

8/1999-2000

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AWARD NO: _____

NAME OF THE VILLAGE

KHIZRABAD

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 522 Bigha 10 Biswa situated in the revenue Estate of Village Khizrabad 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/1011 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 LAND AS PER KH.GIRDAWRI.</u>
371-375/1/1	35-06	35-06	Sailab
371-375/2/1	08-06	08-06	Sailab
371-375/3/1	08-07	08-07	Sailab
371-375/4/1	08-09	08-09	Sailab
371-375/5/1	36-00	36-00	Sailab
371-375/6/1	10-14	10-14	Sailab
371-375/7/1	06-11	06-11	Sailab
371-375/8/1	15-03	15-03	Sailab
371-375/9/1	13-16	13-16	Sailab
371-375/10/1	35-13	35-13	Sailab
371-375/11/1	09-14	09-14	Sailab
371-375/12/1	22-17	22-17	Sailab
371-375/13/1	22-17	22-17	Sailab
371-375/14/1	22-17	22-17	Sailab
371-375/15/1	22-17	22-17	Sailab
371-375/16/1	16-00	16-00	Sailab
371-375/17/1	35-18	35-18	Sailab
371-375/18/1	35-08	35-08	Sailab
371-375/19/1	05-10	05-10	Sailab
371-375/20/1	20-10	20-10	Sailab
371-375/21/1	04-18	04-18	Sailab
371-375/22/1	35-04	35-04	Sailab
371-375/23/1	18-06	18-06	Sailab
371-375/23/2/1	07-07	07-07	Sailab
371-375/24/1	16-13	16-13	Sailab
371-375/25/1	13-07	13-07	Sailab
371-375/26/1	05-19	05-19	Sailab
371-375/27/1	05-19	05-1	Sailab
371-375/28/1	08-00	08-00	Sailab
371-375/29/1	14-04	14-04	Sailab
TOTAL	522-10	522-10	

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 village Khizra Bad.

<u>S.No.</u>	<u>NAME OF CLAIMANTS</u>	<u>KH.NO.</u>	<u>AREA</u>	<u>CLAIM</u>	<u>EVIDENCE</u>
1.	Smt.Dhanno W/o Lt.Sh.Likhi R/o Vill. Khizra Bad.	371/375/2/1	-	Rs.5,00,000/- per Bigha	Nil
2.	Khazan Singh, Sujan Singh and Smt. Khazani, Smt.Chandi	371-375/2/1	-	Rs.5,00,000/- per Bigha	Nil
3.	Naini Singh R/o Khizrabad	371-375/16/1 371-375/20/1	-	Nil	Nil
4.	Ho Ram S/o Chandki Ram	371-375/28/1	-	Rs.1,500/- Per Sq.Yd.	Award No. 3/98-99 of M.P.Khadar
5.	Nathi Singh S/o Harkesh	371-375/17/1	-	Rs.10,000/- per Sq.Yrd.	Nil
6.	Raj Pal & Smt.Resam S/o & D/o Munshi	371-375/11/1 371-375/23/2/1 371-375/22/1 371-375/2/1	-	Rs.5,00,000/- per bigha	Nil
7.	Attar Singh S/o Rumal R/o Khizra Bad.	371-375/3/1 371-375/6/1 371-375/10/1	-	-do-	Nil
8.	Jagbir Singh S/o Mawashi R/o 84, Khizra Bad	371-375/4/1 371-375/9/1	-	-do-	Nil
9.	Ved Ram S/o Kaley R/o Khizra Bad	371-375/3/1 371-375/10/1	-	-do-	Nil
10.	Mehar Chand S/o Hari Singh, Sant Ram, Trilok Chand, Anant Ram Ss/o Yad Ram.	371-375/29/1	-	-do-	Nil
11.	Harsarop, Ram Karan Ss/o Ram Phool, K.Bad	371-375/1/1 371-375/26/1	-	-do-	Copy of Award no. 3/98-99 of M.P.Khadar
12.	Smt. Malho Wd/o Chanda R/o Khizra Bad	371-375/5/1	-	Rs.1,500/- per Sq.Yd.	-do-
13.	Mam Chand, Gopi Chand Ss/o Lt.Chanda, Smt.Dharam Vati Wd/o Rajinder Singh, Giri Raj S/o Rajinder.	371-375/5/1 371-375/8/1	-	-do-	-do-
14.	Om Prakash, Shiv Raj, Vijay Pal, Ramu Ss/o Hazari Lal, Harbi W/o Ram Pal, Bal Kishan, Ram Singh, Shyam Singh S/o Ram Pal.	371-375/13/1 371-375/27/1 371-375/19/1 371-375/21/1	-	Rs.1,500/- Per Sq.Yd.	-do-
15.	Smt.Chandro, Smt.Asarfi Ds/o Shiv Lal, Smt.Suresh W/o Bhikan R/o Khizrabad.	371-375/1/1 371-375/8/1 371-375/26/1	-	Rs.5,00,000/- per Bigha	-do-
16.	Sh.Sri Ram R/o Khizrabad.	371-375/14/1	-	Rs.5,00,000/- per Bigha	Nil
17.	Smt.Pasandi W/o Bdam	371-375/12/1	-	-do-	Nil
18.	Sat Pal S/o Harkesh	371-375/17/1	-	Rs.1,500/- per Sq.Yd.	Copy of Award no. 3/98-99 of M.P.Khadar
19.	Batu S/o Harkesh	371-375/17/1	-	-do-	-do-
20.	Gian Chand S/o Munshi Ram, Trilok Chand S/o Munshi.	371-375/18/1	-	-do-	-do-
21.	Dharamvir S/o Tek Ram 58, Kizrabad.	371-375/16/1 371-375/20/1	-	Rs.5,00,000/-per bigha.	Nil

22.	Kailashwati W/o Maharaj Singh	371-375/20/1 371-375/16/1	-	-do-	Nil
23.	Man Singh, Tek Ram, Prem Raj, Giri Raj, Mahavir jeet Singh Ss/o Badley	371-375/23/1	-	Rs.1,500/- per sq.yd.	Award No. 3/98-99 M.P.Khader
24.	Beg Raj, Prem Raj, Giriraj	371-375/29/1	-	Rs.5,00,000/-per bigha	-do-
25.	Lakhmi Chand, Jagan, Ramesh Chand Ss/o Nem Singh, Parmali Wd/o Fathey, Ram Raj, Des Raj Ss/o Fateh.	371-375/23/1	-	Rs.1,500/- per sq.Yd.	-do-
26.	Dharampal, Birham Singh Ss/o Lt.Nathu Singh	371-375/15/1 371-375/24/1	-	-do	-do-
27.	Het Ram S/o Tirkha	371-375/18/1	-	-do-	-do-
28.	Surender Pal S/o Ram Kishan	371-375/26/1	-	Rs.5,00,000/- per bigha	Nil.
29.	Veenu s/o Roshan	371-375/26/1	-	-do-	Nil
30.	Sumatra S/o Ram Kishan	Not mentioned.-	-	-do-	Nil
31.	Babu Ram S/o Ram kishan	371-375/1/1	-	-do-	Nil
32.	Bijender S/o Ram Kishan	371-375/26/1	-	-do-	Nil
33.	Kishan Pal S/o Ram Kishan	371-375/26/1	-	-do-	Nil
34.	Rajender S/o Ram Kishan	371-375/26/1	-	-do-	Nil
35.	Nain Singh	Not mentioned.-	-	-do-	Nil
36.	Narender S/o Ram Kishan	371-375/26/1	-	-do-	Nil

DOCUMENTERY EVIDENCE :

Some of the claimants have 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. Khizra Bad.

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, it's 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.18/92-93 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.

30/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.90-93NP 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.	Rs. 3,91,87,500 = 00
2.	Solatium @ 30% market value.	Rs. 1,17,56,250 = 00
3.	Addl. Amount @ 12% per annum from 20.4.98 to 8.5.98 U/s 23(1A)	Rs. 2,44,787 = 67
4.	Interest U/s 34 @ 9% per annum from 8.5.98 to 7.5.99	Rs. 7,18,429 = 14.
5.	Interest U/s 34 @ 15% from 8.5.99 to 31.3.2000(i.e.329 days)	Rs. 10,79,283 = 61
		<hr/>
		Rs. 5,29,86,250 = 76

(Rupees Five Crore Twenty Nine Lakhs Eighty Six Thousand Two Hundred Fifty and Seventy Six Naia Paisa only)

D. C. (South) 93

For Secy (Revenue)

DECS

approved

31.3.2000

(RAJESH KUMAR)
LAND ACQUISITION COLLECTOR
DEFENCE COLONY

filed
by
Announced in
open court.
Munim
31.3.2000