

**OFFICE OF THE ADM/LAC(SOUTH-WEST), ROOM NO. 12
OLD TERMINAL TAX BLDG. KAPASHERA, NEW DELHI-37**

AWARD

Award No:-

04/2008-09

Name of Village: -

Tajpur Khurd

Nature of Acquisition: -

Permanent.

Purpose of Acquisition:-

Construction of 100 Mtr. Road
Under Planned Development
of Delhi

Notification: -

U/S 4 No.F.9 (88)/2004/L&B/LA/176
Dated 07/04/2006

U/S 6 No.F.9 (88)/2004/L&B/LA/77-91
Dated 04/04/2007

INTRODUCTION

The award pertains to acquisition of land in village Tajpur Khurd. The land measuring 106 Bighas 18 Biswas land was notified U/S-4 of the land Acquisition Act 1894 vide notification No-F9 (88)/2004/L&B/LA/176 dated 07/04/2006. Objections were invited from the interested persons/land owners and personal hearing was accorded to them. Claims/objections were placed by landowners. Detailed report U/s 5A was prepared and forwarded to Land & Building Deptt. Vide letter No. 8110 dated 26.12.2006, for consideration/ further direction. The Land & Building Deptt after considering all the aspects, issued notification U/s 6 vide No-F.9 (88)/2004/L&B/LA/77-91 dated 04/04/2007. The land is required to be taken by the Government at the public expenses for a public purpose namely **Construction of 100 Mtr. Road Under Planned Development of Delhi.**

In order to hear the claims of the affected persons, the Notices U/S 9 & 10 of LA Act 1894 were issued to the interested persons of village Tajpur Khurd to file their claims. The claims filed by the persons in respect of land being awarded have been discussed under the heading "Claims".

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TRUE AND CORRECT AREA

As per notification U/s 4 a total area of 118 bigha 03 biswa was notified however, section 6 of LA Act 1894 issued for area measuring 106 Bigha 18 Biswa.

The details of land total measuring 106 Bigha 18 Biswas which is being awarded in this award is as Khasra No. and area specified u/s 6 of LA act are as under:

Khasra No.	Area
2//16	1-04
24/2	2-12
25	4-16
11//4/2	2-09
5	4-16
6	4-16
7/1	2-01
14/2	1-09
15	5-16
16/1	1-19
16/2	1-09
17/1	0-14
24/2	0-13
25/1	1-12
25/2	3-00
29	0-04
10//1/1	0-04
10/2	0-13
11/1	1-03
20//1/2/2	0-10
20/2/1	2-00
21/1	1-18
16//4/2	0-09
5	4-13
6/1	2-09
6/2	2-07
7/1/1	0-05
14/2/2	0-02
15/1	2-10
15/2	2-06
16/1/1	3-07
16/2/1	0-06
25/1/2	2-13
25/2	0-02
27	0-03
29	0-01
17//1/1	2-01
10/2	2-05



		11/1	2-09	
		20/1/2	0-16	
7	M/s Vakratunday Properties	20/2	1-14	Rs. 5 Crore+ 10 lakh
		21/1	3-16	for Tube Well and trees
		28	0-03	10 lakh for improvement of land
8	M/s Vakratunday Properties	25//1	4-16	
		2/1	0-16	Rs. 5 Crore+ 10 lakh
		9/2	2-05	for Tube Well and trees
		10	4-12	10 lakh for improvement of land
		11/1/2	1-16	
9	M/s Vakratunday Properties	11/2	2-00	Rs. 5 Crore+ 10 lakh
		12/1	3-19	for Tube Well and trees
		18/2	0-03	10 lakh for improvement of land
		19	1-08	
10	Smt Sushma Dyan Chand	25	0-06	
11	Sunita w/o Chand	26//5/1/2	0-03	
		5/2/2	0-16	
		6/1	0-10	
12	Sheh w/o Chand	36 Min (Raasta)	1-16	
		37 Min	0-13	
13	Hukam Chand Kaha Singh	28//148 Min	0-04	Rs. 2.5 Crore per Acre
		Total	106-18	

CLAIM AND EVIDENCE

Notices U/s 9&10 of LA Act were issued in the month of April and June, 2008 to the interested persons/land owners to file claims. In pursuance of Notices u/s 9 & 10 following claims were received in this office:-

S.No	Name	Khasra No	Claim
1	Lt. Col. G. S. Bhullar	21 200 Sq yard	Nil
2	V.P.S Dahiya	11/5	Rs. 20 Lakh + Cost of Construction of Boundary Wall
3	Col. Vinod Milton	20//1	Alternative Plot
4	M/s SRG Properties Pvt Ltd	25//19,11/2	Rs. 5 Crore+ 10 lakh for Tube Well and trees + 10 lakh for improvement of land
5	M/s Vakratunday Properties Pvt Ltd	25//1	Rs. 5 Crore+ 10 lakh for Tube Well and trees + 10 lakh for improvement of land
6	M/s Vakratunday Properties Pvt Ltd	26//6/1,5/2/2	Rs. 5 Crore+ 10 lakh for Tube Well and

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25	Budh Ram s/o Sri Chand	16/27(0-03)	trees + 10 lakh for improvement of land
7	M/s Vakratunday Properties Pvt Ltd	25//9/2,10,12/1,18/2,25/2/1	Rs. 5 Crore+ 10 lakh for Tube Well and trees + 10 lakh for improvement of land
27	Manoj Kumar s/o	16/27(0-03)	
8	M/s Vakratunday Properties Pvt Ltd	17//10/2	Rs. 5 Crore+ 10 lakh for Tube Well and trees + 10 lakh for improvement of land
29	Rajesh Kumar s/o	16/27(0-03)	
9	M/s Vakratunday Properties Pvt Ltd	16//25/2,17//21/1,17//28	Rs. 5 Crore+ 10 lakh for Tube Well and trees + 10 lakh for improvement of land
31	Manish Kumar s/o	16/27(0-03)	
10	Smt Sushila w/o Sh. Gyan Chand	16(0-01)	Nil
11	Sunita w/o Sh. Satish Chand	16(0-01)	Nil
12	Sneh w/o Subash Chand	16(0-01)	Nil
13	Hukam Chand s/o Sh. Kehar Singh	11//29(0-04)	Rs. 2.5 Crore per Acre
14	Ram Rattan S/O Diwan Singh	26//5/1/2(0-03),17//20/2(1-14),16//25/1/2(2-13)	Rs. 2.5 Crore per Acre
15	Brig. Mohan Beer Singh , Sri Niwas, Ranbir & Naresh sons of Sh. Diwan Singh	5/1/2(0-03),20/2(1-14)	Rs. 2.5 Crore per Acre
16	Om Veer S/o Diwan Singh	26//5/1/2(0-03),17//20/2(1-14)	Rs. 2.5 Crore per Acre
17	Sri Niwas , Ranbir Singh , Naresh sons of sh. Diwan Singh	16//25/1/2(2-13)	Rs. 2.5 Crore per Acre
18	Smt. Sneh w/o Sh. Subash Chand	16//29(0-01),16/1/1(3-7),15/2(2-6),17//1/1(2-9)	Rs. 3 Crore per Acre
19	Smt. Sunita w/o Satish Chand	16//29(0-01),16/1/1(3-7),15/2(2-6),17//1/1(2-9)	Rs. 3 Crore per Acre
20	Lt. Col.S.K. Singh	20//1	Nil
21	Raghubir S/o Sri Chand	16//27(0-03)	Rs. 325 Crore per Acre
22	Sri Krishan s/o Sri Chand	16//27(0-03)	Rs. 325 Crore per Acre
23	Ram Bhateri d/o Sri Chand	16//27(0-03)	Rs. 325 Crore per Acre
24	Krishna d/o Sri Chand	16//27(0-03)	Rs. 325 Crore per Acre

land in Delhi at the rate of Rs. 17,58,400/- (Rs. Seventeen lakh fifty eight

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25	Budh Ram s/o Sri Chand	16//27(0-03)	Rs. 325 Crore per Acre
26	Balraj Singh s/o Umrao Singh	629	Nil
27	Manoj kumar s/o Radhey Shyam	16//27(0-03)	Rs. 325 Crore per Acre
28	Sunil Kumar s/o Radhey Shyam	16//27(0-03)	Rs. 325 Crore per Acre
29	Rajesh Kumar s/o Radhey Shyam	16//27(0-03)	Rs. 325 Crore per Acre
30	Prem Kumar s/o Radhey Shyam	16//27(0-03)	Rs. 325 Crore per Acre
31	Mahesh kumar s/o Radhey Shyam	16//27(0-03)	Rs. 325 Crore per Acre
32	Smt Sushila w/o Gyan Chand	16//29(0-01),16/1/1(3-7),15/2(2-6),17//1/1(2-9)	Rs. 3 Crore per Acre
33	Rajni s/o Paras Ram	11/15	Nil
34	Narender Kumar	5	Nil
35	Urmila Mishra	11//14	Nil
36	D.K.Jain F/o Nitin Jain	6	Nil
37	M/s Neel Padmayar Consumer Products	24//21,22,23,28//1,2,3	Rs. 5 Crore per Acre
38	Smt. Kalawati Devi	11//15	RS.10000 Per Sq yard
39	Hira Realter pvt. Ltd.	25//25	Nil
40	Narender nath malhotra s/o an malhotra	17//20	3-5 crore/acre
41	Abhey ram s/o Rampat	25//9/2,18/2,12/1	3-5 crore/acre
42	Mange ram s/o Rampat	-----do-----	-----do-----
43.	Rameshwar s/o Rampat	-----do-----	-----do-----
44	Net ram s/o Than Singh	-----do-----	-----do-----
45	Bhoop singh s/o Rampat	-----do-----	-----do-----
46	Ram Sarup Chandla s/O Rajender Singh	11	20,000 per square yard
47	Baldev Raj s/o Dhani Ram	11//4	-----do-----

MARKET VALUE

The land in question, which is to be acquired, is an "Agricultural Land". The market value of the land under acquisition is to be determined with reference to the date of Notification u/s-4 of the Land Acquisition Act.1984, which is 07/04/2006 in the instant case. For determination of the market value of land the indicative price fixed by the Govt. of NCT of Delhi for agricultural land in Delhi at the rate of Rs. 17,58,400/-(Rs. Seventeen lakh fifty eight

thousand four hundred only) per acre as conveyed by the Dy. Secy (LA), Land & Building Deptt. Vide letter No. F.9 (20)/80/ L&B/LA/6720 dated 30/8/05 should be considered in this case. The indicative price of land has been fixed by taking into consideration various factors in respect of land in NCT of Delhi the sale deeds prior to Notification u/s 4 of LA Act were considered. However to justify the issue the copy of following sale deeds of village Tajpur khurd is considered. The details of some of the Sale Deeds of village Tajpur Khurd are as under:-

S. No.	Village	Area	Consideration Amount	Date
1.	Tajpur khurd	12-00	4,600000	24/03/2006
2.	Tajpur khurd	16-00	27,418,000.00	12/04/2006

The land being acquired is agricultural land measuring 106 bigha 18 bishwa. I am of the view that While keeping in view the sale transactions of the area and also keeping in view the market value of land fixed by the Govt. of Delhi, the appropriate market value of land should be determined @ 1758400/- per acre or @ Rs.3,66,333.33/- (Rupees Three Lakh Sixty Six thousand three hundred thirty three and thirty three Paise Only) per bigha.

VALUATION OF STRUCTURES

As per the standing instructions of L & B Deptt. any unauthorised structures on agricultural land need not be considered for access of compensation while announcement of award u/s 11 of LA Act 1894. Besides the claimants did not submit any sanction plan/approval from the competent department i.e. DDA & MCD as the case may be nor any documental proof in support of there claim of structures.

Therefore, in the light of standing instructions issued by Land & Building time to time the structures on the agricultural land of village Tajpur Khurd have been raised in violation of law and are as such liable to be ignored U/s 24(8) of the LA Act.

SOLATIUM

30% solatium will be given to the landowners on the market value of the land due to compulsory nature of the acquisition as per Provision laid under section 23(2) of Land Acquisition Act 1894.

ADDITIONAL AMOUNT

An additional amount @ 12% per annum on the market value of land U/S 23(1A) of Land Acquisition Act 1894 shall be given to the land owners for the period commencing from the date of notification U/S-4 of LA ACT 1894 to the date of physical possession or Award, whichever is earlier.

Announced in open court
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APPORTIONMENT

Apportionment of the said compensation among all the persons known or believed to be interested in the land of whom, or of whose claims, I have the information, whether or not they have appeared before me, is to be determined as per the Naksha Muntazamin. Where there is a dispute and the same is not settled, the matter shall be referred to the Court of Additional District Judge, Delhi U/S 30-31 of the Land Acquisition Act, 1894.

LAND REVENUE

The land revenue will be deducted from the rent roll of the village Tajpur Khurd w.e.f taking over the physical possession.

SUMMARY

The award is summarized as under: -

A) The market value of land measuring 106 Bigha 18 Biswa @ 17,58,400/- Per Acre. @ Rs. 3, 66,333.33 Per Bigha.	Rs: 39161033.00/-
B) 30% Solatium U/S 23(2)	Rs. 11748310.00/-
C) Additional amount @ 12% Per annum U/s 23(1A) w.e.f 7/04/2006 30/09/2008 (908 Days).	Rs. 11690373.00/-
Grand Total	Rs: 6,25,99,716.00/- (Rs. Six Crore Twenty Five Lakh Ninety Nine Thousand Seven Hundred Sixteen Only)

(Y.V.V.J. RAJASEKHAR)
LAND ACQUISITION COLLECTOR
DISTRICT (SOUTH WEST)

PR. SECRETARY (Revenue)

Announced in open court

APPORTIONMENT

Apportionment of the said compensation among all the persons known or believed to be interested in the land of whom, or of whose claims, I have the information, whether or not they have appeared before me, is to be determined as per the Naksha Muntazamin. Where there is a dispute and the same is not settled, the matter shall be referred to the Court of Additional District Judge, Delhi U/S 30-31 of the Land Acquisition Act, 1894.

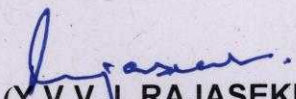
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SUMMARY

The award is summarized as under: -

A) The market value of land measuring 106 Bigha 18 Biswa @ 17,58,400/- Per Acre. @ Rs. 3, 66,333.33 Per Bigha.	Rs: 3,91,61,033.00/-
B) 30% Solatium U/S 23(2)	Rs. 1,17,48,310.00/-
C) Additional amount @ 12% Per annum U/s 23(1A) w.e.f 7/04/2006 31/10/2008 (939 Days).	Rs. 1,20,76,619.00/-
Grand Total	Rs: 6,29,85,962.00/- (Rs. Six Crore Twenty Nine Lakh Ninety Eight Five Thousand Nine Hundred Sixty Two Only)


(Y.V.V.J. RAJASEKHAR)
LAND ACQUISITION COLLECTOR
DISTRICT (SOUTH WEST)