

IN THE OFFICE OF SH. TEJDEEP SINGH SAINI, PCS,
COLLECTOR LAND ACQUISITION, U.T., CHANDIGARH.

AWARD NO.616

DATED: 13/01/2022

Village Kishangarh,

Rate Per Acre Rs. 1,48,15,210/-

Mani Majra 3.72 Acres

ACQUISITION PURPOSE: "Construction of Govt Model High School, Community Centre and Tubewell".

TOTAL AMOUNT: **RS. 12,51,86,355/-**


The Chandigarh Administration, Land Acquisition Branch is going to pronounced the Award for the purpose "Construction of Govt Model School, Community Centre and Tubewell" land measuring 3.72 Acres bearing Khasra no. 11//21/2, 22/2, 23/1/2, 20//1, 2, 3/1, 8/2, 9 Total 29 Kanal-15 Marla in village Kishangarh, Manimajra, Hadbast No.375, District & Tehsil Chandigarh. Notification U/S 4(1) of "*The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013*" was issued vide notification no. 41/8/258/UTFI(5)-2018/15612 dated 08.10.2018 to conduct Social Impact Assessment Study. The substance of the notification was published in Govt. Gazette dated 08.10.2018 and three daily newspapers i.e. 'The Tribune'(English), 'Amar Ujala'(Hindi), & 'Ajit'(Punjabi) on dated 10.10.2018. The Social Impact Assessment Study was conducted by the Punjab University, Chandigarh and further examined by the Expert Group constituted by the Chandigarh Administration.

The Chandigarh Administration has examined and approved the recommendations of the Expert Group. Thereafter a notification under section 11 of "*The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013*" was published in Official Gazette on dated 11.12.2019 vide notification No.41/8/258-UTFI(5)-2019/19922 issued on 11.12.2019 and According to this notification 3.72 acres of land in village Kishangarh Manimajra, Hadbast No. 375 has been proposed for acquisition. The substance of the notification was published in three daily newspapers i.e. 'The Tribune', 'Spokesman' & 'Amar Ujala on dated 14.12.2019 Govt. Gazette dated

11.12.2019. In this regard, the Rapat is noted in "Roznamcha" of "Patwari Halka" Mani Majra, vide Rapat No. 126 dated 03.01.2020. No objection U/s 15(1) has been filed by the land owners. However report regarding hearing of objections has also been sent to the Administration on 19.06.2020. After the expiry of required time given for objections, declaration has been made under section 19 of the Act, *ibid.* vide Notification no. 41/8/258-UTFI(5)-2021/554 dated 14.01.2021, which has been published in official gazette on dated 14.01.2021. The substance of the same was published in three daily newspapers, "Indian Express", "Punjab Kesri" & "Punjabi Jagran", on dated 15.01.2021. In this regard the Rapat is noted in "Rapat Roznamcha" of "Patwari Halka" of Village Mani Majra vide Rapat No. 53 Dated 10.10.2019. Under this notification a total of 3.72 Acres of land has been notified of village Kishangarh, Mani Majra, U.T., Chandigarh. Therefore, in view of the above calculation the compensation of 3.72 acres is to be made.

TYPE OF LAND

According to the report of field staff, the availability of Jamabandi pertaining to Village Kishangarh, Mani Majra is for the year 2016-17. The type of land of the village is Private and compensation is given on same rate. Therefore the compensation amount has been decided under section 26 of "*the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013*". No structure was existing on the land which is to be acquired.



Individual notices were issued to land owner under section 21 of "*The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013*", to get their views on measurement of land and price of their land. The claims were heard on 05th May 2021. At the time of hearing of claims, land owners assembled and submitted written request demanding Rs. 25 Crore per acre alongwith interest @12% per annum as compensation. After considering the claims, it was conveyed to the land owners that they should submit the documentary proof with respect to their claim. But, they did not submitted any documentary proof in this regard. Hence the claims were not on the basis of any relevant documentary proof, but simply oral which cannot be

relied upon. The compensation of their land is to be calculated on market rate as per section 26 of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The land has been acquired as per planning and compensation paid under the Act. As far as the dispute in area or share is concerned, that will be disposed off under section 76 and 77(2) of the Act. Therefore, the objections raised by land owners are not viable. Their objections were recorded at department level.

DETERMINATION OF MARKET RATE

The determination of market rate is done as per provisions of section 26 of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013", which is as follows:

The Collector shall adopt the following criteria in assessing and determining the market value of the land, namely:-

- (a) The market value, if any, specified in the Indian Stamp Act, 1899 for the registration of sale deeds or agreements to sell, as the case may be, in the area, where the land is situated; or
- (b) The average sale price for similar type of land situated in the nearest village or nearest vicinity area; or
- (c) Consented amount of compensation as agreed upon under sub-section (2) of section 2 in case of acquisition of lands for private companies or for public private partnership projects,

WHICHEVER IS HIGHER

Provided that the date for determination of market value shall be the date on which the notification has been issued under section 11.

Explanation 1 – The average sale price referred to in clause (b) shall be determined taking into account the sale deeds or the agreements to sell registered for similar type of area in the near village or near vicinity area during immediately preceding three years of the year in which such acquisition of land is proposed to be made.

Explanation 2 – For determining the average sale price referred to in Explanation 1, one-half of the total number of sale deeds or the

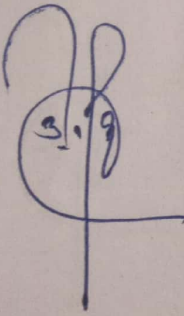
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agreements to sell in which the highest sale price has been mentioned shall be taken into account.

Explanation 3 – While determining the market value under this section and the average sale price referred to in Explanation 1 or Explanation 2, any price paid as compensation for land acquired under the provisions of this Act on an earlier occasion in the district shall not be taken into consideration.

Explanation 4 – While determining the market value under this section and the average sale price referred to in Explanation 1 or Explanation 2, any price paid, which in the opinion of the Collector is not indicative of actual prevailing market value may be discounted for the purposes of calculating market value.

The average sale price is calculated after taking the average of 50 % higher sale deeds of the same village i.e. Kishangarh, Manimajra, Hadbast No. 375, U.T., Chandigarh. The average sale price worked out to be Rs. 1,48,15,210/- per acre. This average sale price is higher than the Collector Rate i.e. Rs. 1,15,50,000/- per acre fixed for execution of sale deeds of agricultural land in all U.T. Villages by the Chandigarh Administration. So, the average sale price i.e. Rs. 1,48,15,210/- per acre shall be taken on account for acquisition of land in Village Kishangarh, Manimajra, U.T., Chandigarh only.

 Provisions of various sub-section of 26 has been examined meticulously and it is noted that average sale price of village Kishangarh, Mani Majra is representative of market value of the land proposed for acquisition. Therefore, it is proposed to approve Rs. 1,48,15,210/- per acre for village Kishangarh, Mani Majra for the purpose of calculation of award.

The market value calculated as per sub section (1) shall be multiplied by a factor to be specified in the First Schedule. Vide notification dated 30.11.2018, total area of revenue estate of Kishangarh including area under Abadi Deh has been included in the Municipal Corporation, Chandigarh. Factor by which the market value is to be multiplied in case of urban area is one.

This rate have been approved by the Administrator, Chandigarh Administration vide letter no. 41/8/258-UTFI(5)-2022/549 dated 12.01.2022.

STRUCTURE & TREES

No structure or tree etc. found on the land which is to be acquired.

PROCESS OF PAYMENT OF COMPENSATION:-

The land owners will get the compensation as per ownership recorded in Jamabandi along with sanctioned mutations (Intkal). The land owners will get the compensation as per their share of land. If there is any loan on the acquired land the compensation amount will be paid to land owner after deducting the loan amount. If there is any dispute against the compensation of acquired land then the case will be send to the Rehabilitation and Resettlement Authority for settlement of dispute under section 76 of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013". Any unpaid compensation amount will be deposit in the account of the Hon'ble Reference Court under section 77 (2) of "The Right to fair compensation and transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" and no interest will be paid on above said amount.

NECESSARY LAND ACQUISITION BENEFITS

The land owners get the necessary benefits and compensation of land as per the provisions of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013". The compensation of acquired land is as follows:-

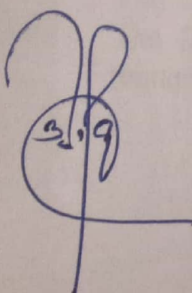
LAND COMPENSATION

Village Name	Total Land (in Acres)	Compensation (Per Acre)	100% Solatium	@12 % A.P. from 11.12.2019 to 13.01.2022 (765 days)	Total (Per Acre Compensation 3+4+5)	Total Compensation
1	2	3	4	5	6	7
Kishangarh Manimajra	3.72	1,48,15,210/-	1,48,15,210/-	37,26,127/-	3,33,56,547/-	12,40,86,355/-

The award of Rehabilitation and Resettlement had also been announced with the award of compensation of land under section 31 of "The Right to Fair Compensation and transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013". As per the scheme, the land owners will get the benefit of one time subsistence allowance as the affected families. This amount will only be paid to the land owners covered under section 31 of "The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013". The details are already mentioned in para 3 under Notification of section 19 of the RFCTLARR Act, 2013. It has been reproduced as follows:

"Whereas, Commissioner, Rehabilitation and Resettlement has approved the Rehabilitation and Resettlement Scheme on dated 22.03.2019 and forwarded the said report to be made available to the public & uploaded on the website under the Act. The summary of Rehabilitation and Resettlement Scheme includes benefits such as choice of annuity i.e. one time payment of Rs 5,00,000/- (Lump Sum) to each affected family, one time Resettlement Allowance of Rs 50,000/- (Lump sum) and stamp duty registration fee shall be borne by the requiring body.

As per calculation made for affected families R & R is given as under:-



Sr. No	NAME OF VILLAGE	AFFECTED FAMILIES	TOTAL R & R AMOUNT INCLUDING CHOICE OF ANNUITY AND ONE TIME RESETTLEMENT ALLOWANCES @ Rs. 5,50,000/- (IN RS.)
1.	Kishangarh, Mani Majra	2	11,00,000/-
		Total	11,00,000/-

GRAND TOTAL Rs. 12,51,86,355/-

DATE OF POSSESSION:-

I, hereby tender compensation to the land owners under section 26 of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013" and order to take the possession of the land notified in the declaration under section 19 of

the act. From today onwards, the ownership of the land free from all encumbrances vests with the Engineering Department, U.T., Chandigarh.

LAND REVENUE AND FEE ON THE LAND

The land which has been acquired is free from land revenue. From today onwards, the ownership of the land of 3.72 acres of Village Kishangarh, Mani Majra is free from all encumbrances, vests with the Engineering Department, U.T., Chandigarh.

The award has been announced on dated **13th JANUARY 2022** at **11:00 A.M.** in the presence of landowners present in the office. Notices to the absentees will be issued under section 37(2) of "*The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013.*"

- Sd -

**LAND ACQUISITION COLLECTOR,
U.T., CHANDIGARH.**

Endst. no. **728**

/LAO/2022

Dated:- **13/01/2022**

A copy is forwarded to the following for information and further perusal in the matter please.

1. The Secretary Estates, Chandigarh Administration.
2. The Chief Engineer, UT, Chandigarh
3. The Chief Architect, Department of Urban Planning, Chandigarh
4. The Director of School Education, Chandigarh.
5. The Accountant General Audit, UT, Chandigarh.
6. The Tehsildar Revenue, UT, Chandigarh.
- ✓ 7. The Director, Information Technology Department, Chandigarh with a request to upload this award on the website of Chandigarh Administration.

**LAND ACQUISITION COLLECTOR,
U.T., CHANDIGARH**