

Award No.

...

4/93-94

Village

... Baqiabad.

Nature of Acquisition

... Construction of left forward bund for river Yamuna, under the Scheme Planned Development of Delhi.

These proceedings relates to the acquisition of land U/s-11 of the Land Acquisition Act, 1984, for the acquisition of 13 Bigha 01 Biswa of Land village BAQIABAD. The land was notified under section 4 of Land Acquisition Act, vide notification No. F.7(19)/82-L&B(I) dated 3.5.1991 for construction of left forward bund for river Yamuna under the Scheme Planned Development of Delhi. The land was notified U/s-6 of L.A. Act vide notification No. F.7(9)/82-L&B(II) dated 28.11.1992. In pursuance of the aforesaid notification, notice U/s 9-10 of the Act have been issued to all the interested persons. The claims filed by them discussed under the separate heading claim and evidence. The aforesaid notification has already been published in the newspapers.

MEASUREMENT & TRUE AREA:

The acquisition field staff measured the land under acquisition of site alongwith flood control department staff, and area of khasra Nos. 33 min. (3 bigha - 03 biswa), 161 min. (5 bigha - 08 biswa), 162 min. (0 - 16 biswa) and 163 (3 bigha - 14 biswa) was found to be correct, but khasra No. 34/1 area 2 bigha - 08 biswa, mentioned in the notification dated 3.5.91, found to be incorrect at the site. The fresh draft notification with correct khasra No. has been sent to the L&B department, khasra No. 34/3 area 2 bigha - 8 biswa, and the award of the same will be announced separately. As this land of village Baqiabad falls in Yamuna River bed, it has been classified as "Flooded Land". The proceedings of this award are now confined to 13 bigha - 01 biswa only, whose detail is given below:-

...2...



...2...

<u>Khasra No.</u>	<u>Area</u> <u>Bigha - Biswa</u>	<u>Classification of land</u>
33 ✓	3 - 03	Flooded land
161 min. ✓	5 - 08	-do-
162 min. ✓	0 - 16	-do-
163 ✓	3 - 14	-do-
<b>Total :-</b>	<u>13 Bigha 01 Biswa</u>	

CLAIMS:

<u>S.No.</u>	<u>Name of the applicant</u>	<u>Kh. No.</u>	<u>Area</u>	<u>Claims</u>
1.	Sh. Duli Ram S/o Bholu	33	3-3	Rs.300/per Sq.yda.
2.	Sh. Ramu S/o Niyandar and others.	163	3-14	Rs.300/-per Sq.yds.
3.	Sh. Bhikari S/o Rov Singh & Ors.	161 min 162 min	5-08 -16	Rs.300/-per Sq.yds
4.	Sh. Roop Chand S/o Mani Raj	161	5-14	Rs.300/- per Sq.yd
5.	Sh. Khem Chand	163		Rs.1000/-per Sq.yd

MARKET VALUE:

The market value of land under acquisition is to be determined with reference to the date of preliminary notification U/s-4 which is in this case is 3.5.1991 and to arrive at the correct and fair market value of land, the location of the land, quality and uses of land availability of civic amenities *at* the time of notification U/s-4 is ought to be considered.

The help of sale transactions in the vicinity of the land or any award announced in the near or any award announced in the past from the date of notification U/s-4 also could be taken into consideration for assessing the correct and reasonable market value of the land, but incidently no sale transaction of similar land took place and no award was announced on or before the date of notification U/s-4. Moreover, no evidence has been filed by any person which could be considered as guiding factor for assessing the true and

...3...



fair market value of land under question.

Delhi Administration vide order No. F.9(20)/80-L&B/4313-16 dated 3.5.1990 had conveyed the decision of the Administration regarding fixation of minimum price of Acquisition of land which have to be taken into consideration by the Land Acquisition Collector for payment of compensation and would apply in all areas where land had been notified under section 4 of Land Acquisition Act after 27.4.1990.

Vide the said order No. F.9(20)/80-L&B4313 dated 3.5.1990, the minimum amount of compensation has been fixed for the land situated in the river bed at Rs. 1.5 lacks per acre. This policy decision of Administration has come into force with effect from 27.4.1990 and in this case notification under section 4 was issued on 3.5.1991. As no evidence has been filed by the petitioner's in support of their claims, I assess the market value on the basis of the guide lines conveyed by the administration, on the basis of which rate works out to Rs. 312,50/- per bigha i.e. Rs. 1,50,000/- per acre. Therefore, as per policy, I assess the true & fair market value of land at Rs. 312,50/- per bigha and award accordingly.

OTHER COMPENSATION:

The interested persons are entitled for solatium @ 30% on the market value of the land according to the amended Act 1984.

ADDITIONAL AMOUNT:

Additional amount U/s-23(1-A) will not be paid as possession has been taken over before the date of notification U/s-4.

INTEREST: U/s-34:

The possession of the land under present acquisition was taken over by the flood control department in the first week of July, 1992, as informed vide letter No.T.9/F.C.D.IV/92-93/1549 dated 9.7.1992. Hence, the interest U/s-34 will be paid with effect from 7.7.1982 (the date of possession) till 6.7.1983 @ Rs. 9% per annum, and from 7.7.83 to 10.6.93 @ 15% per annum.



...4...

APPORTIONMENT:

The compensation will be paid as per latest entries in the revenue record. In case of some dispute, if not settled, the same would be referred to the Court of A.D.J., Delhi, for adjudication U/s-30-31 of the L.A. Act.

SUMMARY OF THE AWARD:

1.	Market value of land measuring 13 bigha 1 biswa @ Rs. 31,250/- per 1 bigha.	... Rs. 4,07,812.50
2.	30% Solatium value	... Rs. 1,22,343.75
3.	Interest U/s-34 w.e.f. 7.7.82 to 6.7.83 @ Rs. 9% & w.e.f. 7.7.83 to 10.6.93 (9 years 339 days 3624 days) @ 15% p.a.	... Rs. 8,37,283.75
GRAND TOTAL:-		... Rs. 13,67,440.00

( TOTAL AMOUNT RUPEES THIRTEEN LACKS SIXTY SEVEN THOUSAND FOUR HUNDRED AND FORTY ONLY ).

*Approved*

*For 27/8/93*

SECRETARY (REVENUE)

*[Signature]*  
( M.P. MATHUR )  
LAND ACQUISITION COLLECTOR(DS)  
DELHI

*Announced in the open court.  
Notices u/s 12(2) may be issued.*

*[Signature]*  
11/6/93

*AT*

*u/s 12(2)  
Notices may be issued*

*[Signature]*  
19/6/93

*Kgo/Put.*