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AWARD NO. **2** /2008-09/DC(N-W)

NAME OF THE VILLAGE **SINGHOLA**

NATURE OF ACQUISITION **PERMANENT**

PURPOSE OF ACQUISITION **FOR PUBLIC PURPOSE NAMELY FOR SEWERAGE TREATMENT PLANT, UNDER PLANNED DEVELOPMENT OF DELHI**

INTRODUCTORY

These are the proceedings for determination of compensation U/s 11 of Land Acquisition Act, 1894 in respect of land measuring 34 Bigha 8 Biswa in village Singhola. The land is required by the Government for a public purpose namely for Sewerage Treatment Plant, Under Planned Development of Delhi.

The land stands notified under section 4 of LA Act, 1894 vide notification No.F.11(6)/99/L&B/LA/Pt-II/1903 dated 15.5.2006. The Land & Building Department issued a declaration under section 6 of LA Act, in respect of the aforesaid land vide notification No. F.11(6)/99/L&B/LA/Pt-II/1947 dated 14.5.2007.

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 35 Bigha 3 Biswa for Sewerage Treatment Plant, under Planned Development of Delhi. However, the award is being announced for 34 Bigha and 8 Biswa land on account of reasons given as under:-

Khasra no. 38//26 is notified as (0-05) although as per field book/revenue records its area is (0-04). Therefore deduction of (0-01) from notification is required. As such the area of this Khasra no. is taken to be (0-04).

Khasra no. 44//1 is notified as (3-14) although as per field book/revenue records its area is (3-00). Therefore deduction of (0-14) from notification is required. As such the area of this Khasra no. is taken to be (3-00).

Thus, the present award is for 34 Bigha and 8 Biswa¹ land as per details given below: -

Rect. No.	Kh. No.	Area Bigha-biswa-biswansi
37	11	2-05
	20min	4-07
	21	4-16

12/10/08

	22/1	2-01
38	15min	3-04
	16/1	3-04
	16/2	1-12
	25	4-16
	26	0-04
	27	0-03
43	5	4-16
44	1	3-00
Total		34-08

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:

Sl .No.	Name	Kh No	Claims	Remarks
1	Ramphal S/o Sudhan	37//20	Compensation @ Rs 20000 per Sq yd., Solatium @ 50%, interest @ 24% , alternative plote, Rs. 1 lakh as compensation for obsolation of agricultural equipments, Rs 2 lakh for damages severance of land, all others statutory benefits	No proof enclosed
2	Attar Singh S/o Sheo Ram	38//16,15	Compensation @ Rs 20000 per Sq yd., Solatium @ 50%, interest @ 24% , alternative plote, Rs. 1 lakh as compensation for obsolation of agricultural equipments, Rs 2 lakh for damages severance of land, all others statutory benefits	No proof enclosed
3	Balbir thr. his sons Muni lal, Sis Pal , Brahmdutt, Jagbir & Randhir Singh	38//25	Compensation @ Rs 20000 per Sq yd., Solatium @ 50%, interest @ 24% , alternative plote, Rs. 1 lakh as compensation for obsolation of agricultural equipments, Rs 2 lakh for damages severance of land, all others statutory benefits	No proof enclosed
4	Munsi Ram S/o Rati Ram	37//21,22/1	Compensation @ Rs 20000 per Sq yd., Solatium @ 50%, interest @ 24% ,	No proof enclosed

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			alternative plote, Rs. 1 lakh as compensation for obsolation of agricultural equipments, Rs 2 lakh for damages severance of land, all others statutory benefits	
5	Ved Prakash S/o Har Kishan	43//5	Compensation @ Rs 20000 per Sq yd., Solatium @ 50%, interest @ 24% , alternative plote, Rs. 1 lakh as compensation for obsolation of agricultural equipments, Rs 2 lakh for damages severance of land, all others statutory benefits	No proof enclosed
6	Mahender Singh thr. Lrs Murti Devi, Rajender kumar	37//21	Compensation @ Rs 20000 per Sq yd., Solatium @ 50%, interest @ 24% , alternative plote, Rs. 1 lakh as compensation for obsolation of agricultural equipments, Rs 2 lakh for damages severance of land, all others statutory benefits	No proof enclosed
7	DDA through Dy. Director (NL)	all khasra no.	The rate of compensation may be fixed at the minimum as fixed by Govt. of NCT of Delhi in respect of agricultural land.	-----.

MARKET VALUE

While determining the market value of the land as on the date of notification u/s 4 i.e. 15.05.2006, 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 claimed exorbitant prices @ of Rs 20,000 per sq yd for their land. However, no documentary evidence in support of their claim have been led. 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 i.e. Delhi Development Authority (DDA) which in reply has stated that the rate of compensation may be fixed at the minimum as fixed by Govt. of NCT of Delhi in respect of agricultural land. The valuation of unauthorized construction on agricultural land may not be considered in view of Delhi Land Reforms Act, 1954.

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The status of land under acquisition is agriculture land as per entry in Revenue Record. However, on survey done by the staff of Land Acquisition branch, it is found that either there is Gaddha up to 1 to 3 feet from road level or there are kabuli kihar in most of the land which can not be used for agriculture purposes. i.e. the land can be stated as **"Gair Kashta or 'B' category land"**. There are only two khasra no namely **43/5(4-16), 44/1(3-0)** which are lying vacant although same land can be used for agriculture and yield crops every year. i.e. the land can be stated as **"Kashta or 'A' category land"**. Therefore, there are two types of land under this award (1) **"Kashta or 'A' category land"** and (2) **"Gair Kashta or 'B' category land"**. The whole land can be categorized as "Gair Kashta or 'B' category land", except the "Kashta or 'A' category land", the details of which are given below:-

Details of "Kashta or 'A' category land" is as under:

Rectangle No.	Khasra No.	Area
43	5	4-16
44	1	3-00
TOTAL		7-16

In a policy announcement which came into effect from the financial year 2005-2006, Government of National Capital Territory of Delhi fixed the indicative prices of agricultural land @Rs.17,58,400 per acre for the acquisition of agricultural land vide letter no F9(20)/80/L&B/LA/6720 dated 30-8-2005 which are applicable from 30-8-2005.

In view of absence of any documentary evidence on record and in the light of above discussion I find Rs.17,58,400/- per acre to be the most reasonable price for the (**"Kashta or 'A' category land"**) as on 15.05.2006. The notification under section 4 was issued on 15.05.2006 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 ("Kashta or 'A' category land") @Rs.17,58,400/- per acre.**

As regards assessment of land falling in category **"Gair Kashta or 'B' category land"** it is stated that the land is basically agriculture and it can not be used for any other purpose except for agriculture under the provisions of Delhi Land Reforms 1954. If the same land is not cultivated by its bhoomidars/owners it can be subject to be vested in government. Therefore, I allow deduction of 10% on the rate of Rs.17,58,400/- per acre for non cultivation and fix the market value **@ Rs.15,82,560/- per acre for "Gair Kashta or 'B' category land"**.

In view of absence of any documentary evidence on record and in the light of above discussion I find Rs.17,58,400/- per acre to be the most reasonable price for the (**"Kashta or 'A' category land"**) and Rs. 15,82,560/- per acre for **"Gair Kashta or 'B' category land"** as on 15.05.2006. The notification under section 4 was issued on 15.05.2006 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.17,58,400/- per acre for "Kashta or 'A' category land" and Rs.15,82,560/- per acre for "Gair Kashta or 'B' category land"**.

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.

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SOLATIUM

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. 15-5-2006 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.

TUBEWELL

There is one Tube well in Khasra No. 38//26 I allow Rs. 5,000/- per Tube well .

APPORTIONMENT/ NAKSHA MUTJAMIN

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 under section 30-31 of the LA act, 1894.

The details of apportionment are as under

Sl. No.	Name & Share	Khasra No.	Area	Market Value	Other Compensation	Solatium 30%	Addl. Amt. @ 12% pa 15/5/2006 to 15/5/2008 732 Days	G. Total
1	KRISHAN KUMAR S/o SHERA - 1/1 R/o VILL. SINGHOLA, DELHI	37//11 38//15 m in	2-5-0 B 1-4-0 B 3-9-0	1137465		0341239.5	273739.52	1752444.
2	MAHABIR SINGH S/o MANOHAR - 1/3(Tube Well) R/o VILL. SINGHOLA, DELHI	38//26	0-4-0 B 0-4-0	21980	1666.67	7094	5690.75	36431.
3	SATBIR SINGH S/o MANOHAR - 1/3 R/o VILL. SINGHOLA, DELHI			21980	1666.67	7094	5690.75	36431.

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4	BALKISHAN S/o MANOHAR - 1/3 R/o VILL. SINGHOLA, DELHI			21980	1666.67	7094	5690.75	36431.42
5	GRAM SABHA C/o ATTAR SINGH SON OF SHEO RAM - 1/1	38//15 m in 38//16 m in	2-0-0 B 0-8-0 B 2-8-0	791280	0	237384	190427.49	1219091.49
6	GRAM SABHA C/o MAHENDER SON OF HAR KISHAN - 1/1	37//21 m in	2-3-0 B 2-3-0	708855	0	212656.5	170591.3	1092102.8
7	GRAM SABHA C/o BALBIR SON OF LAKHI RAM - 1/1	38//25 m in	4-0-0 B 4-0-0	1318800	0	395640	317379.16	2031819.16
8	GRAM SABHA C/o RAM PHAL SON OF SUDHAN - 1/1	37//20 m in	4-7-0 B 4-7-0	1434195	0	430258.5	345149.83	2209603.33
9	GRAM SABHA C/o VED PRAKASH SON OF HARI KISHAN - 1/1	43//5	4-16-0 A 4-16-0	1758399.98	0	527520	423172.2	2709092.18
10	GRAM SABHA C/o SARTI WIFE OF PRABHU - 1/1	38//16 m in 38//25 m in	0-16-0 B 0-16-0 B 1-12-0	527520	0	158256	126951.66	812727.66
11	GRAM SABHA C/o MUNSI RAM SON OF RATI RAM - 1/1	37//22/1 37//21 m in	2-1-0 B 2-13-0 B 4-14-0	1549590	0	464877	372920.51	2387387.51
12	GRAM SABHA C/o RAMANAND SON OF MOHLI - 1/1	44//1	3-0-0 A 3-0-0	1098999.99	0	329700	264482.63	1693182.61
13	GRAM SABHA C/o BDO.NW - 1/1	38//16 m in	3-12-0 B 3-12-0	1186920	0	356076	285641.24	1828637.24
14	SARKAR DAULATMADAR 1/1	38//27	0-3-0 B 0-3-0	49455	0	14836.5	11901.72	76193.2
Gross Total		34-8-0		11627419.97	5000	3489725.99	2799429.518	17921575.48

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.

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SUMMARY OF AWARD

1	Market Value of land measuring 7 Bigha 16 Bishwa for Kashta or 'A' category land @ Rs.17,58,400/- per Acre Or say @ Rs.3,66,333.33/- per Bigha	28,57,399.97
2	Market Value of land measuring 26 Bigha 12 Biswa for Gair Kashta or 'B' category land @ Rs.15,82,560/- per Acre Or say @ Rs.3,29,700 /- per Bigha	87,70,020.00
3	Market Value of Tube well	5000.00
4	Total Market Value COL (1+2+3)	1,16,32,419.97
5	Solatium @ 30% on the Market Value U/s 23(2) of LA Act 1894	34,89,725.99
6	Additional Amount @ 12% P.A. on the market value w.e.f. 15.05.2006 to 15.05.2008 for 732 days.	27,99,429.51
7	GRAND TOTAL COL (4+5+6)	1,79,21,575.47 OR SAY 1,79,21,575.00

(Rs. One Crore Seventy Nine Lakh Twenty One Thousand Five Hundred Seventy Five Only)

LAND ACQUISITION COLLECTOR (N-W)
KANJHAWALA, DELHI

APPROVED

Secretary (Revenue)

Award announced in open court

Kanwar
15.5.2008

ADU (West) / dink officer.

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**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
LAND & BUILDING DEPARTMENT : VIKAS BHAWAN : NEW DELHI**

No. F.11(6)/99/L&B/LA/Pl.III/ 1947

Dated: 14/05/2002

NOTIFICATION

Whereas the Lt. Governor, Delhi is satisfied that land is required to be taken by Government at the public expense for a public purpose namely for Sewerage Treatment Plant, under Planned Development of Delhi. It is hereby notified that the land in the locality described below is required for the above purpose.

This declaration is made under the provisions of Section 6 of the Land Acquisition Act, 1894, in respect of the land notified U/s 4 of L.A. Act, 1894 vide Notification No.F.11(6)/99/L&B/LA/Pl.II/1903 dated 15.05.2006 to all whom it may concern. Under the provisions of Section 7, of the said Act, the Land Acquisition Collector (North-West), Delhi is hereby directed to take orders for the acquisition of the said land.

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

SPECIFICATION

VILLAGE	TOTAL AREA (BIGHA -BISWA)	KHASRA NO.	AREA (BIGHA -BISWA)
SINGHOLA	35-03		
37// 11/1(2-05), 20/2(4-07), 21(4-16), 22(2-01), 38// 15min(3-04), 16/1(3-04), 16/2(1-12), 25(4-16), 26(0-05), 27(0-03), 43// 5(4-16), 44// 1(3-14).			

BY ORDER AND IN THE NAME OF THE LT. GOVERNOR OF DELHI


(T.C. NAKH)
ADDL. SECRETARY (L&B)

c/8

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
LAND & BUILDING DEPARTMENT : VIKAS BHAWAN : NEW DELHI**

No. F.11(6)/99/L&B/LA/Pt.II/ 1903
NOTIFICATION

Dated :- 15/05/06

Whereas it appears to the Lt. Governor, Delhi that land is likely to be required to be taken by Government at public expense for a public purpose namely for Sewerage Treatment Plant, under Planned Development of Delhi. 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 provisions 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 please 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.

Any person, interested, who has any objection to the acquisition of any land in the locality, may within 30 days of the publication of the notification file an objection in writing before the Land Acquisition Collector (Northwest), Delhi.

Map showing the boundaries of land covered by the notification is available for inspection in the office of the Land Acquisition Collector (Northwest).

SPECIFICATION

VILLAGE	TOTAL AREA (BIGHA - BISWA)	KHASHRA NO.	AREA (BIGHA - BISWA)
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SINGHOLA	35-03		
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37// 11/1(2-05), 20/2(4-07), 21(4-16), 22(2-01), 38// 15min(3-04), 16/1(3-04),
16/2(1-12), 25(4-16), 26(0-05), 27(0-03), 43// 5(4-16), 44// 1(3-14)

BY ORDER AND IN THE NAME OF THE LT. GOVERNOR OF DELHI


(VIJAY KHANNA)
DY. SECRETARY (LA)