

AWARD NO. 1/2004-05/DC(N-W)
NAME OF THE VILLAGE POOTH KHURD
NATURE OF ACQUISITION PERMANENT
PURPOSE OF ACQUISITION FOR PUBLIC PURPOSE NAMELY FOR DEVELOPMENT OF NEW INDUSTRIAL UNITS.

INTRODUCTORY

These are the proceedings for determination of compensation U/s 11 of Land Acquisition Act, 1894 in respect of land measuring 30 Bighas 09 Biswas in village Pooth Khurd. The land is required by the Government for a public purpose namely for Development of New Industrial Units.

The land stands notified under section 4 of LA Act, 1894 vide notification No. F.7(24)/2004/L&B/LA/6420 dated 25.8.2005. The Land & Building Department issued a declaration under section 6 of LA Act, in respect of the aforesaid land vide notification No. F.7(24)/2004/L&B/LA/5725 dated 10.7.2006.

In pursuance of the said notification, notices under section 9 & 10 of the LA Act, 1894 were issued to the interested persons. Also notice U/s 50 of the LA Act, 1894 was issued to the requisitioning department. In response to the notices issued, claims filed by the claimants/interested persons/requisitioning department have been discussed under the heading "CLAIMS".

MEASUREMENT

The area to be acquired as given in the notification and declaration under section 4 and 6 of the LA Act is 30 Bighas 09 Biswas for Development of New Industrial Units. The revenue staff totalled the notified land and found it to be 30 bighas 09 biswas. Thus, the present award is for 30 bighas 09 biswas land as per details given below: -

Rect. No.	Kh. No.	Area Bigha-Biswa-Biswansi
82	22	2-16
97	1	1-05
	2	4-15
	9	4-16
	10	4-03
	11	6-02
	12	6-12
	Total	30-09

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CLAIMS

In response to the notices issued under section 9 and 10 to the interested persons and under section 50 of the LA act to the requisitioning department following persons/department have filed their claims:

S. No.	Name	Kh No	Claims	Remarks
1	Dharam Singh S/o Hardev Singh	97//1,2,9,10,11,12	Land @ Rs. 10,000/- per Sq. Yards, 30% Solatium, Interest @ 24%, Alternative plot/shop, Trees @ Rs. 1,000/- per Qtl, Standing crops @ Rs. 1lakh per acre, Well @ of 2 lakh per Well, T/well @ Rs. 5 lakh per T/well, Kotha @ Rs. 2 lakh per room, Job for 1 person from the family, All other statutory benefits as per law	No Proof enclosed
2	DSIIDC	Total notified land	Compensation be decided on the basis of minimum rates suggested by GNCT of Delhi keeping in view the status of land.	No Proof enclosed

MARKET VALUE

While determining the market value of the land as on the date of notification u/s 4 i.e.25-8-2005, several factors such as location of the land, nature of soil, awards announced in the recent past of the same or adjoining villages, pronouncements of different courts, claims filed by the interested persons, sale deeds, and price policy of the Government regarding acquisition of the agricultural land are to be taken into consideration.

The land under award is basically agricultural in nature and is exclusively used for agriculture. The interested persons have generally claimed exorbitant prices ranging from 10,000 per sq. yards to 20,000 per sq. yards but not a single interested person has led any documentary evidence in support of his claim. Hence these claims cannot form the basis for the fixation of market value of the land. Notice u/s 50 of LA act was issued to the requisitioning department which in reply has stated that the amount of compensation be decided on the basis of the minimum rates suggested by the Govt. of Delhi keeping in view the status of the land.

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The status of land under acquisition is agriculture land as per entry in Revenue Record and the same is used exclusively for agriculture and yield crops every year.

In a policy announcement which came into effect from the financial year 2001-2002, Government of National Capital Territory of Delhi fixed the indicative prices of agricultural land @Rs.15,70,000 per acre for the acquisition of agricultural land vide letter no F9(20)/80/L&B/LA/6708-12 dated 9-8-2001 which are applicable from 1-4-2001 and stands valid on 25.08.05, the date on which notification u/s 4 of LA Act, 1894 was issued for the said land.

In view of absence of any documentary evidence on record and in the light of above discussion I find Rs.15,70,000/- per acre to be the most reasonable price for the agricultural land as on 25-8-2005. The notification under section 4 was issued on 25-8-2005 and the price of land is to be determined as on the date of notification u/s 4 of the LA Act itself. **I, accordingly, determine the market value of the land @Rs.15,70,000 per acre.**

In addition to the market value of land fixed above, land owners will be entitled to all other benefits as per the provisions of the Land Acquisition Act, 1894.

SOLATUM

As provided under sub-section 2 of section 23 of the Land Acquisition Act, 1894, Solatium @ 30% shall be paid to the interested persons on the market value of the land.

ADDITIONAL AMOUNT

The interested persons are entitled to additional amount @ 12% p.a. on the market value of the land as per the provisions of section 23(1-A) of the land Acquisition Act, 1894 from the date of notification under section 4 i.e. 25-8-2005 till the date of possession or announcement of the award whichever is earlier.

POSSESSION

Physical possession of the land under acquisition will be taken after announcement of award.

OWNERSHIP

Compensation will be paid to the land owners as per the latest entries in the revenue record. In case of any dispute regarding title or apportionment of compensation, the matter will be referred to the concerned Court of Additional District Judge, Delhi u/s 30-31 of the LA Act, 1894. The details of ownership are as under:-

12/4/08

Sl .No.	Name	Rect No	Kh No	Area in Bigha-Biswa
1	Suresh Chand Garg (HUF) through Karta, Suresh Chand Garg S/o S.S. Garg (2/3 Share)	82	22	2-16
2	Sunil Kumar Gupta S/o Hukam Chand Gupta (1/3 Share)			
3	Dharam Singh S/o Har Dev Singh (Full Share)	97	1 2 9 10 11 12 Total	1-05 4-15 4-16 4-03 6-02 6-12 27-13

LAND REVENUE

The land revenue being assessed shall be deducted from the Khalsa rent roll of village from the date of taking over the possession of the land.


SUMMARY OF AWARD

1	Market Value of land measuring 30 Bigha 9 Biswa @ Rs.15,70,000/- per Acre Or say @ Rs.16,354.16/- per Biswa	99,59,683.44
2	Solatium @ 30% on the Market Value U/s 23(2) of LA Act 1894	29,87,905.03
3	Additional Amount @ 12% P.A. on the market value w.e.f. 25/08/2005 to 3/03/2008 for 892 days.	29,20,779.49
4	GRAND TOTAL COL (1+2+3)	1,58,68,367.96 or say 1,58,68,368/-

(Rs. One Crore Fifty Eight Lac Sixty Eight Thousand Three Hundred and Sixty Eight Only)


 LAND ACQUISITION COLLECTOR (N/W)
 KANJHAWALA, DELHI

APPROVED 
 Secretary (Revenue)

7.3.08: None present. Pronounced in open
 court. 
 7/3/08

अर्वाडिन 1/2007-08/DC/NW

आज दिनांक 19/3/08 मुलाखत आदेश भूमि आचार्य आचार्य आचार्य
(N.W) का संख्या F.L.A.C/NW/2008/334 दिनांक 12/8/2008 के बावत
लेन देन काज आहमरा और विजयकुमार पटवारी LA, और नवलासिह
कापुनगी LA और सुरेन्द्रसिंह 190 (L+B) विभाग से, D.S.I.D.C विभाग से
और सैद अब्दुल एवल AE और इश्वरीसिंह JE के हवाले पटवारी और जगदीप
सिंह मथरिकाडि, DC दफतर पहुँचाए जाते बाद सभी विभाग के नुमाई
थाना वधाना जाने के बाद वहा से पुलिस बल को साथ लेकर
मौका पर उपरोक्त हाजिरान को मौजूदगी में गाम पुहरुदे को नम्बर
खसरा 82/22 97

(2-16) 1(1-05) 2(4-15) 9(4-16) 10(4-03) 11(6-02) 12(6-12)
कुल तदादी 30 बिग 09 बिग को मौका पर देखा गया, मुलाखत मौका
उपरोक्त सभी खसरा नम्बरान पर फैसला रही खंडो हुई हैं जिसकी
कसल लैगा होने पर काटने की अनुमति दी गई के उपरोक्त
भूमि के प्यारीकरण कर निगाननात खाम लगवाये गये। उपरोक्त
सभी नं खसरा रक्का तदादी 30 बिग 09 बिग का कब्जा वास्तविक दारान से
होसला करके हवाले भूमि एवं भवन विभाग के नुमाई सुरेन्द्रसिंह 190
के हवाले किया गया।

भूमि एवं भवन विभाग के नुमाई सुरेन्द्रसिंह 190 ने उपरोक्त भूमि
रक्का तदादी 30 बिग 09 बिग का कब्जा मौका पर जो का ली महकमा
D.S.I.D.C के सैद अब्दुल एवल AE को हवाले किया गया। कब्जा कापियाही
के दौरान कोई मजामत क्या नहीं आई। कब्जा कापि पूरा हुई।

सुरेन्द्रसिंह 190
L+B

नवलासिंह 190
LA

विजयकुमार पटवारी
19/3/08

इश्वरीसिंह JE
D.S.I.D.C

जगदीपसिंह
हलका पटवारी

सैद अब्दुल एवल
AE (D.S.I.D.C)

विजयकुमार पटवारी
19/3/08
पटवारी LA

8/c.

O/o the Land Acquisition Collector
North-West District
Kanjhawla, Delhi

DRAFT NOTIFICATION UNDER SCETION 6 OF THE LA ACT, 1894

Whereas the Lt. Governor, Delhi is satisfied that land is required to be taken by the Government at the Public expense for a public purpose namely for ***development of new Industrial Units***. It is hereby notified that the land in the locality described below is acquired for the above purpose.

This declaration is made under the provision of section 6 of the Land Acquisition Act, 1894, to all whom it may concern. Under the provisions of Section 7 of the said Act the Land Acquisition Collector (North-West), Kanjhawla, Delhi is hereby directed to take order for the acquisition of the said land.

A plan/Aks Sizra of the land may be inspected at the office of the Land Acquisition Collector (North-West), Kanjhawla, Delhi.

SPECIFICATION

Village	Total Area (Bigha-Biswa)	Rect. No.	Kh. No.	Area (Bigha-Biswa)
Pooth Khurd	30-09	82	22	2-16
		97	1	1-05
			2	4-15
			9	4-16
			10	4-03
			11	6-02
			12	6-12
				<u>30-09</u>

7/c

O/o the Land Acquisition Collector
North-West District
Kanjhawla, Delhi

DRAFT NOTIFICATION UNDER SECTION 4 OF THE LA ACT, 1894

Whereas it appears to the Lt. Governor, Delhi that land is likely to be required to be taken by the Government at the Public expense for a public purpose namely for *development of new Industrial Units*. 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 provision 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 (1) 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)	Rect. No.	Kh. No.	Area (Bigha-Biswa)
Pooth Khurd	30-09	82	22	2-16
			97	1-05
			2	4-15
			9	4-16
			10	4-03
			11	6-02
			12	6-12
				<u>30-09</u>