

AWARD NO. : 3/DC(S)/2006-2007
Name of Village : Khizrabad
Area under acquisition : 1 ½ Biswa
Purpose of acquisition : Planned Development of Delhi
Nature of acquisition : Permanent
Notification u/s 4 : F.9(42)/2004/L&B/LA/6126 Dt.06.07.2004
Notification u/s 6 : F.9(42)/2004/L&B/LA/8268 Dt.12.08.2004
Notification u/s 17 : F.9(42)/2004/L&B/LA/8269 Dt.12.08.2004

A notification u/s 4,6 & 17 of the LA Act was issued vide No. F. 9(42)/2004/L&B/LA/6126 Dated 06.07.2004, F.9 (42)/2004/L&B/LA/8268 Dated 12.08.2004 & F.9 (42)/2004/L&B/LA/8269 Dated 12.08.2004 respectively for acquisition of 1½ Biswas of land village Khizrabad.

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

<u>Field No./Kh.No.</u>	<u>Area</u>
13/23/5/6/11 min	0-1 ½

The following Civil Writ Petitions were received in respect of the khasra numbers given below: -

CWP No.	Title	Status of the Case
CWP No.3856/99	Pritam Lal Ahuja Vs Chief Secretary, NCT of Delhi & Ors.	The Hon'ble High Court vide order Dt.17.12.2002 has directed the respondent to take necessary steps within 03 months for acquisition of land in the park failing which respondents shall hand over back the possession of the portion

		of the land of the petitioners situated in the park & writ petition stands disposed.
CCP No.435/2004 in CWP No. 3856/99	Pritam Lal Ahuja Vs Mrs.Sailja Chandra & Ors.	Pending.

Notices :- Notice u/s 9 & 10 were issued and served upon all the recorded owners. This fact was also mentioned in the counter affidavit submitted in the Hon'ble High Court in the CCP No. 435/2004 despite this no claim was preferred by them. Notice U/s 50(2) was also issued to the DDA, The beneficiaries. No evidence was furnished by them also.

Compensation Claims: - No claims received from the recorded owner/interested persons.

Documentary Evidence : Nil

Market Value: - The market value of the land has to be determined with reference to the price prevailing as at 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.

Although village is urbanized the land in question is situated in the middle of the park developed by the DDA, Thus as per the master plan no structure, building and construction activities are permissible.

In order to determine the true market value of the acquired land the information of voluntary sale deed executed in the office of sub registrar-V was called. The details of sale deeds received from SR-V are as follows –

S.No.	Regd.No.	Date	Size of plot	Total Value of sale deed
1	3952	5/4/04	50 sq. yd.	2,25,000
2	6914	7/6/04	48.5 sq. yd.	1,00,000

Average value of property is Rs. 3299.49 per sq. yd.

From the above evidence the average value of land in the locality comes to Rs.3299.49per sq. yd., the above sale deeds are the voluntary sales transaction in the locality as such same are taken into consideration for fixing the market value of the land however the land involved in the sale deeds comprise built up structures as compare to the acquired land which is vacant. Thus the cost of construction has to be deducted. Besides this the land in question is part of the park and no construction is permissible on the said land. In my view taking consideration all these aspects the market value of land should be Rs.1600/- per sq.yd.

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

WALLS & STRUCTURE: The land is vacant, hence no compensation assessed.

POSSESSION : The possession of the land has been taken on 24.09.04

30% SOLATUM

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

S.No.	Name & share	Amount
1.	Pritam Lal Ahuja S/o Loku Ram	Rs.193935=13/-

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 :


<u>S. No.</u>	<u>Details</u>	<u>Amount of Compensation</u>
1.	Market value @ Rs.1600/- per sq. yd. for an area measuring 1 ½ Biswa(75 sq.yd.)	= Rs. 1,20,000=00
2.	Solatum @ 30%	= Rs 36,000=00
3.	Additional amount @ 12% u/s 23(1-A) w.e.f. from 6.7.04 to 24.9.04. (i.e.81 days)	= Rs. 3195=61
SUB TOTAL		= Rs. 159195=61
4.	Interest U/s 34 @ 9% w.e.f. 24.9.04 to 23.9.2005 (365 days)	= Rs. 14,327=60
5.	Interest U/s 34 @ 15 % w.e.f. 24.9.05 to 01.08.2006 (312 days)	= <u>Rs.20411=92</u>
Total		= <u>Rs.193935=13</u>

(Rupees one lac ninety three thousand nine hundred thirty five and thirteen paise)


(A.K. SINGH)

LAND ACQUISITION COLLECTOR
(SOUTH)

DIV.COMMISSIONER/SECRTARY (REV.)



The award is announced in open
court on 01/8/06.


01/8/06