

AWARD NO. 2/ 2005-06/DC(N-W)

NAME OF THE VILLAGE

HOLAMBI KHURD

NATURE OF ACQUISITION

PERMANENT

PURPOSE OF ACQUISITION

**FOR PUBLIC PURPOSE NAMELY
FOR DEVELOPMENT OF NARELA
BAWANA PHASE-II 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 70 bigha 18 Biswa in village Holambi Khurd, Delhi. The land is required by the Government for a public purpose namely for development of Narela Bawana Phase-II, under Planned Development of Delhi.

The land stands notified under section 4 of LA Act, 1894 vide notification No. F.11(21)/02/L&B/LA/17595 dated 27.1.2003. The Land & Building Department issued a declaration under section 6 of LA Act, in respect of the aforesaid land vide notification No. F.11(21)/02/L&B/LA/24072 dated 23.1.2004.

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".

MEASUREMENT

The area to be acquired as given in the declaration under section 4 & 6 of the LA Act is 70 bigha 18 biswa. The field staff measured the land to be 70 bigha 18 biswa on total of the notified land.

Khasra no. 41//21 min(0-05), 12//18 min(0-01), 9//22(4-04), 23(3-00), 24(2-08), 10//25(0-03), 13//1 min (0-04) Total area of these Khasra Numbers is 10 bigha-05 biswa which is government property. So this land is being excluded from the present award.

Thus, the present award is for 60 Bigha 13 Biswa.

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Rect. No.	Khasra No.	Area
8	23/1	1-01
17	2	3-19
	3/1	3-01
11	25	2-04
42	5min	3-08
	6/1min	0-10
12	11	3-04
	12	4-16
	19	2-11
12	2	2-02
	9	4-16
	10	2-11
12	20	4-10
	21min	3-02
12	7min	1-01
	8min	4-11
	13min	2-01
8	23/2	1-02
	24/1	1-05
17	3/2	1-15
	4/1	1-17
8	24/2	1-15
17	4/2	2-19
41	26	0-04 ✓
12	2 min	0-04
	21min	0-04

c. J. S. 160-13

CLAIMS

Sr. No.	Name of the claimant / objector	Khasra No. with Area	Claim/ Objection	Remarks
1.	Ram Kumar S/o Sh. Sushil Kumar R/o G-14 Golden Orhid Road Banglore	12//2,9,10	Rs. 8000/- per sq. yard	
2.	Adeshwar Jain S/o Sh. Arjun Dev Jain R/o B- 373 Prashant Vihar Delhi	12//7min, 8min, 13 min	Rs.8,000/- per sq. yard	
3.	Smt. Madhu Jain W/o Sanjay Jain R/o 903-904 Breblain Hil town Banglore	12//11,12,19	Rs.8,000/- per sq. yard.	
4.	Smt. Nidhi Jain W/o Adeshwar Jain R/o G-12 Orehid K.G. Road Banglore	11/25, 42//5,6/1 min	Rs.8,000/- per sq. yard.	
5.	Smt. Alka Jain W/o R.K. Jain R/o c-14 Ahinsha vihar Sec. 9 Rohini Delhi	12//20,21	Rs.8,000/- per sq. yard.	
6.	Smt. Anita Jain W/o Sushil Kumar Jain R/o G-14 Golden Orahid Road Banglore	12//2,9,10	Rs.8,000/- per sq. yard.	

For info

7.	Sh. Sanjay Jain s/o sh. Nukal Dev Jain R/o 903- 904 Breblain Hil Town Banglore	12//11,12 ,19	Rs. 8,000/- per sq. yard	
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MARKET VALUE

While determining the market value of the land as on 6.2.2003, 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, potentialities attached to the land and 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" 3 to 4 feet in 8 Bigha 1 Biswa of land. On local enquiry from the villagers it is revealed that earth has been lifted. 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 52 Bigha 12 Biswa is categorized as Block "A". Second block consisting of GADDHA upto 3-5 feet measuring 8 Bigha 1 Biswa is categorized as Block "B".

The details of Category Of Block B is as under

Rect No.	Khasra No.	Area
8	23/1	1-01
17	2	3-19
	3/1	3-01
	Total	8-01

The land under acquisition is purely agricultural land but is put to different use. But maximum of the land is being used for agriculture.

The interested persons have generally claimed exorbitant prices of their land by making claims about Rs. 1,000/- to Rs. 20,000/- 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.

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In 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/- 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 the light of the above discussion, I find Rs. 15,70,000/- per acre to be the most reasonable price for the agricultural land as on 22.08.2001. The notification U/s 4 was issued on 27.01.2003 and the price of the land is to be determined as on the date of notification U/s 4 of Land Acquisition Act itself. Hence, in view of the above facts I find Rs. 15,70,000/- per acre to be the most reasonable price for the best kind, i.e. land falling in "A" block as on 27.01.2003. I accordingly, determine the market value of the "A" block land @ Rs. 15,70,000/- per acre.

As regards assessment of land falling in "B" block is concerned attention is required to be paid to the quality and level of land. As stated earlier, this land has GADHDHAS upto 3-5 feet. From the land, earth has been taken out. To make this low leveled inferior quality land leveled, earth filling will have to be done. Local enquires were made and it came to my notice that for removing earth up to 3-5 feet the land owners of these land had received money @ Rs. 1.20 lacs per acre at that time i.e. 10-13 years back. Attention is drawn to the award no 10/99-2000 of village Sanoth where in the land having Gaddha up to 3 feet have been categorized in block "B" and the market value assed of the B block land was lowered by Rs. 1,20,000/- from A Block leveled land. i.e. the owner of B Block land received a sum of Rs. 1,20,000/- per acre on selling their land. The land in village Sanoth under reference was notified under section 4 of Land Acquisition on 1.06.1998. After taking into the consideration the increase in the market value of the land notified subsequently, the market value of "B" Block is to reduced by 1,70,000/- per acre as on 27.01.03. i.e. the date of notification under section 4 of the L.A Act in the present matter in comparison with the market value of leveled "A" Block of land. As such I assess the market value of B block land @ Rs. 14,00,000/- per acre.

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 values 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. 27.01.2003

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till date of possession or announcement to 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/ BORING

There is no Tubewell / Boring in the land under acquisition.

WELL

There is no well in the acquired land.

TREES

There is no tree in the acquired land

APPORTIONMENT

S.No.	Name of the interested persons with share	Rect. No.	Khasra No.	Area	Amount
1.	Kultaz Singh S/o Pratap Singh ¼ Share,	8 17	23/1 2 3/1	1-01B 3-19B 3-01B	9,67,630.93
			Total	8-01	
2.	Kuleep S/o Pratap Singh ¼ Share				9,67,630.93
3.	Mandeep S/o Pratap Singh ¼ Share				9,67,630.93
4.	Sahil S/o Lt. Sandeep ¼ Share				9,67,630.93
5.	Smt. Nidhi Jain W/o Adeshwar Jain	11 42	25 5min 6/1min	2-04 3-08 0-10	32,89,085.84
			Total	6-02	
6.	Smt. Madhu Jain W/o Sanjay Jain ½ Share	12	11 12 19	3-04 4-16 2-11	28,44,250.46
			Total	10-11	
7.	Sanjay Jain S/o Nukul Dev Jain ½ share				28,44,250.46

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8.	Smt. Anita Jain W/o Sushil Kumar Jain ½ Share	12	2	2-02	25,47,693.54
			9	4-16	
			10	2-11	
			Total	9-9	
9.	Rajkumar S/o Sushil Kumar ½ share				25,47,693.54
10.	Smt. Alka Jain W/o R.K. Jain	12	20	4-10	40,97,877.44
			21min	3-02	
			Total	7-12	
11.	Adeshwar Jain S/o Sh. Arjun Dev Jain	12	7min	1-01	41,24,837.16
			8min	4-11	
			13min	2-01	
			Total	7-13	
12.	Jai Krishan S/o Pyare lal	8 17	23/2	1-02	32,08,206.68
			24/1	1-05	
			3/2	1-15	
			4/1	1-17	
			Total	5-19	
13.	Raghubir Singh S/o Prabhu	8 17	24/2	1-15	25,34,213.68
			4/2	2-19	
			Total	4-14	
14.	Rishal Singh S/o Santokh Ram Village Madani Dis. Rohtak	41	26	0-04 ✓	1,07,838.88
15.	UNKNOWN	12	2 min	0-04	2,15,677.76
			21min	0-04	
			Total	0-08	

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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 AWARD

1	Market value of land measuring 52 bigha 12 biswa Of A category @ Rs. 15,70,000/- per acre or say @ 16354.16/- per biswa	1,72,04,576.32
2	Market value of land measuring 8 bigha 1 biswa of B category @ Rs. 14,00,000/- per acre or say @ 14583.33/- per biswa	23,47,916.13
3	TOTAL Market Value (COL. 1+2)	1,95,52,492.45
4	Solatium @ 30% on the Market value under section 23(2) of La Act 1894	58,65,747.73
5	Additional amount @12% p.a. on the Market value w.e.f. 27/1/2003 to 22/12/2005 for 2 years and 330 days or 1060 days U/s 23(1-A) of LA Act 1894.	68,13,909.69
	TOTAL (COL. 3+4+5+6+7+8)	3,22,32,149.87 or say 3,22,32,149.00

(RUPEES THREE CRORE TWENTY TWO LACS THIRTY TWO THOUSANDS ONE HUNDRED FORTY NINE ONLY)

C. Arvind

(C. ARVIND)

Land Acquisition Collector (N-W)

[Signature]
20/12/2005
APPROVED
SECRETARY (Revenue)

award announced in the presence of interested persons who chose to be present

C. Arvind
22-12-05