

AWARD NO. : 02/2008-09/East
NAME OF VILLAGE : GHONDLI
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : COMMUNITY FACILITY IN AZAD
NAGAR & SHANKAR NAGAR

These are proceeding under section 11 of the Land Acquisition Act, 1894 for determination of compensation in respect of land measuring 1 Bigha 9 Biswas of Village Ghondli. The land is required for a public purpose namely Community Facility in Azad Nagar & Shankar Nagar. It is notified under section 4 of the L.A. Act, vide notification No. F. 17(37) /76-L & B(I) dated 11/03/1980 and under section 6 & 17 vide notification No. F. 17(37) /76-L & B(II) dated 11/03/1980 & 17(37) /76-L & B(III) dated 11/03/1980 respectively.

The above said notifications were challenged by Sh. H.L. Rebara in C.W.P. 411 of 80 before the Hon'ble High Court on the ground that the urgent provisions of the L.A. Act were unjustified and there was no sufficient reason to invoke section 17(1) of the L.A. Act. Hon'ble High Court of Delhi, vide judgment dated 06/10/1980, quashed the declaration u/s 6 & 17 of L.A. Act. The possession of the land measuring 15 Biswas was taken over on 03/08/1982. the interested person filed an objection on 27/10/1980 and after considering the objection, fresh notification u/s 6 was issued on 01/09/1982 notifying land measuring 15 Biswas of Khasra No.688/152-165/2 of Village Ghondli. This notification was again challenged before the Hon'ble High Court vide C.W.P. No.2803/82 and status quo was ordered to be maintained. The case was finally decided on 11/12/2003 dismissing the Writ petition. Possession of land measuring 15 Biswas has already been taken over, therefore, award is to be made relating to land of which notification u/s 6 was issued for 15 Biswas land.

In the interest of natural justice, notices under section 9 & 10 were issued on 13/07/2007 fixing the date 31/07/2007 and One Parvesh Bhasin submitted an application without claiming the compensation amount etc. but pointed out that matter could not be processed further.

In view of the above, the present proceeding are limited for making the award for the area of 15 Biswas which was notified u/s 6 on 01/09/1982 vide notification No.F.17(37)/76/L&B dated 01/09/1982.

TRUE & CORRECT AREA

Total area 1-9 Biswas of Khasra No.688/152-165 Village Ghondli was notified u/s 4, 6 & 17 on 11/03/2008. The area of 15 Biswas was again notified u/s 6 on 01/09/1982. Therefore, present proceedings are limited to the land measuring 15 Bishwas of Khasra No.688/152-165 min.

OWNERSHIP & OCCUPANCY

As per record, Trilok Chand S/o Sh. Gulab Rai & Sh. Harbans Lal S/o Sh. Bhawani Dass have been mentioned in the revenue record to be the owner of Khasra No.688/152-165.

CLAIMS & EVIDENCE.

Notice under section 9 & 10 of the L.A. Act were issued to the interested persons for filing their claim on 31/07/2007.

<u>Sl.No.</u>	<u>Name of the Claimant</u>	<u>Kh. No.</u>	<u>Area</u>	<u>Rate Claimed</u>	<u>Evidence.</u>
1.	Parvesh Bhasin	Nil	Nil	Nil	an application moved about proceedings for 31/07/2007.

MARKET VALUE

Matter relating to assessing of market value in view of section 23 was considered. Since the matter pertains to the year of 1980 as notification u/s 4 was issued on 11/03/1980. It was felt necessary to taking an evidence the awards made for the relevant period and enhancement etc. the awards relating to Village Ghondli are given below :-

<u>Sl. No.</u>	<u>Award No.</u>	<u>Date of Notification U/s 4</u>	<u>Area</u>	<u>Rate awarded by L.A.C.</u>
01.	26-A/71-72	24/10/1961	0-18	Rs.6300/-per Bigha
02.	3/83-84	04/11/1976	524 Sq. Yards	Rs.90/- per Sq. Yards.
03.	21/86-87	30/11/1981	----	Rs.90/-per Sq. Yards.

The location of the notified land is in the locality of Azad Nagar/ Shankar Nagar near Krishna Nagar in Village Ghondli and Rs.90/-per Sq. Yards have been awarded by Award No.3/83-84 of which notification u/s 4 was issued on 04/11/1976. However, an award No.21/86-87 was also announced @ Rs.90/-per Sq. Yards but notification date u/s 4 is 30/11/1981 subsequent to the notification in the instant case. To arrive at a fair market price, it has been noticed that from the year 1976 to 1981, awards were made @ Rs.90/-per Sq. Yards and in this case, the notification u/s 4 was issued on 11/03/1980 which is within the relevant periods of the awards discussed therefore, after considering all the facts, I feel that the rate of Rs.90/-per Sq. Yards already awarded in this Village will be reasonable and justified for the land and I assess the same i.e. Rs.90/-per Sq. Yards.

OTHER COMPENSATION

There are no structure, well or tree on the land under acquisition.

SOLATIUM

30% solatium will be paid on the market value of the land.

ADDITIONAL AMOUNT

The interested persons are also entitled to have an additional benefit @ 12% per Annum, on the market value of the land u/s 23 (1A) of the L.A. Act, 1894 from the date of notification u/s 4 i.e. 11/03/1980 to the date of possession 03/08/1982.

INTEREST

The possession of area (0-15) was taken on 03/08/1982, interest u/s 34 of L.A. Act, @ 9% will be paid from the date of possession i.e. 03/08/1982 to 02/08/1983 and 15% from 03/08/1983 to date of award.

APPORTIONMENT

Compensation will be paid to the rightful owner on the basis of the latest entries in the revenue record in case where persons other than the recorded owners are in possession and have filed claim the compensation will be kept in dispute if the dispute rants do not come to amicable solution the case will be referred to A.D.J. (L.A.), Delhi for adjudication.

SUMMARY OF THE AWARD

1.	Market value of land measuring 15 Biswas @ Rs.90/-per Sq. Yards	67, 500.00
2.	30% Solatium	20, 250.00
3.	Additional benefit u/s 23(1A) on market value of the land @ 12% per annum from the date of notification to date of possession i.e. 11/03/1980 to 03/08/1982 (876 days)	19, 440.00
4.	Interest u/s 34 @ 9% 3/8/82 to 2/8/83 (1 year)	6, 075.00
	Interest u/s 34 @ 15% 3/8/83 to 30/04/08 (24 Years 271 days or 9031 days)	250,517.00
	TOTAL	363,782.00

Approved by Secretary (Rev)
on 30.4.2008 at P-2/N.

m/le
5/5/08

m/le
(AMAR SINGH)
LAND ACQUISITION COLLECTOR
DISTRICT EAST : DELHI

Announced today the 13th May, 2008

m/le

m/le

**OFFICE OF THE LAND ACQUISITION COLLECTOR, DISTT. EAST
L.M BANDH, SHASTRI NAGAR, DELHI-31**

No.ADM/LAC (E)/LA/2008/131

Dated: 6-6-8

CORRIGENDUM

The undersigned has recently announced a Award of village Ghondli vide Award No.02/2008-09/East dated 13/05/2008 for the purpose of Community Facility in Azad Nagar & Shankar Nagar. The date of notified u/s 4, 6, & 17 may be read as **11/03/1980** instead of 11/03/2008 of Khasra No.688/152-165 of village Ghondli, as mentioned in para **True & Correct Area** of the above said Award at page 01.


**LAND ACQUISITION COLLECTOR
DISTT. EAST DELHI**