

AWARD NO.

16/78-79

475

NAME OF VILLAGE

: GOKALPUR

NATURE OF ACQUISITION

: PERMANENT

PURPOSE OF ACQUISITION

: STORM WATER DRAINAGE SCHEME
SHAHDARA.INTRODUCTION

In pursuance of notification No.F.7(35)/74-L&B(i)(ii) and (iii) dated 22.7.77 u/s 4,6 and 17 of the Land Acquisition Act, 1894, it was proposed to acquire 67 bighas 6 biswas land of village Gokalpur for the purpose namely Storm Water Drainage Scheme, Shahdara. Notices u/s 9 & 10 of the L.A. Act were issued to all the interested persons in November, 1977 for 13.12.77 to file their claims. The claims received from the interested persons are summarised under the heading 'Claims'.

MEASUREMENT AND TRUE AREA

<u>Khasra No.</u>	<u>Area Big.Bis.</u>	<u>Kind of land.</u>
13/2	0-06	Irrigated
14	2-05	-do-
15/2	4-00	-do-
16/2	2-17	-do-
17/2	1-05	-do-
18/1/2	0-15	-do-
19/2	0-15	-do-
20/2	0-05	-do-
26/2	4-14	Unirrigated
27/2	1-03	-do-
1085/33/2	1-04	-do-
1087/33/2	2-08	-do-
1089/904/34/2	0-02	-do-
923/53/2	0-08	Irrigated
924/53/2	3-04	-do-
54/2/2	1-19	-do-

...2....

P. 18

(477)

195/2	1-03	Irrigated
205/2	0-14	Unirrigated
206	3-03	Irrigated
207/2	2-14	Unirrigated
216/2	0-08	Irrigated
1111/221/2	0-05	-do-
222/2	0-05	-do-
223/2	0-08	-do-
224	3-00	-do-
955/225/2	0-13	-do-
956/225/2/2	0-01	-do-
228/2	3-02	-do-
229	2-14	-do-
230/2	0-13	-do-
232/2	2-06	-do-
234/2	1-14	-do-
235/2	0-08	-do-
238/2	0-03	-do-
239/2	2-16	Unirrigated
1108/240	2-06	Irrigated
1109/240	0-10	-do-
241	7-13	-do-

Total 39 Kitey 66-19
 Irrigated 51-04 Unirrigated 15-15

Note: An area measuring 0-07 biswas is less in Khasra No. 241 the area of said khasra No. 241 is 7 bighas 13 biswas in the BANDOBAST, but in Khata uni L.R. shows 8 bighas area of said khasra No. The correct area is found 66 bighas 19 biswas instead of 67 bighas 6 biswas.

...3....

Handwritten signature

479

CLAIMS

S.No.	Name of the claimant	Kh.Nos.	Kind of claimant Rate per bigha or per sq.yd.& others.
1.	Ram Chander and Bani Singh Ss/o Pirthi.	241 min	Rs.10000/- per bigha.
2.	Chander Bhan s/o Babu Ram	241/1 (200 sq.yd.)	Rs.10,000/- per bigha.
3.	Nathu Ram s/o Chhattar	19/2, 1111/ 222/2, 234/2	Rs.40/- to Rs.50/- per sq. yd and 15% solatium and interest @ 6%.
4.	Smt.Kalawati d/o Chhattar	234/2	As above.
5.	Raghuber Dayal s/o Khacheru	26/2, 1087/ 33/2, 1089/904 204/34/2, 27/2 1085/33/2	Rs.25/- per sq.yd. Rs.10000/- for severance. Rs.10000/- for change of business. 15% solatium and interest @ 6% from the date of possession till the date of payment.
6.	Bhagwat s/o Girdhari	207/1 (1-03)	Rs.10,000/- per bigha.
7.	Chhotey Lal s/o Makhan Lal	206 (3-03)	-----
8.	Chhotey Lal s/o Makhan Lal	207/2min (2-14)	Rs.10,000/- per bigha.
9.	Kharati s/o Sultan	241min(8-00)	Rs.15,000/- per bigha.
10.	Siri Bhagwan, Dharam bir, Rajbir and Barham Parkash Ss/o Duli Ram deceased through Shri Bhagwan.	228/2(3-00) 207/2(2-14)	Rs.30/- per sq.yd.
11.	Attar Singh s/o Kharati	241(8.00)	Rs.15000/- per bigha and also claim for standing crops.
12.	Kalu Ram s/o Kharati	241min(8-00)	-do-
13.	Pehladi s/o Kharati	241min(8-00)	Rs. Rs.15000/- per bigha.
14.	Rattan Singh s/o Phool Singh	229(2-14)	Rs.25/- per sq.yd.
15.	Bali, Lekh Ram, Ss/o Lakhpatt Singh	241(8-00) 20/2(0-05) 207/2(2-14) 224(3-00) 235/2(0-08) 239/2(2-16)	-do-

Page 9

- 489
- | | | |
|---|---|---|
| 16. Harpat s/o Nanwak | 20/2(0-05)
207/2(2-14)
224(3-00)
235/2(0-08)
239/2(2-16)
241(8-00) | Rs.25/- per sq.yd. |
| 17. Khub Chand, Bharta
Ss/o Harpat. | 216/2
207/2
222/2
555/235/2
956/225/2
228/2 | Rs.. 25/- per sq.yd. |
| 18. Lotus S/o Bhoja | 18/1/2(0-15)
25/2(0-14)
241/1 (8-00) | Rs.25/- per sq.yd. |
| 19. Jaswant Singh, Balbir
Singh, Ved Parkash
SS/o Shiv Charan | 15/2(0-07
424/53/2
(3-04) | Rs.25/- per sq.yd. |
| 20. Ram Parshad s/o
Balwant Singh | 54/2 | Rs.25/- per sq.yd. |
| 21. Ganga Ram, Anat Ram
SS/o Bansil | 936/225/2(0-14)
232/2(2-06)
233/2(2-10) | Rs.30/- per sq.yd. 15%
solatium and 6% interest. |
| 22. Balak Ram s/o
Rumal | 204(3-03)
241min(8-00) | Rs.30/- per sq.yd. |
| 23. Balak Ram s/oRumal | 1108/240(2-06)
1109/240(0-10) | Rs.30/- per sq.yd. 15%
solatium and for
alternative plot. |
| 24. Gaje Singh, Bije
Singh, Rishipal
ss/o Mohan | 230/2(0-13)
15/2min(0-07) | Rs.30/- per sq.yd. 15%
solatium 6% interest and
alternative plot. |
| 25. Harkesh s/o Nanwa | 14(2-05)
15/2(0-07) | Rs.30/- per sq.yd. 15%
solatium, 6% interest.
Compensation for standing
crops and for alternative
plot. |
| 26. Bishamber, AriSingh,
Ss/o Dayala | 15/2(0-07)
238/2(0-03) | Rs.20/- per sq.yd. 15%
solatium and 6% interest. |
| 27. Smt.Khazani Wd/o
Ram Sarup. | 956/225/2
232/2
233/2 | Rs.15/- per sq.yd. |

MARKET VALUE

The market value of the land under acquisition in village Gokalpur on the date of notification u/s 4 i.e. 22.7.77 is to be determined taking into accounts the situations, quality of the land and future potentialities and other uses. The land to be acquired is agricultural land. The following

...5...

48 (483)

awards were announced in village Gokalpur and details of awards are as follows:-

S.No.	Award No.	Notification u/s 4	Rate of L.A.C.
1.	1188	F.15(118)/61-LSG dt.16.3.61	Rs. 900/- Block A Rs. 370/- B
2.	2004	F.15(245)/60-LSG/L&H dt.24.10.61	Rs.1800/- I Rs. 900/- II Rs. 700/- III Rs. 450/- IV
3.	14/72-73	F.4(147)/65-L&H Dt.6.3.66	Rs.1100/- A Rs. 800/- B Rs. 400/- C
4.	1/76-77	F.7(77)/73-L&B(i) dt.18.3.74.	Rs.4600/-

The awards placed at serial No.1 to 3 are of no use since the date of notification u/s 4 is very very long back to the present notification for the land under acquisition. The award No.1/76-77 placed serially at 4 whose date of notification u/s 4 is 18.3.74 is worthwhile to discuss in this connection. The land covered under the award No.1/76-77 is close to the land under present acquisition. But the basis taken in this award is the mutation No.458 ~~dated 458~~ dated 28.5.74 of village Ziauddinpur in which the average value of the land is Rs.4600/- per bigha. From the scrutiny of the sales transactions it is found that in the year 1974 there are two transactions in the village Gokalpur which might have not come to the notice of the then L.A.C.(MSW). The details of the transactions are as follows:-

No.	Registry	Date of registration	Name of the Party	Area included Kh. No.	Amount	Rate per bigha Kham.
607		25.3.74	Asa Ram Vs. Babu Ram	67,92,211 (10-04)	Rs.28000/- Rs.2745.10	
795		20.4.74	Mukand Lal Vs. Khubi Ram	289/2, 290/2 (1-12)	Rs.5000/-	Rs.3125/-

The sales serially placed at 2 pertains to 1 bigha 12 biswas and having kh.no.289/2 and 290/2 is far away from the ...6...

Pamir

land under present acquisition. So also it pertains to a small area measuring 1 bigha 12 biswas and hence does not give a clear picture of the market value of the agricultural land, in the village in 1974. In the sales transaction placed at S.N. 1 pertains to 10 bighas 4 biswas having Kh.No.67,92,211. The Total consideration in this case is Rs.28000/- . So the average rate comes to Rs.2745.10. The Kh.Nos.67,92,~~211~~ 211 are very close to the land under present acquisition and this sales transaction clearly shows that market value of the land in the year 1974. The award No.1/76-77 omits the transaction in the same village in the year 1974. So I consider the inapplicability of this award to assess the market value in the year 1974. No other transactions are observed during the year 1974 to 1977. Considering the appreciation in the value of the land during the period 1974 to 1977 I give increment by 20% of the value of the land in 1974. So I assess the market value of the land under present acquisition to be Rs.3200/- per bigha being fair and reasonable and hence I award the same.

COMPENSATION OF STRUCTURES TREES ETC.

There are no trees and structures etc. on the land. So no compensation is assessed on this account.

DAMAGE CHARGE

There are standing crops of wheat etc. on the land in time of taking possession i.e. 17.2.78. The land measuring 41 bighas under standing crops is listed as Annexure 'A'. Considering the investment of the farmers in the land average per bigha which is calculated as follows:-

5 to 6 kilo wheat seeds	price Rs.10/-
Fertilizers 10 kg.	Rs.20/-
Ploughing by 8 times by tractor	Rs.40/-
Watering average 3 times per bigha	Rs.30/-
Total	Rs.100/-

So there is investment of Rs.100/- on an average per bigha. So I consider to give this value as compensation for the standing crops and hence I award the same.

.....7.....

P. S.

487

POSSESSION AND INTEREST

The possession of the said land has been handed over to the acquiring Deptt. on 17.2.78, simple interest @ 6% will be payable from the date of possession to till the date of announcement of the award.

15% SOLATUM

In addition to the compensation for the land 15% solatium is also payable as compulsory nature of acquisition as provided u/s 23(2) of the L.A.Act, 1894.

LAND REVENUE

The land revenue for the land under acquisition comes to Rs.18.48 which will be deducted from the Khalsa rent & roll of village w.e.f. taking over the possession.

APPORTIONMENT

The payment of compensation will be made to the owner of land according to the latest entries in the revenue record. In case of dispute the matter will be referred to the court of Addl.Distt.Judge u/s 30-31 of the Land Acquisition Act, 1894.

SUMMARY

The award is summarised as under :-

Compensation of land measuring 66 bighas 19 biswas @ Rs.3300/- per bigha.	Rs. 2, 20, 935.00
15 solatium for compulsory nature of acquisition	Rs. 33, 140.25
Total :	<u>Rs. 2, 54, 075.25</u>
Interest @ 6% from 17.2.78 to 7.6.78 U/s 34 of the L.A.Act(110 days)	Rs. 4, 594.24
Compensation for standing crops 41 bighas @ Rs.100/- per bigha.	Rs. 4, 100.00
Grand total :	<u>Rs. 2, 62, 769-49</u>

Announced & filed today.
8/6/78

(P.C.Misra)
Land Acquisition Collector (DS)
Delhi.
8/6/78