

A W A R D NO. 91/72-73.

Name of the village: Razapur Khurd
Nature of acquisition: Permanent
Purpose of acquisition: Widening of Najafgarh Drain

INTRODUCTION

Land measuring 20 bighas 17 biswas situated in village Razapur Khurd was notified for acquisition u/s 4, 6 & 17 of Land Acquisition Act simultaneously vide notification Nos. F.7(69)/70-L&B(i) dated 15.3.72, F.7(69)/70-L&B(ii) dated 15.3.72 & F.7(69)/70-L&B(iii) dated 15.3.72 respectively, for a public purpose namely 'Widening of Najafgarh Drain'. Since the aforesaid notifications were issued on the basis of Khasra numbers existing before the consolidation of holdings in this village, a corrigendum was issued vide notification No. F.7(69)/70-L&H dated 12.10.72 for 22 bighas 8 biswas. Notice u/s 9(1), 9(3) & 10 were issued to the known interested persons most of whom have responded by filing their claims.

TRUE & CORRECT AREA

According to the above mentioned corrigendum of notification u/s 4 & 6 the area is 22 bighas 8 biswas but according to the actual measurement done by the field staff u/s 8 the area comes to 23 bighas 6 biswas which is held to be correct. The details of the land under acquisition are given below:-

<u>Kh.No.</u>	<u>Area</u> BIG.-BIS.	<u>Kind of land</u>
1/23/1	1-9	Chahi
3/2/1	1-13	Barauni
3/10/2	1-16	-do-
3/11/2	0- 5	Chahi Chahi
4/15/2	0- 6	Chahi
4/16/2	0-12	-do-
4/17/1/2	0-6	-do-
4/17/2/1	0-5	-do-
4/24/1/2	0-16	Barauni

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6/3/2	0-13	Barauni
6/9/2	1-0	-do-
6/11/2	0-16	-do-
5/16/1/2	0-8	-do-
5/16/2/2	0-6	Chahi
5/17/1/2	0-6	Barauni
5/17/2/2	0-4	Barauni
5/23/2	1-4	-do-
5/24/1	0-1	Chahi
14/2/2	1-13	Barauni
14/9/1/2	0-13	-do-
14/9/2/2	0-3	-do-
14/11/2	0-19	-do-
14/20/2	0-19	-do-
14/21/1/2	0-11	-do-
14/21/2/2	0-5	-do-
15/1/2	0-15	-do-
15/10/2	0-14	-do-
15/11/2	0-15	-do-
15/20/2	0-15	-do-
15/21/2	0-16	-do-
30/1	0-3	Rasta
23/1/2	1-3	Barauni
23/10/1	0-16	-do-

Total	23-06
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CLASSIFICATION OF LAND

<u>Kind of land</u>	<u>Area</u> big-bis
Chahi	3-10
Barauni	19-13
Rasta	0-03

The following claims have been filed:

<u>Sr.No.</u>	<u>Name of the claimant</u>	<u>Kh.No.</u>	<u>Amount claimed</u>
1.	Sh.Raj Narain s/o Umrao Singh	14/20, 14/21/1 <i>mu</i>	Rs. 3500/- per bigha

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2.	Daya Nand s/o Umrao Singh	14/20, 21/1	Nil
3.	Kashi Ram s/o Umrao Singh	-do-	Rs. 3500/- per bigha
4.	Smt. Attar Kali wd/o Mir Singh	14/9/2, 11	-do-
5.	Sh. Sahi Ram s/o Ram Chand	5/24	Rs. 4000/- per bigha
6.	Smt. Permeshwari wd/o Munshi Ram	5/16/2	-do-
7.	Jia, Lal, Chatter Singh, Murari Lal, Chotu Ram, ss/o Gopal Singh, Smt. Attar Kali wd/o Ho Ram, Naresh Kumar, Yogesh Kumar, sons & Smt. Suresh Kumari, Prem Wati, Bimla Devi, Satya Wati, Usha Kumari, Punam Rani, daughters of Shri Ratan Singh.	14/21/2 15/1, 10	-do-
8.	Imrat s/o Ganga Sahe	4/17/1, 24/1/2	Rs. 12/- per sq.yd.
9.	Ram Chander , Hari Ram sons of Nanak	1/23	Rs. 12000/- per bighe.
10.	Smt. Ram Piari wd/o Ram Sarup, Mantmaneshwar s/o Ram Sarup	6/3	Rs. 5000/- per bigha.
11.	Ramesh s/o Fateh Singh.	6/9/2	-do-
12.	Sahar Ram s/o Ram Saren	23/1, 10	-do-
13.	Daya Nand s/o Ram Chand	-do-	-do-
14.	Risal Singh s/o Ramji Lal	-do-	-do-
15.	Jai Ram s/o Budha	15/11, 20, 23/1, 10	-do-
16.	Tara Chand s/o Niader Singh	3/2, 10/2, 5/17, 4/17/2	Rs. 10,000/- per bigha
17.	-do-	14/9/1, 5/17/2, 14/2, 5/23 <i>he</i>	-do-

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18. Sh.Ved Parkash , 3/11,4/15, Rs. 20/- per sq.yd
Je Raj Singh, 16
Mahinder Singh ,
~~Ram Kishan~~ sons
of Raghbir Singh ,
Herbans Singh, Ram Kishan
Balwant Singh, Ram Singh
Roop Ram , Jagat Singh
sons of Dewan Singh
19. Tandi Ram s/o 15/21 Rs. 5000/- per bigha.
Kanhaya Lal
20. Ram Bal , Ram Pal, -do- Rs. 12/- per sq.yd
Jai Pal sons of
Tula Ram

EVIDENCE

Shri Kashi Ram has filed extract of Khatauni for 1969-70 village Razapur Khurd. Shri Raj Narain has also filed extract of Khatauni for 1969-70 village Razapur Khurd. Shri Ram Bal & others have filed attested copy of sale deed dated 30.11.72 about sale of land measuring 6 bighas 1 biswas for Rs. 12,000/- in this village, a copy of award No. 50/72-73 of village Hastal.

MARKET VALUE

The market value of the land under acquisition is to be assessed with reference to the date of notification u/s 4 i.e. 15.3.72. Sale transactions of land in that village and awards in respect of similar land on or about the date of notification u/s 4 are to be taken into consideration while determining the market value of the land under acquisition.

The evidence filed by the claimants has also to be looked into. The sale deed filed by Shri Ram Bal & others as mentioned under the head evidence is of no help in the determination of market value on the material date as the sale deed in question was executed about 8 months after the material date. Award No. 50/72-73 of village Hastal can be looked into only when no evidence is available regarding sale of similar land in this village around the material date.

There is only one award No. 1099 for land in this village notified u/s 4 on 20th June, 1960 in which the Land Acquisition Collector awarded Rs. 300/- per bigha for Chahi land and Rs. 250/- for Selab land. This award cannot be of any help as the above rates were fixed about 12 years prior to the material date.

The following sale transaction in this village is reported to be the nearest to the date of notification u/s 4 in the present case:

Sale deed No. with date	Kh.No.	Area	Consideration big-bis money	Rate per bigha
498 20.1.71	12/22/2, 17/2/ 17/9, 17/12/1	15-3	Rs. 30,000/-	Rs. 1982/-

The land involved in the above sale transaction is Chahi. I consider fair & reasonable to base the market value of land under present acquisition on this sale transaction. Since this sale was effected about one year before the material date, I allow 5 % for the increase in the value of land during this period. The rate therefore comes to Rs. 2081/- per bigha on the material date. I, therefore, fix the market value of Chahi land measuring 3 bigha 10 biswas at the rate of Rs. 2100/- per bigha. 19 bighas 13 biswas of land under acquisition is Barauni and is inferior to Chahi land. I, therefore, consider fair & reasonable to fix the market value of this class of land at the rate of Rs. 1600/- per bigha and allow the same. 3 biswas of land in Kh.No. 30/1 is recorded as Rasta in the ownership of Gaon Sabha Razapur Khurd. No compensation is therefore assessed in this land as it is a public thorough fare.

OTHER COMPENSATION

There is no well/^{tree} or structure on the land under acquisition. xxxxxxxx

15 % SOLATIUM

A sum of 15 % solatium will be paid on

account of compulsory nature of acquisition as provided
u/s 23(2) of the Land Acquisition Act.

INTEREST

As possession over the land under acquisition
has not yet been taken the question of interest does not
therefore arise.

APPORTIONMENT

The compensation will be paid according to the
latest entries in the revenue record. In case of dispute
which is not settled between the interested persons
within a reasonable time the amount of compensation
will be sent to the Court of A.D.J., Delhi for adjudication.

SUMMARY OF THE AWARD

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| 1. Market value of land
measuring 3 bighas 10 biswas
@ Rs. 2100/- per bigha. | Rs. 7,350-00 |
| 2. Market value of land
measuring 19 bighas 13 biswas
@ Rs. 1600/- per bigha | Rs. 31,440-00 |
| 3. Market value of land measuring
0-3 biswas being Gair Mumkin
Rasta. | Nil |
| 4. 15 % solatium on the market
value of land. | Rs. 5,818-50 |

GRAND TOTAL: - Rs. 44,608-50

LAND REVENUE

The land is assessed to land revenue of
Rs. 8.71 which will be deducted from the rent ^{roll} of
the village from the date of taking over possession of
the land.

Compared
P. K. S. Rao
NT(LA)

P. K. S. Rao
(B.M.L. GAUMAT). 16.2.73
LAND ACQUISITION COLLECTOR (DS): DELHI

Announced & filed today

P. K. S. Rao
16.2.73
LA (DS)