

AWARD NO. 24/88-89

NAME OF THE VILLAGE: BADU SARAI
 NATURE OF ACQUISITION: PERMANENT
 PURPOSE OF ACQUISITION: INCREASING THE CAPACITY
 OF NAJAFGARH DRAIN

These are the proceedings of determination of compensation U/s 11 of the Land Acquisition Act, 1894. The land under Acquisition measuring 104-00 Bigha situated in village Badu Sarai was notified U/s 4 vide notification No.F7(10)/83 L&B dated 24-9-87 and U/s 6 vide notification no.F7(10)/83 L&B (II) dated 29-9-87 and U/s 17 of the L.A. Act vide notification no.F7(10)83 L&B (III) dated 29.9.97 for a public purpose namely for increasing the capacity of Najafgarh drain. In pursuance of the aforesaid notification U/s 9 & 10 of the L.A. Act were issued to the interested persons for inviting their claims. The claims received from the interested persons are discussed under the heading "Claims for Compensation".

TRUE & CORRECT AREA

The land was measured and surveyed on the spot. The area found available at the spot is 104-00 bighas.

DETAILS OF KH.NO. & AREA

<u>KH.NO.</u>	<u>AREA</u>	<u>KIND OF SOIL</u>
20/8/2	2-04	Abpash (irrigated)
20/9/2	0-18	"
20/11/2	3-16	"
20/12 Min	4-14	"
20/13 min	2-14	"
20/19/1 min	0-07	"
20/20 min	2-00	"
21/14/2	0-06	"
21/15/2	1-16	"
21/16 min	3-18	"
21/17/2	4-15	"
21/18/2	3-16	"
21/19/1/2	1-14	"
21/19/2/2	1-12	"
21/20/2	2-06	"
21/21/1 min	1-01	"
21/21/2	2-05	"
21/22 min	2-08	"
21/23 min	1-10	"

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22/16/2	1-10	Abpash (irrigated)
22/17/2	0-16	"
22/18/2	0-06	"
22/21/2/2	1-18.	"
22/21/1	1-06	"
22/22/1	2-14	"
22/2/2	1-06	"
22/23/1	1-05	"
22/23/2/2	3-08	"
22/24/1 min	2-00	"
22/24/2	2-14	"
22/25/1 min	2-00	"
22/25/2	2-02	"
23/24/2	1-14	"
23/25/2	2-02	"
30/6/1	1-01	"
30/6/2/2	0-18	"
31/2/2/2	0-13	"
31/2/2	1-00	"
31/3/1	3-02	"
31/3/2/2	0-14	"
31/4/1	1-04	"
31/4/2 min	3-09	"
31/5 min	3-10	"
31/7 min	0-04	"
31/8/1 min	1-04	"
31/8/2.	0-15	"
31/9/1	2-10	"
31/9/2 min	1-12	"
31/10/1	2-05	"
31/10/2/2	1-01	"
31/11/1	1-00	"
31/11/2 min	1-10	"
31/12 min	0-02	"
32/1 min	2-08	"
32/2/2 min	1-12	"
32/3/2 min	0-08	"
32/3/3 min	0-06	"
32/4/1 min	0-02	"
47/2 min	0-08	"
TOTAL	104-00	

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COMPENSATION CLAIM

The following persons have filed their claims for compensation

S.NO.	NAME OF CLAIMANTS	KH.NO.			CLAIM
1.	Sh. Saroop Singh S/o late Major Raghbir Singh	20/8/2 2-4 12 4-16 19/1 0-16 21/4/2 0-06 17/2 4-15	9/2 0-18 13 5-2 20 4-12 15/2 1-16 18/2 3-16	11/2 3-19 18/8 0-12 26 0-06 16 4-18 Total 388 4 Biswa	Rs.200/- p. 89. yds for the land
2.	Sh. Jagbir Singh, Ranbir Singh S/o Sh. Raghbir Sin.	Total land 31-4			-do-
3.	Smt. Vidya W/o Sh. Om Parkash	31/7 0-4 11/2 1-10	8/2 0-15 12 0-2	4/2 1-12 Total 4-03	-do-
4.	Sh. Sube Singh, Zile Singh S/o Sh. Budhu Ram	Total 1-4			-do-
5.	Sh. Narain Singh Ran Singh S/o Bhartu	23/21/2/2 Total 3-4	22/2/2		-do-
6.	Sh. Kundan Lal, Jai Ram S/o Sri Ram	21/19/1/2 Total 4-2			-do-
7.	Sh. Jai Lal S/o Het Ram	31/2/2 Total 11-5	3/1, 4/2 8/1, 9/1		-do-
8.	Sh. Ribal S/o Ganeja Sahai	22/23/1, 32/3/2 Total 1-14			-do-
9.	Sh. Roop Ram S/o Sh. Ganga Ram	22/22/1, 32/2/2, 3/3 Total 4-12			-do-
10.	Shera S/o Ganeshi Ribal Singh Saram Singh S/o Raghunath Het Ram S/o Moldha, Attar Singh S/o Surat Singh	Not mention			-do-

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1. Sh. Kishan Chand	22/24/1 25/2 32/4/1	Rs. 200/- p.s.yds. for the land
S/o Munshi Ram	Total 4-4	
2. Sh. Girvir S/o	22/21/1 31/5 32/1	-do-
Jai Ram Sh.	Total 7-4	
Ganga Ram		
Shanker S/o		
Sh. Jai Ram		
13. Sh. Shyam S/o	30/6, 31/10/1, 11/1	-do-
Maniraj	Total 4-06	
14. Paltu S/o Phoolu	Not mentioned	-do-
15. Sh. Mukhtiar	22/16/2, 17/2 18/2,	
Singh, Om Parkash	23/2/2 24/2, 25/1	-do-
S/o Sri Chand	11/8	
Bhagwan Singh		
Virender Singh,		
Satish, Vijay,		
Anil S/o Mange Ram		
16. Sh. Karam Singh	21/19/2/2	-do-
Charan Singh &	3-02	
others		
17. Smt. Saraswati	30/6/1 31/10/1 11/1 32/19/1	Compensation 4-6
Devi W/o Late	1-1 2-5 1-00 1-12	may be given
Sh. Ram Saran	32/22 32/23/1 37/2/1	1/2 allowed to Sh Sham & 3-4
Dass	4-16 2-1 0-18	Total 13-13 allowed to Smt Saraswati Devi

DOCUMENTARY EVIDENCE

No documentary evidence or proof has been filed by the claimants.

MARKET VALUE

The market value of the land under acquisition is to be determined with reference to the price of the land prevailing at the time of notification u/s 4 of the L.A. Act i.e. 29-9-87.

In assessing the market value of the land under acquisition on the material date, bonafide sale transactions of land parallel in all circumstances to the land under acquisition in the same village and also awards in respect of the similar kind of land made with reference to the date of notification u/s 4 are taken into account.

Relevant sales transactions available on record which have taken place and registered near the date of preliminary notification under Section 4 dated 29-9-87 have also been examined. The following sales transactions have been reported to have taken place of this village.

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S.NO.	REGD. NO. & DATE	AREA	AMOUNT
1.	10143/18-11-85	6-4	Rs.20,000/-
2.	10181/2-12-85	7-00	Rs.30,000/-
3.	10180/2-12-85	3-05	Rs.20,000/-
4.	10226/22-12-86	9-12	Rs.30,000/-
5.	10225/22-12-86	12-12	Rs.45,000/-
6.	10229/22-12-86	12-12	Rs.45,000/-
7.	2255/4-3-87	12-00	Rs.44,000/-
8.	2256/4-3-87	12-00	Rs.44,000/-
	<u>TOTAL</u>	<u>75-05</u>	<u>Rs.2,78,000/-</u>

From the above sales transactions the average price of per bigha of land in r/p transaction made in the year 85-86 is Rs.4260/- (Rupees Four Thousand Two Hundred and Sixty only) and the average price from the transactions made in the year 86-87 is Rs.3,540/- (Rupees Three Thousand Five Hundred and Forty Only). Evidently there is downward trend in the market price of the land as it is revealed from above transactions. The present land under Acquisition is parallel to the land under the award no.6/88-89 dated 30.9.88, in all circumstances. The market value in the award no.6/88-89 was assessed at Rs.4,000/- per bigha.

The gap of time between the dates of notification of present land and the land acquired by award no.6/88-89 is above year. I am of the opinion, therefore, that Rs.4,000/- per bigha will be the fair just and equitable market price in respect of this land under acquisition. I award accordingly.

S.NO.	D. of Notification	NAME OF VILLAGE
1.	13.1.81	Badu Sarai
2.	1.10.86	"

AWARD NO.	DATE	Rs2500/-P.F
12/84-85	dated 16.6.84	
6/88-89	30.9.88	
		Rs.4,000/-

OTHER COMPENSATION

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

SOLATUM

30% solatium shall be payable on the market value of the land on account of compulsory nature of Acquisition u/s 23(2) of the L.A. Act.

AMOUNT ADDITIONAL TO MARKET VALUE U/s 23(1-A)

As provided u/s 23(1-A) of the land Acquisition (Amendment) Act 1984 additional market value @ 12% p.a. on the market value of the land from the date of notification u/s 4 i.e. 24.9.87 to the date of possession 18-1-88 shall be admissible.

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BADU SARAI

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INTEREST

U/s 34 the interest @ 9% is payable for the period from the date of taking possession i.e. 18.1.88 to the expiry of one year i.e. 17.1.89 since no compensation has been paid to the interested persons till date.

Under the proviso of Sec.34 interest @ 15% will be payable from 18.1.89 to 15.6.89 i.e. the date of announcement of the award.

SUMMARY OF AWARD

1. The market value of the land measuring 104 bigha @ Rs.4,000/- p.b.	Rs.4,16,000.00
2. Well	-
3. 30% Solatium	Rs.1,24,800.00
4. Additional amount @ 12% p.a. w.e.f. 24.9.87 to 17.1.88 (116 days)	Rs. 15,864.99
5. Interest u/s 34 @ 9% p.a. w.e.f. 18.1.88 to 17.1.89 (1 year)	Rs. 48,672.00
6. Interest @ 15% from 18.1.89 to 15.6.89 (149 days)	Rs. 33,114.74
TOTAL	Rs.6,38,451.73

(RUPEES SIX LAKHS THIRTY EIGHTTHOUSAND FOUR HUNDRED FIFTY ONE AND PAISA SEVENTYTHREE ONLY)

U.S. Chauhan
(V.K.S. CHAUHAN)

LAND ACQUISITION COLLECTOR: DELHI
(PALAM SOUTH CIRCLE)

APPROVED

Shri 14/6/89

Announced in the open Court
in presence of persons who marked their
attendance
U.S. Chauhan
15/6/89