

AWARD MADE UNDER SECTION 11 OF LAND ACQUISITION ACT, 1894

AWARD NO. : 08/2013-14

Name of Village : Bahapur

Area under acquisition : 2971.533 Sq.mtrs

Purpose of acquisition : Acquisition of land for public purpose namely Sheet No.1, Pocket A, Sheet No.1, Pocket B, Bhakti Vedant Swami Marg.

Nature of acquisition : Permanent.

Notification u/s 4 : F.7 (19)/11/L&B/LA/MRTS/7343 dated 13.08.13.

Notification u/s 6 : F.7 (19)/11/L&B/LA/MRTS/10254 dated 20.09.13

Notification U/s 17(1) : F.7 (18)/11/L&B/LA/MRTS/10255 dated 20.09.13.

The joint survey of land has been carried out on 06.01.12, 14.12.12 & 11.10.13.
The detail of true and correct area of the land under award is as under: -

<u>Field No./Kh.No.</u>	<u>Area</u>
576/2 Min	2971.533 Sq.mtrs
Total Area	(2971.533 Sq.mtrs)

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

Possession: Possession of Khasra No. 576/2 Min (2971.533 Sq.mtrs) has been handed over to DMRC on 20.12.2013.

[Signature]

17/1/14
LA
100/14
10/10/14

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

S. No.	Name of Claimant & Kh. No.	Claim
1.	Sh. G. C. Tandon, S/o Late Sh. S. S. Tandon	They claimed for the valuation of land @ Rs. 5 Lakh per Sq. Mt. and the equal area of commercial place for doing business in the same area.
2.	Sh. Sanjay Tandon, S/o Sh. G. C. Tandon	They claimed for the valuation of land @ Rs. 5 Lakh per Sq. Mt. and the equal area of commercial place for doing business in the same area.

Documentary Evidence:

In support of their claims, the claimants have not submitted any documents.

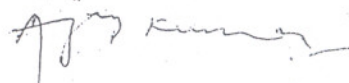
HISTORY:

The notification under section 4 of LA Act was issued on 13.08.13 for acquisition of land bearing khasra nos. 576/2 Min for a public purpose namely Sheet No.1, Pocket A, Sheet No.1, Pocket B, Bhakti Vedant Swami Marg, followed by declaration under section 6 & 17 of LA Act dated 20.09.13 Notices under section 9 & 10 issued to all the interested parties vide notice dated 03.12.2013 & 20.12.2013. Possession of the said land was taken on 20/12/13 and handed over to DMRC on the spot. 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 the 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 the revenue state Okhla, New Delhi and adjacent to Modi Mill Chowk. In such case, the circle rate can be used to assess the prevailing market rate of this land.



In absence of any reliable and concrete supporting documentary evidence, for arriving at a Fair market value of the land under acquisition, there is a direction from the Hon'ble High Court of Delhi vide its order dated 22.04.2009 passed in WP(C) No. 3511/2008, wherein the Hon'ble Court has held the circle rates of the area would be one of the facts to be taken into consideration while determining the market value of the land. Further to this effect there is also a notification issued by Land and Building Department vide Notification No. F.9 (20)/80/L.&B/LA dated 23.02.2011.

Keeping the above facts in mind, the schedule of rates circulated vide Notification No. F.1(152)/Regn.Br./Div.Com./HQ/2011/780 dated 04/12/2012 of Revenue Department, Govt of NCT of Delhi related to circle rates (minimum rates) for valuation of land and properties u/s 27 and section 47 A of the Indian Stamp Act. 1899 (2 of 1899) has been considered for arriving at a fair value. The circle rate is applied as per the locality of that land/building. The subject land is in Okhla Industrial Phase-III area. Hence, the subject land pertains to "Okhla Industrial Area Phase III" which falls in Category 'G'. The minimum rate for valuation of the land in Category 'G' for residential use is Rs. 38500/- per sq.mtr. which may be considered for deciding the market value. Hence I assess the market value of this land @ Rs.38500/- per Sq. Mts.

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

STRUCTURE: - The Valuation of the structure received from the DMRC approved by PWD has been considered in this award.

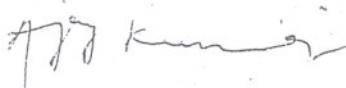
30% SOLATUM: - 30% Solatium is payable on the market value of the land U/S 23(2) of L.A. Act 1894.

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.

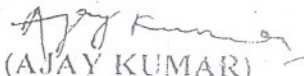
LAND REVENUE DEDUCTIONS :

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.

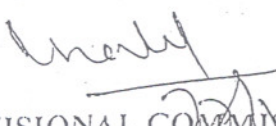
SUMMARY OF AWARD :

<u>S. No.</u>	<u>Details</u>	<u>Amount of Compensation.</u>
1.	Market value @ Rs. 38,500 per Sq.mtr = for an area measuring (2971.533 Sq.mtrs)	Rs.11,44,04,021/-
2.	Solatium @ 30%	= Rs. 3,43,21,206/-
3.	Additional amount @ 12% u/s 23(1-A) w.e.f 13.08.13 to 20.12.13(130 days)	= Rs. 48,89,597/-
4.	Interest U/s 34 @ 9 % from 21.12.13 to 30.12.13 (10 days)	= Rs. 2,82,092/-
4.	Cost of Structures	= Rs. 3,69,77,969/-
	Grand Total	=Rs. 19,08,74,885/-

(Rupees Nineteen Crore Eighty Seven Lakhs Forty Eight Thousand And Eighty Five Only).


(AJAY KUMAR)

LAND ACQUISITION COLLECTOR (SOUTH-EAST)


DIVISIONAL COMMISSIONER/
Pr. SECRETARY (REVENUE)

Award announced in open court on 30/12/13
at 9.52 am.


Ajay Kumar