

Award No

12/92-93

Village : SADATPUR GUJRAN

Nature of Acquisition : Permanent

Purpose of Acquisition : P.D.D.

These proceedings relates to the acquisition of land u/s 11 of the Land Acquisition Act 1984 for the acquisition of 315 bigha 14 biswa of land of village SADATPUR GUJRAN. The land was notified under section 4 of Land Acquisition Act vide notification No.F.9(1)/89-L&B(i) dated 23.6.89 for public purpose, namely 'Planned Development of Delhi'. The land was notified u/s 6 & 17(i) of L.A.Act vide notification no.F.9(1)/89-L&B/LA(ii)(iii) on 29.6.90. In the pursuance of the aforesaid notification notices u/s 9 & 10 of the Act have been issued to all interested persons. The claims filed by them have been discussed under separate heading 'Claims&evidence'. The aforesaid notifications has already been published in the news paper.

MEASUREMENT & TRUE AREA:

The acquisition field staff measured the land under acquisition at site alongwith D.O.A. staff and area was found to be correct. As this land of village SADATPUR GUJR-AN falls in Yamuna river bed it has been classified as flooded land. The details of the land under acquisition are as under:

<u>Khasra No.</u>	<u>Area</u>	<u>Classification of land</u>
186/1	0-4	Flooded land
189/1	0-2	-do-
190/1	1-6	-do-
190/2	2-15	-do-
191/2	2-13	-do-
193/2	2-7	-do-
194	3-12	-do-
195	1-15	-do-
196	1-10	-do-

197	1-12	Flooded land
198	1-1	-do-
199	1-9	-do-
200	1-12	-do-
202/1	3-12	-do-
203/1	0-10	-do-
222/1	10-4	-do-
223	1-9	-do-
224	11-9	-do-
225	8-12	-do-
226/1	3-18	-do-
227/1	1-8	-do-
228/1	1-8	-do-
271	9-13	-do-
270/1	6-2 ✓	-do-
272/1	5-3	-do-
316/1	0-1	-do-
319/1	0-4	-do-
320/1	0-8	-do-
321/1	0-6	-do-
329/1	1-7	-do-
332/1	3-3	-do-
333	4-0	-do-
334	2-18	-do-
335	21-19	-do-
336	4-0	-do-
337	7-17	-do-
338/1	1-7	-do-
339/1	1-13	-do-
341/1	8-13	-do-
342/1	8-8	-do-
343	3-3	-do-
344	3-1	-do-
345	3-9	-do-
346	5-13	-do-
347	0-4	-do-
348	11-0	-do-
349	11-3	-do-

		Flooded land
350	11-3	
351	3-19	-do-
352	4-12	-do-
353	4-1	-do-
354	4-4	-do-
355	6-4	-do-
356	4-11	-do-
357/1	0-5	-do-
358	4-6	-do-
359	4-16	-do-
360	7-11	-do-
361	6-14	-do-
362	5-8	-do-
363	10-18	-do-
364	3-5	-do-
365	5-3	-do-
366	3-7	-do-
367	3-18	-do-
368	3-3	-do-
369	1-2	-do-
370	1-7	-do-
371	2-16	-do-
372	2-2	-do-
373	0-10	-do-
374	0-8	-do-
375	1-16	-do-
376	4-14	-do-
377	3-3	-do-
378	1-12	-do-
379	0-12	-do-
380	2-4	-do-
381	3-2	-do-
382	2-15	-do-
383	0-16	-do-

Claims & Evidence

No claims has been filed by any person.

The market value of land under acquisition is to be determined with reference to the date of preliminary notification u/s 4 which is in this case is 23.6.89 and to arrive at the correct and fair market value of land, the locality of the site, quality and other uses of the land and availability of civic amenities ought to be considered.

The help of sale transaction within or in the vicinity of the land or any award announced in the near past from the date of notification u/s 4 also could be taken into consideration for assessing the correct and reasonable market value of the land, but incidentally no sale transaction or award of similar or identical nature took place on or before the date of notification u/s 4. Moreover no evidence has been filed by any person which could be considered as guiding factor for assessing the true and fair market value of land under question.

Delhi Administration vide order No.F.9(20)/80-L&B/4313-16 dated 3.5.1990 had conveyed the decision of the Administration regarding fixation of minimum price of agricultural land which have to be taken into consideration by the Land Acquisition Collector for payment of compensation and would apply in all cases where land has been notified under section 4 of Land Acquisition Act after 27.4.90. For the land notified in the previous years under section 4, the minimum price would be that for the year in which notification under section 4 has been issued arrived at by discounting 1990 price by 15% per annum. Vide the said order No.F.9(20)/80-L&B/4313-16 dated 3.5.1990, the minimum amount of compensation has been fixed for the land situated in the river bed at Rs.1.5 lacs per acre.. This policy decision of Administration has come into force with effect from 27.4.1990 and in this case notification under section 4 was issued on 23.6.1989. Hence, in view of the guidelines conveyed by the Administration for discounting the rates in regarding to notification issued prior to 1990, at the rate of 15% per annum on this price of Rs. 1.5 lacs per acre, after working out the pre-date discount of compensation works out to Rs. 27,344 per bigha i.e. Rs. 1,31,251-00 per acre. Therefore, I assess the true and fair market value of the land as per policy at Rs. 27,344/- per bigha and award accordingly.

#### Other Compensation

#### Solatum

The interested persons are entitled to get the solatium @ 30% on the market value of the land according to the amended act, 1984.

Addl. Amount

The interested persons are entitled to get the addl. amount @ 12% per annum on the market value of the land from the date of notification i.e. 23.6.89 till the date of award i.e. 19.6.92 i.e. 2 years 352 days.

Structures

Out of the total area of 315 bigha 14 biswa, 80% of area is built up which was built up after the date of notification u/s 4 i.e. 23.6.89. Therefore no compensation is being assessed for the same.

Summary of the award

1	Market value of the land measuring 315 bigha 14 biswa @27,344/- per bigha	Rs. 86,32,500-80 p
2.	30% solatium on the market value	Rs. 25,89,750-24 p
3.	Addl. amount @ 12% per annum payable u/s 23(1-A) from 23.6.89 to 19.6.92 i.e. for 2 years 352 days (i.e. 1092 days)	Rs. 30,99,186-04 p
TOTAL		Rs.1,43,21,437-08 p

(Rupees One crore forty three lacs twenty one thousand four hundred thirty seven and paise eight only)

*Mathur*  
(M.P. MATHUR)  
LAND ACQUISITION COLLECTOR (DS)  
DELHI

SECRETARY (REVENUE)

*Approved*

*Naifayaseela*

*15/6/92*

*Announced  
Open Court*

*Mathur*  
*15/6/92*

NT.

Notices u/s

*12(2) be issued.*

*Mathur*  
*15/6/92*