

AWARD NO.

10/2003-04.

NAME OF THE VILLAGE

TIKRI KHURD

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 34 bigha 02 biswa in village Tikri Khurd, Delhi. The land is required by the Government for a public purpose namely for Freight Complex (Narela), Delhi under Planned Development of Delhi.

The land stands notified under section 4 of LA Act, 1894 vide notification No. F.10(32)/96/L&B/LA/2736 dated 16.5.2002. The Land & Building Department issued a declaration under section 6 of LA Act, in respect of the aforesaid land vide notification No. F.10(32)/96/L&B/LA/1299 dated 30.4.2003.

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 declaration under section 4 & 6 of the LA Act is 34 bigha 02 biswa. Field staff also measured the land to

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be 34 bigha 2 biswa. Hence, the total area of the land to be acquired comes to 34 bigha 02 biswa.

Thus, the present award is for 34 bigha 02 biswa land as per detail given below: -

Rect. No.	Kh. No.	Area (Bigha-Biswa)
43	1/2	2-08
	2	4-16
	3/1	4-00
	3/2	0-16
	4	1-16
	8	4-10
	9/2	4-14
	10/1	2-08
	12	4-16
	13	2-04
	18	1-09
	26	0-05
Total		34-02

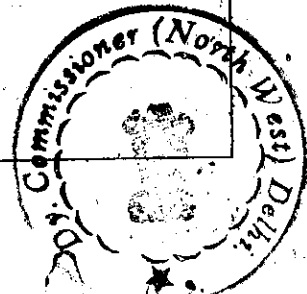
CLAIMS

In response to the notices issued under section 9 and 10 (to interested persons) and under section 50 of the LA Act to the requisitioning Department following persons/department have filed their claims: -

S.No.	Name	Kh. No.	Claim	Remark
1	Jagdish S/o Ratiram	43//1/2	Land @Rs.20,000.00 per Sq Yds, 30% solatium, alternative plot/shop/industrial plot, Govt service, trees @ Rs.5,000.00 per Qtl, Rs.5.00 lacs for T/well, Rs.2.00 lacs for Kotha	Enclosed copy of certified copy of regd Sale deed dated 25.3.2000 in r/o land of village Mamoorpur for Rs.26,75,000.00 per acre

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2	Rajender Singh, Kishan Chand, Balwan Singh, Sukhbir Singh, Mahesh, Umed Singh, Balraj Singh All Ss/o, Smt. Tarawati D/o Tek Chand	43//2, 3/1, 8, 9/2, 10/1, 12, 13, 18, 26	Land @Rs.10,000.00 per Sq Yds, 30% solatium, alternative plot, Shifting damages Rs.2.50 lacs, damage to crops for Rs.1.00 lacs	No proof enclosed
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MARKET VALUE

While determining the market value of the land as on 16.5.2001 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 generally claimed exorbitant prices of their land by making claims about Rs. 10,000 per Sq. Yds to Rs.20,000.00 per Sq Yds. One of the claimant has filed documentary evidence in the form of certified copy of the sale deed executed on 25.3.2000 for a sum of Rs.26,75,000.00 Per acre in respect of one acre of land situated in village Mamootpur in support of his claim.

On perusal of his claim it is found that the claimant has not at all stressed on the said sale deed in support of his claim. Also it is well established that in determining compensation, the valuation fetched for smaller plot of land cannot be applied to lands covering a very large area. The larger area of land cannot possibly fetch the same rate at which smaller plots are sold. Moreover the location of the two land situated in village Tikri

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Khurd and that in Mamoorpur differs considerably. The land situated in village Mamoorpur and under reference is adjacent to the metalled road. Recently, land measuring 306-17 in village Tikri Khurd has been acquired by the Government for a public purpose vide notification under section 4 & 6 of LA Act, 1894 dated 22.8.2001 & 26.7.2002 and award No. 7/12/03-04 dated 25.6.2003. The claimants did not file any documentary evidence in support of their claim. As such the market value of the land was assessed at Rs.15,70,000.00 per acre. The land under acquisition and under reference is adjacent to the aforesaid awarded land. Also there is no approach road in the vicinity. Hence, the land in question has no commercial value. Moreover this office is in possession of a sale deed executed on 4.12.2001 in respect of land measuring 8 Bigha 10.1/2 Biswa and situated in village Narela for a sum of Rs.22,88,390.00 i.e Rs.12,89,000. (approx) per acre. It can clearly be stated that the market value of land has not increased but has either remained same or has decreased marginally. The claims therefore, cannot form the basis for determination of market value.

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 16.5.2002. The notification under section 4 was issued on 16.5.2002 and the price of the land is to be determined as on the date of notification Under section 4 of Land Acquisition Act itself.

E. D. Singh

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 @ 20% 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

Physical possession of the land under acquisition will be taken after announcement of award.

TUBEWELL

There are 2 tube well with Kotha including a Government tube well in the acquired land in Khasra No. 43//18 and 43//26. 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.



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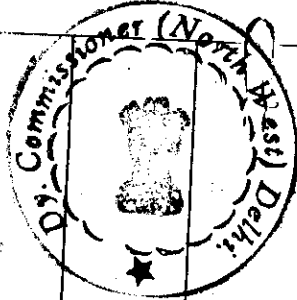
weight. Pipal and Banyan trees have not been assessed. The details of other trees are as under: -

Khasra No.	Name of trees	No. of trees	Weight in Quintal	Market value per quintal (in Rs.)
43//26	Neem Safeda	1	7	00.00

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 detail of apportionment is as under:

S No	Name	Rect No	Kh No	Area in Bigha-Biswa	Compensation (in Rs.)
1.	Rajender Singh S/o Tek Chand (1/16 share) (2 T/well + trees)	43	2	4-16	8,64,196.81
			3/1	4-00	
			8	4-10	
			9/2	4-14	
2.	Kishan Chand S/o Tek Chand (1/16 share)		10/1	2-08	8,64,196.81
			12	4-16	
3.	Balwan Singh S/o Tek Chand (1/16 share)		13	2-04	8,64,196.81
			18#	1-09	
			26*#	0-05	8,64,196.81
4.	Sukhbir Singh S/o Tek Chand (1/16 share)		Total	29-02	
5.	Mahesh S/o Tek Chand (1/16 share)				8,64,196.81
6.	Umed Singh S/o Tek Chand (1/16 share)				8,64,196.81
7.	Balraj Singh S/o Tek Chand (1/16 share)				8,64,196.81
8.	Smt Tarawati D/o Tek Chand (1/16 share)				8,64,196.81
9.	Indraj S/o Harnand (1/2 share)				69,13,574.50



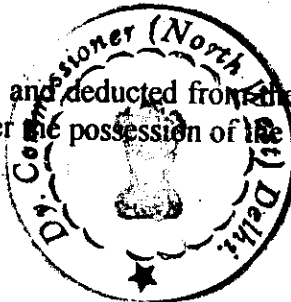
10.	Randhawa Singh S/o Tek Chand (1/18 share)	43	3/2 4	0-16 1-16 Total 2-12	68,579.50
11.	Aattar Singh S/o Tek Chand (1/18 share)				68,579.50
12.	Mohan Singh S/o Tek Chand (1/18 share)				68,579.50
13.	Suresh Kumar S/o Tek Chand (1/18 share)				68,579.50
14.	Rajender Kumar S/o Tek Chand (1/18 share)				68,579.50
15.	Ramesh kumar S/o Tek Chand (1/18 share)	43	1/2	2-08	68,579.50
16.	Ram Karan S/o Deep Chand (1/12 share)				1,02,869.26
17.	Ram Kumar S/o Deep Chand (1/12 share)				1,02,869.26
18.	Ram Kishan S/o Deep Chand (1/12 share)				1,02,869.26
19.	Vinod Kumar S/o Deep Chand (1/12 share)				1,02,869.26
20.	Ishwar Singh S/o Jamna (1/3 share)				4,11,477.04
21.	Jagdish S/o Ratiram (1/6 share)				1,89,912.48
22.	Jagbir S/o Ratiram (1/6 share)				1,89,912.48
23.	Tejvir S/o Ratiram (1/6 share)				1,89,912.48
24.	Sunil Kumar S/o Shiv Lal (1/2 share)				5,69,737.44
TOTAL			34-02		1,62,01,063.00

* Trees, # Tube well.

Signature

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 Rs.)		
1	Market value of land measuring 34 bigha 2 biswa of @ Rs.15,70,000.00 per acre or say @Rs. 16354.16 per biswa	1,11,53,537.12
2	Market value of trees	700.00
3	Total Market Value (Col.1 + 2)	1,11,54,237.12
4	Solatium @30% on the market value U/s 23(2) of LA Act, 1894.	33,46,271.13
5	Additional amount @12% p.a on the market value w.e.f. 16.5.2002 to 18.8.2003 for 461 days U/s 23(1-A) of LA Act, 1894.	16,90,554.51
6	Cost of removal in respect of 2 tube well @Rs.5,000.00 per tube well	10,000.00
7	TOTAL(COL 3+4+5+6)	1,62,01,062.76 OR SAY 1,62,01,063.

(Rupees One Crore Sixty Two Lacs One Thousand Sixty Three Only)

Application No. R-1242	Date 12/9/03
Prepared by P. Copy	Compared by Recd. Recd.
Name of Applicant Hari Bahadur	10/-
Name of Village Tikri Khurd	

(S.R. KATARIA)

Land Acquisition Collector(N-W)

APPROVED
Secretary (Revenue)

Office Kannu
Distt. North- West
Delhi.

Award announced in opal court on
dt. 19-8-03.