

Award No.

: 3/2008-09

Name of Village

: Jasola

Area under acquisition

: 21 Bigha 08 Biswa

Purpose of acquisition

: Planned Development of Delhi

Nature of acquisition

: Permanent

Notification u/s 4

: F.9 (89)/2003/L&B/LA/7033  
Dt. 10-08-07

Notification u/s 6

: F.9 (89)/2003/L&B/LA/14056  
Dt. 04-01-08

A notification u/s 4 & 6 of the L.A. Act was issued vide No.F.9 (89)/2003/L&B/LA/7033 Dt. 10-08-07 & F.9 (89)/2003/L&B/LA/14056 Dt.04-01-08 for acquisition of Land admeasuring 21 Bigha 08 Biswa of Village Jasola.

The detail of true and correct area of the land under award is as under: -

| <u>Field No./Kh.No.</u> | <u>Area(Bigha-Biswa)</u> |
|-------------------------|--------------------------|
| 284 min                 | 3-15                     |
| 208 min                 | 4-04                     |
| 263                     | 9-09                     |
| 664/539/275             | 4-00                     |

### History

That as per the available records khasra no. 284 min (3-15) of village Jasola was acquired vide award no. 4/97-98(Suppl.), but the award of same was quashed by the Hon,ble High Court of Delhi vide order dt.15-11-2002 in CWP No. 2689/99 titled as Smt. Nirmala Aggarwal and ors. Vs. UOI and ors placed at **Annexure- A**. Khasra no. 208 min (4-04), 263(9-09) and 664/539/275(4-00) total area measuring 17 bigha 13 biswa of village Jasola were acquired vide award no. 6-B/Supplementary/81-82 but vide order dt. 22-04-99, the then Land Acquisition Collector, Kalkaji had excluded the above mentioned khasra nos from the award no. 6-B/Supplementary/81-82 placed at **Annexure- B**. However amendment could not be incorporated in the relevant revenue records. Thus under these circumstances fresh award of above mentioned khasras is being prepared.

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

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

| S.N | Name of the Claimant  | Kh.No.   | Claim   |
|-----|---|--|---|
| 1.  | (1) Sh. Inder Singh<br>(2) Sh. Mahesh Kumar<br>(3) Sh. Bhagat Singh all sons of Lt. Hari Chand<br>R/o E-15 B East of Kailash, New Delhi.                      | 284 min(3-15)<br>208 min(4-04)<br>263 (9-09)<br>664/539/275(4-06)<br>Total (21-08) | Rs.2,00,000Per Sq.Yard<br>As market value along with other statutory benefits as per provision of LA Act. |
| 2.  | (1) T.C.Verma S/o Lt.Puran<br>(2) Surinder Kumar S/o Sh.T.C.Verma<br>R/o Dera, New Delhi  | -Do-   | -Do-  |
| 3.  | (1) Ramwati W/o Sh.Swarup Singh<br>(2) Vinod Kumar S/o Sh.Swarup Singh<br>(3) Pramod Kumar S/o Sh.Swarup Singh<br>R/c B-46, Friends Colony (West), New Delhi. | -Do-   | -Do-  |
| 4   | (1) Smt.Nirmala Devi Aggarwal W/o Sh.S.S.Aggarwal<br>(2) Sh.S.S.Aggarwal S/o Sh.S.R.Aggarwal<br>R/o A-73, New Friends Colony, New Delhi.                      | -Do-   | -Do-  |

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**Documentary Evidence:** - The following documentary evidence was adduced by the claimants in support of their claims: -

1. Copy of Gazette Notification dated 3-6-1966.
2. Copy of judgement in RFA No. 114/98 S.S. Aggarwal V/s UOI dt. 21-02-03.
3. Copy of Judgement in RFA No. 416/86 Ram Chander V/s UOI dt. 19-10-01.
4. Copy of Award No. 28/05-06 of village Yusuf Sarai dt. 26-08-05.
5. Copy of award no. 2/2006-07 of village Garhi Jharla Maria dt. 9-06-06.
6. Copy of award no. 13/DC/2004-05 of village Khajuri Khas dt. 27-07-04.
7. Copy of award no. 14/DC/2004-05 of village Khajuri Khas dt. 27-07-04.
8. Copy of Schedule of market value.
9. Copy of conveyance deed dt. 18-02-08 of village Jasola.

**Market Value: -**

The market value of the land has to be determined with reference to the price prevailing as on 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 L.A. Act has been issued to the requisitioning agency i.e. DDA vide notice dt. 11-07-08. In response to the notice U/s 50(2) of L.A. Act no reply has been received from the requisitioning agency i.e. DDA till today.

The revenue estate Jasola was declared urbanized by the Govt. vide notification dt. 3.6.66.

The market value as assessed in the aforesaid judgments and awards filed by the claimants cannot be construed prima-facie market value of land in question, since the merits of each case differ.

Further, as per the joint survey report dt. 07-04-04 the said land is partly built up and partly lying vacant in the shape of plots in the scheme of DDA.



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The market value of the land in question can be determined on the basis of the indicative price fixed by the government of NCT of Delhi for agriculture lands vide Notification No. F.9 (20)/80/L&B/LA/6720 dt.30-8-05. Keeping in view of this, I therefore assess the market value as on date of notification u/s 4 of Land Acquisition Act as Rs. 17, 58,400 pre acre.

**POSSESSION:** The possession of land has not been taken.

**TREES:** - The land is vacant, hence no compensation assessed.

**WALLS & STRUCTURE:** - There is some structure on the subject land but the land use of the subject land is agriculture thus no compensation assessed for structure.

**30% SOLATIUM:** - 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 settle 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:**

| <b><u>S. No.</u></b> | <b><u>Details</u></b>  | <b><u>Amount of Compensation.</u></b> |
|----------------------|--|---------------------------------------|
| 1.                   | Market value @ Rs.17, 58,400 per acre for an area measuring 21 Bigha 08 Biswa. | Rs. 78, 39,534=76                     |
| 2.                   | Solatum @ 30%  | Rs. 23, 51,860=43                     |
| 3.                   | Additional amount @ 12% u/s 23(1-A) W.e.f. 10-08-07 to 23-01-09(531 days)      | Rs. 13, 68,589=47                     |
| <b>Total</b>         |  | <b>Rs. 1, 15, 59,984=66</b>           |

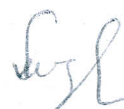
(Rupees one crore fifteen lacs fifty nine thousand nine hundred eighty four and sixty six paise only.)

  
(S.K.SINGH)

LAND ACQUISITION COLLECTOR (SOUTH)

  
PRINCIPAL SECRETARY (REVENUE)

Award announced in open court.

  
06/12/09