

AWARD No. 13/82-83

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NAME OF THE VILLAGE BAKAR GARH
NATURE OF ACQUISITION PERMANENT
PURPOSE OF ACQUISITION CONSTRUCTION OF MUNCHELA SUN
TRAIN.

These are proceedings for determination of compensation under section 11 of the Land Acquisition Act, 1894. The land measuring 64 Bighas 16 Biswas was notified u/s 4, 6 & 17 of the Land Acquisition Act vide notification No. F.7(6)/79-L&B(1) dated the 8th August, 1980 in village Bakar Garh. The land was required to be taken by the Govt. at the public expense for a public purpose namely for the construction of Munchela Sun Train.

MEASUREMENT AND TRUE AREA :- Necessary measurement was carried out by the field staff at spot and revenue record was also consulted. The area found to be correct 64 Bighas 16 Biswas. The details of khasra numbers, area and classification of land is as under :-

Khasra No.	Area	Kind of soil
7/13min	1-00	
18min	0-02	
19min	1-10	
22min	1-10	
8/2 min	1-10	
9min	1-10	
11min	1-09	
12min	Less than biswas	
20 min	1-10	
21min	1-10	
18/1min	1-09	
10min	0-19	
11min	0-14	
20/1min	0-01	
20/2min	0-01	
19/15	0-16	
16min	0-18	
25min	1-10	
20/5min	1-10	
6min	1-10	
14min	1-07	
15min	Less than biswas	
17min	1-10	
24min	1-10	
37/3	0-12	
4min	0-17	
7min	Less than biswas	
8min	1-10	
13min	1-10	
18min	1-06	
22	0-10	
23min	0-16	
39/2min	1-11	
9min	1-11	

72min
75min
79

0-03
0-02
13-01

Total

64-16

CLAIM AND EVIDENCE :-

Notices u/s 9 & 10 of the Land Acquisition Act were issued to the interested persons. The claims filed by them are as under :-

S.No.	Name of the claimant	Kh.No.	Area	Rate claimed.
1.	Sh. Munshi S/o Sh. Tek Chan' R/o Village Luckshar, Distt. Rohtak (Haryana)	7/19/2min 7/18/2	2-02 0-01	1. Rs. 35/- per sq. y. for both land permanent and Temporary Acquisition. 2. Interest & Solatium 3. Crops Damages Rs. 5000/- p.b. 4. Rs. 10,000/- for severance charges.
2.	Sh. Bhagwana & Haveri Ss/o Shri Suraj Mal R/o V. Lukshar, Distt. Rohtak (Haryana)	7/22min 8/2min 9/1 min	1-10 1-10 0-02	Rs. 3500/- P.B. for land 2. Interest & 15% solatium 3 & 4 as above
3.	Sh. Puli Chan' S/o Chuni Lal, Mehar Singh, Jagdish Balwan Singh all sons and L.Rs. of Shri Siri Chan' R/o V. Lukshar Distt. Rohtak, (Haryana)	7/13/3min 18/1min 19/1min	0-10 0-02 0-04	- 30-
4.	Sh. Sis Ram, Ram Mehar Ss/o Rig Ram R/o V. Lukshar Distt. Rohtak (Haryana)	20/14/2min 15/2min 7/1min 17/2min	0-12 - 0-13 0-15	- 30-
5.	Sh. Kanshi Ram S/o Neki Ram, Uke' Singh, Ram Chan'ar, Rohtash Ss/o Chan'an, Jai Pal, Ram Phal minor Ss/o Shri Chan'an through his gar'ian Sh. Uke' Singh R/o V. Lukshar.	7/22min 8/2min 9/1min	1-10 1-10 0-02	- 30-
6.	Sh. Charan Singh, Jag Moham Ss/o Risalo, Laxmi an' Phool Ss/o Bhartu Nihal Singh, Jai Singh Ss/o Chan'an R/o V. Lukshar	8/11min 12min 20min	1-09 - 1-10	- 30-
7.	Sh. Bhim Singh, Charan Singh Ss/o Gur'ial Singh Pyare through his L.Rs. Nai'ar Singh, Mahabir Singh, Rohtash Singh an' minor Attar Singh Ss/o Pyare R/o Vill. Lukshar.	7/23min 8/3/1	1-11 0-07	- 30-
8.	Sh. Hoshlar Singh S/o Bhai Ram R/o V. Lukshar	7/16/3min 19/3min	1-08 0-06	- 30-

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10. 1) Sh. Jit Singh S/o Thambu 72min 38/06 1. Rs. 100/- per sq. y² for lan²
Prahan Gaon Sabha of Vill. 75min
Bakargarh, Delhi. 79, 19, 19/15 2. Rs. 2000/- P.B. for
2) Sh. Ram Chan^{er} S/o Sh. 18/11 1-11 charges of crops.
Nai^{er} 20/1 3. Rs. 5000/- P.B. for re-
settlement an^d sevance
3) Manke & Mauji S/o Sh- 18/20/2 6-04 charges.
Kalumx 1/3r^d share 19/16/25 4. 12% interest &
20/5/6 15% Solatium
14/1 5. Rs. 10,000/- for the
15/1 cost of well.
4) Sh. Ran-Singh S/o Risal -'o- -'o-
5) Sh. Ran^{hir} S/o Partap 14/1 6-14
Singh 1/2 share 13/3
6) Sh. Narain^{utt} S/o -'o- -'o-
7) Nisar Singh S/o Walip 38/25 10-09
Singh 1/2 share 39/2/1
9
11
17
20
21
56/4
7-
8) Sh. Naryao Singh S/o -'o- -'o- -'o-
9) Sh. As^{le}, Khazan, Prithi 37/13 2-16
S/o Sh. Ramjas in equal 18
share.
10) Sh. Tale S/o Chhobu 18/10 0-19
14) Sh. Rati Ram S/o Ramjas 37/22
23
39/2/2 2-01
15) Sh. Maha Singh S/o 37/75 1-12
Gopal

Note:- Some of the claimants claim^e compensation for the well, if any, comes under the scheme an^d the compensation of temporary lan² which comes under the scheme will be given through separate file. In this file/awar^e compensation will be assesse^d of the lan² which is notified u/s 4, 6 & 17 of the Lan² Acquisition Act 'ate' 8.8.80 of village Bakar Garh.

11. Sh. Nafe Singh S/o Shri 56/13/1min 1) Rs. 15000/- P.B. for lan².
Kanhliya, Nai^{er} S/o Shera 18/3min 2) Interest & Solatium
Shera 23/1min 3) Rs. 10,000/- for well.
12. -'o- -'o- -'o-

DOCUMENTARY EVIDENCE :-

Shri Ran^{hir} S/o Shri Paratap Singh an^d Shri Jit Singh Prahan have file^d two photostat copy of Sale 'ee's' 'ate' 28.2.74 & 15.10.71 for a sum of Rs. 45000/- in respect of lan² measuring 10 Biswas in khas No. 1200 an^d for a sum of Rs. 4300/- for a lan² measuring 252 Sq. y²s in khasra No. 1617. Both these sale 'ee's' are more than 7 years ol^d an^d pertain to a nearby village Issapur. Besides this the other claimants have claim^e the compensation of lan² at different rates

MARKET VALUE :- Market value of the land under acquisition is to be assessed, keeping in view advantages and potentialities attached to the land and with reference to the price prevailing on or about the date of notification u/s 4 which in this case is 8.8.1980. The best evidence to consider the market value are the genuine sale deeds of land but there has been no sale-transactions in this village as per revenue record maintained in Tehsil. Thus in absence of sale deeds, I have considered the award given by the Land Acquisition Collector(P) in village Issapur @ Rs. 2400/- per bigha which was announced on 2.9.81. The land under acquisition is parallel to the award no. 10/81-82 and under the same notification and for the same scheme. Keeping this fact in view I determine the market value of the land @ Rs. 2400/- per bigha in this village.

OTHER COMPENSATION :-

CROPS :- At the time of possession there was no crops and trees were found on the land under acquisition.

INTEREST :- The possession of the land under acquisition was taken over u/s 17 of the L.A. Act 1894 on 5.11.1980. Therefore, interest @ 6% p.a. will be paid to the interested persons. w.e.f. 5.11.80 to the date of announcement of award.

LAND REVENUE :- The land under acquisition was assessed as land revenue to a sum of Rs. which was deducted from the rent roll of village Bakarganj w.e.f. Rabi, 1980.

APPORTIONMENT :- The compensation will be paid to the interested persons according to the latest entries in the revenue record. If there is any dispute, the amount be sent to the court u/s 30 & 31 of the L.A. Act for adjudication.

SUMMARY :-

The award is summarised as under :-

1. Market value of the land measuring 64 Bighas 15 Biswas @ Rs. 2400/- per bigha. Rs. 1,55,520.00
2. 15% solatium Rs. 23,328.00
3. Interest u/s 34 of the L.A. Act @ 6% p.a. w.e.f. 5.11.80 to 3.5.1982 (one year 186 days). Rs. 16,139.22

Total

Rs. 1,95,047.22