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These proceedings relates to the acquisition of land under Sec. 11 of the land Acquisition Act 1894. The land under acquisition situated in Village Okhla was notified for acquisition under Sec 4 of LA Act together with 17(1) of (4) vide notification No. F.9(1)/99/L&B/LA/5222 dated 13.7.2000 for public purpose namely for the Planned Development of Delhi of declaration under section 6 of L.A. Act was issued vide notification No. F.9(1)/99/L&B/LA/4352 dated 27.06.2001 for acquisition of an area measuring 17 Bigha 14 Biswa Planned Development of Delhi (Master Plan of Jamia Milia Islamia). In pursuance of said notification, notices u/s 9 & 10 as provided under the Act were issued to the interested persons, inviting the claim from them. Further it is brought to the notices that there is status quo, qua possession and no construction or change is permitted in the nature of land vide order dated 5.09.2000 in CWP 5046 by the hon'ble High Court of Delhi.

The land was measured on spot by Land Acquisition field staff and detail of area propound to the acquisition as per Revenue Record are as under.

## CLAIMS AND EVIDENCES

## DOCUMENTARY EVIDENCES

**No documentary evidences filed by the claimants**

## **MARKET VALUE**

For determination of market value of land under acquisition u/s 11 of L.A. Act as on 13.7.2000 the date of notification u/s 4 of L.A. Act certain No. of aspects are to be considered and kept in view. There are mainly the situation of land, the potentiality of the land, the fertility position, it's users, 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 30/7/2000 and to arrive at correct and fair market value of the land, locality and other aspects as aforesaid out 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 in to 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 u/s 4 of L.A. Act. The latest award in this village is by award No. 6/99-2000. Where notification u/s 4 was done on 20.4.1998. The award was announced by LAC was Rs. 75000/- per Bigha. 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.

Govt. of NCT of Delhi vide order No. F.9(20)/80/L&B/LA/8498-8506 dated 11.9.2001 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. 01.04.1999 to 31.03.2001. the amount has been fixed for Rs. 13.82 Lacs per acre.

## **COMPENSATION FOR TREE AND STRUCTURES**

As per the records available and physical inspection of the field staff no trees were found in the field. Same structure were found in the field and details are as under.

<b><u>Sl. No</u></b>	<b><u>Khasra No.</u></b>	<b><u>Particular</u></b>	<b><u>Name of Plot Holder</u></b>	<b><u>Area</u></b>
1.	34	One Room	Mohd. Adil	50 Sq. Yd.
2.	35	Dairy	Mohd. Alam	500 Sq. Yd.
3.	35	One Room	Md. Zahoor Kasim	50 Sq. Yd.
4.	35	House	Haroom Chaudhary	200 Sq. Yd.
5.	35	Room for boundary wall	-do-	200 Sq. Yd.
6.	35	-do-	-do-	200 Sq. Yd.
7.	46	Factory Three story	Md. Mubarak	400 Sq. Yd.
8.	46.	Room	Md. Zaidi	400 Sq. Yd.
9.	46	House	Md. Firoz	300 Sq. Yd.
10.	46	-do-	Md. Nareem	200 Sq. Yd.
11.	46	Room	Kaiser	100 Sq. Yd.
12.	46	Room	Wali Mohd.	400 Sq. Yd.

13.	46	Room	-do-	200 Sq. Yd.
14.	46	House	-do-	400 Sq. Yd.
15.	46	One Room	Md. Iqbal	less than 50 Sq. Yd.

### **POSSESSION**

The possession of the land has not been handed over till date due to stay order issued by Hon'ble High Court of Delhi.

### **SOLATIUM**

The interested persons are entitled for solatium @ 30% of market value to be fixed by LAC as per the provisions of the 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 whichever is earlier.

### **COST OF STRUCTURE**

The cost of structure has been prepared by Ex.Engineer,PWD Div-IV vide letter No. 23(315)/WA/PWD-IV/03/431 Dt.23.06.03 has valued the properties (02 No.) situated in the awarded land of Kh.No.35,46 village Okhla worth (Rupees Twenty Eight Lacs Thrity Five Thousand and Thirty Three only) Rs.28,35,033/-.

### **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 apportionment of the same u/s 30-31 of the L.A. Act.

### **SUMMARY OF AWARD**

Sl. No.	Total Area	Rate	Amount
1.	17 Bigha 14 Biswa	13.82 lacs per acre	50,96,125=00
2.	Solatium @ 30% on market value		15,28,837=50
3.	Additional amount @ 12% p.a. from 13/7/2000 to 24/6/2003		18,02,771=67
4.	Cost of structure		28,35,033=00
<b><u>Grand Total (item 1+2+3)</u></b>			<b><u>1,12,62,767=17</u></b>

*Signature*  
26/6/03  
**LAND ACQUISITION COLLECTOR (SOUTH)**

The award has been approved by Secy. Revenue vide order dated 23/6/2003.

*Award Announced in open Court on 25/6/03*