

AWARD NO : 9/93-94
NAME OF THE VILLAGE : DICHAON KALAN
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : POLICE TRAINING COLLEGE AND
POLICE TRAINING SCHOOL.

These are proceedings for determination of compensation U/s 11 of the Land Acquisition Act, 1894 in respect of land measuring 215 Bighas 19 Biswas situated in village Dichaon Kalan notified U/s 4 of the Land Acquisition Act under notification No. F7(ii)/88-L&B(i) dated 3-1-92 for a public purpose namely, for Police Training College and Police Training School under the Planned Development of Delhi. In view of the urgency of the scheme, the provisions of section 17(1) of the Act were also made applicable to this land. The Delhi Administration issued a declaration u/s 6 of the Land Acquisition Act vide notification No. F.7(11)/88-L&B (ii) dated 9.3.92.

In pursuance of the above notification u/s 6, notices u/s 9 & 10 of the Land Acquisition Act were issued to all the interested persons to file their claims and the claims are discussed under the heading 'Claims.'

MEASUREMENT

The area covered by the aforesaid notification was measured on the spot by the Land Acquisition field staff and the same was found correct as per details given below :-

<u>RECT. NO.</u>	<u>KHASRA NO.</u>	<u>AREA</u>
40	6	4-16
	7	4-16
	8	4-16
	9	4-16
	10	4-16
	11	4-16
	12/1	0-03
	12/2	4-13
	13	4-16

Contd....

RECT NO.KHASRA NOAREA

40

14	4-16
15	4-16
16	4-16
17	4-16
18	4-16
19	4-16
20	4-16
21/1	0-04
21/2	4-14
22	4-16
23	4-16
24	4-16
25	4-16

45

1	4-14
2	4-16
3	4-16
4	4-16
5	4-16
6/1	2-08
6/2	2-08
7/1	2-08
7/2	2-08
8/1	0-03
8/2	4-13
9	4-16
10	4-16
11/1	2-08
11/2	2-08
12	4-16
13/1	1-05
13/2	1-02
13/3	2-09
14/1	0-02
14/2	4-14
15	4-16
16	4-16
17	4-16
18	4-16
19/1	0-03
19/2	4-13
20/1	2-08
20/2	2-07
21	4-16
22	4-16
23	4-16

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LAC(P.M.)LAC
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<u>RECT NO.</u>	<u>KHASRA NO.</u>	<u>AREA</u>
45	24	4-16
	25	4-16
	TOTAL -	<u>215-19</u>

Moreover the claimants have not raised any objection regarding the measurement and classification of the land based on the latest entries in the revenue record.

CLAIMS:

The following persons have filed their claims in pursuance of the notices u/s 9 & 10 issued to them:-

<u>S.No.</u>	<u>NAME OF THE CLAIMANT</u>	<u>KH.NO.</u>	<u>CLAIMS</u>
1.	Chandgi s/o Kanhiya	40//6 (4-16) 15(4-16)	Rs.5 lac per Bigha
2.	Rampat s/o Manse Ram singh s/o Mans	40//10(4-16)	Rs.500/- per Sq.Yards with 18% solitium.
3.	Chander Parkash s/o Pyare Lal	40//7 (4-16)	Rs.15 lac per Acre with 30% solitium.
4.	Mahinder singh s/o Kartare 1/24 Share	45//8/1(0-03)	1.Rs.2000/-per sq.yards. 2.Rs.2 lac as a cost of p/Well 3.Rs.2 lac for Tube well. 4.Rs.5000/- damage to crops. 5.Rs.5lac as damage to crops for severing at the time of taking possession. 6.Rs.7 lac as damage to property. 7.Rs.5 lac for change of residence. 8.Rs.5000/-P.B.fc for diminution of the damage of the profit.

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SECRETARY (REVENUE)

S.NO.	NAME OF THE THE CLAIMANT	KH.NO.	CLAIMS
			9. Rs. 100/- per sq. feet for Boundry wall and Rs. 300/- per sq. feet for structure.
			10. Gratium & Interest.
5.	Mahinder Singh s/o Kartare, 1/12 share	40//23 (4-16) 24 (4-16) 45//3 (4-16) 4 (4-16) 5 (4-16) 6/1(2-08) Total(26-08)	---do-
6.	Lakhi S/o Mauji 1/6 Sahare	45//8/1(0-03)	---do-
7.	Lakhi s/o Mauji 1/3 share.	As per ser No. 5	---do-
8.	Balraj s/o Kartare 1/12 share	---do---	---do-
9.	Balraj s/o Kartare 1/24 share	As per ser No. 6	---do-
10.	Mahabir s/o Kartare 1/24 share	---do---	---do-
11.	Mahabir s/o Kartare 1/12 share	As per Ser No. 5	---do-
12.	Mukam singh s/o Jeet Ram 1/2 share	45//11/2 (2-08) As per Ser No. 4 12 (4-16) above. 19/1 (0-03) 19/2 (4-13) 20/2 (2-07) 21 (4-16) 22 (4-16) <u>23-19</u>	
13.	Narain Singh S/o Jeet Ram 1/2 share	---do---	---do-
14.	Man Singh S/o Gagan 1/3 share	40//11 (4-16) 12/1 (0-03) 12/2 (4-13) 13 (4-16) 14 (4-16) 16 (4-16) 17 (4-16) 18 (4-16) <u>33-12</u>	---do-

EXCPT

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<u>S.NO.</u>	<u>NAME OF THE CLAIMANT</u>	<u>KH.NO.</u>	<u>CLAIMS</u>
15.	Rajinder Singh s/o Kartare, 1/12 share	As per Ser No. 5	As per ser No. 4 above.
16.	Rajinder singh s/o Kartare, 1/24 share	As per Ser No. 6	--do--
17.	Jai Bhagwan s/o Gugan 1/3 share	As per Ser No. 14	--do--
18.	Surinder singh s/o Gugan 1/3 share	--do--	--do--
19.	Ishwar singh s/o Mauji 1/6 share	As per ser No. 6	--do--
20.	Ishwar singh s/o Mauji 1/3 share	As per ser No. 5	--do--
21.	Geeta Ram, Kishan, Shiv Dutt, Munshi Ram all sons of Payre Lal, Mahinder singh, Jai parkash both sons of Banarsi.	40//7 (4-16)	--do--
22.	Raj Pal s/o Chhotey 1/6 share.	45//25 (4-16)	--do--
23.	Mehar Singh S/o Chhotey 1/6 share	--do--	--do--
24.	Suraj Bhan s/o C hhotu 1/9 share	45//7/2(2-08) 14/1(0-02) 14/2(4-14) 13/3(2-09) 15 (4-16) 16 (4-16) 17 (4-16) 18 (4-16) 23 (4-16) 24 (4-16) <u>38-09)</u>	As per Ser No. 4
25.	Attar Singh S/o Chhotu 1/9 share	--do--	---do---
26.	Arjun s/o Chhotu 1/9 share	--do--	---do-- -
27.	Chander Bhan s/o Rattan 1/2 share of his father's share	--do--	---do-- -
28.	Tara Chand s/o Rattan 1/2 share of his father's share	--do--	---do---

Contd....

<u>S.NO.</u>	<u>NAME OF THE CLAIMANT</u>	<u>KH.NO.</u>	<u>CLAIMS</u>
29.	Rattan S/o Mauji 1/6 share	45//25 (4-16)	As per Ser No. 4
30.	Nafe singh s/o chandgi 1/3 share	- -do--	---do-
31.	Jai Singh S/o chandgi 1/3 share	---do--	---do--
32.	Kishan chand s/o Deep chand	40//6 (4-16) 15 (4-16)	- -do-
33.	Mahinder Singh S/o chandgi 1/3 share	40//25 (4-16)	---do--
34.	Jai Narain, Ganga Dutt, Ram Dutt, Parmanand and Daya nand all sons of Todar	40//19 (4-16) 1. Rs. 2000/-per sq.yds. 20 (4-16) 2. Rs. 1000/-each for 331 Shisham trees. 21/1(0-04) 3. Rs. 500/- each for 21/2(4-14) 4. Rs. 500/-each for 26 22 (4-16) 5. Rs. 500/-each for 26 shatoot trees. 45//1 (4-14) 6. Rs. 1000/- each for 58 2 (4-16) Neem trees. 10 (4-16) 7. Rs. 200/-each for 2 11/2 (2-08) Kikar trees. 20/1(2-08) 8. Rs. 500000/-each for pucca well & 38-08 Tubewell-	
35.	Ramphal s/o Jai Lal	45//6/2 (2-08) 1. Rs. 700/-per sq.yds. 7/1 (2-08) 2. Rs. 13333 for well 8/2 (4-13) 3. Rs. 40,000/-for 9 (4-16) 4. Rs. 15,000/- for Kotha 13/1 (1-05) 5. Rs. Solitium plus 13/3 (1-02) Interest. 45//8/1 (0-03) 16-15	
36.	Sardare S/o Rajan 1/3 share	45//25 (4-16)	As per ser No. 4

MARKET VALUE

Market value of the land under acquisition is to be assessed on the market rate of land prevailing at the time of notification u/s 4 of the land acquisition Act. In the instant case the crucial date is 3-1-92 and to arrive at the correct and fair market value of land, the ~~locality~~ locality of the site, quality and other uses of the land and availability of civic amenities is to be considered.

In the instant case latest Khasra Girdawri shows that land is being used for agricultural purposes except Khasra No. 45/1(2-00) and Khasra No. 45/10 (1-00) total measuring 3 bighas. In these Khasra No's there is a Bhatta (Garand). To arrived at fair & true market value of land the help of sale transactions with in or in the vicinity of the land or any award announced in the near past from the date of notification u/s 4 could be taken in to consideration for assessing the correct and reasonable market value of the land. But incidentally no sale deed or any sale transaction is available and petitioners has also not filed any evidance in support of their claim.

However, Delhi Administration has fixed the minimum price of agricultural land at Rs. 4.65 per acre as on 27-4-90 vide letter No. F. 9(20)80/L&B/11313-16 dated 3-5-90. This minimum price ought to be considered by the land acquisition collector for fixing the prices of land being acquired under land acquisition (amended) Act. Therefore, I assess the market value of agricultural land at Rs. 4.65 lacs per acre. As mentioned above, the Khasra No. 45/1(2-00) and khasra No. 45/10 (1-00) total measuring 3 bighas is not being used for agricultural purposes at present but there are no pits in the land and same land can be converted in to agricultural land at any time, therefore, I ~~also~~ assessed Rs. 4.65. lacs per acre for his land also and award accordingly.

WELL

There are four wells in Khasra No. 40/21/1, 45/19/1, 45/14/1 and 40/12/1. I assess the marked price for each well Rs. 1,000/-.

TUBEWELL

There are six tubewells in khasra No. 45/8/1, 45/3, 45/2, 45/19/1, 40/13 and 40/8. The owners are entitled to remove the pipes and structures etc and ~~also~~ allowed a sum of Rs. 500/- per tubewell as removable charges.

TREES

There are some trees on the land under acquisition. Some of the tree including fruit~~ing~~ bearing tree are in the infancy stage which can nither be converted in to fire wood ~~any~~ nor yeilding any fruit~~s~~. Hence I do not assess the market value of the trees having less then one qtl. weight. The details of the tree are as under:..

KH.NO.	NAME OF TREE	NO. OF TREE.	NO. X QTR TREE WEIGHT IN QTL.	RATE PER QTL.	VALUE
45/6/2	Safeda	8	10	Rs. 30/-	Rs. 300-00
	Bakan	1	1	do	Rs. 30-00
	Neem	1	1	do	Rs. 30-00
	Sahtoot	3	4	do	Rs. 120-00
45/5	Safeda	3	2	do	Rs. 60-00
	Sahtoot	1	3	do	Rs. 90-00
45/4	Sahtood	3	5	do	Rs. 150-00
45/8/2	Bakan	4	15	do	Rs. 450-00
	Neem	1	6	do	Rs. 180-00
	Kikar	1			
45/3	Bakan	6	18	do	Rs. 540-00
	Safeda	2	1	do	Rs. 30-00
	Neem	2	4	do	Rs. 120-00
45/9	Janti	1	10	do	Rs. 300-00
45/2	Safeda	13	15	do	Rs. 450-00
	Bakan	1	1	do	Rs. 30-00
	Neem	1	1	do	Rs. 30-00
	Janti	1	5	do	Rs. 150-00
45/11/1	Shisham	4	5	Rs. 50/-	Rs. 250-00
	Khatta	3	5	Rs. 30/-	Rs. 150-00
45/11/2	Shisham	4	3	Rs. 50/-	Rs. 150-00
45/10	Shisham	10	8	do	Rs. 400-00
	Neem	2	3	Rs. 30/-	Rs. 90-00
45/1	Shisham	66	40	Rs. 50/-	Rs. 2000-00
	Neem	24	20	Rs. 30/-	Rs. 600-00
40/21/2	Shisham	50	20	Rs. 50/-	Rs. 1000-00
	Sahtoot	2	4	Rs. 30/-	Rs. 120-00
45/21	Kikar	2	2	Rs. 30/-	Rs. 30-00
	Shisham	6	10	Rs. 50/-	Rs. 500-00
45/20/2	Shisham	4	4x50 5	do	Rs. 2500-00 250-00
	Rondhi	1	50	Rs. 30/-	Rs. 1500-00
45/22	Shisham	1	2	Rs. 50/-	Rs. 100-00
45/23	Kikar	1	3	Rs. 30/-	Rs. 90-00
45/19/2	Bakan	1	10	Rs. 30/-	Rs. 300-00
	Shahtoot	2	8	Rs. do	Rs. 240-00
	Neem	1	2	do	Rs. 60-00
	Lehsuwa	1	2	do	Rs. 60-00
	Jamun	1			
45/24	Bakan	9	8	do	Rs. 240-00
	Shatoot	4	3	do	Rs. 90-00
	Jhanti	2	5	do	Rs. 150-00
45/17	Jhanti	1	3	do	Rs. 90-00
45/14/2	Neem	7	8	do	Rs. 240-00

40/22	Shatoot	6	8 qtl.	Rs. 30/-	240-00
	Shisham	20	5 qtl.	Rsdo50/-	250-00
	Bakan	2	2 qtl.	Rs. 30/-	60-00
40/19	Neem	1	2"	Rs. 30/-	60-00
	Bakan	6			
40/14	Shahtoet	2	2"	do	60-00
	Bakan	2			
40/16	Safeda	4	1"	do	30-00
40/13	Safeda	2	5"	do	150-00
	Bakan	8			
	Neem	1	10"	do	300-00
	Khatta	4	3"	do	90-00
40/12/2	Bakan	5	3"	do	90-00
40/10	Jhanti	1	20"	do	600-00
	Shahtoet	2	3"	do	90-00
T O T A L					13,780-00

SOLATIUUM

As provided under sub section 2 of section 23 of the land acquisition act, the interested persons will be paid 30% solatium on the market value of the land due to compulsory nature of acquisition as per provisions of the land acquisition (amended) act 1984.

POSSESSION

The possession of the land has been taken over and handed over to the acquiring department on 11/10/93. The interested persons are entitled for the interest u/s 28 of L.A. Act. @ 9% per annum for one year from the date of possession and thereafter @ 15% till the date of announcement of award according to the provision of the amended act 1984. The interested persons were allowed to harvest their crops and time was given up to Nov. 1993.

ADDITIONAL AMOUNT

The interested persons are entitled to additional amount @ 12% on the market value of the land from the date of notification u/s 4, 4 till the date of possession or the announcement of Award, which ever is earlier.

APPORTIONMENT

Compensation will be paid to the interested persons according to the latest entries in the revenue record. In case of any dispute regarding title, apportionment of compensation, the matter will be referred to the court of A.D.J. u/s 30-31 of the L.A. Act 1984.

LAND REVENUE.

Land Revenue to be assessed and to be deducted from the Khalsa rent roll of the village from the date of taking over possession of the land.

SUMMARY OF THE AWARD

The award is summarised as under:

1. Market value of the land measuring 215 bigha 19 biswas @ Rs. 4.65 lacs. per Acre (Rupees Ninty Six Thousand Eight hundred & Seventy Five Per Bigha)	-	Rs. 2,09,20,156-25
2. Solatium @ 30% on the market value u/s 23(2)	-	Rs. 62,76,046-88
3. Additional amount u/s 23(1-A) on the market value @ 12% per annum from 3-1-92 to 10-10-93 (647 days)	-	Rs. 44,49,975-10
4. Interest u/s 28 @ 9% p.a. from 11-10-93 to 8-3-94 for 149 days (date of award)	-	Rs. 11,62,671-90
5. Market value of well for 4 wells	-	Rs. 4,000-00
6. Market value of trees	+	Rs. 13,780-00
7. Removal charged of six tubewells and structures	-	Rs. 3,000-00
Grand Total	-	Rs. 3,28,29,630-13

(RS. THREE CRORE TWENTY EIGHT LAC TWENTY NINE THOUSAND SIX HUNDRED THIRTY AND PAISE THIRTEEN ONLY.)

Lambolia. 8/3
SECRETARY (REVENUE)

SECRETARY (REVENUE)

1/3/94
(P.C. CHATURVEDI)

LAND ACQUISITION COLLECTOR (PN)
DELHI.

Announced in the open Court
on 8-3-94. Issue Notices
u/s 12(2) to the interested
persons.

8/3/94
LAC (P.N.)