

22/2002 - 03
21/2002 - 03

AWARD NO.
NAME OF THE VILLAGE: HOLAMBI KALAN
NATURE OF ACQUISITION: PERMANENT
PURPOSE OF ACQUISITION: REHABILITATION OF JJ CLUSTERS..

INTRODUCTORY

These are the proceedings U/s 11 of the LA Act, 1894 for determination of compensation in respect of land measuring 304 Bigha 13 biswa in Village Holambi. Kalan, Delhi.

The Government requires the land for a public purpose namely for rehabilitation of JJ Clusters. The land stands notified U/s 4 of the LA Act vide notification No.F.11(48)/99/L&B/LA/17778 dated 19.3.2001. The Delhi Government issued declaration U/s 6 of the Land Acquisition Act vide Notification No.F.11(48)/99/L&B/LA/48 dated 4.4.2001. In view of the urgency of the scheme provision of section 17(1) of the Act are applicable to this land. The land stands notified U/s 17(1) of the LA Act vide notification No.F.11(48)/99/L&B/LA/49 dated 4.4.2001.

Notices U/s 9 & 10 of the aforesaid Act were issued to the interested persons. In response to the notices claims filed by the interested persons have been mentioned under the heading "CLAIMS".

CLAIMS:

S.No.	Name of the interested person	Khasra No.	Claims
1	Jai Kishan S/o Khacharu	2//14/1, 17 & 24	@Rs.10,000/- per sq. yds, alternative plot, shifting damages Rs.2,50,000/-. Damage of crops Rs.1,00,000/-
2.	Jagdish S/o Khacharu	-do-	-do-
3	Ram Kumar, Ram Niwas & Nanak Chand Ss/o Manohar Lal	2//18, 23	@Rs.10,000/- per sq. yds, alternative plot, shifting damages Rs.2,50,000/-. Damage of crops Rs.1,00,000/-

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4.	Raj Kumar S/o Manohar Lal	-do-	-do-
5.	Sushil Kr. Jain (HUF) & Ashok Kr. Jain	13//23, 24//3, 8, 13	Cost of construction 5,23,754/-. Cost of trees 23,00,000/- Land @ Rs.10,000/- per sq. Yds, Shifting damages Rs.50,000/-. For tube well, sump well, pump house.
6	Saroj Jain & Raksha Jain W/o Sushil and AshoK Jain	13//18, 19, 24/2, 13//22, 24//9, 12, 8, 13	Cost of construction 5,23,754/-. Cost of trees 12,50,000/- Land @ Rs.10,000/- per sq. Yds, Shifting damages Rs.50,000/-. For tube well, sump well, pump house.
7	Jagdishwar, Om Prakash, Gajraj, Vasudev Ss/o Het Ram	13//8/2, 12, 13, 11, 14//14, 15, 16, 17	Rs.1000/- per Sq. Yds, Rs.25,000/- for tube well/pumping set, Rs.10,000/- for trees, 2,00,000/- for change of profession., alternative plot, govt. jod plus other benefits as per rule.
8	Balak Ram, Satish Kr. S/o Jee Raj Nanak Chand S/o Ram Dass Anil Kr S/o Jagdev	13//20, 21, 24/1	-do-
9	Dev Dutt S/o Jhandu	13//8/1, 9, 10, 14	-do-
10	Ashish Tyagi S/o Ved Prakash Tyagi	22//12	@Rs.10,000/- per Sq. Yds, alternative plot, shifting damages Rs.2,50,000/-, damage to crops Rs.1,00,000/-
11	Ved Prakash Tyagi S/o Durga Prasad	22//12	-do-
12	Sameer Tyagi S/o Ved Prakash Tyagi	-do-	-do-
13	Jai Bhagwan, Siri Niwas, Rajender Ss/o Chunni Lal	1//25, 2//12, 13, 19, 20, 21 min, 22, 13//1, 2, 3, 14//5, 21, 22, 23, 25, 22//5, 6, 23//1, 2, 3, 8, 9, 10, 11, 12, 13	@Rs.1,000/- per Sq. Yds, Rs.11,00,000/- for tube well and super structure, Rs.1,00,000 for trees, Rs.2,00,000/- for shifting of occupation, Rs.2,00,000/- for severance, alternative plot, Govt. job plus other benefits as per rule

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MEASUREMENT

The area to be acquired as given in the declaration U/s 4, 6 and 17(1) is 304 bigha 13 biswa. The field staff also measured the land under acquisition as 304 bigha 13 biswa. As such present award confines to an area measuring 304 bigha 13 biswa The details of the areas are as under: -

Rectangle no.	Khasra no.	Area (Bigha-Biswa)
1	25 min	0-14
2	12 min	0-08
	13	4-16
	14	3-02
	17	4-16
	18	4-16
	19 min	3-18
	20 min	0-10
	21 min	4-05
	22	4-16
	23	4-16
	24 min	1-08
13	1	4-16
	2	4-16
	3	4-16
	8	4-16
	9	4-16
	10	4-16
	11	4-16
	12	4-16
	13	4-16
	18	4-16
	19	4-16
	20	4-16
	21	4-16
	22	4-16
	23	4-16
14	5	3-08
	6	4-16
	14	0-18
	15	4-16
	16	4-16

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	17	1-12
	21	3-12
	22	4-09
	23	4-09
	24	4-06
	25	4-16
15	25 min	1-12
22	4 min	2-02
	5	4-16
	6	4-16
	7	4-16
	8 min	2-08
	12 min	2-08
	13	4-16
	14	4-16
	15	4-16
23	1	4-16
	2	4-16
	3	4-16
	4	4-16
	5	4-16
	6	4-16
	7	4-16
	8	4-16
	9	4-16
	10	4-16
	11	4-16
	12	4-16
	13	4-16
	14	4-16
	15	4-16
24	1	4-16
	2	4-16
	3	4-16
	8	4-16
	9	4-16
	10	4-16
	11	4-16
	12	4-16
	13	4-16
TOTAL		304-13

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POSSESSION

The physical possession of the land measuring 304 bigha 13 biswas has been taken over and handed over to the requisitioning department on 25.5.2001.

MARKET VALUE

While determining the market value of the land as on 19.3.2001 i.e the date of notification U/s 4 of the Land Acquisition Act, 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 filled by the interested persons, sale deeds and price policy of the Govt. 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 their land by making claims from about Rs.10,000.00 per Sq. yds. They have, however, not filed any documentary evidences in support of their claims. The claims therefore can not form the basis of determination of market value.

In a policy announcement which came into effect from the financial year 1999-2000 and 2000-2001, the Government of National Capital Territory of Delhi fixed the indicative prices of agricultural land @ 12.16 lacs and 13.82 lacs per acre for the acquisition of agricultural land vide their order No. F.9(20)/80/L&B/LA/8490 dated 11.9.2001. which are applicable with effect from 1.4.99 and 1.4.2000 respectively.

In view of the absence of any documentary evidence on record to the contrary, I find Rs.13.82 lacs per acres to be the most reasonable price for the agriculture land as on 01.4.2000. The notification under section 4 was issued on 19.3.2001 and the price of the land is to be determined as on the



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date of notification U/s 4 itself. I, accordingly, determine the market value of the land @ Rs.13.82 lacs per acre or Rs.2,87,916.66 per bigha.

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

SOLATIUM

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

ADDITIONAL AMOUNT

The interested persons are entitled to additional amount under section 23 (1-A) of the LA Act @12% per annum on the market value of the land from the date of notification U/s 4 of LA Act i.e. 19.3.2001 till the date of possession which is 25.5.2001.

INTEREST

As the possession of the land has already been taken over on 25.5.2001 before making the award, the rightful claimants are entitled to the payment of interest U/s 34 of the LA Act from the date of possession till date of award.

CROPS

No crop was standing at the time of taking over the possession of the land on 25.5.2001. Hence, the crop has not been assessed for the purpose of compensation.

TUBEWELL

There are six tube well in the acquired land in Khasra No.2//18, 22//13, 23//13, 14, 24//11 and 12. I allow Rs.5000/- per tube well as removal charges.



BORING

There is no boring in the acquired land.

WELL

There is no well in the acquired land.

TREES: -

There is no tree on the land under acquisition.

**DETAILS OF LAND OWNERS WHO HAVE ALREADY BEEN PAID
80% COMPENSATION: -**

Since some of the interested persons have availed 80% compensation of their land, they will not be entitled for interest on the said amount from the date of issuing the cheque by the LAC till the date of announcement of award. The amount of interest is detailed in the column No.4. This interest is to be deducted from the interest U/s 34 of LA Act which has been calculated on the market value for the whole of the land irrespective of the fact that 80% compensation has been released to some of the interested persons as detailed below: -

Item No.	Name of the Interested persons and share	80% already paid (in Rs.) and date	Less Interest on 80% already Paid (in RS.)
38	Ved Prakash	194133.00 20.9.2001	9% & 15% for 247 & 129 days 11823.49 + 10291.70 = 22115.19
39	Asish tyagi	194133.00 20.9.2001	11823.49 + 10291.70 = 22115.19
40	Sameer Tyagi	194133.00 20.9.2001	11823.49 + 10291.70 = 22115.19

25	Smt Raksha Jain	4076800.00 19.12.2001	9% & 15% for 157 & 129 days $157822.42 + 216126.24 =$ 373948.66
31	Ashok Kumar	1601600.00 19.12.2001	$62001.66 + 84906.73 =$ 146908.39
24	Smt Saroj Jain	4076800.00 18.1.2002	9% & 15% for 127 & 129 days $127665.27 + 216126.24 =$ 343791.51
30	Sushil Kumar	1601600.00 18.1.2002	$50154.21 + 84906.73 =$ 135060.94
2	Raghuvansh	5040186.00 11.2.02	9% & 15% for 103 129 days $128006.91 + 267198.90 =$ 395205.81
4	Jai Bhagwan	5040186.00 11.2.02	$128006.91 + 267198.90 =$ 395205.81
6	Rajender Prasad	5040186.00 6.2.02	9% & 15% for 108 & 129 days $134220.84 + 267198.90 =$ 401419.74
3	Shyam Sunder	5040186.00 6.2.02	$134220.84 + 267198.90 =$ 401419.74
5	Sriniwas	5040186.00 6.2.02	$134220.84 + 267198.90 =$ 401419.74
26, 50, 35	Balak Ram	1633954.00 6.2.02	$43512.41 + 86621.94 =$ 130134.35
27, 35A, 51	Satish	1633954.00 6.2.02	$43512.41 + 86621.94 =$ 130134.35
29, 49	Nanak Chand	900562.00 6.2.02	$23982.08 + 47742.12 =$ 71724.20
28	Anil Kumar	873600.00 6.2.02	$23264.08 + 40023.32 =$ 60128.06
34, 52	Prem Wati	754962.00 6.2.02	$20104.74 + 40023.32 =$ 60128.06
8	Jai Kishan	110413.00 9.5.02	9% & 15% for 16 & 129 days $435.60 + 5853.40 =$ 6289.00
7	Ram Singh	110413.00 9.5.02	$435.60 + 5853.40 =$ 6289.00
9	Ramesh	110413.00 9.5.02	$435.60 + 5853.40 =$ 6289.00
10	Jagdish	110413.00 9.5.02	$435.60 + 5853.40 =$ 6289.00

22	Gaj Raj	1397760.00 19.2.02	9% & 15% for 95 7 129 days 32742.04 + 74100.42 = 106842.46
23	Vasu Dev	1397760.00 19.2.02	32742.04 + 74100.42 = 106842.46
46	Vandana Gupta	145600.00 17.5.02	9% & 15% for 08 7 129 days 287.21 + 7718.79 = 8006.00
47	Nirmala Gupta	145600.00 17.5.02	287.21 + 7718.79 = 8006.00
12	Kalo	1104133.00 19.6.02	15% for 105 days 47644.09
11	Surat Singh	110413.00 23.7.02	15% for 70 days 3176.26
13	Ghoga	552066.00 23.7.02	15881.35
		TOTAL	38,43,978.33

APPORTIONMENT

Compensation will be paid to the interested persons according to the latest entries in the revenue record. In case of any dispute regarding the title apportionment the matter would be referred to the court of ADJ, Delhi under section 30-31 of the LA Act.

LAND REVENUE

Land revenue to be assessed shall be deducted from the Khalsa rent roll of the village from the date of taking over the possession of the land.

SUMMARY OF THE AWARD

1	Market value of land measuring 304 bigha 13 biswas @ Rs. 13.82 lacs per acre or Rs.14395.83 per biswas.	8,77,13,792.19
2	Market Value of 6 tube well @Rs.5000/- per tube well	30,000.00
3	Sub Total	8,77,43,792.00
4	30% solatium U/s 23 (2) of the LA Act over the market value.	2,63,23,137.6
5	12% intt. P.a U/s 23(1-A) of LA Act w.e.f. 19.3.2001 to 24.5.2001 for 67 days	19,32,767.36
TOTAL		11,59,99,696.96
6	9% interest U/s 34 of LA on MV +solatium + additional amount for one year i.e from 25.5.2001 to 24.5.2002	1,04,39,972.72
7	15% interest U/s 34 of LA Act on MV +solatium + additional amount from 25.5.2002 to 30.9.2002 i.e for 129 days.	61,49,572.97
TOTAL		13,25,89,242.65
LESS INTEREST		38,43,978.33
GRAND TOTAL OF THE AWARD		12,87,45,264.32
		or say 12,87,45,264.00

(RUPEES TWELVE CRORE EIGHTY SEVEN LACS FORTY FIVE THOUSAND TWO HUNDRED SIXTY FOUR ONLY)

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

Approved

(Signature)
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Award announced in open court
On 30/9/2002.

Details of compensation in respect of the interested persons as per revenue record

Item no.	Interested persons	Khasra no.	Area (Bigha-Biswa)	Remarks
1	Sarkar Daulatmadar (Flood Deptt.)	2//13/2 14/2 Total	0-04 0-04 0-08	174027.60
2	Raghuvansh S/o Chuuni Lal	1//25 min 2//12 min 19 min	0-14 0-08 3-18	8642687.32
3	Shyam Sundar Lal S/o Chuuni Lal	20 min 21 min 22 13//1	0-10 4-05 4-16 4-16	8636473.39
4	Jai Bhagwan S/o Chuuni Lal	2 3 14//5 21	4-16 4-16 3-08 3-12	8642687.32
5	Sriniwas S/o Chuuni Lal	22 23 22//6	4-09 4-09 4-16	8636473.39
6	Rajender Prasad S/o Chuuni Lal (1/5 share each) *Tube well	2//13/1 15//25 min 22//5 23//1 2 3 8 9 10 11 12 13 Total	4-12 1-12 4-16 4-16 4-16 4-16 4-16 4-16 4-16 4-16 4-16 4-16 103-17	8636473.39

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7	Ram Singh S/o Kheru	2//14/1 17 24 min	2-18 4-16 1-08	191667.39
8	Jai kishan S/o Kheru	Total	9-02	191667.39
9	Ramesh S/o Kheru			191667.39
10	Jagdish S/o Kheru			191667.39
11	Surat singh S/o Kheru (1/20 share each)			194780.13
12	Smt Kalo W/o Bhag Singh (1/2 share)			1931919.86
13	Smt Ghoga W/o Chander Bhan (1/4 share)			973900.62
14	Nanak Chand S/o Manohar Lal	2//18 23 Total	4-16 4-16 9-12	836842.48
15	Ram Niwas S/o Manohar Lal			836842.48
16	Ram Kumar S/o Manohar Lal			836842.48
16A	Raj Kumar S/o Manohar Lal			836842.48
17	Rajender S/o Manohar Lal (1/5 share each) *Tube well			836842.48

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18	DevDutt S/o Zandu	13//8/1 9 10 14//6 Total	2-00 4-16 4-16 4-16 16-08	7135131.6
19	Jagat Singh S/o Het Ram	13//8/2 12	2-16 4-16	2505997.44
20	Jagdishwar S/o Het Ram	11 13 14//14 min	4-16 4-16 0-08	2505997.44
21	Om Prakash S/o Het Ram	15 16 17	4-16 4-16 1-12	2505997.44
22	Gaj Raj S/o Het Ram	Total	28-16	2399154.98
23	Vasu Dev S/o Het Ram (1/5 share each)			2399154.98
24	Smt Saroj jain W/o Sushil kr.	13//18 19	4-16 4-16	6969142.69
25	Smt Raksha Jain W/o Ashok Kr. (1/2 share each) *Tube well	22 24//2 8 min 9 12 13 min Total	4-16 4-16 2-08 4-16 4-16 2-08 33-12	6938985.54
26	Balak Ram S/o Jee Raj	13//20 21	4-16 4-16	1436114.05
27	Satish S/o Jee Raj	24//1 Total	4-16 14-08	1436114.05
28	Anil Kr. S/o Jagdev			1494524.20
29	Nanak Chand S/o Ram Dass (1/4 share each)			1496671.56

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30	Sushil Kr. Jain (HUF)	24//3 min 8 min 13 min 13//23	4-08 2-00 2-00 4-16	2736394.46
31	Ashok Kr. Jai S/o Trilok Nath (1/2 share each)	Total	13-04	2724547.01
32	Daya Swaroop S/o Sher singh	14//24 23//4 7	4-06 4-16 4-16	4071670.15
33	Om prakash S/o sher singh (1/2 share each) <i>* Tube well</i>	14 Total	4-16 18-14	4071670.15
34	Smt Prem Wati W/o Satdev	24//10/1 11/1	4-12 4-12	1276600.20
35	Balak Ram S/o Jee Raj	Total	9-04	1336728.26
35A	Satish Kr. S/o Jee Raj (1/3 share each) <i>* Tube well</i>			1336728.26
36	Gram Sabha	22//4 min	2-02	913644.90
37	Pran Nath S/o Kishan Chand <i>* Tube well</i>	22//7 8 min 13 14 Total	4-16 2-08 4-16 4-16 16-16	7316709.20
38	Ved Prakash Tyagi S/o Durga Prasad	22//12 min	2-08	325940.01
39	Asish tyagi S/o Ved Prakash Tyagi			325940.01
40	Sameer Tyagi S/o Ved Prakash Tyagi (1/3 share each)			325940.01
41	Smt Krishan Kumari W/o Banwari Lal	22//15 min	3-04	1392220.80

42	Brahm prakash S/o Gyani Ram	22//15 min	1-12	348055.20
43	Smt Kinno W/o Gyani Ram (1/2 share each)			348055.20
44	Hari Prakash S/o Tilak Ram	14//25	4-16	4176662.40
45	Ved Prakash S/o Tilak Ram (1/2 share each)	23//5 6 15 Total	4-16 4-16 4-16 19-04	4176662.40
46	Smt Vandana Gupta W/o Vinod Kr.	24//3 min 8 min 13 min Total	0-08 0-08 0-08 1-04	253035.40
47	Smt Nirmala Gupta W/o R.S. Gupta (1/2 share each)			253035.40
48	Jagdev S/o Ram Dass (5/18 share)	24//10/2 11/2 Total	0-04 0-04 0-08	48341.00
49	Nanak S/o Ram Dass (5/18 share)			48341.00
50	Balak Ram S/o jee Raj (1/6 share)			29004.60
51	Satish S/o Jee Raj (1/6 Share)			29004.60
52	Smt Prem Wati W/o Satdev (1/9 share)			19336.40
53	Not Known	14//14 min	0-10	217534.50
	TOTAL			128745264.00

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