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AWARD MADE UNDER SECTION 11 OF LAND ACQUISITION ACT, 1894

AWARD NO. : 04/2013

Name of Village : Bahapur

Area under acquisition : 14 Biswa or 585.28 Sq.mtrs

Purpose of acquisition : Planned Development of Delhi
(Kashmiri Co-operative Housing Building
Society)

Nature of acquisition : Permanent.

Notification u/s 4 : F.9(35)/08-2011/L&B/LA/6036 dt. 12.08.2011

Notification u/s 6 : F.9(35)/08-2011/L&B/LA/17251 dt. 09.03.2012

The joint survey of land has been carried out on 18.1.2011, the detail of true and correct area of the land under award is as under: -

Field No./Kh.No.
935

Area
0-14

Notices:- Notices u/s 9 & 10 were issued to the all recorded owners.

Compensation Claims : - The following persons have filed claims for compensation as per details below:

| S. No. | Name of Claimant & Kh. No. | Claim |
|--------|----------------------------|--|
| 1. | Prem Mehra | Market Value of the land @ 6,00,000/- (approx) per sq.mtrs. |

Documentary Evidence: In support of their claims, the claimants have submitted following documents:

1. Copy of Approved Plan of DDA
2. Copy of Order of the Hon'ble High Court
3. Copy of Demarcation Report
4. Reply of R.T.I ID No. 2218 from Dy. Director (LA) DDA

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HISTORY:

The notification under section 4 of LA Act was issued on 12.08.2011 for acquisition of land for a public purpose namely Planned Development of Delhi (Kashmiri Co-operative Housing Building Society). Notice under section 5 (A) was issued to the concerned parties for hearing of the objections on 17/10/2011. After the hearing, the report under Section was prepared which was followed by declaration under section 6 of LA Act dated 09.03.2012. Notice under Section 9 and 10 issued to all the interested parties on 04.07.2013. Notice under section 50(2) was also issued on 24.05.13 to the beneficiary department for adducing evidence for the purpose of determining the amount of compensation.

Market Value :-

The market value of the land has to be determined with reference to the price prevailing as at the date of preliminary notification. The market value means the price that would be paid by willing purchaser to a willing seller where both are actuated by business principles prevalent at the time in the locality. The price, therefore, paid for comparable properties in the neighborhood are the usual evidence as to the market value.

The notice u/s 50 (2) of LA Act has been issued to the requisitioning agency i.e. Delhi Development Authority vide letter dated 24.05.2013 but no specific claim/rate has been raised by the agency.

The Claimant has filed his claim alongwith above mentioned documents. The claimant is claiming that the land use of the land in question is a commercial as per the approved Lay Out Plan of DDA and thus the claimant is at least entitled to get compensation at the circle rate for the commercial area. It is further claimed by the claimant that as on date the rate per square meter of a residential plot is approximately Rs. 6,00,000/- per sq.yard and in support of his claim the claimant has filed the information obtained by him from D.D.A under RTI in respect of a plot in South Zone i.e Friends Colony which is at par with Greater Kailash Part-1.

The land under the present award is situated in Bahapur village and at present the site is lying vacant. The applicant has submitted the reply received under RTI Act wherein the valuation of Friends colony is given which is in Kilokari village. Friends colony is around 3 km away from the subject land. At present, this land can not be used for residential purpose under the applicable laws. There is no building potential of this land at present. But no such sale deed can be found of this type of land without building potentiality to evaluate the value of this land. Hence, the market value of the subject land can be determined on the basis of the indicative price fixed by the government of NCT of Delhi for the land without building potentiality i.e. agriculture land vide letter No. F.9(20)/80/L&B/LA/15063 dated 24.01.08. The minimum rates in the National Capital Territory Delhi effective from 18.12.2007. Accordingly I, therefore assess the market value w.r.t the subject land as on date of Notification U/s 4 Land Acquisition Act as Rs. 53,00,000/- per acre.

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TREES: - No trees were found existing in the land under acquisition, hence no compensation assessed.

STRUCTURE: - There were no structures on the subject land for which no compensation considered.

30% SOLATIUM: - 30% Solatium is payable on the market value of the land. U/S 23(2) of L.A. Act 1894.

ADDITIONAL AMOUNT U/S 23(1-A):

In addition to the market value of the land an amount calculated at the rate of 12% per annum on such market value for the period commencing on and from the date of publication of the notification under section-4, sub section-(1), in respect of such land to the date of the award of the Collector or the date of taking possession of the land, whichever is earlier.

APPORTIONMENT

Compensation will be paid on the basis of the latest entries in the revenue record. If there is a dispute regarding title/apportionment, which could not be settled here within a reasonable period, the dispute will be referred to the court of ADJ for adjudication u/s 30 & 31 of L.A. Act.

VESTING OF OWNERSHIP

From the date of taking over the possession of the land, the land under acquisition will vest absolutely in government and free from all encumbrances.

LAND REVENUE DEDUCTIONS :

The land revenue assessed by the revenue officer concerned till date shall be deducted from the awarded money at the time of making the payment.

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SUMMARY OF AWARD :

| <u>S. No.</u> | <u>Details</u> | <u>Amount of Compensation.</u> |
|---------------|--|--------------------------------|
| 1. | Market value @ Rs. 53,00,000 per = Acre i.e Rs. 1309.658 per sq.mtrs for an area measuring 14 Biswa Or 585.28 Sq.mtrs | Rs.7,66,517/- |
| 2. | Solatum @ 30% | = Rs.229,955/- |
| 3. | Additional amount @ 12% u/s 23(1-A) w.e.f 12.08.2011 to 30.12.2013(871 days) | = Rs.2,19,497/- |
| | Grand Total | =Rs 12,15,969/- |

(Rupees Twelve Lakhs Fifteen thousand Nine Hundred Sixty Nine Only).


(AJAY KUMAR)
LAND ACQUISITION COLLECTOR (SOUTH-EAST)


DIVISIONAL COMMISSIONER
SECRETARY (REVENUE)

Award announced in open court on
30/12/13 at 9.48 am.


30/12/13