

AWARD NO. 2/92-98

NAME OF VILLAGE

TUGHLAQABAD

PERMANENT
P. D. D. VIZ. WILD LIFE
SANCTUARY.

These are the proceedings for determination of compensation U/s 11 of Land Acquisition amended 1984 (here-in-after called L.A. Act). The land measuring 1 bigha 14 biswa was notified U/s 4 (i) vide No. F-7(34)/90-L&B/L.A./8874 dated 8.6.95 and U/s 6 vide No. F-7(34)/90-L&B/LA/7437 dated 6.5.96 and notification u/s 17 vide No. F-7(34)/90-L&B/7475 dt. 8.5.96 for the purpose planned Development of Delhi namely Wild Life Sanctuary. Since Section 17(i) has been invoked, proceedings U/s 5-A stands waived off.

In pursuance of the said notification, notice U/s 9-10 (i) of L.A. Act were issued to the interested persons for inviting claims. The claims filed by the interested persons are discussed under hearing 'Claims & Evidence'.

TRUE AND CORRECT

The Land under acquisition was measured at the spot by the field staff and same was found as under:-

Kh.No.	Area Notified Big-Biswa	Correct Area Big-Biswa	Kind of Land
4069/2442/1625	1-14	1-14	Rosli

As such, no difference was found in the area notified and correct area notified and correct area.

POSSESSION OF LAND

The possession of land measuring 1 bigha 14 biswa has already been taken over by the Flood Control and drainage division of Delhi Govt. on 4.7.88. As this land is a part of land acquired vide Award No. 4/94-95 and possession on 4.7.88 has been confirmed by the acquisition deptt. already. The land already falls within the boundary wall of Wild Life Sanctuary.

COMPENSATION CLAIMS & EVIDENCE

The following interested persons have filed their claims :-

Contd....2/-

<u>Sl.No.</u>	<u>Name of Claimant</u>	
1.	Partap S/o Hargian.)
2.	Rajdhan, Ajai Pal Manoj Kumar Ss/o Balbir.))))
		K.No.4069/2442/ 1625 (1-14) claimed Rs.1000/- per sq.yards.
3.	Mahipal s/o Hazari)
4.	Dharambir Singh, Anarjit Singh, Kuldip Singh, Mahabir Singh Ss/o Jaswant Singh.))))))
5.	Satish and Ravinder Singh Ss/o Ranbir.)))

However, none the claimants has produced any documentary evidence with their claims.

MARKET VALUE

While determining the market value of the land under acquisition several factors such as location of land, quality of soil, potential value of land, sale deeds of the village, policy of Delhi Admn. (Govt.) fixing the minimum price for agricultural land, was to be taken into consideration.

The land under Acquisition is situated in Village Tughlaqabad and this revenue Estate has been unbanised vide notification No.E-2(49)/65 LSG dated 3.6.66 i.e. long before the issuance of notification U/s 4 of L.A. Act.

This land is a part of land recently acquired vide Award No. 4/94-95 of the same village and same purpose. The market value in that award was fixed to the rate of Rs. 1,18,000/- P.B. after going through the relevant factors and same was approved by the Secretary (Revenue).

The A.D.J., Delhi further while deciding reference U/s 18 filed by the interested persons, enhanced the market value to Rs.223/- per sq. yds. i.e. Rs.2,24,857.60 B.

The Deptt. on the legal opinion of Dy. Legal Advisor accepted the rate of Rs.1,23,000/- P.B. and filed appeal against rest of the market value i.e. over and above Rs. 1,23,000/- P.B. The deptt. has obtained stay order from High Court of Delhi in this regard.

Therefore, the market value of the land, at this point of time is Rs. 1,23,000/- P.B. of the land under acquisition. The only factors left for consideration is that in the Award No.4/94-95 at Tuglaqabad where the rates of Rs. 1,23,000/- P.B. has been accepted by the deptt., the notification U/s 4 of L.A. Act was issued on 1.6.92 and the land presently under acquisition is notified U/s of L.A. Act on 8.6.95.

Since there is difference of approximately 3 years it is to be looked into whether there is any Escalation in the market value during these 3 years.

After giving a thoughtful look into the matter, it is found that the land is in possession of acquiring deptt. since 4.7.88 and no escalation could be established on Govt. land. However, to compensate the interested persons/land owners for this, interest U/s 23 from 4.7.88 is awarded.

In light of this, I am of the view that the market value of Rs. 1,23,000/- P.B. is reasonable.

I, therefore, award the market value @ Rs. 1,23,000/- per Bigha.

COMPENSATION FOR TREES & STRUCTURES

At the time of survey there is no tree or structure on the land, therefore, nothing is awarded for trees and structures.

COMPENSATION FOR CROPS

At the time of survey no crop was there on the land and nothing is awarded for the same.

SOLATIUM

The interested persons including bhumidars are entitled for solatium @ 30% of the Market value as per provisions of Sec. 23 (2) of L.A. Act.

ADDITIONAL BENEFITS

The interested persons are entitled for the

INTEREST

Though the possession of land had been taken earlier but the interest U/S 34 has been awarded in view of advice of D.L.A.

APPORTIONMENT

In case of dispute matter shall be referred to the court of A.D.J. U/s. 30-31 of L.A. Act.

DEDUCTION OF LAND REVENUE


The land under acquisition is of urbanised revenue Estate and the assessed land revenue will be deducted from Khalso Rool of the Village.

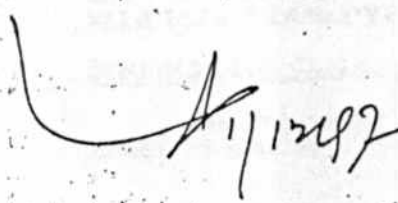
SUMMARY OF THE AWARD:

- | | | |
|----|---|-------------|
| 1. | Compensation of 1 bigha
14 biswa of land @
Rs. 1,23,000/- per bigha | 2,09,100.00 |
| 2. | Solatum @ 30% | 62,730.00 |
| 3. | Adl. amount U/s. 23(1A)
from 4.7.88 to 5-12-97
date of Award. | 2,36,484.00 |

Total: 5,08,314

(Rupees Five Lac eight Thousand Three Hundred and ^{only} ~~Fourteen~~ LAC)


(SANJIV PANDEY)
LAC (Kalkaji)


(SECRETARY REVENUE)

Announced today

