

0301

AWARD NO. : 06/2009-10

Name of Village : Sultanpur

Area under acquisition : 16473.75 sqm.

Purpose of acquisition : Construction of depot at Ghitorni in connection with Qutub Minar-Gurgaon Corridor of Delhi MRTS Project phase-II

Nature of acquisition : Permanent

Notification u/s 4 : F.9 (104)/07/L&B/LA/MRTS(S)/7049 dt.10.8.07

Notification u/s 6 : F.9 (104)/07/L&B/LA/MRTS(S)/11003 dt.01.11.07

Notification u/s 17(1) : F.9 (104)/07/L&B/LA/MRTS(S)/11004 dt.01.11.07

The detail of true and correct area of the land under award is as under: -

<u>Field No./Kh.No.</u>	<u>Area</u>
432 min	1762.29 sqm.
433 min	2685.41 sqm.
436 min	2017.37 sqm.
516 min	2460.57 sqm.
517 min	2320.00 sqm.
507 min	5006.25 sqm.
503 min	116.14 sqm.
506min	105.72 sqm.
Total Area	16473.75sqm.

The actual total area of khasras nos mentioned in the above notification u/s 4, 6 & 17(1) of LA Act 1894 of village Sultanpur is 16473.75 sqm. but in the notification total area has been shown as 16468.76 sqm. this is actually 16473.75 sqm.

HISTORY

CWP No.	Title	Status of the Case
CWP No.573/08	M/s Sumit Inport Services Ltd. & Anr. V/s DMRC & Others	The Hon'ble High Court has disposed off vide order dt. 11-04-08.

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CWP No.716/08	Neera Jain V/s DMRC & Others	The Hon'ble High Court has disposed off vide order dt. 11-04-08.
CWP No.802/08	Sultan Pur Farms Welfare Association V/s DMRC & Others	The Hon'ble High Court has disposed off vide order dt. 11-04-08.

Notices: - Notice u/s 9 & 10 were issued to the all recorded owners.

Claims : - The following persons have filed claims for compensation: -

Name of the Claimant	Claim
M/s Sumit Inport Services Ltd.	Rs.50, 000/- per sqm. & Other Additional benefit
Sh.Akash Jain	Rs. 20,000/- per sqm. & other Additional benefit
Sh.Gulab Singh	All the statutory benefit as per the Land Acquisition Act 1894
Chandra Kant and Ravi Kant	All the statutory benefit as per the Land Acquisition Act 1894

Documentary Evidence: - The following main documentary evidence was adduced by the claimants in support of their claims: -

1. Valuation report of the subject property.
2. Copy of sanctioned building plan
3. Copy of Sale Deed dt. 9-6-2008
4. Copy of Case Law 6 Judgements
5. Copy of letter dt. 14-05-08

Market Value :-

The notice u/s50 (2) of L.A. Act has been issued to the requisitioning agency i.e. DMRC vide letter dt. 4-8-08. In response to the notice U/s 50(2) of L.A. Act no reply has been received till date.

The market value of the land has to be determined with reference to the price prevailing as at the date of preliminary notification. The market value means the price that would be paid by willing purchaser to a willing seller where both are actuated by business principles prevalent at the time in the locality. The price, therefore, paid for comparable properties in the neighborhood are the usual evidence as to the market value.

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The recorded owner/interested persons have claimed Rs.50,000 per sqm. and Rs.20,000 per sqm. for the land and other statutory benefit as per law. The market value as assessed in the aforesaid judgments and documents filed by the claimants cannot be construed prima-facie market value of land in question, since the merits of each case differs. The claim of the interested persons seems to be exorbitant and in absence of any substantial documentary evidence, the same is rejected.

As per the available records village Sultanpur is rural village. Keeping in view of this, the market value of the subject land can be determined on the basis of the indicative price fixed by the government of NCT of Delhi for agriculture land vide Notification No.F.9(20)/80/L&B/LA/6720 dt.30-08-05. Accordingly I therefore assess the market value w.r.t. to the subject land as on date of notification u/s 4 Land Acquisition Act as Rs.17, 58,400 per acre. .

POSSESSION: The possession of land has been taken on 16-05-08 and 27-05-08.

STRUCTURE: - The valuation of these properties was got assessed from PWD (Division M-III), Delhi Government. The valuation is conveyed by the executive engineer of the division vide letter no. 23(256)/PWD C-M-11/2007-08/486 dt. 03-06-08.

30% SOLATIUM: - 30%Solatium is payable on the market value of the land U/S 23(2) of L.A. Act 1894.

ADDITIONAL AMOUNT U/S 23(1-A):- In addition to the market value of the land an amount calculated at the rate of 12% per annum on such market value for the period commencing on and from the date of publication of the notification under section-4, sub section- (1), in respect of such land to the date of the award of the Collector or the date of taking possession of the land, whichever is earlier.

APPORTIONMENT: - Compensation will be paid on the basis of the latest entries in the revenue record. If there is a dispute regarding title/apportionment, which could not be settle here within a reasonable period, the dispute will be referred to the court of ADJ for adjudication u/s 30 & 31 of L.A. Act.

VESTING OF OWNERSHIP :From the date of taking over the possession of the land, the land under acquisition will vest absolutely in government and free from all encumbrances.

LAND REVENUE DEDUCTIONS :

The land revenue assessed by the revenue officer concerned till date shall be deducted from the awarded money at the time of making the payment.

SUMMARY OF AWARD :

<u>S. No.</u>	<u>Details</u>	<u>Amount of Compensation.</u>
1.	Market value @ Rs.17, 58,400 per acre for an area measuring 16473.75sqm.	Rs. 71, 58,173.85
2.	Solatium @ 30%	Rs. 21,47,452.15
3.	(a) Additional amount @ 12% u/s 23(1-A) w.e.f. 10.8.07 to 16.05.08(279 days) on Rs.69,07,021.29	Rs. 6,33,553.62
	(b)Additional amount @ 12% u/s 23(1-A) w.e.f. 10.8.07 to 27.05.08(290 days) on Rs.2,51,152.56	Rs. 23,945.50
	Sub Total	Rs. 99, 63,125.12
4.	Interest U/s 34 @ 9% w.e.f. 16.05.08 to 09.04.2009 (329 days) on 96,12,681.30	Rs. 7,79,812.31
5.	Interest U/s 34 @ 9% w.e.f. 10.04.08 to 15.05.2009 (36 days) on 66,91,178.40	Rs. 59,395.66
6.	Interest U/s 34 @ 9 % w.e.f. 27.05.08 to 26.05.2009 one year on 3,50,443.82	Rs. 31,539.94
7.	Interest U/s 34 @ 15 % w.e.f. 16.05.2009 to 30.10.2009 (167 days) on 66,91,178.40	Rs. 4, 59,216.49
8.	Interest U/s 34 @ 15 % w.e.f. 27.05.09 to 30.10.2009 (156 days) on 3,50,443.82	Rs. 22,466.80
9.	Cost of structures	Rs. 26,79,500.00
	Grand Total	Rs. 1, 39,95,056.32

(Rupees one crore thirty nine lacs ninety five thousand fifty six and thirty two paise only)

(S.K. SINGH)

LAND ACQUISITION COLLECTOR
DISTT.SOUTH.

DIV. COMMISSIONER/ SECRETARY (REVENUE)

Award announced in open court.

Approved
28/11/07

28/11/07