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DRAFT FOR APPROVAL

7/1999-2000
AWARD NO: 7/1999-2000

NAME OF THE VILLAGE

JOGABAI

NATURE OF ACQUISITION

PERMANENT

PURPOSE OF ACQUISITION

CONSTRUCTION OF DELHI - NOIDA
BRIDGE PROJECT.

These are the proceedings for determination of compensation under section 11 of the L.A. Act, 1894, revised to 1984. The land measuring 16 Bigha 16 Biswa situated in the revenue Estate of Village Jogabai was notified under section 4 read with section 6 & 17 of the L.A. Act vide notification No. F.8(10)/96/L&B/LA/1029 dated 20.4.1998 and F.8(10)/96/L&B/LA dated 20.4.1998 respectively for the construction of Delhi - NOIDA Bridge Project. In pursuance of the said notification, notices U/s 9 and 10, as provided under the Act, were issued to the interested persons, inviting the claim from them of all type. The claim(s) filed by the interested persons have been discussed hereinafter under the Heading **CLAIMS AND EVIDENCES**.

MEASUREMENT AND TRUE AREA :

The land under acquisition was physically measured on the spot by the field staff of the Land Acquisition Branch (Defence Colony) Circle and the correct area is found as under :-

<u>KH.NO</u>	<u>AREA NOTIFIED</u>	<u>CORRECT AREA</u>	<u>KIND OF SOIL AS PER KH.GIRDAWRI.</u>
446/262	05-08	05-08	Sailab
447/262	06-05	06-05	Sailab
448/262	03-16	03-16	Sailab
449/262	00-11	00-11	Sailab
451/262	00-16	00-16	Sailab
TOTAL	16-16	16-16	

CLAIMS AND EVIDENCES :

In response to the notices issued under section 9 & 10 of the L.A. Act, 1984 (revised), the following persons have come forward and filed claims for compensation in respect of their land falling in the Revenue Estate of Jogabai.

<u>S.NO.</u>	<u>NAME OF CLAIMANTS</u>	<u>KH.NO.</u>	<u>AREA</u>	<u>CLAIM</u>	<u>EVIDENCE</u>
1	Sub. Nathu Ram S/o Sh. Ram Singh R/o Hari Nagar Ashram	448/262	3-16	Rs 1,500/- Per Sq. yards	Copy of Award No.3/98-99 Of Vill. Madan Pur Khadar.
2	Devi Sahai S/o Narain	446/262	5-08	Rs. 1,500/- per Sq. Yards	-do-

DOCUMENTARY EVIDENCE :

The claimant has filed copy of Award No.3/98-99 of Village Madanpur Khadar but it can not be considered as Vill. Madan Pur khadar is not adjoining Vill. Jogabai.

MARKET VALUE :

For determination of market value of the land under Acquisition U/s 11 of the L.A. Act as on 20.4.1998, the date of Notification U/s 4 of the L.A. Act, certain No. of aspects are to be considered and kept in view. These are mainly the situation of the land, the potentiality of the land, the fertility position, its uses, sizes, the position of the nearby colonies etc., have to be kept in view.

The market value of the land under acquisition is to be determined with reference to the date of Preliminary Notification U/s 4 which is in this case is 20.4.1998 and to arrive at the correct and fair market value of the land, locality and other aspects as aforesaid ought to be considered.

The help of sale transaction within or in the vicinity of the land or any award announced in the near past from the date of the notification U/s 4 also could be taken into consideration for assessing the correct and reasonable market value of the land, but incidentally no sale transaction took place on or before the date of Notification under 4 of L.A. Act. The latest award in this village is by Award No.19/92-93 where notification U/s 4 was done on 23.6.89 and the award announced by the LAC was Rs.1,31,251/- per acre. Moreover, no evidence has been filed by any claimant, which could be considered as guiding factor for assessing the fair and true market value of the land.

Delhi Administration vide order No.F.9(20)/80/L&B/LA/4228-64 dated 24.9.98 had conveyed the decision of the administration regarding fixation of the minimum price of the Agriculture land which have to be taken into consideration by the Land Acquisition Collector for payment of compensation and would apply in all cases where land has been notified u/s 4 of L.A. Act w.e.f 1.4.98. Vide the said order No. F.9(20)/80/L&B/LA/4228-64 dated 24.9.98 the minimum amount of the compensation has been fixed for the land situated in the river bed between the forward bunds at Rs.3.60 lac per acre and I award accordingly.

COMPENSATION FOR TREES AND STRUCTURES :

As per the records available and physical inspection of the field staff no structure and trees were found in the field under acquisition, so no compensation is assessed for the same.

POSSESSION :

The possession of the land has been handed over on 8-5-1998 through Land and Building Department.

SOLATUM :

The interested persons are entitled for solatium @ 30% of the market value to be fixed by LAC as per the provisions of L.A. Act.

ADDITIONAL AMOUNT:

Every interested persons are entitled for additional amount @ 12% from the date of notification u/s 4 of L.A. Act till the date of award or date of possession which in this case is 8.5.98, which ever is earlier.

INTEREST:

The interest U/s 34 @ Rs.9% per annum will be payable from the date of possession till the date of payment for one year and subsequently 15% per annum. Interest has been calculated only on the balanced amount as apprx. 80% of the amount was debited by the acquiring agency and these amounts were disbursed to claimants on their applications.

LAND REVENUE :

That the land revenue of the land has been assessed in respect of land under acquisition by the competent authority as Rs.5-51NP as is evident from land records of the village.

APPORTIONMENT:

The payment of compensation will be made to all the interested persons as per the revenue records. In case there is any dispute the same shall be referred to the court of ADJ for determination of title of apportionment of the same U/s 30,31 of the L.A. Act.

SUMMARY OF THE AWARD :

1. Market Value of the land measuring @ Rs.75,000 per bigha.	12,60,000 = 00	JK.
2. Solatium @ 30% market value.	Rs. 24,37,500 = 00	
3. Addl. Amount @ 12% per annum from 20.4.98 to 8.5.98 U/s 23(1A)	3,78,000 = 00	JK.
4. Interest U/s 34 @ 9% per annum from 8.5.98 to 7.5.99	Rs. 7,13,250 = 00	JK.
5. Interest U/s 34 @ 15% from 8.5.99 to 31.3.2000 (i.e. 329 days)	7,870 = 68	JK.
	Rs. 15,226 = 02	JK.
	22,680 = 00	JK.
	Rs. 44,686 = 98	JK.
	34,071 = 00	JK.
	Rs. 67,132 = 49	
	17,02,622 = 46	JK.
	Rs. 32,77,795 = 49	

(Rupees Thirty Two Lakh Seventy Seven Thousand Seven Hundred and Ninety Five and Forty Nine Naia Paisa only) (Rupees Seventeen lakh two thousand six hundred twenty two and forty Six Naia Paisa only). JK.

JK. 6.3.2000
(RAJESH KUMAR)
LAND ACQUISITION COLLECTOR
[DEFENCE COLONY]

D.C. (South)

Pr. Secy (Revenue)

approved

DC(S)

JK. 7.3.2000
Pr. Secy (Rev)

Announced in open Court.

JK. 31.3.2000