

AWARD MADE UNDER SECTION 11 OF LAND ACQUISITION ACT, 1894

AWARD No : 05/2013-14  
Name of Village : Bahapur  
Area under acquisition : 10489.18 Sq.mtrs  
Purpose of acquisition : Acquisition of land for Construction of Janakpuri  
(West) Kalindi Kunj corridor of DMRTS  
Project, Phase-III  
Nature of acquisition : Permanent.  
Notification u/s 4 : F.7 (9)/11/L&B/LA/MRTS/9786 dated 13.09.13.  
Notification u/s 6 : F.7 (9)/11/L&B/LA/MRTS/10123 dated 19.09.13  
Notification U/s 17(1) : F.7 (9)/11/L&B/LA/MRTS/10124 dated 19/9/2013.

The joint survey of land has been carried out on 17.12.12 & 22.11.12. Then the site was visited by DMRC and the revised requirement of land and revised drawing was submitted vide letter dated 04/6/2013. Accordingly, the details of true and correct area of the land under award is as under: -

<u>Field No./Kh.No./Location</u>	<u>Area</u>
Vacant land belonging to Tata Communication Ltd. surrounded by open space in the Northern side, outer Ring Road on the southern side and office building of TSNL on Eastern side and Rajdhani Power Station on west side.	10489.18 Sq.mtrs
Total Area	10489.18 sq.mtrs

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

Possession: Possession of Area 10489.18 sq.mtrs has been handed over to DMRC.

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

S. No.	Name of Claimant & Kh. No.	Claim
1.	Tata Communication Ltd.	Rs.4,29,21,72,456/- along with other statutory benefits.

Documentary Evidence:

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

1. Notification dated 04/12/12 for circle rate issued by GNCTD.
2. Valuation report of the concerned property submitted by Aggrawal & Associates.
3. Valuation report of the land submitted by Knight Frank, Research & Advisory Services.

HISTORY:

The notification under Section 4 of LA Act was issued on 13.09.13 for acquisition of Vacant land belonging to Tata Communication Ltd. Surrounded by open space in the northern side, Outer Ring Road on the Southern side and office building of TSNL on Eastern Side and Rajdhani Power Station on West Side, area 10489.18 sq.mtrs for construction of Janakpuri (West) Kalindi Kunj corridor of DMRTS Project, Phase-III followed by declaration under section 6 & 17 of LA Act dated 19.09.13. Notice under section 9 & 10 issued to all the interested parties on 04/10.2013.

Notice under Section 50(2) was also issued on 13.12.2013 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 Metro Rail Corporation (DMRC) vide letter dated 13-12-2013 but no specific claim/rate has been raised by the agency. The subject land falls in

*Ajay Kumar*

Bahapur village. The concerned land is a vacant land and having more than 700 trees and at present the land can be labeled as agricultural 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 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.

**TREES:** - The Valuation of trees has been calculated by categorizing the trees into two parts. Trees like Sheesham & Teak has been taken as commercial trees and trees like Babul, Kikar, Neem etc. has been taken as fuel-wood tree. The valuation of commercial trees (which have sizes smaller to medium only) has been taken @Rs.3000/- per tree having Girth of 1 meter and the valuation of fuel-wood trees has been taken @Rs.2000/-per tree having Girth of 1 meter. Accordingly, the rates of 716 trees has been assessed Total Rs.5,72,380/-as per Annexure-1.

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

**30% SOLATIUUM:** - 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.

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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.

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 10489.18 Sq.mtrs	Rs.1,37,37,239/-
2.	Solatium @ 30%	= Rs. 41,21,172/-
3.	Additional amount @ 12% u/s 23(1-A) w.e.f 13.09.13 to 22.11.13 (71 days)	= Rs. 3,20,661/-
4.	Interest U/s 34 @ 9 % from 23.11.2013 to 30.12.13 (38 days)	= Rs. 1,28,716/-
5.	Cost of Trees	= Rs. 5,72,380/-
	Grand Total	=Rs.1,88,80,168 /-

(Total Rs.One Crore Eighty Eight Lakhs Eighty Thousand One Hundred sixty Eight Only)

*Ajay Kumar*  
(AJAY KUMAR)  
LAND ACQUISITION COLLECTOR (SOUTH-EAST)

*Anurag*  
*22/12/13*  
DIVISIONAL COMMISSIONER/  
SECRETARY (REVENUE)

*Award announced in open court on*  
*30/12/13 at 9.49 am.*

*Ajay Kumar*  
*30/12/13*