUCTORY

These are the proceedings for determination of compensation U/s 11 of LA Act, 1894 in respect of land measuring 5 bigha 03 biswa 04 biswansi in village Daryapur Kalan, Delhi. The land is required by the Government for a public purpose namely for construction of drain from Daryapur Fields to New Ghoga Link Drain at RD 770m.

The land stands notified under section 4 of LA Act, 1894 vide notification No. F.7(5)/98/L&B/LA/24444 dated 3.2.2004. The Land & Building Department issued a declaration under section 6 of LA Act, in respect of the aforesaid land vide notification No. F.7(5)/98/L&B/LA/3700 dated 3.6.2004.

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".

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MEASUREMENT

The area to be acquired as given in the declaration under section 4 & 6 of the LA Act is 5 bigha 03 biswa 04 biswansi. The field staff measured the land to be 5 bigha 03 biswa 04 biswansi on verification/total of the notification.

Thus, the present award is for **5 bigha 03 biswa 04 biswansi** land as per detail given below: -

Rect. No.	Kh. No.	Area (Bigha-Biswa-Biswansi)
12	12 min	00-00-01
	17 min	00-00-03
	18 min	00-09
	24 min	00-07
	25 min	00-04
13	21 min	00-04
	22 min	00-04
	23 min	00-04
	24 min	00-04
	25 min	00-04
14	21 min	00-04
	22 min	00-04
	23 min	00-04
	24 min	00-04
	25 min	00-04
15	21 min	00-04
	22 min	00-04
	23 min	00-04
	24 min	00-04
	25 min	00-04
16	21 min	00-04
	22 min	00-04
	23 min	00-04
	24 min	00-04
	25 min	00-04
17	21 min	00-03
TOTAL		5-03-04

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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: -

S.No.	Name	Kh. No.	Claim	Remark
1	Jai Prakash S/o Charan Singh	12//25min, 13//21min	Land @ Rs.10,000/- per sqyds., 30% solatium, interest @ 24% p.a, alternative plot, trees @ Rs.1,000/- per qtls, Rs.1.00 lacs for crops, well @ Rs.2.00 lacs, T/well @ Rs.2.00 lacs plus all statutory benefits	No evidence has been enclosed in support of his claim
2	Hari Ram S/o Mohan Lal	12//25min, 13//21min	-do-	-do-
3	Sumer Singh S/o Mohan Lal	-do-	-do-	-do-
4	Hari Kishan S/o Pyare Lal	-do-	-do-	-do-
5	Inderjit S/o Hari Kishan	-do-	-do-	-do-
6	Anar Singh S/o Mohan Lal	-do-	-do-	-do-
7	Mukesh W/o Narender Kumar on behalf of hes son Jaideep, Navdeep	-do-	-do-	-do-
8	Om Prakash S/o Charan Singh	-do-	-do-	-do-
9	Surrender Singh S/o Hari Kishan	-do-	-do-	-do-

Signature

4

10	Rajender Singh S/o Hari Kishan	-do-	-do-	-do-
11	Virrender Singh S/o Hari Kishan	-do-	-do-	-do-
12	Ram Kishan S/o Pyare Lal	-do-	-do-	-do-
13	Sahib Singh S/o Jhumman	14//23min	-do-	-do-
14	Raj Singh S/o Jhumman	-do-	-do-	-do-
15	Balbir Singh S/o Jhumman	-do-	-do-	-do-
16	Samarjeet S/o Raj Singh	13//24min	-do-	-do-
17	Isham Jeet S/o Raj Singh	-do-	-do-	-do-
18	Ram Kaur W/o Bhartu	-do-	-do-	-do-
19	Sahab Singh S/o Bhartu	-do-	-do-	-do-
20	Mehar Singh S/o Bhartu	-do-	-do-	-do-
21	Inder Singh S/o Surte	-do-	-do-	-do-
22	Gulab Singh S/o Bhartu	-do-	-do-	-do-
23	Kehri S/o Bhartu	-do-	-do-	-do-
24	Mahender Singh S/o Surte	-do-	-do-	-do-

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25	Ranbir Singh S/o Gordhan Singh	12//17min, 24min	-do-	-do-
26	Rajbir Singh S/o Gordhan Singh	-do-	-do-	-do-
27	Balwan Singh S/o Gordhan	-do-	-do-	-do-
28	Shashi Kapoor S/o Mehar Singh	13//25min, 14//21min, 22min	-do-	-do-
29	Amit Kr S/o Balwan Singh	-do-	-do-	-do-
30	Lal Chand S/o Dharma	-do-	-do-	-do-
31	Nand Lal S/o Dule Ram	15//22/2min	-do-	-do-
32	Om Prakash S/o Gordhan	-do-	-do-	-do-
33	Mahender Singh S/o Gordhan	-do-	-do-	-do-
34	Raj Kumar S/o Gordhan	-do-	-do-	-do-
35	Rakhe Ram S/o Sardara	14//25min, 15//21min	-do-	-do-
36	Nafe Singh S/o Sardara	-do-	-do-	-do-
37	Jeet Ram S/o Sardara	-do-	-do-	-do-
38	Rajendra S/o Kanwal Singh	12//12min, 18min	-do-	-do-
39	Ram Swaroop S/o Chhotu	14//24min	-do-	-do-

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40	Sahab Singh S/o Prabhu	13//22min, 23min	-do-	-do-
41	Bhim Kaur W/o Rattan Singh	15//22/2min, 21min, 14//25min	-do-	-do-
42	Krishan Kumar, Satbir, Mahender Singh, Rajbir, Ramesh all Ss/o Dhara Singh Ranbir Singh, Chet Ram both Ss/o Gokal Anil Kr, Neeraj Sherawat both Ss/o Ramfal Dharambir S/o Bhulan, Raghbir, Gulabe both Ss/o Devi Singh Bhulan S/o Jug Lal Hoshiyar Singh, Zile Singh both Ss/o Ram Swaroop	15//24min	-do-	-do-
43	Necna Bansal S/o Ramesh Bansal	16//25min, 17//21min	Land @ Rs.5,000/- per sqyds., 50% solatium, interest @ 24% p.a, alternative plot, trees @ Rs.1.00 lacs, Rs.1.00 lacs for obsolation of agricultural equipments, Rs.10,000/- for crops, Rs.1.00 lacs for T/well, Rs.5.00 lacs as severance, Rs.50,000/- for boundary, room etc, plus all statutory benefits	-do-

612-

Notice under section 50 of the LA Act, 1894 was issued to the requisitioning department to adduce evidence for the purpose of determining the amount of compensation. The requisitioning department has not furnished any evidence to adduce evidence for the purpose of determining the amount of compensation.

MARKET VALUE

While determining the market value of the land as on 3.2.2004, 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, on survey done by the staff of Land Acquisition branch it is found that there is "GADDHA" upto 5-6 feet in 07 biswa. 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 4 Bigha 16 Biswa 04 biswani is categorized as Block "A", second Block consisting of GADDHA upto 5-6 feet measuring 07 Biswa is categorized as Block "C"

Detail of "C" Block is as under: -

Rect. No.	Khasra No.	Area (Bigha-Biswa)
16	25	0-04
17	21	0-03
TOTAL		0-07

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The interested persons have generally claimed exorbitant prices of their land by making claims about Rs. 5,000.00 to Rs.10,000.00 per sq. yds. The claimants did not file any documentary evidence in support of their claim. 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. 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, 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 3-2-04. The notification under section 4 was issued on 3.2.2004 and the price of the land is to be determined as on the date of notification under section 4 of Land Acquisition Act itself. Hence, in view of the above facts 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 3.2.2004. I, accordingly, determine the market value of the "A" block 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. The land under consideration is of C block from which earth upto 5-7 feet has been removed. In various other awards a sum of Rs.3,40,000.00 per acre has been deducted from the market value of the leveled "A" block of land. Accordingly, in the instant case too a deduction of Rs.3,40,000.00

612

per acre is made from that of A block land. As such I assess the market value of C block land @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.

SOLATIUM

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

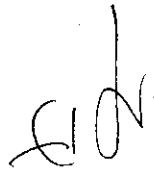
The interested persons are entitled to additional amount @12% p.a on the market value of the land as per the provisions of section 23(1-A) of the Land Acquisition Act, 1894 from the date of notification under section 4 i.e. 3.2.2004 till date of possession or announcement of the award whichever is earlier 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.

TUBE WELL

There is one tube well with Kotha in the acquired land in Khasra No. 13//22 min. I allow Rs.5,000.00 per tube well with Kotha as removal charges.



APPORTIONMENT

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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 Bigha-Biswa	Compensation (in Rs.)
1	Mehar Singh S/o Bhartu (3/20 share)	13	24min	0-04	13,598.23
2	Kehri S/o Bhartu (3/20 share)				13,598.23
3	Sahab Singh S/o Bhartu (3/20 share)				13,598.23
4	Gulab Singh S/o Bhartu (3/20 share)				13,598.23
5	Ram Kaur W/o Bhartu (1/10 share)				9,065.48
6	Mahender Singh S/o Surte (3/40 share)				6,799.11
7	Inder Singh S/o Surte (3/40 share)				6,799.11
8	Samarjeet S/o Raj Singh (3/40 share)				6,799.11
9	Isham jeet S/o Raj Singh (3/40 share)				6,799.11

(A) 16354-16 4906-24 1403-32
22,663-72 610

(B) 12812-50 3843-75 1099-41

10	Mahender Singh S/o Gordhan (1/12 share)	15	22/2min	0-04	7,554.57
11	Om Prakash S/o Gordhan (1/12 share)				7,554.57
12	Raj Kumar S/o Gordhan (1/12 share)				7,554.57
13	Nand Lal S/o Dule Ram (1/4 share)				22,663.72
14	Bhim Kaur W/o Rattan Singh (1/2 share)				45,327.44
15	Bhulan S/o Juglal (1/4 share)	15	24min	0-04	22,663.72
16	Neeraj Sherawat S/o Ramphal (1/16 share)				5,665.93
17	Anil Sherawat S/o Ramphal (1/16 share)				5,665.93
18	Dharamveer S/o Bhulan (1/8 share)				11,331.86
19	Hoshiyar Singh S/o Ram Swaroop (1/12 share)				7,554.57

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20	Zile Singh S/o Ram Swaroop (1/12 share)				7,554.57
21	Chet Ram S/o Gokal (1/18 share)				5,036.38
22	Ranbir Singh S/o Gokal (1/18 share)				5,036.38
23	Satbir Singh S/o Dhara Singh (1/90 share)				1,007.27
24	Krishan Kr S/o Dhara Singh (1/90 share)				1,007.27
25	Mahender Singh S/o Dhara Singh (1/90 share)				1,007.27
26	Rajbir Singh S/o Dhara Singh (1/90 share)				1,007.27
27	Ramesh Kr S/o Dhara Singh (1/90 share)				1,007.27
28	Raghbir S/o Devi Singh (1/12 share)				7,554.57
29	Gulabe S/o Devi Singh (1/12 share)				7,554.57

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30	Balbir Singh S/o Jhumman (1/5 share)	14	23min	0-04	18,130.97
31	Sahib Singh S/o Jhumman (1/5 share)				18,130.97
32	Raj Singh S/o Jhumman (1/5 share)				18,130.97
33	Nafe Singh S/o Jhumman (1/5 share)				18,130.97
34	Ashok Kr S/o Jhumman (1/5 share)				18,130.97
35	Shashi Kapoor S/o Mehar Singh (1/4 share)	13 14	25min	0-04	67,991.16
36	Lalchand S/o Dharma (1/4 share)		21min	0-04	67,991.16
37	Ishwar Singh S/o Dharma (1/4 share)		22min	0-04	67,991.16
38	Amit Kr S/o Balwan Singh (1/4 share)		Total	0-12	67,991.16
39	Janakpuri W/o R.L. Pui (1/2 share)	15	25min	0-04	45,327.44
40	Om Puri S/o R.L. Pui (1/2 share)				45,327.44

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41	Jet Ram S/o Sardara (1/6 share)	14	25min	0-04	30,218.29
		15	21min	0-04	
			Total	0-08	
42	Rakhe Ram S/o Sardara (1/6 share)				30,218.29
43	Nafe Singh S/o Sardara (1/6 share)				30,218.29
44	Bhim Kaur W/o Rattan Singh (1/2 share)				90,654.88
45	Sahab Singh S/o Prabhu T/well	13	22min 23min	0-04 0-04	1,86,309.76
			Total	0-08	
46	Rajender S/o Kanwal Singh	12	12min 18min	00-00-01 00-09-00	2,05,106.66
			Total	00-09-01	
47	R.R. Puri S/o T.R. Puri	16	22min	0-04	2,71,964.64
		15	23min 23min	0-04 0-04	
			Total	0-12	
48	Satish Chand Murta S/o Murari Lal	16	24min	0-04	90,654.88
49	Nila Bansal W/o Ramesh Bansal	16 17	25min C 21min C	0-04 0-03	1,24,289.62
			Total	0-07	

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50	Anara Singh S/o Mohan Lal (1/8 share)	12	25min	0-04	22,663.72
		13	21min	0-04	
51	Sumer singh S/o Mohan Lal (1/8 share)		Total	0-08	22,663.72
52	Hari Ram S/o Mohan Lal (1/8 share)				22,663.72
53	Om Prakash S/o Charan Singh (1/16 share)				11,331.86
54	Jai Prakash S/o Charan Singh (1/16 share)				11,331.86
55	Hari Kishan S/o Pyare Lal (1/6 share)				30,218.29
56	Ram Kishan S/o Pyare Lal (1/6 share)				30,218.29
57	Inderjeet S/o Hari Kishan (1/30 share)				6,043.82
58	Rajender Singh S/o Hari Kishan (1/30 share)				6,043.82
59	Surrender Singh S/o Hari Kishan (1/30 share)				6,043.82
60	Virrender Kr S/o Hari Kishan (1/30 share)				6,043.82

61	Navdeep S/o Narender Kr. (1/60 share)				3,021.82
62	Jaideep S/o Narender Kr. (1/60 share)				3,021.82
63	Ram Swaroop S/o Chottu	14	24min	0-04	90,654.88
64	Balwan Singh S/o Gordhan (1/3 share)	12	17min 24min	00-00-03 00-07-00	54,015.19
65	Rajbir Singh S/o Gordhan (1/3 share)		Total	00-07-03	54,015.19
66	Ranvir Singh S/o Gordhan (1/3 share)				54,015.19
67	Ramlubhaya S/o Dhaura Ram Puri	16	21min	0-04	90,654.88
	TOTAL			5-03-04	23,09,540.00

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.

SUMMARY OF AWRAD

16


		(In Rs.)
1	Market value of A category land measuring 4 bigha 16 biswa 4 biswansi @ Rs.15,70,000.00 per acre or say @ Rs. 16,354.16 per biswa	15,73,270.19
2	Market value of C category land measuring 07 biswa @ Rs.12,30,000.00 per acre or say @ Rs. 12,812.50 per biswa	89,687.50
3	Total Market value of land Col. 1+2)	16,62,957.69
4	Solatium @ 30% on the market value U/s 23(2) of LA Act, 1894.	4,98,887.30
5	Additional amount @12% p.a on the market value w.e.f. 3.2.2004 to 20.10.2004 for 261 days U/s 23(1-A) of LA Act, 1894.	1,42,695.43
6	TOTAL(COL 3+4+5)	23,04,540.42
7	Cost of removal in respect of 1 tube well @Rs.5,000.00 per tube well	5,000.00
8	TOTAL(COL 6+7)	23,09,540.42 Or say 23,09,540.00

(Rupees Twenty Three Lacs Nine Thousand Five Hundred Forty Only)


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


APPROVED

6/10/2004.
Secretary (Revenue)

Announced in open court on this date ie 20th oct' 04


SUMMARY OF AWRAD

		(In Rs.)
1	Market value of land measuring 9 bigha 15 biswa of @ Rs.5,05,000.00 per acre or say @Rs. 5260.41 per biswa	10,25,779.95
2	Solatum @30% on the market value U/s 23(2) of LA Act, 1894.	3,07,733.98
3	Additional amount @12% p.a on the market value w.e.f. 12.11.2003 to 25.6.2004 for 227 days U/s 23(1-A) of LA Act, 1894.	76,554.09
4	TOTAL(COL 1+2+3)	14,10,068.02 Or say 14,10,068.00

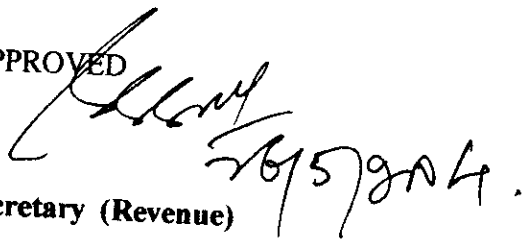
(Rupees Fourteen Lacs Ten Thousand Sixty Eight Only)



(S.R. KATARIA)

Land Acquisition Collector(N-W)

APPROVED

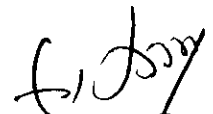


26/5/2004.

Secretary (Revenue)

25/6/04

Award announced in open court on 25/6/04.



25/6/04