

AWARD NO.

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

NAME OF THE VILLAGE

BAWANA

NATURE OF ACQUISITION

PERMANENT

PURPOSE OF ACQUISITION

FOR PARALLEL LINER CHANNEL  
FORM MUNAK (HARYANA) TO  
HAIDERPUR (DELHI).

**INTRODUCTORY**

These are the proceedings for determination of compensation U/s 11 of LA Act, 1894 in respect of land measuring 14 bigha 19 biswa of village Bawana, Delhi. The land is required by the Government for a public purpose namely for parallel lined channel from Munak (Haryana) to Haiderpur (Delhi).

The land stands notified under section 4 of LA Act, 1894 vide notification No. F.7(25)/2002/L&B/LA/DJB/19317 dated 12.11.03. The Land & Building Department issued a declaration under section 6 of LA Act, 1894 vide notification No. F.7(25)/2002/L&B/LA/DJB/28689 dated 25.3.04. Also emergency clause under section 17(1) of LA Act has been invoked in the aforesaid land. The Land & Building Department issued a declaration under section 17(1) of LA Act, 1894 vide notification No. F.7(25)/2002/L&B/LA/DJB/28690 dated 25.3.04.

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



## MEASUREMENT

The area to be acquired as given in the declaration under section 4 & 6 of the LA Act is 14 bigha 19 biswa. The field staff also measured the land to be 14 bigha 19 biswa. As such total area of the land to be acquired comes to 14 bigha 19 biswa.

Thus, the present award is for **14 bigha 19 biswa** land as per detail given below: -

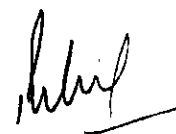
Rectangle No.	Khasra No.	Area In Bigha-biswa
52	3 min	3-14
	4 min	0-06
	7 min	3-12
	15 min	3-14
53	11 min	0-01
	20 min	3-12
	<b>TOTAL</b>	<b>14-19</b>

## CLAIMS

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

S No	Name of the claimant	Kh No.	Claims	Remark
1	Hoshiyar Singh S/o BalKishan Ranbir, Balwan, Pramjit all Ss/o Mukhtiyar Singh Jai Prakash, Dharamvir, Rishi Prakash all Ss/o Sube Singh Shakti Singh, Predeep both Ss/o Brahm Prakash	52//15, 53//11, 20	Land @ Rs.8,000/- per Sq yds, Rs.55,000/- for trees	No proof has been enclosed in support of the claim

2	Chander, Chand Ram both Ss/o Bal Kishan	-do-	Land @ Rs.8,000/- per Sq yds, Rs.55,000/- for trees, Rs.1.50 lacs for crops, Rs.1.25 lacs for T/well	-do-
3	Deep Chand S/o Jai Ram Jai Narain, Veer Singh both Ss/o Laxman Singh Raj Singh S/o Lakhi Ram Naveen Kumar S/o Shiv Narain through his mother	52//4, 7	Land @ Rs.8,000/- per Sq yds, Rs.53,000/- for trees, Rs.1.00 lacs for crops, Rs.1.75 lacs for T/well & well, alternative plot	-do-
4	Umed Singh S/o Baldeva Hansraj, Dalbir singh both Ss/o Sri Chand Rameshwar S/o Suraj Mal Sultan Singh S/o Moola Sri Bhagwan, Manohar, Dharambir, Om Prakash all Ss/o Chattar Khimmo Devi W/o Kali Ram	52//15, 53//11, 20	Land @ Rs.2,000/- per sq yds, Rs.1000/- per qtls for timber, Rs.25,000/- for crops, alternative plot	Enclosed copy of sale deed in respect of land situated in (1) village Mamoorpur executed in the year 28.3.2000. (2) village Hiran Kudna executed in the year 5.8.03. (3) village Sawda executed in the year 29.3.04. (4) village Sawda executed in the year 8.9.03 for a sum of Rs.26,75,000.00, 75.00 lacs, 62.40 lacs and Rs.50.66 lacs per acre respectively



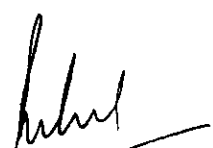
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Notice under section 50 of the LA Act, 1894 was issued to the requisitioning department to adduce evidence for the purpose of determining the amount of compensation. The requisitioning department has not furnished any evidence to adduce evidence for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

### **MARKET VALUE**

While determining the market value of the land as on 12.11.2003, 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 their land by making claims about Rs. 2,000.00 to Rs.8,000.00 per Sq. Yds. However, most of the claimants have not filed any documentary evidence(s) in support of their claims. A few of the claimants have filed a photocopy of the sale deed in respect of land situated in (1) village Mamoorpur executed in the year 28.3.2000, (2) village Hiran Kudna executed in the year 5.8.03, (3) village Sawda executed in the year 29.3.04, (4) village Sawda executed in the year 8.9.03 for a sum of Rs.26,75,000.00, 75.00 lacs, 62.40 lacs and Rs.50.66 lacs per acre respectively in support of his claim. Here, it is submitted that village Hiran Kudna, Sawda and Mamoorpur is at least 30-35 Km away from the land under acquisition. The topography, nature of soil, its location etc of village Hiran Kudna, Sawda and that of the village under acquisition differs a lot. The claimant ought to have furnished the sale deed in respect of land under acquisition or land



situated adjacent to the land under reference/acquisition. The claimants have failed in furnishing the sale deed for the same. As such 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.

The notification under section 4 was issued on 12.11.2003 and the price of the land is to be determined as on the date of notification under section 4 of Land Acquisition Act itself. Also land measuring 14-18 in village Bawana was acquired vide Award No. 16/04-05 and notification issued U/s 4 and 6 vide Notification No.F.11(10)/2003/L&B/LA dated 6.8.03 and 1.4.04 respectively. The land has been assessed at Rs.15,70,000.00 per acre. Hence, in view of the above facts I find Rs.15,70,000.00 per acre to be the most reasonable price for the agriculture land as on 12.11.03. I, accordingly, determine the market value of the agriculture 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.

### **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. 12.11.2003 till 17.6.2004 (the date of possession).

**POSSESSION**

Physical possession of the whole land under acquisition measuring 14 Bigha 19 Biswa has been taken over and handed over to the requisitioning department on 17.6.2004.

**TUBEWELL**

There is one tube well with Kotha in the acquired land in Khasra No.52//3. I allow Rs.5,000.00 per tube well with Kotha as removal charges.

**BORING**


There is two boring in the acquired land in Khasra No. 52//7 & 52//15. I allow Rs.2,500.00 per boring as removal charges.

**WELL**

There is one well in the acquired land in Khasra No. 52//7. I allow Rs.5,000.00 per well 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. As regards other trees weighing more than one quintal, I assess the market value at Rs. 100/- per quintal. The details of other trees are as under: -

Khasra No.	Name of trees	No. of trees	Weight in Quintal	Market value @Rs. 100.00 per quintal (in Rs)
52/13	Shetut	1	3	300.00

### 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 (Bigha-Biswa)	Compensation (In Rs.)
1	Ram Phal S/o Jodha (1/6 share) Trees 30 T/well	52	3 min	3-14	2,82,710.47
2	Karan Singh S/o Jodha (1/6 share)				2,82,710.47
3	Raj Singh S/o Jodha (1/6 share)				2,82,710.47
4	Nand Lal S/o Jodha (1/6 share)				2,82,710.47
5	Silak Ram S/o Jodha (1/6 share)				2,82,710.47
6	Rajender Singh S/o Chand Ram (1/12 share)				1,41,355.23
7	Surrender Kumar S/o Chand Ram (1/12 share)				1,41,355.23

16354-16 4906-24 1177-49 411-01 → 22,848-30

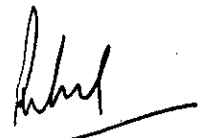
22,437-89

17008-33

5429-56

5840-30 (2011)

✓ 8	Raj Singh S/o Lakhi Ram (1/6 share) Well Boring	52	4 min 7 min  <b>Total</b>	0-06 3-12  <b>3-18</b>	2,98,285.96
✓ 9	Deep Chand S/o Jai Ram (1/6 share)				2,98,285.96
✓ 10	Jai Narayan S/o Laxman (1/6 share)				2,98,285.96
✓ 11	Veer Singh S/o Laxman (1/6 share)				2,98,285.96
✓ 12	Naveen Kumar (minor) S/o Shiv Narayan (1/3 share) <i>u/s 31 (a)</i>				5,96,571.92
✓ 13	Sultan Singh S/o Moola (1/15 share) Boring	52 53	15 min 11 min 20 min  <b>Total</b>	3-14 0-01 3-12  <b>7-07</b>	33,61,291.24 In total (case disputed)
✓ 14	Rameshwar S/o Surajmal (1/15 share)				
✓ 15	Chattar S/o Kali Ram (1/15 share)				
✓ 16	Hans Raj S/o Sri Chand (1/30 share)				
✓ 17	Dalbir Singh S/o Sri Chand (1/30 share)				
✓ 18	Smt Khimmo W/o Kali Ram (1/15 share)				





✓ 19	Hoshiyare S/o Bal Kihan (1/30 share)				
✓ 20	Chander S/o Bal Kihan (1/5 share)				
✓ 21	Candram S/o Bal Kihan (1/5 share)				
✓ 22	Jai Prakash S/o Sube Singh (1/120 share)				
✓ 23	Dharambir S/o Sube Singh (1/120 share)				
✓ 24	Rishi Prakash S/o Sube Singh (1/120 share)				
✓ 25	Shakti Singh S/o Brahm Prakash (1/240 share)				
✓ 26	Pradeep Singh S/o Brahm Prakash (1/240 share)				
✓ 27	Umed Singh S/o Baldeva (1/6 share)				
✓ 28	Ranbir Singh S/o Mukhtyare (1/90 share)				
✓ 29	Balwan S/o Mukhtyare (1/90 share)				
✓ 30	Paramjit Singh S/o Mukhtyare (1/90 share)				
	<b>TOTAL</b>		<b>14-19</b>		<b>68,47,270.00</b>

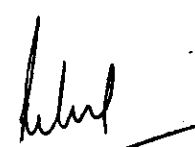


**LAND REVENUE**

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**

		(In Rs.)
1	Market value of land measuring 14 bigha 19 biswa @ Rs.15,70,000.00 per acre or say @Rs. 16354.16 per biswa	48,89,893.84
2	Market Value of trees	300.00
3	<b>Total Market Value of land (Col. 1+2)</b>	<b>48,90,193.84</b>
4	Solatium @30% on the market value u/s 23(2) of the LA Act, 1894	14,67,058.15
5	Additional amount @12% p.a on the market value w.e.f. 12.11.2003 to 17.6.2004 for 219 days U/s 23(1-A) of LA Act, 1894.	3,52,093.95
6	<b>Total (Col. 3+4+5)</b>	<b>67,09,345.94</b>
7	80% compensation received for 14 bigha 19 biswa	50,85,490.67
8	<b>Balance 20 % compensation (Col. 4-5)</b>	<b>16,23,855.27</b>
9	Interest @9% p.a [on{(MV+Solatium+addl. Amount)-80% compensation already received} i.e on 16,23,855.27] U/s 34 of the LA Act, 1894 w.e.f 18.6.2004 to 20.4.2005 for 307 Days.	1,22,923.61
10	Cost of removal in respect of 1 tube well @Rs.5,000.00 per tube well	5,000.00




11	Cost of removal in respect of 1 well @Rs.5,000.00 per well	5,000.00
12	Cost of removal in respect of 2 boring @Rs.2,500.00 per boring	5,000.00
13	<b>TOTAL(COL 6+9+10+11+12)</b>	<b>68,47,269.55</b> Or say <b>68,47,270.00</b>

(Rupees Sixty Eight Lacs Forty Seven Thousand Two Hundred Seventy Only)

  
(PRASHANT .K. PANDA)  
Land Acquisition Collector (N-W)

APPROVED

  
5/4/2005  
Secretary (Revenue)

Award announced in  
open court on 20/4/05  
