

AWARD NO.

30/84-85

VILLAGE.

Chandrawali alias Shahdara

Nature of Acquisition. Permanent.

PURPOSE OF ACQUISITION PARK SITE IN SRI RAM NAGAR COLONY

These are proceedings for the determination of compensation u/s 11 of the LA Act, 1894. The land under acquisition is situated in village Chandrawali alias Shahdara was notified under section 4 of the LA Act vide notification No. F.8(56)/76-L&B(i) dt. 7.2.34 and read with notification made u/s 6&17 as No. F.8(56)/76-L&B (ii) dt. 7.2.34 and F.8(56)/76-L&B(iii) dt. 7.2.34. for a public purpose namely for park site in Sri Ram Nagar colony. Since section 17 of the LA Act was invoked. The physical possession of the land measuring 17 biswas was taken on 15.3.34. In pursuance of the aforesaid notification notices u/s 9(1) and 9(2) and 10 were issued to all persons interested in the land and claims filed by them are discussed hereinafter under the heading 'Compensation of Claims'

TRUE AND CORRECT AREA.

The land measuring 19 biswas was notified u/s 4, 6 and 17 vide above mentioned notification. The land under ~~acquisition~~ acquisition was measured and area found available at spot is as under:-

<u>Kh.No</u>	<u>Area.</u>	<u>Classification of land.</u>
1830/400	0-07	G.M. Abadi park.
1833/400	0-03	-do-
1831/400 -		
3951/1837/400 -	0-07	.do-
1826/400		
1829/400		
3952/1837/400		
13/1		
1831/400		
3951/1837/400		
1826/400		
1829/400	0-02	-do-
3952/1837/400		
13/2		
	0-19 biswa	

p...

In kh. nos 1831/400, 3951/1837/400, 1826/400, 1829/400, 3952/1837/400 measuring 13/2

measuring 2 biswas, there is small temple measuring 9 sq. yard in the corner of said park. At present, the land measuring 9 sq. yard, comprising of temple is being left out from this award which will be acquired later on through supplementary award on the receipt of direction from L&B Deptt. Delhi Administration. The present acquisition proceeding is confined to an area measuring ~~under~~ 19 Biwas less 9 sq. yds. i.e. about 941 sq. yds.

COMPENSATION CLAIMS.

The following persons have filed their claims as under:-

<u>S.No.</u>	<u>Name of persons</u>	<u>Compensation claims.</u>
1.	Sh. Ram Lal Girish s/o St. Mahavir Prasad r/o 1/284 Sri Ram Nagar.	Claimed one lakh for land 15% solatium, 8% interest and Rs.10,000/- for structures, on Khasra No. 1831/400/13/2M. (O-2Bis) & 1834/400.
2.	M/s Sri Ram Sarvaria & sons Ld.	Rs.1,000/- per sq. yard for land, solatium, Interest and damages from the date of taking over possession, for the whole land under acquisition.

DOCUMENTARY EVIDENCE

NIL

MARKET VALUE

The market value of the land has to be determined with reference to the price prevailing as at the date of preliminary notification u/s 4. The market value means the price that would be paid by a willing purchaser to a willing seller where both are actuated by business principles prevalent at the time in one locality. The price, therefore, paid for comparable properties in the neighbourhood are the usual evidence as to the market value.

The land under acquisition is situated on the right side of Grand Trunk Road (From Delhi to Gaziabad) This small piece of land is situated in residential colony known as Sri Ram Nagar which is regularised by MCD.

As stated earlier, the market value of the land under acquisition is to be assessed as on 7.2.1934. To arrive at fair and
....3/-

125

-: 3 :-

correct market value of the land, we have to take guidance from sale transaction taken place in the locality or nearby localities. The enquiries were made in the office of Tehsildar Delhi and Sub Registrar IV Krishan Nagar Delhi as regard to sale deeds taken place in the locality i.e. Sri Ram Nagar. The details of which are as under:-

S.No.	Sale deed No.	Date of Registration.	Mutation No.	Kh.No.	Area	consideration.
1.	346	21-2-80	7701	126/401/2	(0-3)	Rs.100000/-
2.	1485	8-6.82	7724	1831/etc./400/22/1	(0-1)	Rs. 10000/-
3.	1484	8.6.82	7725	1831 etc/400/17	33 sq.yds.	Rs.7200/-
4.	2261	30-9.82	7726	1831etc/400/18/1	16 sq.yds.	Rs.4500/-
5.	2269	30.9.82	7727	1831/etc./400/18/2	14 sq.yds.	Rs.4000/-

The above sale deeds are near to or within close vicinity of the land under acquisition. These sale deeds are executed for land and building appeared there and the consideration money includes the cost of land and building. The quality of these structures are not of good grade. Hence it cannot fetch any higher remuneration than awarded at present. It can safely be presumed that 50% to 60% from the part of consideration money as to costs of structure. As discussed earlier, the said colony is regularised one from MCD. After taking into consideration of cost of structure in these sale transaction, the market rate for the land comes to Rs.100/- to 125/- per sq.yds. But these lands were in small pieces and do not reflect the correct market value. From the above discussion and facts transpired from spot, I am of the opinion that Rs.80/- per sq.yds. for land is quite fair and reasonable after giving due consideration with regard to time factor and I award Rs.80000/- per bigha accordingly.

STRUCTURE There is tin shed on kh. no.

1831/400, 3951/400, 1837/400, 1826/400, 1829/400, 3952/1837/400
13 1/2 min.

measuring 2 Biswa which was raised after the date of notification u/s 4. There is no entry in the revenue record. Hence no compensation is assessed.

INTEREST U/S 34.

Since section 17 was invoked, the physical possession of land measuring 17 biswa () was taken ^{over} on 15.3.84. Interm of sect.. 34, Interest is payable @ 6% on the compensation awarded from 15.3.84 to date of tendering payment.

15% solatium

15% as solatium will be paid over and above the market value of the land so assessed.

APPORTIONMENT

Compensation will be paid on the basis of the latest entries in the revenue record. In case of dispute not amicably settled within reasonable time, compensation will be referred to the court of ADJ Delhi u/s 30-31 of the said Act.

LAND REVENUE

The land under acquisition is assessed to Rs.0-20 paise as land revenue which is deductible from the rent roll of the village from the date of possession.

The aforesaid land vest absolutely free from all encumbrance from the date of possession. As per the latest amended L.A. Act 1984, Supplementary award will be announced later on.

SUMMARY OF AWARD.

- | | |
|---|-----------------|
| 1. Compensation for land measuring 19 Biswas less 9 Sq. yard. i.e. about 941 sq. yds. @ Rs.30000/- per bigha | Rs.75,280-00 p. |
| 2. 15% Solatium | Rs.11,292-00 |
| 3. Interest u/s 34 from 15-3-84 to 12-3-84 on Rs.73200/- for land measuring 17 biswas (Rs.63000/- + Rs.10200/-) | Rs.1928-21 |
| GRAND TOTAL | Rs.88,500-21 |

(rupees eighty eight thousand five hundred and paise twenty one only)

(G.C.PILLAI) *m/j/85*
LAND ACQUISITION COLLECTOR(DS):DELHI.