

OFFICE OF THE ADM/LAC (SOUTH-WEST), ROOM NO. 12
OLD TERMINAL TAX BLDG. KAPASHERA, NEW DELHI-37

AWARD

Award No:-

09/2008-09/SN

Name of Village: -

DHOOLSIRAS

Nature of Acquisition: -

Permanent.

Purpose of Acquisition:-

**Construction of 100 Mtr. Road
Under Planned Development
of Delhi**

Notification:

**U/S 4 No.F.9 (88)/2004/L&B/LA/176
Dated 07/04/2006**

**U/S 6 No.F.9 (88)/2004/L&B/LA/77-91
Dated 04/04/2007**

INTRODUCTION

The award pertains to acquisition of land in village Dhoolsiras. The land measuring 62 Bighas 08 Biswas land was notified U/s-4 of the land Acquisition Act 1894 vide notification No-F9 (88)/2004/L&B/LA/176 dated 07/04/2006. Objections were invited from the interested persons/land owners and personal hearing were accorded to them. As claimed/filed objections by land owners detailed report U/s 5A was prepared and forwarded to Land & Building Deptt Vide letter No. 8110 dated 26.12.2006. for consideration/ further direction. The Land & Building Deptt after considering all the aspects, issued notification U/s 6 vide No-F.9 (88)/2004/L&B/LA/77-91 dated 04/04/2007. The land is required to be taken by the Government at the public expenses for a public purpose namely **Construction of 100 Mtr. Road Under Planned Development of Delhi.**

In order to hear the claims of the affected persons, the notices U/S 9 & 10 of LA Act 1894 were issued to the interested persons of village Dhoolsiras to file their claims. The claims filed by the persons in respect of land being awarded have been discussed under the appropriate heading "Claims".

TRUE AND CORRECT AREA

As per notification U/s 4 & Section 6 of LA Act 1894 issued for area measuring 62 Bigha 08 Biswa.

The details of land total measuring 62 Bigha 08 Biswas which is being awarded in this award is as Khasra No. and area specified u/s 6 of LA act are as under:

Khasra No.	Area
20//16/2	2-09
25	3-11
19//20/2	1-04
21/1& 2	4-11
27	0-05
22/1	2-09
21//5/2	0-11
22//1/1/1	2-05
1/2	1-09
2	4-12
26	0-04
3/1	2-09
7/2/2	1-08
7/1/2/1	Less than biswa
8	4-16
9/1	3-06
22//10/1/1	0-03
27	0-09
12/1	0-08
28min	0-01
13	3-03
29	0-06
14/1	4-12
15/1/2	0-13
15/2/1	0-04
16/2	3-18
17	4-12
18/1	1-09
24/2	2-07
25/1	3-14
26	0-04
33//5/1/1	0-09
269	0-11
Total	62-08

CLAIM AND EVIDENCE

Notices U/s 9 & 10 of LA Act were issued to the interested persons/land owners to file claims. In pursuance of Notices u/s 9 & 10 following claims were received in this office:-

S.NO.	NAME OF THE CLAIMANT	KHASRA NO.	CLAIM AMOUNT
1.	Sh. Chander Bhan s/o Sh. Chotte Lal	22/9/1,28min, 27,26, 19/22/1,19/21/1&2, 22/2,22/12/1,22/10/1/1,22/1/2	Rs. 15,000/- per sq yard
2.	Sh. Sardar Singh & Sh. Raghubir Singh both are sons of Sh. Bakhtawar	22/8,7/2/2,3/1,29, 18/1,13	Rs. 15,000/- per sq yard
3.	Sh. Suresh s/o Sarjeet	22/24	Rs. 2000/- per sq yard
4.	Sh. Rattan Singh s/o Chandgi Ram	22/25/1	Rs. 10,000/- per sq yard
5.	Hukam Chand , Daya Nand, Ramesh, Jai Bhagwan, And Sh. Rajender Singh All Are Sons Of Sh. Sabha Chand	21//5/2,19//27,20//25 ,19//21/1&2,19//20/2 ,20//16/2,22//1/1/1	Rs. 1,25,000/- Per Sq yard
6.	Sh. Suraj Bhan s/o Kishan Chand Sh. Rajesh s/o Sri Bhagwan	21//5/2,19//20/2,21/1 &2, 27, 20//16/2, 25,22//1/1/1	Rs. 15,000/- per sq yard

MARKET VALUE

The land in question, which is to be acquired, is an "Agricultural Land". The market value of the land under acquisition is to be determined with reference to the date of Notification u/s-4 of the Land Acquisition Act.1984, which is 07/04/2006 in the instant case. For determination of the market value of land the indicative price fixed by the Govt. of NCT of Delhi for agricultural land in Delhi at the rate of Rs. 17,58,400/-(Rs. Seventeen Lakh Fifty Eight Thousand Four Hundred Only) per acre as conveyed by the Dy. Secy (LA), Land & Building Deptt. Vide letter No. F.9 (20)/80/ L&B/LA/6720 dated 30/8/05 should be considered in this case. The indicative price of land has been fixed by taking into consideration various factors in respect of land in NCT of Delhi the sale deeds prior to Notification u/s 4 of LA Act were considered. However to justify the issue the copy of following sale deeds of village Dhoolsiras is considered. The details of some of the Sale Deeds of village Dhoolsiras are as under:-

S. No.	Village	Area	Consideration Amount	Date
1.	Dhoolsiras	280 sq yard	1,70,000.00	23/03/2006
2.	Dhoolsiras	288 Sq yard	1,75,000.00	29/03/2006

It was, however, seen that the above transaction related to smaller size of plots, which resulted into higher price of the properties. The market value of land measuring 62 Bigha 08 Biswa should be much lesser than the sale price of property measuring 45/50 sq yard. The land being acquired is agricultural land measuring 62 bigha 08 bishwa. I am of the view that While keeping in view the sale transactions of the area and also keeping in view the market value of land fixed by the Govt. of Delhi, the appropriate market value of land should be determined @ 1758400/- per acre or @ Rs.3,66,333.33/- (Rupees Three Lakh Sixty Six Thousand Three Hundred Thirty Three and Thirty Three Paise Only) per bigha.

VALUATION OF STRUCTURES

As per the standing instructions of L & B Deptt. any unauthorised structures on agricultural land need not to be considered for access of compensation while announcement of award u/s 11 of LA Act 1894. Besides the claimants did not submit any sanction plan/approval from the competent department i.e. DDA & MCD as the case may be nor any documental proof in support of their claim of structures.

Therefore, in the light of standing instructions issued by Land & Building time to time the structures on the agricultural land of village Dhoolsiras have been raised in violation of law and are as such liable to be ignored U/s 24(8) of the LA Act.

SOLATIMUM

30% solatium will be given to the landowners on the market value of the land due to compulsory nature of the acquisition as per Provision laid under section 23(2) of Land Acquisition Act 1894.

ADDITIONAL AMOUNT

An additional amount @ 12% per annum on the market value of land U/S 23(1A) of Land Acquisition Act 1894 shall be given to the land owners for the period commencing from the date of notification U/S-4 of LA ACT 1894 to the date of physical possession or Award, whichever is earlier.

APPORTIONMENT

Apportionment of the said compensation among all the persons known or believed to be interested in the land of whom, or of whose claims, I have the information, whether or not they have appeared before me, is to be determined as per the Naksha Muntazamin. Where there is a dispute and the same is not settled, the matter shall be referred to the Court of Additional District Judge, Delhi U/S 30-31 of the Land Acquisition Act, 1894.

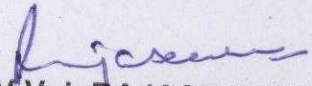
LAND REVENUE

The land revenue will be deducted from the rent roll of the village Dhoolsiras w.e.f taking over the physical possession.

SUMMARY

The award is summarized as under: -

A) The market value of land measuring 62 Bigha 08 Biswa @ 17,58,400/- Per Acre. @ Rs. 3, 66,333.33 Per Bigha.	Rs: 22859200.00/-
B) 30% Solatium U/S 23(2)	Rs. 6857760.00/-
C) Additional amount @ 12% Per annum U/s 23(1A) w.e.f 07/04/2006 25/12/2008 (994 Days).	Rs. 7470261.00/-
Grand Total	Rs: 3, 71,87,221.00 (Rs. Three Crore Seventy One Lakh Eighty Seven Thousand Two Hundred Twenty One Only)


(Y.V.V.J. RAJASEKHAR)
LAND ACQUISITION COLLECTOR
DISTRICT SOUTH WEST


PR. SECRETARY (Revenue)