

AWARD NO. 128/87-81 6

NAME OF THE VILLAGE SURARI
NATURE OF ACQUISITION PERMANENT
PURPOSE OF ACQUISITION CONSTRUCTION OF TWO NUMBER APPROACH ROAD TO RME (OLD).

These are the proceedings for the termination of compensation under section 11 of the Land Acquisition Act, 1894 in respect of land measuring 4 Bighas 37 Biswas situated in village Surari. The notification u/s 4, 6, 17 under the Land Acquisition Act were issued vide notification No. F.7(23)/79-L&S(2) dated the 16th May, 1979. The land is acquired for public purposes namely for construction of two number approach road to RME (OLD).

Notices under section 9 & 10 of the Land Acquisition Act were issued to the interested persons and the claims so filed by them are discussed under the heading "Compensation Claims".

MEASUREMENT :- The land under acquisition was measured by the Land Acquisition Revenue Field Staff alongwith the officials of the Acquiring Department on the spot and the area measuring 4 Bighas 37 Biswas as notified u/s 4, 6 & 17 was found correct.

OWNERSHIP AND CLASSIFICATION OF LAND :- The details containing the classification and ownership of the land under acquisition is given below :-

S.No.	Name of the Owner	Occupant	Kh.No.	Area	Kind of soil
1.	Mange Ram, Jai Bhagwan		91/1	0-04	Chahi
	Sushashy Aslok Kumar		93/5	0-02	-10-
	Ss/o Mullia			0-12	
2.	Khajen Singh S/o		92/10	0-03	Chahi
	Ram Ji Lal		93/6	0-02	-10-
				0-11	
3.	Amar Singh, Shiv		93/1/1	0-02	Chahi
	Ram S/o Sh. Bhagubir		2	0-02	-10-
			3	0-02	-10-
			4	0-02	-10-
				1-12	
4.	Ram Kishan, Sri Niwas		93/9	0-02	Chahi
	Mahesh, Naresh Ss/o		10	0-02	-10-
	Gordhan			0-16	
5.	Munshi Ram, Hargopal		93/7	0-02	Chahi
	S/o Kishan Sahib		6	0-02	-10-
				0-16	

(Khasra No. 93/3 is under occupation of Shri Kalu S/o Shri Kanwal Singh).

COMPENSATION CLAIMS :-

S.No.	Name of the Claimants	Kh.No. & Area	Compensation
1.	Sh. Amar Singh, Shiv Raj Ss/o Raghunir R/o Village Surari	93/1/1,2,3,4	Claims Rs.200/- per sq yd. for the land. (ii) 15% solatium (iii) 6% interest
2.	-do-	-do-	-do-
3.	Sh. Munshi Ram S/o Kishan Sahai R/o Village Surari	93/7(0=02)	-do-
4.	Bar Gopal S/o Kishan Sahai R/o Village Surari	-do-	-do-
5.	Mange Ram, Desh Raj R/o Village Surari	92/1(0=03) 93/5(0=08)	-do-
6.	Jai Bhagwan S/o Desh Raj R/o Village Surari	-do-	-do-
7.	Subhash S/o Desh Raj R/o Village Surari	-do-	-do-
8.	Ashok Kumar S/o Desh Raj R/o Village Surari	-do-	-do-
9.	Ram Ji Lal R/o Vill. Surari	92/10(0=03) 93/16(0=08)	-do-
10.	Ram Niwas, Sri Niwas, Mahesh Narash Ss/o Goverdhan R/o Village Surari	93/9,10(0=16)	Claims Rs.40/- per sq yd. for the land. Rs.5000/- for crops alongwith interest & solatium
11.	Kanwal Singh S/o Mange R/o Village Surari	93/7(0=03) 93/8(0=02)	Claims to get the compensation.
12.	Kalu S/o Manger/o Surari	-do-	-do-

DOCUMENTARY EVIDENCE :-

From all the 12 claimants only one Shri Ram Niwas and others have filed copies of Sale deeds dated 19.1.1970 and 12.6.74 in respect of land measuring 1 Bigha for a sum of Rs.5000/- in khasra No. 2434/292 and other sale deed dated 12.6.74 which executed pertain to the sum of Rs.48,000/- in respect of land bearing khasra No. 403 min measuring 4 Bighas i.e. Rs.12000/- per bigha. The Sale deed was executed by Raghunir Singh & others in favour of Sahni Enterprises Private Ltd., and the other in favour of Smt. Malti W/o Shri Ram Kishan. Other interested persons have not filed any documentary evidence in support of their claims.

MARKET VALUE :- The market value of the land under acquisition has to be determined with reference to the price prevailing at the date of notification u/s 4 of the Land Acquisition Act, 1894 with all its advantages and with all its potentialities. The other factors to determine the market value are the genuine sale deed or the award of the land announced by the L.A.C. in respect of similar type of land on the date of notification relevant to the present one. Among all these documentary proof the genuine sale deeds are considered as best evidence.

Act either in respect of the land under acquisition or the portion thereof or the sales of land almost parallel in all circumstances to the land under acquisition. In this village one award No. 65/80-81 has recently been announced on 19.5.80 by the Land Acquisition Collector(MR). In that award a compensation of Rs.2000/- per bigha kham was given. The land under acquisition is in the same vicinity and is parallel to the land to be acquired in award No. 65/80-81, which was passed on the notification u/s 4 dated 30.3.1979. The land under acquisition was notified on 16.5.79. There has been a gap of two months and during these two months there is neither ^{any decrease} increase in the value of the land of this village came to the notice. The sale deed discussed under the heading "Claims and Evidence." was purchased in the year 1974 pertain to the land which is a part of village Phirani and can be used up for residential and industrial purposes. The land under acquisition is purely an agriculture land. Therefore, the sale deed given by the claimants No. 18 can not be considered as a genuine sale deed for the purposes of determination of an award of agriculture land. In view of these facts I also considered Rs.2000/- per bigha as the fair Market value of agriculture land in this village and accordingly awarded the same. *the land under acquisition*

OTHER COMPENSATION :-

WELL, TREES AND STRUCTURES :- No well, trees and structures were found on the land under acquisition.

INTEREST :- The possession of the land measuring 4 Bighas 07 ais. which was under acquisition has been taken over on 26.10.79 u/s 17 of the Land Acquisition Act, 1894. Hence interest is payable from the date of taking over the possession of land upto the date of announcement of the award.

LAND REVENUE :- The land under acquisition is assessed to a sum of Rs.1-33 paise as land revenue. The same will be deducted from the Rent roll of the village.

APPORTIONMENT :- Compensation will be paid according to the latest entries in the revenue record except where persons other than owners claimed compensation or found any other kind of dispute.

SUMMARY :-

The award is summarised as below :-

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| 1. | Compensation of land measuring 4 Bighas 07 aiss @ Rs.2000/- per Bigha. | Rs. 8,000-00 |
| 2. | 15 % solatium | Rs. 1,200-00 |
| 3. | Interest u/s 34 of Land Acquisition Act @ 6% w.e.f. 26.10.79 to 27.2.1981 (1 Year 125 days) | Rs. 365-38 |
| | Grand Total | Rs. 9,565-38 |

(Rupees Ten thousands eight hundred and ten paise eighty eight only).