

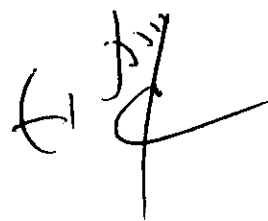
AWARD NO. 31/03-04
NAME OF THE VILLAGE SHAHBAD DAULATPUR
NATURE OF ACQUISITION PERMANENT
PURPOSE OF ACQUISITION FOR PUBLIC PURPOSE NAMELY
FOR ROHINI RESIDENTIAL
SCHEME PHASE IV & V UNDER
P.D.D.

INTRODUCTORY

These are the proceedings for determination of compensation U/s 11 of LA Act, 1894 in respect of land measuring 12 bigha 06 biswa in village Shahbad Daulatpur, Delhi. The land is required by the Government for a public purpose namely for Rohini Residential Scheme Phase IV & V, under Planned Development of Delhi.

The land stands notified under section 4 of LA Act, 1894 vide notification No. F.11(76)/2000/L&B/LA/16802 dated 25.1.2002. The Land & Building Department issued a declaration under section 6 of LA Act, in respect of the aforesaid land vide notification No. F.11(76)/2000/L&B/LA/14952 dated 3.12.2002. 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.11(76)/2000/L&B/LA/14953 dated 3.12.2002.

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, no claims has been filed by the



claimants/interested persons. The claim submitted by the requisitioning department has been discussed under the heading "CLAIMS".

MEASUREMENT

The area to be acquired as given in the declaration under section 4 & 6 of the LA Act is 12 bigha 06 biswa. Field staff also measured the land to be 12 bigha 06 biswa. Hence, the total area of the land to be acquired comes to 12 bigha 06 biswa.

Thus, the present award is for **12 bigha 06 biswa** land as per detail given below: -

Kh. No.	Area (Bigha-Biswa)
146	12-06
TOAL	12-06

CLAIMS

In response to the notices issued under section 9 and 10 (to interested persons) no claims has been filed by the claimants/interested. Also notice U/s 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 requested to affix the market value of land in accordance with the policy issued by the Government from time to time.

MARKET VALUE

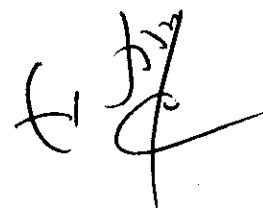
While determining the market value of the land as on 25.1.2002, i.e the date of notification U/s 4 of the Land Acquisition Act, 1894, several factors such as location of the land, nature of soil, awards announced in the recent past of the same or adjoining villages, pronouncement of different courts, 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 but as per inspection report of the staff of the Land Acquisition Branch the land is not being cultivated. Further, they have also stated that Babool trees have come to exist in the place.

The interested persons have not filed any claim in respect of determining of market value of land. Hence, in order to assess the market value of the land under acquisition, I will abide by the government policy issued from time to time regarding fixation of indicative price of agricultural land for the purpose of acquisition.

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.15,70,000.00 per acre for the acquisition of agricultural land vide their order No. F.9(20)/80/L.&B/LA/6696 dated 9.8.2001 which are applicable with effect from 1.4.2001.

In light of above discussion, I find Rs.15,70,000.00 per acre to be the most reasonable price for the agricultural land as on 25.1.2002. The



notification under section 4 was issued on 25.1.2002 and the price of the land is to be determined as on the date of notification Under section 4 of Land Acquisition Act itself.

I, accordingly, determine the market value of the land @ Rs.15,70,000.00 per acre.

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

SOLATIUM

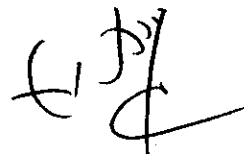
As provided under sub-section 2 of section 23 of the Land Acquisition (amendment) Act, 1984, solatium @ 30% shall be paid to the interested persons on the market value of the land.

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. 16.5.2002 till date of possession or announcement of the award whichever is earlier as per the provision of the Land Acquisition Act, 1894.

POSSESSION

The interested persons have challenged the acquisition proceedings in the Delhi High Court. The Delhi High Court granted Status quo as regards possession, nature and title of the property. As such, the Physical possession of the land under acquisition could not be taken. The details of civil writ



filed by the interested persons challenging the acquisition and consequences thereon is as under: -

Writ No. & Title	Kh. No.	Area	Date of stay and vacation if any
7244/2002 Sh. Narender & Another Vs UOI & others	146	6-03	Status quo as regards possession, nature and title of the property granted on 13.11.02 is still in progress.
Ravi Gupta & Ors Vs UOI & Ors 1622/2003	146	6-03	Status quo as regards possession, nature and title of the property granted on 03.3.03 is still in progress.

STRUCTURE

There exists boundary wall in the acquired land in contrary to the land use. Hence the market value of these structure which is unlawful or contrary to the land use has been disregarded and the market value shall be deemed to be the market value of the land if put to ordinary use. Further, the land owners are at liberty to remove the boundary wall.

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 L.A Act, 1894. The detail of apportionment is as under:

S No	Name	Kh No	Area in Bigha-Biswa	Compensation (in Rs.)
1	Sandeep Rana S/o Ajit Singh (1/4 share) cu. 1622/03	146min	9-04	9,36,295.66 9,60,295.66
2	Satyawan Rana S/o Pratap Singh (1/4 share) cu. 1622/03			9,36,295.66 9,60,295.66
3	Smt Dhanpati W/o Bhagwan Singh (1/4 share) cu. 7244/03 (3-01)			13,92,654.85
4	Smt Savitri Devi W/o Rai Singh (1/4 share) cu. 1622/03			9,36,295.66 9,60,295.66
5	Narender Singh S/o Devender Singh cu. 7244/02	146min	3-02	14,15,485.25
TOTAL			12-06	56,89,027.00

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.

cu R No. 7244/02 bar (6-03) 16354-16 4906-24 15.69-99 ⇒ 22,830-39 / biswa
 1622/03. bar (6-03) 16354-16 4906-24 2161-43 ⇒ 22,421-83 / biswa

**SUMMARY OF AWRAD IN RESPECT OF LAND MEASURING 6-03
AND WHICH IS A PART OF WRIT PETITION No. 7244/2002**

(In Rs.)		
1	Market value of land measuring 6 bigha 3 biswa of @ Rs.15,70,000.00 per acre or say @Rs. 16354.16 per biswa	20,11,561.68
2	Solatium @30% on the market value U/s 23(2) of LA Act, 1894.	6,03,468.50
3	Additional amount @12% p.a on the market value w.e.f. 25.1.2002 to 19.3.2004 (minus the period of stay w.e.f. 13.11.2002 to 19.3.2004) for 292 days U/s 23(1-A) of LA Act, 1894.	1,93,109.92
4	TOTAL(COL.1+2+3)	28,08,140.10

**IN RESPECT OF LAND MEASURING 6-03 AND WHICH IS A PART
OF WRIT PETITION No. 1622/2003**

(In Rs.)		
5	Market value of land measuring 6 bigha 3 biswa of @ Rs.15,70,000.00 per acre or say @Rs. 16354.16 per biswa	20,11,561.68
6	Solatium @30% on the market value U/s 23(2) of LA Act, 1894.	6,03,468.50
7	Additional amount @12% p.a on the market value w.e.f. 25.1.2002 to 19.3.2004 (minus the period of stay w.e.f. 3.3.2003 to 19.3.2004) for 402 days U/s 23(1-A) of LA Act, 1894.	2,65,856.80
8	TOTAL(COL 5+6+7)	28,80,886.98
9	GRAND TOTAL OF AWARD (Col 4+8)	56,89,027.08 OR SAY 56,89,027.00

(Rupees Fifty Six Lacs Eighty Nine Thousand Twenty Seven Only)


(S.R. KATARIA)
Land Acquisition Collector(N-W)

APPROVED
Secretary (Revenue)

Award is announced in open court on
dt. 19/3/2004.