

AWARD NO. 19/03-04
NAME OF THE VILLAGE BAWANA
NATURE OF ACQUISITION PERMANENT
PURPOSE OF ACQUISITION FOR CONSTRUCTION OF 80
METER WIDE ROAD FOR
DEVELOPMENT OF NARELA
TOWNSHIP UNDER P.D.D.

INTRODUCTORY

These are the proceedings for determination of compensation U/s 11 of LA Act, 1894 in respect of land measuring 309 bigha 01 biswa of village Bawana, Delhi. The land is required by the Government for a public purpose namely for Construction of 80 meter wide road for development of Narela Township under Planned Development of Delhi.

The land stands notified under section 4 of LA Act, 1894 vide notification No. F.11(56)/2001/L&B/LA/14043 dated 7.12.2001. The Land & Building Department issued a declaration under section 6 of LA Act, 1894 vide notification No. F. 11(56)/2001/L&B/LA/16237 dated 16.1.2002. Also emergency clause under section 17(1) of LA Act has been invoked in the aforesaid land. The Land & Building Department issued a declaration under section 17(1) of LA Act, 1894 vide notification No. F.11(56)/2001/L&B/LA/16238 dated 16.1.2002.

In pursuance of the said notification, notices under section 9 & 10 of the LA Act, 1894 were issued to the interested persons. Also notice were issued under section 50 of LA Act, 1894 were issued to the requisitioning department. In response to the notices issued, claim(s) filed by the claimant(s)/interested persons/requisitioning department. have been discussed under the heading "CLAIMS".

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MEASUREMENT

The area to be acquired as given in the declaration under section 4 & 6 of the LA Act is 310 bigha 13 biswa. The field staff who measured the land to be 310 bigha 13 biswa on verification/total of the notification. Whereas, the actual area to be acquired comes to 309 Bigha 01 Biswa on the basis of the revenue record. The details of which are as under: -

Area measuring 4-14 out of Kh. No. 35//3 has been notified whereas the area of the said Khasra No. as per record is 3-14. The same has been corrected in the award.

Area measuring 4-16 out of Khasra 34//24 has been notified whereas 0-12 has already been vested in Sarkar Daulatmadar Makbuja Mehkama drain. As such only 4-04 is being acquired vide this award.

Thus, the present award is for **309 bigha 01 biswa** land as per detail given below: -

Rect No.	Khasra No.	Area (Bigha-Biswa)
18	25	3-10
34	15	5-04
	16	4-16
	17/1	4-05
	23	3-13
	24	4-04
	25	4-16
35	1	1-02
	2	4-14
	3	3-14
	4	5-00
	7	4-16
	8	4-16
	9	4-16
	10	5-13
	11	4-16
	12	4-16

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	13	4-16
	19	4-16
	20	4-16
	21	4-16
39	2	2-15
	3	4-16
	4/1	4-03
	5/2	4-14
	7	4-16
	8	4-16
	9	4-16
	10/2	2-01
	11	4-15
	12	4-16
	13	4-16
	18	4-16
	19	4-16
	20	4-16
	21	4-16
	22	4-16
40	15	1-16
	16	6-04
	24	5-09
	25	4-16
55	16	2-12
	25	6-10
	26	0-04
56	3	3-17
	4	4-12
	5	4-12
	6	4-16
	7	4-16
	8	4-16
	9	3-10
	11	3-06
	12	4-16
	13	4-16
	14	4-16
	18	4-16
	19	4-16
	20	4-16
	21	4-08
	22	4-08
57	1	4-12
66	1	4-16

End

	10	4-16
	11	4-16
	20	4-16
	21	4-16
85	1	4-16
	10	4-16
	11	4-16
	223min	0-14
	224min	0-12
	225min	0-08
TOTAL		309-01

CLAIMS

In response to the notices issued under section 9 and 10 (to interested persons) and under section 50 of the LA Act to the requisitioning Department following persons/department have filed their claims: -

SNo	Name	Kh. No.	Claim	Remark
1	Sahab Singh S/o Suraj Bhan	55//25, 56//20min, 21min	Land @ Rs.10,000.00 per Sq yds, Solatium @ 50% of Market Value. Rs.1.00 lacs per acre for crops	No proof enclosed
2	Sewa Singh S/o Brahma	-do-	-do-	-do-
3	Rajender Singh S/o Brahma	-do-	-do-	-do-
4	Ranbir Singh S/o Mukhtyare	-do-	-do-	-do-
5	Hoshiyar Singh S/o Bhartu	-do-	-do-	-do-
6	Surrender Kumar S/o Raj Singh	-do-	-do-	-do-

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7	Sukhbir S/o Mukhtyare	-do-	-do-	-do-
8	Sanjeev Kr Sahu S/o Dayanand	56//16, 20min, 21min, 22min	-do- plus Rs. 15.00 lacs for trees	-do-
9	Shailesh Kr Sahu S/o Dayanand Sahu	-do-	-do-	-do-
10	Sushil kr Sahu S/o Dayanand	-do-	-do-	-do-
11	Anand Prakash S/o Subh Ram & R.K. Aggarwal S/o Sita Ram	55//16, 26, 20min, 2min, 22min	-do-	-do-
12	Devender Dhawan Director Shivalik Dairies Pvt Ltd	56//11, 12, 13, 14, 18, 19.	-do- Plus Rs.1.00 lacs for T/well with Kotha	-do-

The requisitioning department in response to the notice served U/s 50 of the Land Acquisition Act, 1894 has neither appeared in person nor adduced evidence for the purpose of determining the amount of compensation.

MARKET VALUE

While determining the market value of the land as on 7.12.2001, i.e the date of notification U/s 4 of the Land Acquisition Act, 1894, several factors such as location of the land, nature of soil, awards announced in the recent past of the same or adjoining villages, pronouncement of different courts, claims filed by the interested persons, sale deeds and price policy of

the Government regarding acquisition of agricultural land are to be taken into consideration.

The land under acquisition is agricultural land and is being used for agriculture.

The interested persons have generally claimed exorbitant prices of their land by making claims about Rs.10,000.00 per Sq Yds. They have, however, not filed any documentary evidence(s) in support of their claims. The claims therefore, cannot form the basis of determination of market value.

In a policy announcement which came into effect from the financial year 2001-2002, Government of National Capital Territory of Delhi fixed the indicative prices of agricultural land @ Rs.15,70,000.00 per acre for the acquisition of agricultural land vide their order No F.9(20)/80/L&B/LA/6696 dated 9.8.2001 which are applicable with effect from 1.4.2001.

In view of the absence of any documentary evidences on record to the contrary, I find Rs.15,70,000.00 per acre to be the most reasonable price for the agricultural land as on 7.12.2001. The notification under section 4 was issued on 7.12.2001 and the price of the land is to be determined as on the date of notification under section 4 of Land Acquisition Act itself. I, accordingly, determine the market value of the land @ Rs.15,70,000.00 per acre.

In addition to the market value fixed above, land owners will be entitled to all other benefits as per the provision of the Land Acquisition Act.

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SOLATIUM

As provided under sub-section 2 of section 23 of the Land Acquisition (amendment) Act, 1984, solatium @ 30% shall be paid to the interested persons on the market value of the land.

ADDITIONAL AMOUNT

The interested persons are entitled to additional amount @12% p.a on the market value of the land as per the provisions of section 23(1-A) of the Land Acquisition Act, 1894 from the date of notification under section 4 i.e. 7.12.2001 till the date of possession/ announcement of award whichever be earlier as the case may be.

POSSESSION

Physical possession of the land measuring 08 Bigha 11 Biswa has been taken over and handed over to the requisitioning department on 16.4.2002. Whereas physical possession of balance 10 biswa of land out of Khasra No. 40//24min (0-01), 56//3min (0-01) and 56//4min (00-08) is built up in the form of temporary rooms and tin shed is yet to be taken.

TUBEWELL

There is 1 tube well with Kotha in the acquired land in Khasra No 56//4. I allow Rs.5,000.00 per tube well with Kotha as removal charges.

WELL

There is 1 well in the acquired land out of Khasra No. 55//26. I allow Rs.5,000.00 per well as removal charges.

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TREES

There are some trees on the acquired land under acquisition. Some trees are in infancy stage, which cannot be converted into firewood. Hence, I do not assess any market value of such trees having less than one-quintal weight. Pipal and Banyan trees have not been assessed. The details of other trees are as under: -

Khasra No.	Name of trees	No. of trees	Weight in Quintal	Market value @Rs.100.00 per quintal (in Rs)
55//25	Shetut	1	1	100.00
56//21	Shetut	1	1	100.00
56//19	Shetut	1	1	100.00
TOTAL				300.00

Also there exists a lot of trees in Khasra No.56//20 and land belonging to Gram Sabha. The Horticulture department has been requested to assess its value. Supplementary award for the same will be announced after the valuation report is received in the office.

STRUCTURE

The structures existing in the acquired/notified land is temporary and in contrary to the land use. Hence the market value of these structures which is unlawful or contrary to the land use has been disregarded and the market value shall be deemed to be the market value of the land if put to ordinary use.

APPORTIONMENT

Compensation will be paid to the land owners as per the latest entries in the revenue record. In case of any dispute regarding title, apportionment

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16354-16 4906-24 698-57 445-59 427-28

21959-37 1708-33

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of compensation, the matter will be referred to the court of ADJ, Delhi under section 30-31 of the LA Act, 1894. The details of apportionment are as under:

100 30 4-27

12-08

11-58

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134-27

23-16

S.No.	Name	Rect No.	Kh. No.	Area in B-B)	Compensation
1	Raghuvinder Shokeen S/o Jogender Singh Shokeen (2/3 share)	56	6 7 8 9 Total	4-16 4-16 4-16 3-10 17-18	54,49,294.61
2	Smt Anita Yadav D/o Mahender Singh (1/3 share)				27,24,647.30
3	M/s Shivalik Dairy Pvt Ltd through Bhisian Dhawan S/o Bhajan Lal Trees 100/-	56	11 12 13 14 18 19 Total	3-06 4-16 4-16 4-16 4-16 4-16 27-06	1,24,66,560.97
4	Anand Prakash S/o Subh Ram (1/2 share) Trees 100/- well 500/-	55 56	16 26 20min 21min 22min	2-12 0-04 3-16 3-08 3-08	30,62,099.12
5	Sushil Kumar S/o Dayanand Sahu (1/12 share)		Total	13-08	5,10,349.85
6	Shailesh Kumar Sahu S/o Dayanand Sahu (1/12 share)				5,10,349.85
7	Sanjeev Kumar Sahu S/o Dayanand Sahu (1/12 share)				5,10,349.85
8	Chandra Bhan S/o Juglal (1/8 share)				7,65,524.78

referred to court of ADJ

Now pass->

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✓ 9	Ram Lal S/o Juglal (1/8 share)					7,65,524.78
✓ 10	Silak ram S/o Chhaju (1/5 share)	66	20min	2-16		20,09,237.12
		85	21	4-16		
✓ 11	Yad Ram S/o Chhaju (1/5 share)		1	4-16		20,09,237.12
			10	4-16		
			11	4-16		
✓ 12	Azad Singh S/o Chhaju (1/5 share)		Total	22-00		20,09,237.12
✓ 13	Ram Niwas S/o Chhaju (1/5 share)					20,09,237.12
✓ 14	Jaipal S/o Chhaju (1/5 share)					20,09,237.12
✓ 15	Rajender Singh S/o Brahma (1/8 share) <i>Jes Lal</i>	55	25	6-10		4,85,204.84
		56	20min	1-00		
			21min	1-00		
✓ 16	Seva Singh S/o Brahma (1/8 share)		Total	8-10		4,85,204.84
✓ 17	Hoshiyar Singh S/o Bhartu (1/4 share)					9,70,409.68
✓ 18	Sahab Singh S/o Suraj Bhan (1/8 share)					4,85,204.84
✓ 19	Surrender Singh S/o Raj Singh (1/8 share)					4,85,204.84
✓ 20	Ranvir Singh S/o Mukhtyare (1/8 share)					4,85,204.84
✓ 21	Sukhbir Singh S/o Mukhtyare (1/8 share)					4,85,204.84

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25	Gram Sabha Gair Mumkin Shor	34	15 16 17/1 24/1 24/3 25 1 2 3 4 7 8 9 10 11 12 13 19 20 21 Total	5-04 4- 4-15 1-12 3-02 4-16 1-00 4-14 3-14 5-00 4-16 4-16 4-16 5-13 4-16 4-16 4-16 4-16 4-16 4-16 86-10	3,94,99,775.20
26	Unknown	35	1	0-02	45,61.48
27	Surat Singh S/o Sher Singh (1/4 share)	56	22	1-00	1,14,161.20
28	Ms Bhagwani Devi D/o Sher Singh (1/4 share)				1,14,161.20
29	Gyano Devi D/o Sher Singh (1/4 share)				1,14,161.20
30	Anoop Singh S/o Rame (1/8 share)				57,080.60
31	Dharambir S/o Rame (1/8 share)				57,080.60
TOTAL				309-01	14,11,58,843.00

34/17/ (0-3)
24/16

balance
unless

End

LAND REVENUE

The land revenue is assessed and deducted from the Khalsa rent roll of village from the date of taking over the possession of the land.

SUMMARY OF AWRAD FOR 308 BIGHA 11 BISWA WHOSE POSSESSION HAS BEEN TAKEN ON 16.4.2002

(In Rs.)		
1	Market value of land measuring 308 bigha 11 biswa @ Rs.15,70,000.00 per acre or say @Rs. 16354.16 per biswa	10,09,21,521.36
2	Market value of trees	300.00
3	Total Market Value (Col. 1 + 2)	10,09,21,821.36
4	Solatium @30% on the market value u/s 23(2) of the LA Act, 1894	3,02,76,546.40
5	Additional amount @12% p.a on the market value w.e.f. 7.12.2001 to 15.4.2002 for 130 days U/s 23(1-A) of LA Act, 1894.	43,13,370.99
6	Total (Col.3+4+5)	13,55,11,738.75
7	80% compensation received for 308 bigha 11 biswa	10,49,58,404.43
8	Balance 20 % compensation (Col. 6-7)	3,05,53,334.32
9	Interest @9% p.a [on{(MV+Solatium+addl. Amount)-80% compensation already received} i.e on 3,05,53,334.32] U/s 34 of the LA Act, 1894 w.e.f 16.4.2002 to 15.4.2003 for one year.	27,49,800.08
10	Interest @15% p.a [on{(MV+Solatium+addl. Amount)-80% compensation already received} i.e on 3,05,53,334.32] U/s 34 of the LA Act, 1894 w.e.f 16.4.2003 to 11.11.2003 for 210 days.	26,36,794.60
11	Cost of removal in respect of 1 tube well @Rs.5,000.00 per tube well	5,000.00

End

12	Cost of removal in respect of 1 well @Rs.5,000.00 per well	5,000.00
13	TOTAL(COL 6+9+10+11+12)	14,09,08,333.43

SUMMARY OF AWRAD FOR 10 BISWA OF A BLOCK WHOSE POSSESSION HAS NOT BEEN TAKEN

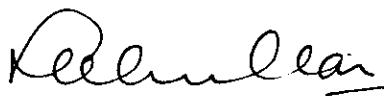
14	Market value of land measuring 10 biswa of @ Rs.15,70,000.00 per acre or say @Rs. 16354.16 per biswa	1,63,541.60
15	Solatum @30% on the market value u/S 23(2) of the LA Act, 1894	49,062.48
16	Additional amount @12% p.a on the market value w.e.f. 7.12.2001 to 11.11.2003 for 1 years & 340 days U/s 23(1-A) of LA Act, 1894.	37,905.80
17	Total (Col.15+16+14)	2,50,509.88
18	Grand total of the award (Col.12+18)	14,11,58,843.31 Or SAY 14,11,58,843.00

(Rupees fourteen Crore Eleven Lacs Fifty Eight Thousand Eight Hundred Forty Three Only)


(S.R. KATARIA)

Land Acquisition Collector(N-W)

APPROVED


[Secretary (Revenue)] 11/11/2003

12/11/2003 — Award is announced in open court on dt. 12-11-2003.

