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AWARD MADE UNDER SECTION 11 OF LAND ACQUISITION ACT, 1894

AWARD NO : 06/2013-14
 Name of Village : Aali
 Area under acquisition : 421.53 Sq.mtrs
 Purpose of acquisition : Acquisition of land for Construction of Central Secretariat-Badarpur corridor of DMRTS Project
 Nature of acquisition : Permanent.
 Notification u/s 4 : F. 9(61)/08/L&B/LA/MRT(S)/10982 dated 25.11.09
 Notification u/s 6 : F. 9(61)/08/L&B/LA/MRT(S)/15997 dated 16.02.12

The joint survey of land has been carried out on 29.07.2009. 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>
15/1/2/1	421.53
Total Area	421.53 sq.mtrs

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.	1. Sh. Brij Lal 2. Rajinder Prashad 3. Ramesh Lihla 4. Pawan Kumar 5. Sanjay Kumar	Rs.6,00,000/- per sq.mtr along with other statuory benefits.

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Documentary Evidence:

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

1. Copy of order dated 26.03.2001 in Probate case no.13/2000
2. Death Certificate of Sumitra Devi
3. Copy of Will.
4. Copy of website www.99acres.com

HISTORY:

The notification under Section 4 of LA Act was issued on 25.11.2009 for acquisition of land for Construction of Central Secretariat-Badarpur corridor of DMRTS Project. Then the claimants/land owners filed Civil Writ Petition No.863/2010 titled as Sumitra Devi Vs Union of India in High Court of Delhi. Hon'ble High Court quashed the notification under section 17(1) and directed for hearing under section 5A of the Land Acquisition Act, 1894. Hearing under section 5A of the Land Acquisition Act was done and report was prepared under section 5A of the Land Acquisition Act which was followed by declaration under section 6 of LA Act dated 16.02.2013. Notice under section 9 & 10 issued to all the interested parties on 27.06.2012.

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. At present, a WP (C) 3095/2012 titled as Brij Lal & Ors V/s Union of India & Ors are pending in the Hon'ble High Court of Delhi but there is no stay of the court on the declaration of the award, however, vide order dated 22.05.2012 & 17.07.2012 the Court has ordered not to disturb the possession of the Petitioner.

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

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but no specific claim/rate has been raised by the agency. The subject land falls in Aali village Area which is rural village as per the land records of the Revenue Department. Hence, the approved Govt. rate for agricultural land @ Rs.53,00,000/- (Rupees Fifty three lakh only) per acre i.e. Rs.11,04,166.60 (Rupees Eleven Lakh four thousand one hundred sixty six and paisa sixty only) per Bigha may be considered for deciding the market value. Hence, I assess the market value of the land @ Rs. 53 Lakhs per Acre.

TREES: - The Valuation of trees received from the DMRC has been considered in this award.

STRUCTURE: - There were no structure mentioned in the Joint Survey Report dated 29.07.2009 on the subject land. Hence no compensation has been considered for the structure.

30% SOLATUM: - 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 (421.53 sq.mtrs)	Rs.5,52,060/-
2.	Solatum @ 30%	= Rs. 1,65,618/-
3.	Additional amount @ 12% u/s 23(1-A) w.e.f 25.11.09 to 30.12.2013(765 days)	= Rs. 1,38,847/-
	Grand Total	=Rs. 8,56,525/-

(Rupees Eight Lakh Fifty Six Thousand Five Hundred Twenty Five Only).

Ajay Kumar
(AJAY KUMAR)

LAND ACQUISITION COLLECTOR (SOUTH-EAST)

Shahid
DIVISIONAL COMMISSIONER/
SECRETARY (REVENUE)

*Award announced in open court on
30/1/13 at 9.45am.*

Ajay Kumar
30/1/13