

AWARD NO. 22/2003-04
NAME OF THE VILLAGE SHAHPUR GARHI
NATURE OF ACQUISITION PERMANENT
PURPOSE OF ACQUISITION FOR PUBLIC PURPOSE NAMELY
FOR FREIGHT COMPLEX
(NARELA) UNDER P.D.D.

INTRODUCTORY

These are the proceedings for determination of compensation U/s 11 of LA Act, 1894 in respect of land measuring 123, 1/4 gha 05 biswa in village Shahpur Garhi, Delhi. The land is required by the Government for a public purpose namely for Freight Complex (Narela), under Planned Development of Delhi.

The land stands notified under section 4 of LA Act, 1894 vide notification No. F.10(43)/96/L&B/LA/3172 dated 23.5.2002. The Land & Building Department issued a declaration under section 6 of LA Act, in respect of the aforesaid land vide notification No. F.10(43)/96/L&B/LA/ dated 17.12.2002. Also emergency clause under section 17(1) of LA Act has been invoked in the aforesaid land. The Land & Building Department issued a declaration under section 17(1) of LA Act, 1894 vide notification No. F.10(43)/96/L&B/LA/ dated 17.12.2002.

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".

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MEASUREMENT

The area to be acquired for Freight Complex (Narela) and declared under section 4 & 6 of LA Act, 1894 is 123-15. The field staff measured the land to be 123 Bigha 15 Biswa on verification/total of the notification. Whereas, the actual area to be acquired comes to 123 Bigha 05 Biswa on the basis of the revenue record. The details of which are as under: -

Area measuring 2-19 out of Khasra No. 9/4 has been notified. Record/field book given total area of the said Khasra No. is 4-04. Land measuring 1-15 out of Khasra No. 9/4/1 has already been acquired as such balance land measuring 2-09 out of Khasra No. 9/4/2 is left for acquisition. Hence, only 2-09 is included in the award for acquisition instead of 2-19.

Hence, in light of above said discrepancies and correction thereon the total area of the land to be acquired comes to 123 bigha 05 biswa.

Thus, the present award is for 123 bigha 05 biswa land and details given below: -

Rect. No.	Khasra No.	Area in (Bigha Biswa)
9	4/2	2-09
	7/1	0-14
10	7/1	0-14
11	1/2	1-04
14	11min	0-05
	12	4-09
17	2min	4-09
	19/1	3-00

	19/2	1-16
	20	4-12
21	3	4-16
	4/1	2-08
	4/2	2-08
	5	4-16
	6	4-11
	7	4-16
	8	4-16
	13	4-16
	14	4-16
	15	4-15
	16	1-01
	17	2-15
	18	3-02
	26	0-05
22	1	4-10
	2	4-16
	3	4-17
	7	4-1
	8	4-1
	9	4-16
	10	4-16
	11	2-10
	12	1-09
	13	4-05
	14	4-16
	17	2-08
	18	0-12
	26	0-06
	27	0-07
	TOTAL	123-05

CLAIMS

In response to the notices issued under section 9 and 10 (to interested persons) following interested persons have filed their claims: -

GD

SNo	Name	Kh. No.	Claim	Remark
1	Sumer Singh, Mange Ram both Ss/o Kanwal Singh Virender Singh, Narender Singh, Surrender Singh, Sudhir all Ss/o Hari Chand	17/19/1, 19/2, 20	Land @ Rs.26.75 lacs per acre, Solatium, addl amount as per LA Act, alternative plot.	No proof enclosed

Notice under section 50 of the LA Act, 1894 was issued to the requisitioning department to adduce evidence for the purpose of determining the amount of compensation. The requisitioning department has not furnished any evidence to adduce evidence for the purpose of determining the amount of compensation.

MARKET VALUE

While determining the market value of the land as on 23.5.2002, i.e. the date of notification U/s 4 of the Land Acquisition Act, 1894, several factors such as location of the land, nature of soil, awards announced in the recent past of the same or adjoining villages, pronouncement of different courts, claims filed by the interested persons, sale deeds and price policy of the Government regarding acquisition of agricultural land are to be taken into consideration.

The land under acquisition is agricultural land and is being used for agriculture. The interested persons have claimed the market value of land @Rs.26.75 lacs per acre in respect of their land. However, they have not filed any documentary evidence in support of their claim. The claims therefore, cannot form the basis for determination of market value. The Government has released 80% compensation to the interested persons @Rs.15,70,000.00 per acre as the market value of the land in accordance

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. 23.5.2002 till date of possession or announcement of award whichever is earlier.

POSSESSION

Physical possession of the land measuring 118 bigha 16 biswa has been taken over and handed over to the requisitioning department on 16.4.03. Possession of balance land measuring 4 bigha 09 biswa out of Khasra No. 17//2min is yet to be taken on account of built up structure.

TUBEWELL

There are 6 tube well with Kotha including a Government tube well in the acquired land in Khasra No. 17//19/1, 21//13, 14, 22//2, 22//26 and 22//7. I allow Rs.5,000.00 per tube well with Kotha as removal charges.

TREES

There are some trees on the acquired land under acquisition. Some trees are in infancy stage, which cannot be converted into firewood. Hence, I do not assess any market value of such trees having less than one-quintal weight. Pipal and Banyan trees have not been assessed. The details of other trees and its assessment are as under: -

510

Rect No	Khasra No.	Name of trees	No. of trees	Weight in Quintal	Market value @Rs.100.00 per quintal (in Rs.)
17	19/1	Shetut	1	1	100.00
	20	Shetut	3	3	300.00
21	8	Ncem	3	5	500.00
	7	Ncem	1	1	100.00
	14	Jamun	1	1	100.00
22	26	Sisam	3	12	1,200.00
	2	Sisam	1	7	700.00
		Beri	2		
TOTAL					3,000.00

Apart from it there exists a nursery in Khasra No. 17//. The valuation of which will done by Horticulture deptt. Supplementary award for the same will be announeced after the valuation report is received in the office.

STRUCTURE

There exist a temple with rooms in area measuring 0-09 in Khasra No. 17//2.

APPORTIONMENT

Compensation will be paid to the land owners as per the latest entries in the revenue record. In case of any dispute regarding title, apportionment of compensation, the matter will be referred to the court of ADJ, Delhi under section 30-31 of the LA Act, 1894. The details of apportionment is as under:

6106

16354-16 4906-24 1768-93 374-12

22029-33 (-) 17008-33

27 23,403-45 (out)

-7 6021-7

or 6305-45 (out)

100-30 10-81 8-74 => 149-55

S No	Name	4-81	Rect No	Kh No	Area in Bigha-Biswa	Compensation (Rs.)
1	Ranbir Singh S/o Jai Lal (1/4 share) T/well		22	7	4-16	14,05,457.00
2	Balvir Singh S/o Jai Lal (1/4 share)			14	4-16	
				17	2-08	14,05,457.00
3	Naresh S/o Tej Singh (1/6 share)			Total	12-00	9,36,971.33
4	Rakesh S/o Tej Singh (1/6 share)					9,36,971.33
5	Mukesh S/o Tej Singh (1/6 share)					9,36,971.33
6	Jagdish Singh S/o Bhim Singh (1/24 share)					23,403.45
7	Jaswant Singh S/o Bhim Singh (1/24 share)					23,403.45
8	Sandeep S/o Randhir Singh (1/48 share)					11,701.72
9	Kuldeep S/o Randhir Singh (1/48 share)		11	1/2	1-04	11,701.72
10	Raj Kumar S/o Zile Singh (1/24 share)					23,403.45
11	Anil Kumar S/o Chandram (1/48 share)					11,701.72
12	Amrisha S/o Chandram (1/48 share)					11,701.72
13	Anand S/o Chandram (1/48 share)					11,701.72

16354-16 4906-24 3123-85 => 24384-25

14	Ashok S/o Chandram (1/48 share)				11,701.72
✓ 15	Jagvir Singh S/o Lal Chand (1/24 share)				23,403.45
✓ 16	Sadan Kumar S/o Lal Chand (1/24 share)				23,403.45
✓ 17	Ramchar S/o Chunni (1/3 share)				1,87,227.60
✓ 18	Jai Singh S/o Man Singh (1/3 share)				1,87,227.60
19	Khazan Singh S/o Man Singh (1/18 share) Trees 120/- T/well 5000/-	10 21	7/1 3 4/1 4/2 5min	0-14 4-16 2-08 2-08 2-08	6,45,272.50
✓ 20	Shish Ram S/o Man Singh (1/18 share)	22	1 10 11 26	4-10 4-16 2-10 0-06	6,45,272.50
✓ 21	Balwan Singh S/o Man Singh (1/18 share)		Total	24-16	6,45,272.50
✓ 22	Ram Kunwar S/o Man Singh (1/18 share)				6,45,272.50
✓ 23	Jai Singh S/o Man Singh (1/18 share)				6,45,272.50
✓ 24	Subhash S/o Man Singh (1/18 share)				6,45,272.50
✓ 25	Kanwal Singh S/o Shibba (1/3 share)				38,71,635.00
✓ 26	Dinesh Kumar S/o Baldev Singh (1/3 share)				38,71,635.00

1794-60

31,88,737-80

End

✓ 27	Mahender Singh Khatri S/o Sri Gopal (1/2 share) T/well 5000-00 Trees 700-00	22	2	4-16	59,70,903.17
✓ 28	Smt Krishna Khatri W/o Mahender Singh Khatri (1/30 share)	13	3	4-13	
✓ 29	Rajender Khatri S/o Mahender Singh Khatri (1/30 share)	18	8	4-12	
✓ 30	Rakesh Khatri S/o Mahender Singh Khatri (1/30 share)	27	9	4-16	
✓ 31	Rajesh Khatri S/o Mahender Singh Khatri (1/30 share)		12	1-09	
✓ 32	Ms Babita Khatri D/o Mahender Singh Khatri (1/30 share)		13	4-05	3,98,060.21
✓ 33	Suresh Chand S/o Kehar Singh (24/894 share)		18	0-12	
✓ 34	Hukum Chand S/o Kehar Singh (24/894 share)		27	0-07	
✓ 35	Sishila devi W/o Ramesh Kumar (101/894 share)		Total	25-10	3,98,060.21
✓ 36	Satbir S/o Prabhu Dayal (1/12 share)				3,98,060.21
✓ 37	Mahavir S/o Sri Gopal (1/12 share)				3,98,060.21
					3,98,060.21
					3,20,585.40
					3,20,585.40
					13,49,130.24
					9,95,150.52
					9,95,150.52

32,67,326-35

190862-38

Share distributed

62

7046-85

38	Rati Ram S/o Dharma (1/12 share) 2T/well 10,000-00 Trees 700-00	21	5min	2-08	14,85,089.35
39	Chote Ram S/o Dharma (1/12 share)		6	4-11	
40	Pratap Singh S/o Dharma (1/12 share)		7	4-16	
41	Naresh Kumar S/o Ram Pat (1/24 share)		8	4-16	
42	Manoj Kumar S/o Ram Pat (1/24 share)		13	4-11	14,85,089.35
43	Rajesh Kumar S/o Dayanand (1/12 share)		14	4-11	
44	Bhim Singh S/o Ishwar Singh (1/12 share)		15	4-11	
45	Fathan S/o Haria (1/4 share) <i>crb</i>		16	1-01	14,85,089.35
46	Suraj Mal S/o Haria (1/4 share)		17	2-15	
47	Dalbir Singh S/o Kartar Singh (1/16 share)		18	3-02	
48	Jitender Singh S/o Kartar Singh (1/16 share)	17	26	0-05	7,42,544.67
49	Sanjay S/o Kartar Singh (1/16 share)		Total	38-01	7,42,544.67
50	Somveer S/o Kartar Singh (1/16 share)				14,85,089.35
51	Om Prakash S/o Ram Lal (1/4 share)				14,85,089.35
					44,55,268.07
					44,55,268.07
					1,35,637.53
					1,35,637.53
					1,35,637.53
					1,35,637.53
					5,42,500.15

48,77,984-3

~~11-1-11~~

4-09 *MD*
(0-4) 10/12

6/2

✓ 52	Baljeet S/o Ram Lal (1/4 share)	17	19/1 19/2 20	3-00 1-16 4-12	5,42,550.15 <i>5,18,165.00</i>
✓ 53	Attar Singh S/o Ram Lal (1/4 share)				5,42,550.15
✓ 54	Sher Singh S/o Bhartu (1/5 share) <i>T/well 5,000.00 Trees 400.00</i>	9 14	4/2 12	2-09 4-09	8,81,089.36
✓ 55	Kawal S/o Bhartu (1/5 share)				8,81,089.36
✓ 56	Harchand S/o Bhartu (1/5 share)				8,81,089.36
✓ 57	Tara Chand S/o Bhartu (1/5 share)				8,81,089.36
✓ 58	Swaroope S/o Bhartu (1/5 share)	9 14	4/2 12	2-09 4-09	8,81,089.36
✓ 59	Gram Sabha Jadid				32,29,376.10
60	Unknown	9 14	7/1 11	0-14 0-05	4,44,665.55
TOTAL					123-05 5,78,06,340.00

LAND REVENUE

The land revenue is assessed and deducted from the Khalsa rent roll of village from the date of taking over the possession of the land.

SUMMARY OF AWRAD

IN RESPECT 118-16 LAND WHOSE POSSESSION HAS BEEN
TAKEN ON 16.4.03

(In Rs.)		
1	Market value of land measuring 118 bigha 16 biswa of @ Rs.15,70,000.00 per acre or say @Rs. 16354.16 per biswa	3,88,57,484.16
2	Market value of trees	3000.00
3	Total market value of land (Col. 1+2)	3,88,60,484.16
4	Solatium @30% on the market value U/s 23(2) of LA Act, 1894.	1,16,58,145.25
5	Additional amount @12% p.a on the market value w.e.f. 23.5.2002 to 16.4.03 for 329 days U/s 23(1-A) of LA Act, 1894.	42,03,320.31
6	Total (Col.3+4+5)	5,47,21,949.72
7	80% compensation received in respect of 118-16	4,04,11,792.08
8	Balance 20 % compensation (Col. 6-7)	1,43,10,157.64
9	Interest @9% p.a [on{(MV+Solatium+addl. Amount)-80% compensation already received} i.e on 1,43,10,157.64] U/s 34 of the LA Act, 1894 w.e.f 17.4.03 to 24.12.2003 for 252 days.	8,89,190.06
10	Cost for removal of T/well @ Rs.5,000.00 per T/well	30,000.00
11	TOTAL(COL 6+9+10)	5,56,41,139.79

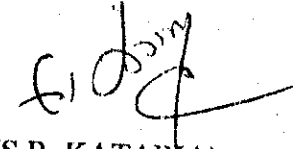
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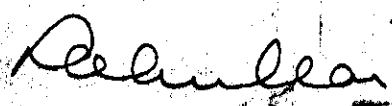
IN RESPECT 4-09 LAND WHOSE POSSESSION IS YET TO BE
TAKEN

12	Market value of land measuring 4 bigha 09 biswa of @ Rs.15,70,000.00 per acre or say @Rs. 16354.16 per biswa	14,55,520.24
13	Solatium @30% on the market value U/s 23(2) of LA Act, 1894.	4,36,656.07
14	Additional amount @12% p.a on the market value w.e.f. 23.5.2002 to 24.12.03 for 1Year and 216 days U/s 23(1-A) of LA Act, 1894.	2,78,024.29
15	TOTAL(COL 12+13+14)	21,70,200.60
16	GRAND TOTAL OF THE AWARD (Col. 11+15)	5,78,11,340.38 Or say 5,78,11,340.00

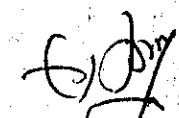
(Rs. Five Crore Seventy Eight Lacs Six Thousand Three Hundred Forty only)


(S.R. KATARIA)
LAND ACQUISITION COLLECTOR (N-W)

Approved


Pr. Secretary (Revenue)

Award announced in open court on 24/12/03


24/12/03