AWARD NO. 21/DC (East)

/2004-05

NATURE OF ACQUISITION - PERMANENT

PURPOSE OF ACQUISITION - Planned Development of Delhi

NAME OF THE VILLAGE - Karkardooma

INTRODUCTION

These are the proceedings for acquisition of the land $U/s\ 11$ of Land Acquisition Act 1894 initiated for the purpose of Palanned Development of Delhi. The notification for the land measuring 300 Bighas 9 Bishwas situated in Village Karkardooma was issued by the Land & Building Department vide Delhi notification no. F.8(61)/74/LA(P)/L&B dated 13/03/1975 of U/s 4 of Land Acquisition Act, 1894. The substance of the said notification was given due publicity in the leading Newspapers. The declaration U/s 6 of the Land Acquisition Act, 1894 was issued vide Notification No. F.8(14)/77/L&B/ dated 22/02/78. Soon after the issuance of notice under section 9, the petitioner moved a writ petition in Hon'ble High Court & by order dated 11/12/80, the Court directed that the petitioner should not be dispossessed. Ultimately on further hearing on 29/9/81, the Court directed the LAC not to make award with regard to the The above said CWP No.: 623/77 has been dismissed by the land in question. Hon'ble Court dated 21, 22/8/03. After that a notification was issued u/s 17(1) of LA Act vide No. F.8(14)/1977/L&B/9076 on dated 2/9/03 and the possession of the said Land has been taken over & handed over to L&B/DDA on 22/9/03. Notices U/s 9 & 10 of the Land Acquisition Act were issued for inviting claims from the owners / occupants / interested persons. The Claims from the interested persons were received which are detailed and discussed under the heading "Claims and Evidences".

MEASUREMENT AND TRUE AREA

The Land Acquisition field staff carried out necessary measurement of the land at the spot. The area on measurement was found to be correct as 300 Bigha 9 Biswas. The present proceedings are confined to this area only. The details of the land under acquisition are as given below:-

Sl.	Kh. Nos.	Area
No.		B-B
1.	2666/552	0-18
2.	553	1-19
3.	554	3-3
4.	2668/555	0-17
5.	556/1	2-11
6.	557	3-3
7.	2671/558	2-00
8.	2672/559	0-05
9.	2676/562	1-1
10.	2722/1212	0-9
11.	1213	2-11
12.	2724/1214	2-11
13.	1775/1215	1-14
14.	1771/1225	1-00
15.	1773/1226	7-14
16.	1680/1227	0-6

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17	1765 /1670 /1007	0.15
17.	1765/1679/1227	0-15
18.	2741/1259	13-18
19.	2742/1260	0-2
20.	2744/1267	0-5
21.	2747/1268	4-11
22.	2749/1269	3-9
23.	2751/1805/1273	1-7
24.	1788/1333	0-1
25.	1809/1335	0-6
26.	1793/1336	4-14
27.	1337	4-16
28.	1338	10-10
29.	1804/1339	3-9
30.	1340	4-19
31.	1341	3-12
32.		
	1342	10-13
33.	1343	6-18
34.	1344	6-3
35.	1694/1345	6-3
36.	1346	10-7
37.	1347	6-12
38.	1348	11-5
39.	1349	3-9
40.	1350	4-1
41.	1351	7-1
42.	1352	7-4
43.	1353	5-11
44.	1354	4-19
45.	1355	6-12
46.	1356	3-3
47.		
<u> </u>	2755/1357	2-00
48.	2757/1358	1-9
49.	2758/1359	1-00
50.	1360	4-4
51.	1361	0-15
52.	1362	4-10
53.	1365	3-0
54.	1366	0-18
55.	1367	3-18
56.	1368	4-10
57.	1369	7-10
58.	1370	1-10
59.	1371	2-5
60.	1372	2-5
61.	1373	2-2
62.	1374	0-6
63.	1375	2-8
		
64.	1376	2-5
65.	1377	2-11
66.	1378	4-16
67.	1379	2-11
68.	1380	2-11
69.	1381	6-15
70.	1382	3-18

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71.	1383	3-15
72.	2763/1384	3-13
73.	2764/1385	0-4
74.	1386	1-4
75.	1387	3-9
76.	1388	1-13
77.	1389	3-0
78.	1390	2-2
79.	1391	1-19
80.	1392	1-16
81.	1393	2-8
82.	1394	3-6
83.	1395	3-9
84.	2767/1396	4-16
85.	2770/1398	0-7
86.	2772/1400	0-12
87.	1401	0-12
88.	1402	0-15
89.	2774/1403	0-14
90.	2776/1404	0-5
91.	2778/1432	1-16

Some differences in area were found between revenue record & area actually held in possession as under :-

Kh. No.	Area according to the Jamabandi for the yr. 1972-73 B - B	Area actually held in possession B - B
554	2 - 0	3 - 3
1694/1345	6 - 0	6 - 3
1361	0 - 17	0 - 15
1377	2 - 12	2 - 11
2763/1384	3 - 12	3 - 13
1388	1 - 10	1 - 13

The area held at the time of possession will be treated as true area.

POSSESSION

The physical possession of the land under acquisition has already been taken over / handed over to the Land & Building Deptt. on 22/09/03 U/s 17(1) of Land Acquisition Act.

CLAIMS AND EVIDENCES

In response to the notices issued U/s 9(1) and 10(1) of Land Acquisition Act, 1894 to the owners / occupants / interested persons after issuing notification u/s 6 on 22/2/78, the following persons have filed their claims.

Sl. No.	Name of the Claimant	Khasra No.	Area	Claim	Evid- ence
1.	Sh. Ganga Ram	-	181 Sq. Yds	600/- Per Sq. M.	_
	S/o Saaman			Comp.	İ
				Rs. 150000/-	

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2.	Sh. Ganga Ram S/o Saaman	1366, 1367, 1373 & 1374	3-15 Bigha	600/- Per Sq. M. Comp.	-
3.	Mohan Singh son & Legal heir of Late Sh. Birbal	1370 & 1375	3-3 Bigha	Rs. 160000/- 600/- Per Sq. M. Comp. Rs. 150000/- for	-
4	Mahar Cingh and I Tagal		267.5 a. Vda	land & well Rs. 50,000/- 600/- Per Sq. M.	
4.	Mohan Singh son & Legal heir of Late Sh. Bisbal	-	267 Sq. Yds	Comp. Rs. 250000/-	_
5.	Asha Ram legal heir of Late Parsa	2666/552 & 2767/1396	6-15 Bigha	600/- Per Sq. M. Comp. Rs. 350000/-	-
6.	- do -	-	174 Sq. Yds.	600/- Per Sq. M. Comp. Rs. 150000/-	-
7.	Sh. Surja Singh legal heir of Ridku	1361, 1362, 1395	3-15 Bigha	- do -	-
8.	- do -	2758, 1359	221 Sq. Yds.	600/- Per Sq. M. Comp. Rs. 125000/-	~
9.	Kadma legal heir of Late Khacheru	1366, 1373, 1367	3-9 Bigha	600/- Per Sq. M. Comp. Rs. 160000/-	-
10.	- do -	- do -	3-9	600/- Per Sq. M. Comp. Rs. 100000/-	-
11.	Mohan Lal S/o Khacheru legal heir	-	190 Sq. Yds.	- do -	- Marie - Company
12.	Chaman Lal S/o Late Sh. Ram Chander	-	1000 Sq. Yds.	600/- Per Sq. M. Comp. Rs. 300000/-	=
13.	Chaman Lal S/o Late Sh. Ram Chander	559, 558, 557	6 Bigha	- do -	-
14.	Premi W/o Ishar / Hardei W/o Ishar	2767/1396, 2666/552 & 1373	6-15 Bigha	600 /- Per Sq. M. Comp. RS. 350000/-	-
15.	Gyaso W/o Nanga Mother of Kheema	1387, 2764/1385 1386, 1773/1236	6 Bigha	600/- Per Sq. M. Comp. Rs. 300000/-	-
16.	- do -	-	1000 Sq. Yds	600/- Per Sq. M. Comp. RS. 200000/-	-
17.	Ganga Dei W/o Sona	2778	3-10 Bigha	600/- Per Sq. M. Comp. Rs. 150000/-	
18.	Teka S/o Jhandu	1402, 2706/1404, 1365, 1403	3-00 Bigha	600/- Per Sq. M. Comp. Rs. 140000/-	-
19.	Sh. Dhuli S/o Badlu	1394	3-6 Bigha	600/- Per Sq. M. Comp. Rs. 150000/-	-
20.	Sher Singh S/o Tirkha		190 Sq. Yds.	- do -	
21.	Sher Singh S/o Tirkha	1365, 13, 2774/1403	3 Bigha	600/- Per Sq. M. Comp. Rs. 200000/-	<u>-</u>
22.	Dhan Singh S/o Sona Ganga Dei w/o Sona	-	123 Sq. Yds.	600/- Per Sq. M. Comp. Rs. 100000/-	-
23.	Smt. Premi W/o Ishar Harde W/o Ishar	-	209 Sq. Yds.	- do -	-

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24. Jagan, Son & Legal Heir of Late Sh. Bheema 1395 1-10 Bigha 600/- Per Street	o. 10/-
Rs 7500 Rs 7500	
25. - do - - 200 Sq. Yds. - do - 26. 1. Teka S/o Jhandu - 1000 Sq. Yds. 600/- Per State 2	<u>-</u>
26. 1. Teka S/o Jhandu - 1000 Sq. Yds. 600/- Per Sq. Yds. 2. Khem Chand Comp. Rs. 4000 3. Budh Singh Rs. 4000 27. Phool Singh S/o Tirkha 2778/1432 192 Sq. Yds. 600/- Per Sq. Yds.	
26. 1. Teka S/o Jhandu - 1000 Sq. Yds. 600/- Per Sq. Yds. 2. Khem Chand Comp. Rs. 4000 3. Budh Singh Rs. 4000 27. Phool Singh S/o Tirkha 2778/1432 192 Sq. Yds. 600/- Per Sq. Yds.	Sa M
2. Khem Chand Comp 3. Budh Singh Rs. 4000 27. Phool Singh S/o Tirkha 2778/1432 192 Sq. Yds. 600/- Per St.	Jy. 171. j
3. Budh Singh Rs. 40000 27. Phool Singh S/o Tirkha 2778/1432 192 Sq. Yds. 600/- Per St.	•
Ram	Sq. M
·	ρ,
Rs. 7500	
28. Brahmi S/o Sobha Ram 2778/1432 150 Sq. Yds. 600/- Per S	•
Comp	•
Rs. 1000	
29. Deen Dayal S/o Sobh - do - 135 Sq. Yds. 600/- Per s	•
Ram	
Rs. 2000	
30. Kanak Singh S/o Sobha - do - 166 Sq. Yds. 600/- Per S	-
Ram Comp	•
31. Prem Chand & Smt. 554 Min. 1-3 Rs, 50	
Panna Devi 554 Min. 2-00 Rs. 250	'
32. Loke son of Inder 1395 1-10 600/- Per s	
Comp	
Rs. 7000	1
33 do 72 Sq. Yds. 600/- Per	
Comp	p
Rs. 1000	
34. Dheer Singh legal heir of 554, 1388 6-12 Biswa 600/- Per	- ,
Ram Sahay (one well), Comp	
1337 Rs. 3000	
35 do - 2778/1432 567 Sq. Yds. 600/- Per S	• 1
Rs. 3 La	
36. Uday Ram S/o Sh. Behari - do - 403 Sq. Yds. 600/- Per	
Comp	- 1
Rs. 1500	
37 do - 554, 1388 3 Bigha 600/- Per	Sq. M
Comp	p
Rs. 1500	00/-
38. Bikari S/o Kirpa Ram 1371, 1372, 5-9 -	-
2710/1398/	
2772/1400	
39 do 792 Sq. Yds. 600/- Per	·
Comp. Rs.	
40. Deen Dayal S/o Shobha 553 3-10 600/- Per	-
Ram Comp	-
41. Kamla S/o Kanaya - 330 Sq. Yds do	
42. 1. Kamla 1370, 1376 3 Bigha 600/- Per	
1570, 1570 5 bight 000/-1 et	·
2. Gobind Com	r ·
2. Gobind Comp 3. Raj Pal Rs. 1500	00/-
2. Gobind Comp 3. Raj Pal Rs. 1500 43. Dhuli S/o Badlu - 224 Sq. Yds. 600/- Per	

After issuing notification u/s 17(1)(a) on 2/9/03. The following persons have filed claims

Sr. No.	Name of Claiment	Kh. No.	Area	Claim (Per. Sq Yds.)	Evidence
1.	Mohan Singh S/o Budh. Parkash	1370	0.15	Rs. 15000/-	Nil
	-	1375	2.08	·	

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	Kamal Singh	1376	2.05	-do-	-do-
	Smt. Bhagwani Devi	1370	0.15	-do-	-do-
	W/o Late Sh. Govinda			<u> </u>	-do-
	Shyam Lal	1366	0.09	-do- -do-	-do-
	Chet Ram	1367	1.19	-ao- -do-	-do-
	Sita Ram	1373	1.01 0.06	-do-	-do-
	Garib Singh S/o Sh. Garg Ram	1374	3.00	-do-	-do-
	Shispal Smt. Chando	1394 1361	0.12	-do-	-do-
١,	Smt. Imarti Devi W/o Sh. Late		2.05	-do-	-do-
	Surjan	1362 1395	0.10	-do-	-do-
	Om Parkash	1393	0.10	ao	
	Charan Das S/o Late Rirku	1388	0.17	-do-	-do-
7.	Amar Singh	554	2.00	-do-	-do-
	Prabhu Singh	334	2.00		
	Jai Parkash				
	Charan Das	1395	1.04	-do-	-do-
8.	Smt. Kasturi W/o Late Loke	1395	1.05	-do-	-do-
	S/o Jagan Lachman	1373			
	Munshi S/o Bhima	1398	0.07	-do-	-do-
9.	Gaje Singh	1400	0.12	-do-	-do-
	Nain Singh	1371	2.05	-do-	-do-
	Jagmal Ator Singh	1372	2.05	-do-	-do-
	Atar Singh S/o Late Sh. Fateh Singh	<u> </u>			
	Also legal hire of Late Sh. Bikhari				ļ
10.	Madan Singh S/o Late Amar	1259/2,	-	-do-	-do-
IU.	Singh	1345		10 Lac for	-do-
	omgn			Structure	
11.	Jabar Singh	1259/2,	-	-do-	-do-
11.	S/o Sh. Deep Singh	1345			
	of oon beep ong.				
12.	Ram Piyari	-do-	-	-do-	-do-
14.	W/o Late Sh. Ganga Parsad	 			
13.	Suraj Parkash	-do-	-	-do-	-do-
, U,	S/o Late Sh. Ganga Parsad				
14.	Swaraj Singh	-do-	- 1	-do-	-do-
± ••	S/o Late Todi Singh				,
15.	Smt. Manju	-do-	-	-do-	-do-
	W/o Late Sh. Ram Lal				
16.	Govind	-do-	-	-do-	-do-
	S/o Sh. Partap Singh				
17.	Madan Singh	-do-	-	-do-	-do-
	S/o Amar Singh				
18.	Ajay Moahn Sharma	1259/2,	-	-do-	-do-
	S/o Janardan Sharma	1344			
Į	' '			<u> </u>	
19.	Shool Pani Singh	1259/2,	_	-do-	-do-
 	S/o Madan Singh	1345			
-					-do-
20.	Ajay Singh	-do-	-	-do-	-00-
	S/o Late Sh. Rajender Singh				1.
21.	Om Parkash	1259/2,	-	-do-	-do-
	S/o Ganga Parsad	1345			
				1.	-do-
22.	Ramvir Singh	1259/2,	-	-do-	-40-
1	S/o Late Todi Singh	1345			
				J.,	-do-
23.		-do-	-	-do-	-u0-
1	S/o Late Keshav Singh			1_	-do-
24.	Partap Singh	-do-	-	-do-	-ao-
	S/o Late Keshav Singh			,	-do-
25.	Smt. Keshar	-do-	-	-do-	-00-
	W/o Sh. Shamboo Lal				-do-
26		-do-	-	-do-	-ao-
!	W/o Late Hira Lal	1	1	1	

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27.	Smt. Ishwari Devi	1344	-	-do-	-do-
i	W/o Late]		
	Sh. Ram Chahete Mishra				
28.	Sh. Sudhir Mishra	1344	-	-do-	-do-
	S/o Late Sh. Ram Chahete Mishra				
29.	Megh Raj	553	-		
	S/o Sh. Net Ram				

MARKET VALUE OF THE LAND

The market value of the land under acquisition has to be determined with reference to the price prevailing at the time of notification u/s 4 issued on 13/3/75. The value can be determined with reference to the bonafied sales of similar land possessing similar advantages and potentialities. The claimants have not adduced any evidence to substantiate their exorbitant claims of compensation. Efforts were therefore made at this end to evaluate the market value of the land with reference to the previous awards and sale transactions similarly circumstanced. The following awards have been announced in this village.

Sr. No.	Award No.	Date of Notification U/s 4 of LA Act	Rate per Bigha
1.	1466	13.11.59	Rs. 400/~
2.	1467	- do -	- do -
3.	1804	- do -	Rs. 1000/-
4.	2210	- do -	- do -
5.	54/69-70	- do -	Rs. 1100/-
6.	21/70-71	- do -	- do -
7.	54A/70-71	- do -	- do -

But all these awards were made on the basis of land value as in 1959 when notification u/s 4 of LA Act was issued. As such these could not form the basis to determine land value in 1975.

Then the other method of assessing the market value in 1975 was to have the sale transactions that had taken place around the year 1975.

Accordingly the bonafide transaction of purchase of similar land, copy of sale deeds of the properties in proximity in the Village Karkardooma were collected from the Sub-Registrar-IV, Seelampur Delhi to estimate the fair market value. The transactions have taken place around the time of notification u/s 4 & are the true reflection of trends and prevailing rates in the market value of the land. The details of sale transactions that have been considered are as under:-

Sr. No.	Identiication of Sale Deed	Year of Transaction	Locality	Area in Sq. Yds.	Transaction Value
1.	Prop. No. 51 Vishwas Nagar Extn., Kh. No234 Min., 318 Min., 2219/317 Min.	1972	Karkar- dooma	75 Sq. Yds.	2000
2.	Prop. No. 5/32, Vishwas Nagar, Kh. No. 220, 221, 222 Min. Vishwas Nagar	1972	- do -	190	4000/-

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	Average Rate per sq. yds Rs. 17.05			850	14500/-
	Kh. 228 Min.				
	Arjun Nagar				
	Vishwas Nagar alias				
	Western Extn.				
5.	Prop. No71	1972	- do -	195	1500/-
	Kh. No70, 73 Min				
	Vishwas Nagar,				
4.	Prop. No9/47	1972	- do -	200	3000/-
	Kh220, 221, 222 Min				
	Vishwas Nagar,				
3.	Prop. No1/32,	1972	- do -	190	4000/-

All these transactions constituted plotted land, in the year 1972 and the average sale price of these transactions comes to Rs. 17.05 per Sq. Yds. or Rs. 17192/- per Bigha. To reach at the value of similar land in 1975, an enhancement of Rs. 1000/- per year shall be taken from 1972 to 1975 for three years. So the market value of plotted land in 1975 comes to Rs. 20192/- per Bigha.

The rate of Rs. 20192/- has been calculated for plotted land. But the land under acquisition is a mass of more than 300 Bighas, which can not be compared with plotted land rates as while plotting around 40% area is earmarked for common services like roads, parks etc. As such I assess the market value of land under acquisition @ 60% of the value calculated for plotted land which comes to Rs. 12115`/- per Bigha.

WELLS

Joint survey was made by Revenue Staff & DDA Staff. It is reported by above staff that there is a well in Kh. No. 1765/1679-80, 1227 which was constructed prior issue of notification u/s 4 as per revenue record. There is an old well at site the same is not in working condition. Hence I asses the amount Rs. 500/- as compensation for the same.

TREES

There were 200 trees in the land under acquisition at the time of possession was taken. Accordingly I assess the total amount of Rs. 20,000/- as the compensation for aforesaid trees.

OTHER COMPENSATION

SOLATIUM

On the market value so determined, the owners / interested persons are entitled to get 30% extra compensation, as Solatium as per the provisions of the Land Acquisition Act.

ADDITIONAL BENEFIT

The interested persons are also entitled to have an additional benefit @ 12% per annum on the market value of the land U/s 23(i) (a) of the Land Acquisition Act from the date of notification U/s 4 to the date of possession except for the duration when matter was under stay.

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INTEREST U/S 34

The DDA has already taken over the possession of this land on 22/09/2003. As such the interested persons are entitled to get the interest on balance amount under section 34 @ 9% from the date of possession to the date of payment.

APPORTIONMENT

The Compensation assessed as under :-

SI. No.	Name of the Owne As per Revenue Re	·	Area	Total (Rs.)	
1.	Mandir Shree Sita Ramji	Whole Khasra No.s under acquisition	300-09	79,54,073/-	

Compensation will be paid according to the latest entries in the revenue record. In case of dispute the matter will be referred to the Court u/s 30-31 Land Acquisition Act.

SUMMARY OF THE AWARD

Sl. No.	Item	Amount (Rs.)
1.	Compensation for the land measuring 300-	Rs. 36,39,951.75
	09 @ Rs. 12115/- per bigha	, ,
2.	Solatium @ 30%	Rs. 10,91,985.52
3.	Additional benefit U/s 23(i)(a) on Market Value of Land @ 12% per annum from the date of notification to the date of Possession 5 Years 9 Month 28 days = 2128 days (excluding stay period) D.O. Notification u/s 4 - 13.3.75 D.O.P 22/09/03 Excluding stay period(11/12/80 to 22/8/03)	Rs. 25,46,570.07
	22 Years 8 Month 11 Days	
4.	Interest @ 9% from 22/09/03 to 21/09/04	Rs. 6,55,065.66
	Total	Rs. 79,33,573.00
5.	Trees 200 @ 100	Rs. 20,000.00
6.	Well one	Rs. 500.00
	Grand Total	Rs. 79,54,073.00

LAND ACQUISITION COLLECTOR DISTT. EAST DELHI

The award is drawn with the approval of Secretary (Revenue), Govt. Of NCT

of Delhi and announced accordingly.

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21/12/2004.

today & e. 5.01.05 in the presence of the following pessons:

- 1. Sh. Uday Bran Singh S/o Shi. Amar Singh.
- 2. Sh. Gaje Singh S/c Sh. Fatch Singh
- 3. Sh. Brahm Prakash Slo Sh. Khem chand
- 4. Sh. mohar Singh slo Sh. Birbal.

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