

AWARD NO.

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

NAME OF THE VILLAGE

SHAHBAD DAULATPUR

NATURE OF ACQUISITION

PERMANENT

PURPOSE OF ACQUISITION

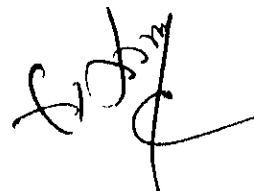
WIDENING OF BAWANA
AUCHANDI ROAD,
CONSTRUCTION OF 45 METER
ROAD, 12 METER ROAD AND
DEVELOPMENT OF PLOTS FOR
ROHINI RESIDENTIAL SCHEME
SECTOR 26 UNDER PLANNED
DEVELOPMENT OF DELHI.

INTRODUCTORY

These are the proceedings for determination of compensation U/s 11 of LA Act, 1894 in respect of land measuring 12 bigha 04 biswa in village Shahbad Daulatpur, Delhi. The land is required by the Government for a public purpose namely widening of Bawana Auchandi Road, construction of 45 meter wide road, 12 meter wide road and development of plots for Rohini Residential Scheme Sector 26 under Planned Development of Delhi.

The land stands notified under section 4 of LA Act, 1894 vide notification No. F.11(50)/99/L&B/LA/74&5 dated 1.8.2003. The Land & Building Department issued a declaration under section 6 of LA Act, in respect of the aforesaid land vide notification No. F. 11(50)/99/L&B/LA/22037 dated 22.12.2003. In view of the urgency of the scheme, provision of section 17(1) of the Act is also applicable as conveyed by Land & Building Department, Government of National Capital Territory of Delhi vide its letter No. F. 11(50)/99/L&B/LA/22038 dated 22.12.2003.

In pursuance of the said notification, notices under section 9 & 10 of the LA Act, 1894 were issued to Gram Sabha, Bawana through Block



Development Officer, the interested person. Also notice U/s 50 of the LA Act, 1894 was issued to the requisitioning department. In response to the notices issued, claim(s) 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 12 bigha 04 biswa. The field staff measured the land to be 12 bigha 04 biswa on verification/total of the notification.

Thus, the present award is for 12 bigha 04 biswa land as per detail given below: -

Rect. No.	Kh. No.	Area (Bigha-Biswa)
43	3/1min	0-17
	3/2	0-10
	4/1	1-10
	7/2	3-05
	8/1	1-03
	8/2min	2-03
	14/1	0-16
	14/2	2-00
TOTAL		12-04

CLAIMS

In response to the notices issued under section 9 and 10 (to interested person) and under section 50 of the LA Act to the requisitioning Department none have filed any claim.

MARKET VALUE

While determining the market value of the land as on 1.8.2003, 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 the purpose other than agriculture.

The interested persons have failed to file any claim in support of their claim or produce any legal evidence of the market value of the acquired land in question.

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 light of above discussion, I find Rs.15,70,000.00 per acre to be the most reasonable price for the agricultural land as on 1.8.2003. The notification under section 4 was issued on 1.8.2003 and the price of the land is to be determined as on the date of notification Under section 4 of Land Acquisition Act itself.



I, accordingly, determine the market value of the 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

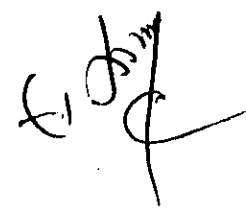
As provided under sub-section 2 of section 23 of the Land Acquisition (amendment) Act, 1984, solatium @ 30% shall be paid to the interested persons on the market value of the land.

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. 1.8.2003 till date of possession or announcement of the award whichever is earlier as per the provision of the Land Acquisition Act, 1894.

POSSESSION

The interested persons have filed a writ petition challenging the acquisition proceeding in the Delhi High Court in CWP No. 1597-1602/2004 titled as Sh. Rameshwar Nath Goel and others Vs U.O.I and others. The court vide its order dated 4.2.2004 directed the parties to maintain status quo with regard to the nature, possession, title and construction on the subject land/property except in respect of the portion of the land which may be required for widening the 45 foot proposed road. Accordingly, in



compliance of the Delhi High Court order physical possession of the land measuring 15 biswa under acquisition has been taken on 30.4.04.

TREES

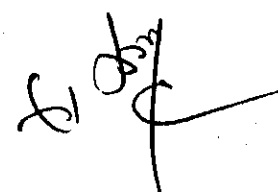
There is large number of trees in the some portion of land under acquisition and the value of which will be assessed by Horticulture department. Horticulture department has been requested to carry out the assessment of the trees and submit the report. Supplementary award for the same will be announced after the valuation report is received in the office.

STRUCTURE

There exists structure in the acquired land in the acquired land in the form of Godown and other temproray structures/rooms. PWD has been requested to assess its market value. Supplementary award if any will be made in accordance with the Section 24 of LA Act, 1894 after the assessment report is made available by the PWD.

APPORTIONMENT

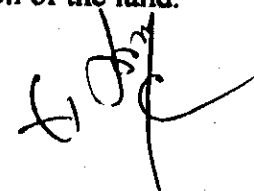
Compensation will be paid to the land owners as per the latest entries in the revenue record. In case of any dispute regarding title, apportionment of compensation, the matter will be referred to the court of ADJ, Delhi under section 30-31 of the LA Act, 1894. The detail of apportionment is as under:

A handwritten signature in black ink, appearing to be 'S. D. Singh', is located at the bottom right of the page.

S.No.	Name	Rect No.	Kh No.	Area Bigha-Biswa	Compensation (in Rs.)
1	Rameshwar Nath S/o Amar Nath (3/5 share)	43	3/2 4/1 7/2 8/1 14/1	0-10 1-10 3-05 1-03 0-16	19,23,769.67
2	Yogesh Goyal S/o Rameshwar Nath (1/5 share)		Total	7-04	6,41,256.55
3	Sarla Goyal W/o Rameshwar Nath (1/5 share)				6,41,256.55
4	Kumari Anju Goyal D/o Rameshwar Nath	43	14/2	2-00	8,90,634.11
5	Rachna Arora W/o Rakesh Arora	43	3/1min 8/2min Total	0-07 0-08 1-05	5,60,074.03
6	Nar Singh S/o Radhey	43	3/1min 8/2min Total	0-10 1-05 1-15	7,84,103.65
	TOTAL			12-04	54,41,095.00

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

IN RESPECT OF LAND MEASURING 0-15 WHOSE POSSESSION HAS BEEN TAKEN ON 30.4.04

(In Rs.)

1	Market value of land measuring 15 biswa @ Rs.15,70,000.00 per acre or say @ Rs. 16354.16 per biswa	2,45,312.40
2	Solatium @30% on the market value U/s 23(2) of LA Act, 1894.	73,593.72
3	Additional amount @12% p.a on the market value w.e.f. 1.8.2003 to 29.4.2004 for 273 days U/s 23(1-A) of LA Act, 1894.	22,017.62
4	TOTAL(COL 1+2+3)	3,40,923.74
5	80% compensation already received in respect of land measuring 0-15 in view of invoking emergency provision	2,55,120.00
6	Balance 20% compensation (Col. 4 - 5)	85,803.74
7	Interest @9% p.a [on{(MV+Solatium+addl. Amount)-80% compensation already received} i.e., Rs 85,803.74 U/s 34 of the LA Act, 1894 w.e.f 30.4.2004 to 29.6.2004 for 61 days.	1,290.58
8	TOTAL (Col. 4+7)	3,42,214.32

IN RESPECT OF LAND MEASURING 11-09 WHICH IS A PART OF
CWP No. 1597-1602/2004

9	Market value of land measuring 11 bigha 09 biswa @ Rs.15,70,000.00 per acre or say @ Rs. 16354.16 per biswa	37,45,102.64
10	Solatium @30% on the market value U/s 23(2) of LA Act, 1894.	11,23,530.79
11	Additional amount @12% p.a on the market value w.e.f. 1.8.2003 to 29.6.2004 (minus the period of stay/status quo w.e..f 4.2.04 till date) for 187 days U/s 23(1-A) of LA Act, 1894.	2,30,246.85
12	TOTAL(COL 9+10+11)	50,98,880.28
13	GRAND TOTAL OF AWARD (Col. 8+12)	54,41,094.60 Or say 54,41,095.00


(Rupees Fifty Four Lacs Forty One Thousand Ninety Five Only)



(S.R. KATARIA)

Land Acquisition Collector(N-W)

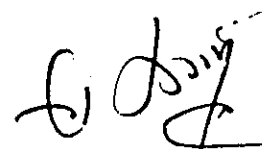
APPROVED
Secretary (Revenue)



15/6/2004

29/6/04

Award is announced in
open court on 29/6/04.



29/6/04