

Award No.

38/1973-74

Name of village : Dhirpur.

Nature of acquisition: Permanent.

Purpose of acquisition: For construction of road.

A w a r d:

These are proceedings for determination of compensation under section 11 of the Land Acquisition Act of 1894. The land measuring 12-17 bighas situated in village Dhirpur was notified u/s 4 of the Land Acquisition Act read with section 6 & 17 of the Land Acquisition Act vide notification No.F.15(190)/55-L&H(111), (iv) & (v) respectively dated 30th May, 1969 for a public purpose namely for construction of road. Notices under sections 9 & 10 of the Land Acquisition Act were issued to the persons interested and claims filed by them are discussed hereafter under the heading 'compensation claims'.

True & correct area:

The land was measured on the spot by the Land Acquisition Field staff and the area found is 10-17 bighas. There is a decrease of 2-00 bighas which is due to measurement. Khasra No.224 min. does not fall within the alignment of the scheme.

Ownership:

The details of khasra numbers, ownership, tenancy, area & classification of soil are as under:

S.No.	Name of owner	Name of occupant	Kh.No.	Area	Kind of soil
1.	Sukhi Ram s/o Ishar Dass, Baba Avtar Singh s/o Mukha Singh Nirankari in equal shares 10 bighas Gaon Sabha 28 bighas 8 biswas.	-	392/3-4/1	7-10	G.M.Pond

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-: 2 :-

2. Gaon Sabha - 394/5/1 3-07 G.M.Rasta  
Total: 10-17  
G.M.Pond(7-10); G.M.Road(3-07)

Compensation claims:

The following persons have filed their claims for compensation:

S.No.	Name of claimant	Kh.No.	Compensation claimed
1.	Sukhi Ram	392/3-41, 4/1.	He says he and Baba Aytar Singh purchased the land in 1953 from Narain Singh.
2.	Sant Nirankari Mandal.	392/3-4	The Mandal has requested for the release of the land.

Market Value:

The market value to be ascertained is the value to the owner of the land in its actual condition at the date of publication of notification u/s 4 of the Land Acquisition Act with all its advantages and with all its potentialities. No exemplar has been supplied by the interested persons. Efforts were/made at this end to find out the parallel sale deeds in the village nearest to the material date so as to evaluate the market value of the land. The following statement shows the various sale transactions made from 1967 to 1968:

Sale Deed No.	Date of Regn.	Area	Consideration Amount.	Average per bigha	Kh. No.
607	19.1.67	0-07 5-04	Rs.2,000/-	Rs.360.36	500/191 200/2
635	23.1.67	3-00	Rs.3,000/-	Rs.1000/-	189/3
15555	3.12.66	4-00 0-04 0-03	Rs.3,000/-	Rs.689.65	189/1 283 284
12376	30.8.68	11-00	Rs.11000/-	Rs.1000/-	349/3

The only sale transaction that can provide some guidance for evaluating the market price of the land under acquisition is the sale transaction at serial No.4, though the situation and other conditions are not similar to the land under acquisition. ~~It can however, be made the base.~~ Some awards

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have been made in this village. The last award was made in 1970-71 and the date of notification u/s 4 is 11.3.1970. Other awards cannot be considered because the time gap between the preliminary notification of the land under acquisition and that of the other awards is more than ten years. In the award 65/1970-71 of which the preliminary notification is 11-3-1970 the L.A.C. awarded Rs.2,200/- for Abpash land. This is a superior kind of land. The land under acquisition is Gair Mumkin pond. A substantial amount would be required to fill it up to the level of the surrounding land. While determining compensation this factor cannot be lost sight of. Of the awarded amount in award No.65/70-71 one-third would come to Rs.733/-. The average per bigha of the sale transaction at serial No.4 is Rs.1,000/-. The sale transaction was registered on 30.8.1968 whereas the date of preliminary notification of the award is 11.3.70. It will be seen that the sale transaction took about one year two months before the land under acquisition was notified. The time gap between the preliminary notification of award No.65/70-71 and of the land under acquisition is also about one year two months. In these circumstances, it would not be wrong to take  $\frac{1}{3}$  of Rs.2,200/- per bigha awarded in award No.65/1970-71. This works out to Rs.733/-. After taking into consideration all the factors I assess the market value of the land under acquisition at Rs.750/- per bigha kham and award the same. No compensation has been assessed for khasra No.394/5/1 as it is ~~an~~ public thoroughfare.

Walls, Trees & structures:

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

Interest:

Possession of the land has not been taken over and handed over to the acquiring department. Hence no interest can be allowed.

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Land Revenue:

The land under acquisition is assessed to Rs. 2.66 P. as land revenue. This amount will be deducted from the Rent Roll of the Village after the possession of the land has been taken over.

Apportionment:

Compensation of the land under acquisition will be paid according to the latest entries in the revenue record.

15% Solatium.

15% solatium will be paid over and above the compensation assessed w/s 23(1) clause firstly.

Summary:

The award is summarised as under:

Compensation of land measuring 7 bighas = Rs. 5625-00  
10 biswas @ Rs. 750/- per bigha kham.

3 bighas 7 biswas road.

+ Rs. Nil.

15% solatium

= Rs. 843-75.

Total:

= Rs. 6468-75.

( Rupees six thousand four hundred sixty eight & Paise seventy five only ).

*Sham*

( Sham Karan )  
Land Acquisition Collector(P)  
Delhi.

*Announced and filed today*  
*26.9.73.*