

AWARD NO : 3/2007-08/distt. SW

NAME OF VILLAGE : NAJAFGARH

NATURE OF ACQUISITION : PERMANENT

PURPOSE OF ACQUISITION : 40MGDWATER  
TREATMENT PLANT  
IN DWARKA

NOTIFICATION U/S4No.F.10 (49)/02/L&B/LA/8491  
Dt.29/8/06  
U/S6No.F.10(49)/02/L&B/LA/10983  
Dt.12/10/06  
U/S17(1)No.F.10(49)/02/L&B/LA/10984  
Dt.12/10/06

## INTRODUCTION

These are proceedings for determination of compensation under section 11 of Land Acquisition Act, 1894 in respect of Land measuring 52 Bigha 13 Biswa of land in village Najafgarh which was notified under section 4 of Land Acquisition Act vide Notification No. F.10(49)/02/L&B/LA/8491 dt.29/8/06 for a public purpose namely construction of **40 Million Gallon Daily Water Treatment Plant in Dwarka**. In view of the urgency of the scheme the provisions of section 17(1) of LA Act, 1894 were made applicable to the land. The notification under section 6 of L.A. Act was published vide No.F.10 (49)/02/L&B/LA/10983 Dt.12/10/06.

In pursuance of the above notification, notice under section 9 & 10 of the L.A. Act were issued to all the interested persons to file their claims. The claims filed by the claimants are discussed herein after under heading 'CLAIMS'. The notices U/s 50(2) were also issued to the requisitioning department i.e.Delhi Jal Board & DDA vide letter No.ADM/LAC/SW/2170-71. dated 26/3/07.

## MEASURMENT

The area to be acquired as given in the declaration under section 6 of L.A. Act is 52 Bigha 13 Biswa. The details of the land under acquisition are as under: -

Rectangle No.	Khasra No.	Area
39	23/2/2	4-01
41	3/2	4-15
	4/2	0-04
	7/1/2/2	0-15
	7/2/2/2	0-10
	8	4-16
	9	4-16
	11	1-00
	12	4-16
	13	4-16



	14/2/2	2-16
	16/1/2/2	0-01
	16/2/2/2	0-08
	17/2/2	4-11
	18/1	2-07
	18/2	2-09
	19	4-16
	20	4-16
<b>Total</b>		<b>52-13</b>

### CLAIMS

The notice u/s 9 & 10 of LA Act 1984 were issued to interested persons file the claims of the interested persons. Notice U/s 50(2) of LA Act were issued for to Delhi Jal Board for the purpose of determining the compensation amount. Following are the claims received by this office till date:-

S. No.	Name	Khasra No's	Claims
1.	Mansukh Lal	41//16/2/2(0-8)	3,50,00,000/- Per acre
2.	Surat Singh	41//16/2/2(0-8)	3,50,00,000/- Per acre

The perusal of claims reveals that the claimants have filed claims, which are exorbitantly high. The claims are considered on merit and rejected, since it does not represent the true market value of the land.

### MARKET VALUE

The land in question, which is to be acquired, is an "Agricultural Land". The market value of the land under acquisition is to be determined with reference to the date of Notification u/s-4 of the Land Acquisition Act.1984 Which is 29/08/06 in the instant case. For determination of the market value of land the indicative price fixed by the Govt. of NCT of Delhi for agricultural land in Delhi at the rate of Rs 17,58,400/-(Rs Seventeen lakh fifty eight thousand four hundred only) per acre as conveyed by the Dy. Secy (LA). Land & Building Deptt. Vide letter No.F.9 (20)/80/L&B/LA/6720 dated 30/8/05 is taken into consideration.

Accordingly the market value of the land under acquisition is determined as @ 17,58,400/- /-(Rs Seventeen lakh fifty eight thousand four hundred only) per acre. In addition to the market value the landowner will be entitled for other benefits as per provisions of the Land Acquisition Act, 1894.





## VALUATION OF STRUCTURES

Although the valuation, of the structures on the Khasra No's being acquired has been evaluated by PWD Deptt. and Horticulture Deptt. but none of the claimants have produced the sanctioned plan for the structures raised by them as informed by PWD vide their letter no DB/VAL/PWD/XVII/06-07/482 dated 30/11/2006. These structures have been raised in violation of law and are as such liable to be ignored U/s 24(8) of the LA Act.

## SOLATIUUM

30% solatium will be given to the land owners on the market value of the land due to compulsory nature of the acquisition as stipulated under section 23(2) of the Land Acquisition Act 1894.

## ADDITIONAL AMOUNT

An additional amount @ 12% per annum on the market value of land U/s 23(IA) of Land Acquisition Act 1894 is to be given to the land owners for the period commencing from the date of notification U/s - 4 to the date of physical possession or award, whichever is earlier.

## INTEREST

An interest @ 9% annum on the market value of the land as per provision of the Land Acquisition Act, 1894 will be given to the land owners for the period commencing from the date of physical possession to the date of award within a period of one year and interest @ 15% per annum will be payable from the date of expiring of one year U/s 34(2) of LA Act.

## POSSESSION OF LAND


Since the notification U/s 6 was issued along with the urgency clause i.e. 17(1) of LA Act 1894 therefore the possession of the land was taken on 2/11/2006 and 26/12/2006.

## LAND REVENUE

The land revenue will be deducted from the rent roll of the village Najafgarh w.e.f. taking over the physical possession.

## APPORTIONMENT

The apportionment of the said compensation would be amongst all the persons known or believed to be interested in land, of whose, or of whose claims, have been filed and have or have not appeared before me have been determined. Therein where there is a dispute and the same is not settled, the matter will be referred to the court of Additional District Judge U/s 30-31 of the Land Acquisition Act. 1894. The details of recorded owners of the land and their share of compensation is mentioned in "NAKSHA MUTZAMIN "





## SUMMARY OF THE AWARD

The award is summarized as under:-

<b>A</b>	The market value of land measuring 52 Bigha 13 Biswa @ Rs.1758400/- per acre	Rs.1,92,87,450.00
<b>B</b>	30% solatium U/s 23(2)	Rs.57,86,235.00
<b>C</b>	Additional amount @ 12% per annum U/s 23(1A) (i) w.e.f. 29/08/2006 to 2/11/2006(63 days) on Rs. 1,39,75,616.66 (ii) w.e.f. 29/08/2006 to 26/12/2006 (117 days)on Rs. 53,11,833.33	Rs. 2,89,468.00 Rs. 2,04,324.00.
	Total of A+B+C Less 80% of amount (A+B) already received Balance amount	Rs. 2,55,67,477.00 Rs. 2,00,58,948.00 Rs. 55,08,529.00
<b>D</b>	Interest @ 9% per annum (i) w.e.f 3/11/2006 to 20/08/2007( 287 days) on Rs. 39,23,128.00 (ii) w.e.f. 27/12/2006 to 20/8/2007 (233 days) on Rs. 15,85,400.00	Rs. 2,776,28.00. Rs. 91,083.00
	Grand Total (balance amount)	Rs.58,77,241.00

(K.K. DAHIYA)  
Land Acquisition Collector (SW)

This is to certify that the award has been approved by Pr. Secy(Revenue)/CA in term of authorization by Lt. Governor Delhi vide Land & Building Deptt. , Notification No. F. 9(20)/80/L&B, dt. 20/11/84. vide chary no 3039

dt 20/8/07

Vijay Kumar  
ADM(HQ)

Award announced in open court.

20/8



30/c

GOVERNMENT OF THE NATIONAL CAPITAL TERRITORY OF DELHI  
LAND & BUILDING DEPARTMENT : VIKAS BHAWAN : NEW DELHI

No F.10(49)/02/L&B/LA/8491

Dated :- 29/08/2006

NOTIFICATION

Whereas it appears to the Lt. Governor, Delhi that land is likely to be required to be taken by Government at the public expense for a public purpose namely for 40 Mgd. Water Treatment Plant for Dwarka at village Najafgarh. It is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

The notification is made, under the provisions of Sub-section 1 of Section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lt. Governor, Delhi is pleased to authorize the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey the land in the locality and do all other acts required or permitted by that section.

The Lt. Governor, Delhi is satisfied also that provisions of sub-section (I) of the section 17 of the said Act are applicable to this land and is further pleased under sub-section (4) of the said section to direct that all the provisions of Section 5(A) shall not apply.


SPECIFICATION

VILLAGE	TOTAL AREA (BIGHA-BISWA)	KHASRA NO.	AREA (BIGHA-BISWA)
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Najafgarh	52 Bigha 13 Biswa		
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39// 23/2/2(4-01), 41// 3/2(4-15), 4/2(0-04), 7/1/2/2(0-15), 7/2/2/2(0-10), 8(4-16), 9(4-16), 11(1-00), 12(4-16), 13(4-16), 14/2/2(2-16), 16/1/2/2(0-01), 16/2/2/2(0-08), 17/2/2(4-11), 18/1(2-07), 18/2(2-09), 19(4-16), 20(4-16).

BY ORDER AND IN THE NAME OF THE LT. GOVERNOR OF DELHI

  
(AMAR SINGH)  
DY. SECRETARY (LA)