

AWARD NO. 23/97-98

NAME OF VILLAGE :

POOTH KHURD

NATURE OF ACQUISITION:

PERMANENT

PURPOSE OF ACQUISITION:

FOR LAYING AND JOINING 1500mm
DIA RAW WATER PUMPING.

INTRODUCTORY:

These are the proceeding under section 11 of the land acquisition Act, 1894 for determination of compensation in respect of land measuring 44 Bigha 18 Biswas in village Pooth Khurd. The land is required by the Govt. for a public purpose namely for the laying and joining of 1500mm dia raw water pumping main from the Road over Bridge, over the Western Jamuna canal near raw water pumping house for Bawana/Nangloi water treatment plant upto Karala Kanjhawala Road bye passing village Pooth Khurd and Sultanpur Dabas for construction of 40 MGD Water Treatment Plant at Narela under PDD at public expense. The land stand notified u/s 4 of the L.A. Act, 1894 vide notification No. F.10(24)/95/L&B/LA/7731 dt. 14.5.96. In view of the urgency of the scheme the provision of section 17(1) of the L.A. Act, 1894 were also made applicable to this land vide notification No. F.10(24)/95/L&B/LA/9037 dt. 11.6.96 the Delhi Govt. issued a declaration u/s 6 of the L.A. Act, 1894 vide Notification F.10(24)/95/L&B/LA/9037 dt. 11.6.96.

In pursuance of the said notification the Notice u/s 9&10 of the said act were issued to the interested persons and the claim filed by them are mentioned under the heading CLAIMS.

MEASUREMENT:

The area to be acquired as given in the notification u/s of L.A. Act, 1894 is 44 Bigha 18 Biswas. However, correct total of the area of khasra no. given in the notification u/s 6 comes 44 Bigha 9 Biswas.

Possession of 43 Bigha 13 Biswa has been taken except for drain vide khasra No. 82/5/1 (0-14) and Rasta (0-2). Though notified by mistake as Khasra No. 27/15/2/1 (0-4) but it is actually khasra No. 27/18/2/1 (0-4) and possession for the same has been also taken. So while announcing award Khasra No. 27/15/2/1 has been corrected to 27/18/2/1 Similarly Kh.No. 82/1/1 area (0-11) is actually on site 82/1/2 area (0-11) Biswas, Hence, Award is being announced for khasra No. 82/1/2.

Rect.No.	Khasra No.	Area		
		Bigha		Biswas
103	5/1	0	-	04
	6/1	0	-	04
	15/1	0	-	03
	16/1	0	-	03
	25/1	0	-	04
114	5/1	0	-	04
	6/1	0	-	04
	15/1	0	-	03
	16/1	0	-	03
	25	0	-	04
117	5/1	0	-	04
	6/1	0	-	03
93	5	0	-	11
	6/1	0	-	16
	7/1	01	-	00
	8/1	01	-	00
	9/2/1	0	-	10
	10/1	01	-	00
	9/1/1	0	-	10
84	6/1	01	-	00
	7/1	01	-	00
	8/1	01	-	00
	9/1	01	-	00
	10/1	01	-	03
99	5/1	0	-	07
	6/1	0	/	04
	15/1	0	-	04
	16/1	0	-	04
	25/1/1	0	-	01
	25/2/1	0	-	02
68	2/1	0	-	10
	9/1	0	-	01
	26/1	1	-	02
	27/1	0	-	03
	12/1	0	-	18
	19/1	0	-	18
	22/1	0	-	08
	140	0	-	09 Sarak
75	1/1	0	-	18
	10/1	0	-	18
	11/1	0	-	18
	20/1	0	-	18
	21/1	0	-	18
81	1/1	0	-	16

<u>1</u>	<u>2</u>	<u>3</u>	
38	11/1	0	- 18
	20/1	0	- 18
	21/1	0	- 18
	Rasta	0	- 02
51	22/2/1	0	- 07
	Rasta	0	- 04
60	2/1	0	- 18
	9/1/1	0	- 06
	9/2/1	0	- 12
	12/1	0	- 18
	19/1/1	0	- 06
	19/2/1	0	- 12
	22	0	- 18
16	7/1	0	- 01
	8/1/1	0	- 05
	13/1	0	- less than one biswa
	19/1	0	- 04
	12/2/1	0	- 04
	22/2/1	0	- 04
26	1/2/1	0	- 04
	10/1/1	0	- less than one biswa
27	6/2/1	0	- 01
	6/3/1	0	- 03
	26/1	0	- 01
	15/1	0	- less than one biswa
51	1/1	0	- 18
	10/1	0	- 18
	11/1	0	- 18
	20/1	0	- 18
	21/1	0	- 11
27	14/2/1	0	- 06
	18/2/1	0	- 04
	23/1	0	- 04
38	2/2/1	0	- 04
	9/1	0-	- 04
	Rasta <i>cl</i>	0	- 01
2	16/1	0	- 01
	17/2/1	0	- 05
	24/1	0	- 05
6	3/1	0	- 04
	8/1/1	0	- less than one biswa
	9/2/1	0	- 04

C L A I M S

S.N.	Name of the claimants	Khasra No.	Area	Claims
1.	G.P.Vashist, V.P.Vashist S.P.Vashist, Surender Kr. Ashok Kumar.	2/17 17/2/1		a) for well Rs.30,000/-
2.	Rampat, J.S.Dabas Vijender Dabas, Devender	82/5/1 4/1 3/1 2/1	1-0 1-0 1-0 1-0	a) for two tubewells (elect.)Rs.200000/- b) for three Baracks Rs.2,30,000/- c) Shisham tree one Rs. 10,000/-
3.	Ran Singh, Nandram, Rishal Singh, Rampat, Rai Singh & Ramphal all sons of Jeetram.	103/25/1	0-4	a) for land Rs.500000/- per Bigha.
4.	Ramkishan s/o Kaliram Narayan Singhs/o Kaliram DhanKaur & Shanti D/o Kaliram.	16/12/1	0-4	a) for land Rs.1500000/- (fifteen Lakh)per Bigha
5.	Maha Singh s/o Taken Kanto W/o Late Sh. Pooran Raj Singh	38/2/2/1 9/1 Be	0-4 0-4 0-1	a) for land Rs.500000/- (five lakh) per Bigha
6.	Rai Singh s/o Mojiram Khajano w/o Lt.Mojiram Chander Singh s/o Mojiram	68/9/1 12/1	0-1 0-18	-do-
7.	Jage Ram	16/12/2/1	0-4	a) for land Rs.1500000/- (fifteen lakh)per Bigha
8.	Sandeep & Raideep s/o Late Sh. Mahavir (Minors)	103/5 6 99/25/2/1 31/11/1	0-4 0-9 0-2 0-4	Nil
9.	Mehar Singh, Satybir, Mange Ram, Dilbag, Ragunath, Rishal	68/2/1 60/19/2/1	0-10 0-12	a) for tubewell (electric) Rs. 1,00000/- (one lakh) b) Baracks 30x10 Rs.50,000/- c) Shisham tree Rs.10,000/- d) Well Rs. 40,000/-
10.	Maha Singh s/o Madu	114/5/1 6/1 15/1		a) for land Rs.500000/- (five lakh)per Bigha
11.	Hukam Singh Pralad Singh Karan Singh Prathi Singh	103 15/1 16/1 6/min 91/11/1	0-3 0-3 0-4 0-18	a) for land Rs.500000/- (five lakh) per Bigha
12.	Dharam Pal Phool Kumar	103/5/1	0-4	a) for land Rs.500000/-

1.	2.	3	4.	5.
13. Risal Singh	60	9/2/1	0-06	(a) for one tubewell
R. K.		9/1/1	0-12	(elect.) Rs.100000/-
Gyani Ram		12/1	0-18	(b) Bouriing Rs.20,000/-
14. Ram Kumar S/o	84	8/1	1-0	(a) Rs. 20,00,000/-
Sh. Partap Singh	9/1		1-0	(Twenty Lakh)
		10/1	1-3	Sewerance of land in
				all including crops.

MARKET VALUE :

While determining the market value of land as on 14.5.96, i.e. the date of notification u/s 4 of the Land Acquisition Act, several factors such as location of the land, Nature of soil awards announced in the recent past of the same or adjoining villages claims filed by the interested persons and price policy of the Govt. regarding acquisition of agricultural land are to be taken into consideration.

The land under acquisition is agricultural land and is being used for agricultural purpose.

The interested persons have generally claimed exorbitant prices of their land by making claims from about Rs. Five Lakhs Per Bigha to Rs. 20,00,000/- per Bigha. They have, however, not filed any documentary evidence in support of their claims. The claims, therefore cannot form the basis of determination of market value.

In a policy announcement which came into effect from the financial year 1997-98 i.e. 1.4.97, the Govt. of National Capital Territory of Delhi fixed the indicative price of agricultural land @ Rs. 10.00 lakhs per acre for the acquisition of agricultural land.

In view of the absence of any documentary evidence on record to the contrary, I fix ~~Rs.~~ Rs. 10.00 lakhs per acre to be the most reasonable price for best kind as on 1.4.97. Since originally, it was proposed to increase the price of land @ 1% per annum on and above the price of Rs. 4.65 lakhs per acre (fixed by previous decision of Govt. of National Capital Territory of Delhi which came into effect from 27.4.90) but finally decision was taken to round it off to Rs. 10.00 lakhs per acre which effectively gives an increase of about 11.5% per annum compounded. Since the notification under section 4 was issued on 14.5.96 and the price of the land is to be determined on the date of notification.

In addition to the market value fixed above, land owner will be entitled to all other benefits as per the provisions of the Land Acquisition Act.

CROPS :

At the time of taking over possession of land on 3.9.96 Kharif crop was standing on the vacant land and physical possession was taken/handed over to the requisitioning department with crops. However, later on Revenue field staff reported that this crop was harvested by the interested persons and there is no need to give the compensation for the crops in the Award. Hence, the crop has not been assessed for the purpose of compensation.

TUBE-WELLS :

There are two tube-wells alongwith Kotha in Khasra number 82/1/2 and 83/9/1. Land owners are at liberty to remove the structure/pipes and I allow Rs. 2,000/- per tubewells-Kotha as removal charges.

BOARING:

There is one boaring in khasra no. 83/7. Owner is at liberty to remove the pipes. I allow Rs. 1,000/- as boaring removal charges.

WELLS:

There is one well in khasra no. 82/1/2 . It is in unused and deteriorated condition. I allow Rs. 1000/- for well as compensation.

TREES:

There are some trees on the land under acquisition. Some of trees are in the infancy stage which cannot be converted into firewood. Hence, I do not assess any market value of such trees having less than 1 quintal weight.

The details of others are as under:

Kh.No.	Name of tree	No. of tree	Weight in Qtls.	Value in Rs. @ 40/-per Qtls.
82/3	Shisham	1	25	1000.00

POSSESSION :

The physical possession of the land has been taken over and handed over to the requisitioning department on 3.9.96. The interested persons are entitled for the interest under section 34 of L.A. (Amendment) Act, 1984 @ 9% per annum from the date of taking over the possession.

STRUCTURE:

On the land under acquisition, there is no structure.

SOLATIUM:

As provided under sub-section 2 of Section 23 of the Land Acquisition (Amendment) Act, 1984, the interested persons will be paid 30% Solatium on the market value of the land due to compulsory nature of acquisition.

ADDITIONAL AMOUNT :

The interested persons are entitled to additional amount under section 23-1-A of the Land Acquisition Act @ 12% per annum on the market value of the land from the date of notification under section 4 till the date of possession or the announcement of the Award whichever is earlier.

APPORTIONMENT :

Compensation will be paid to the interested persons according to the latest entries in the revenue record. In case of any dispute regarding title, apportionment of compensation the matter would be referred to the Court of ADJ, Delhi under section 30-31 of the Land Acquisition Act.

LAND REVENUE :

Land revenue to be assessed and to be deducted from the Khalsa rent roll of the village from the date of taking over possession of the land.

SUMMARY OF AWARD:

1.	Market value of land measuring 44 Bigha 9 biswas @ Rs. 1,86,500/- per bigha.	:	82,89,925.00
2.	Compensation for trees	:	2,600.00
	Total of market value	:	82,92,525.00
3.	Solatium @ 30% of market value	:	24,87,757.50
4.	Additional amount on Rs. 82,89,925/- @ 12% p.a. w.e.f. 14.5.96 to 2.9.96 (112 days).	:	3,05,250.90
5.	(I) Interest @ 9% p.a. w.e.f. 3.9.96 to 2.9.97 (one year)	:	7,46,093.25
	(II) Interest on market value @ 15% p.a. w.e.f. 3.9.97 to 30.3.98 (209 days).	:	7,12,025.05
6.	Cost of removal of tubewell	:	4,000.00
7.	Cost of removal of boaring	:	1,000.00
8.	Cost of well	:	1,000.00
	GRAND TOTAL	:	1,25,49,651.70

(Rupees One Crore Twenty Five Lakh Forty Nine Thousand
Six Hundred Fifty One and paisa Seventy only).

Approved:

SECRETARY (REVENUE)

(AJAY KUMAR GUPTA)

LAND ACQUISITION COLLECTOR(NARELA)