

Award No.

33/1971-72

Name of village : Begumpur.

Nature of acquisition : Permanent.

Purpose of acquisition: Extension of Kirari Suleman Nagar Drain.

AWARD:

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act. The land measuring 8 bis. situated in village Begumpur was notified u/s 4 read with section 17 and section 6 of the Land Acquisition Act vide notification No.F.7(56)/70-L&H(1), F.7(56)/70-L&H(111) and F.7(56)/70-L&H(11) respectively dated 19-2-1971 for a public purpose namely for extension of Kirari Suleman Nagar Drain. In pursuance of the aforesaid notifications notices u/ss 9 & 10 of the Land Acquisition Act were issued to all the persons interested in the land and claims filed by them are discussed hereafter under the heading 'compensation claims'.

True and correct area:

The land was measured on the spot by the Land Acquisition Field staff and the available area found at the spot is 8 biswas as notified.

Ownership:

The details of ownership, tenancy, area and kind of soil are as under:

<u>S.No.</u>	<u>Name of owner</u>	<u>Name of occupant</u>	<u>Kh.No.</u>	<u>Area</u>	<u>Kind of soil</u>
1.	Gaon Sabha	Self	12/16/2	0-08	Banjer

Compensation claims:

The following have filed their claims for compensation:

<u>S.No.</u>	<u>Name of the claimant</u>	<u>Kh.No.</u>	<u>Rate claimed</u>
1.	Gaon Sabha Begumpur through Hira Singh Pardhan.	-	Rs.5,000/- per bigha.

Market value:

In determining the market value of the land many factors enter into reckoning for instance size and shape of the land,

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its situation, the tenure, the uses to which it is put, its potential value and rise and fall of demand for the land. The best evidence available to prove what a willing purchaser would pay for the land under acquisition would be evidence of genuine sales effected about the time of notification for acquisition either in respect of land under acquisition or a portion thereof or the sales of the land precisely parallel in all circumstances to the land in question. If the evidence of sales of similar land or the awards of the court in the locality with similar advantages are available the market value can be fixed with reference to the price mentioned in them. In the absence of any reasonable evidence whatsoever from the side of the claimants efforts were made at this end to find out the parallel sale deeds in the village so as to evaluate the correct market value of the land. The records of the Sub Registrar's office reveal that the following sale transactions have been executed nearest to the material date:

S.No.	Sale deed No.	Date of Registration.	Consideration of money.	Average per bigha.
1.	9512	28-6-1967	Rs.300/-	Rs.1,500/-.
2.	13761	25-11-1967	Rs.1,000/-	Rs.2,000/-
3.	3839	3-8-1969	Rs.5,000/-	Rs.520.83

The sale deeds at serial No.1 & 2 do not bear any relevancy as the lands involved in these transactions are apparently for residential side which always fetch a high price. Further, the land involved in the sale deeds at serial no.1 abuts the Circular Road(Phirni) of the abadi, whereas the land under acquisition is about 500 yards away from the village abadi. The land of the sale transaction at serial No.1 has an edge over the land under acquisition. As such, this transaction is discarded.

The sale transaction at serial No.2 is about 350 sq. yds. from the abadi and is agricultural land. The land under acquisition is Banjar which is inferior to all other agricultural land; besides it is not similarly situated. This sale transaction

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tion is not worthy of consideration.

The land involved in the sale transaction at serial No.3 though at a greater distance(600 yds.) from the village abadi is agricultural land. But the land under acquisition is closer to the village abadi and as such has an edge over the sale transaction at serial No.3. This transaction is the best guide to evaluate the market value of the land under acquisition. Since the notification has been issued after about 1½ years from the date of the sale transaction at serial No.3, some appreciation in price has to be given in assessing the market value of the land. Consequently, a sum of Rs.550/- per bigha kham is assessed at a flat rate for land covered in the notification and I award the same.

Trees, Wells and Structures:

There are no trees, wells and structures on the land under acquisition.

Interest:

Interest at the rate of 6% per annum is payable from 11-8-67 to the date of announcement of the award in that the acquiring department took possession of the land on 11-8-1971.

15% Solatium:

15% solatium is payable over and above the market value of the land.

Apportionment:

Compensation will be paid on the basis of the latest entries in the revenue record.

Land Revenue Reduction:

Nil.

Summary of the award:

Compensation for 2 biswas of land @ Rs.550/- per bigha kham.

Rs.220.00

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15% solatium

Interest @ 6% per annum
for the period from 11-8-71
to 25-10-71 i.e. 75 days.

Rs. 33.00

Rs. 3.12

Rs. 256.12

(Rupees two hundred fifty six & paise twelve only).

Sham Karan
(SHAM KARAN)
LAND ACQUISITION COLLECTOR(P)
DELHI.

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Announced and filed copy.

डी. ए. सिंह

27/11/71

शमशान शमशान
दे. ए. सिंह

