

Name of Village

: Qamarudin Nagar

Nature of Acquisition

: Permanent

Purpose of Acquisition

: Construction of effluent
Irrigation System.

These are proceedings for determination of compensation Under section 11 of the Land Acquisition Act, 1894 in respect of Land measuring 13 Bighas 17 Biswas situated in Village Qamarudin Nagar notified under section 4 of the Land Acquisition Act under notification No.F.7(5)/8/L&B dated 4.11.81 for a public purpose namely construction of effluent Irrigation system. In view of the urgency of the scheme, the provisions of section 17(a) of the Act were also made applicable to this land. The Delhi Administration issued a declaration under section 6 of the Land Acquisition Act under section 6 of the Land Acquisition Act vide notification No.F.7(5)/8/L&B dated 4.11.81.

In pursuance of the above notification under section 6, notices under section 9 & 10 of the Land Acquisition Act were issued to all the interested persons to file their claims which are discussed hereafter under the heading "Claim".

Measurement

The area ~~measured~~ covered by the aforesaid notification was measured on the spot by the Land Acquisition Staff and the same was found correct as per the following details:-

Khasra No.	Area	Khasra No.	Area
16/4	0.16	15/10/1	0.3
5	0.12	10/2	0.5
6	0.8	14/1	0.7
7	0.8	2	0.8
8	0.3	3	0.8
15/1	0.12	4/1	0.3
2/1	0.3	4/2	0.5
2/2	0.9	7	0.12
3/2	0.12	8	0.12
4	0.12	9	0.12
5	0.12	10	0.12
6	0.12	40	0.12
7/1	0.12	44	0.2
8/1	0.12	46	0.16
9	0.12		6.2
	<u>7.15</u>		

Moreover the claimants have not raised any objection regarding the measurements and classification of the land based on the latest entries in the revenue record.

Claims

The following persons have filed their claims in pursuance of the notices u/s 9 & 10 issued to them :-

Sr.No.	Name of the Claimant	Khasra No.	Claim	Remarks
1.	Sh. Subha Chand S/o Risal Singh	16/4, 5, 15/1 & 2/1.	Rs. 100/- per Sq. Yds. for the land & Inst. etc. damages for crops Rs. 3000/- per year	No evidence

2. Sh.Khana S/o Kuli Ram 15/2/2/ 10/1 etc. Rs.100/-per Sq. Yds.for the land & inst. etc. He produced a copy of Sale Deed No.9221 dt.12.7.73
3. Sh.Bhoru Singh S/o Dalpat. 14/5,9/1, 9/2, 10. As above No evidence.

Market value

The market value of the land is to be determined after keeping in view the situation, advantages and potentialities attached to the land on the date of notification under section 4 of the Land Acquisition Act. The land use is also to play an important role in the market value of the land. It has been seen that the provisions of Delhi Land Reforms Act are applicable to it and thus restrictions contemplated under section 22 & 23 of Delhi Land Reforms Act are applicable and the land can only be used for agriculture, horticulture and animal husbandry.

The land owners have claimed compensation Rs.100/- per Sq.Yds. A list of mutation of the year 1977-78 to 1980-81 is enclosed. In support of their contention, they have filed photo copies of the following Sale Deeds :-

Sr.No.	No.of Sale Deed & date	Area	Amount	Average Per Bigha
1.	9585 31.5.83	900 Sq.Yds.	Rs.5000/-	Rs.5550/-
2.	9221 4.7.73	200 Sq.Yds.	Rs.3000/-	Rs.15000/-

Both these Sale Deeds are not being taken into consideration as the area involved in both these sale deeds is less than one bigha and one of the sale deed pertains to the year 1973. Field Staff has reported that the following Sale Deeds have been executed in this village.

Sr.No.	No.of Sale Deed with date.	Area	Amount	Average Per Bigha
1.	2553 - 21.7.73	3 Bighas	Rs.10000/-	Rs.3333/-
2.	3483 - 28.2.76	2 Biswas	Rs.1000/-	Rs.10000/-
3.	4812 - 26.3.76	2 Biswas	Rs.1500/-	Rs.15000/-
4.	2764 - 7.3.77	1 Bigha	Rs.5000/-	Rs.5000/-
5.	3322 - 4.6.79	19 Bighas		
6.		& 9 Biswas	Rs.46000/-	Rs.2365/-
7.	1577 - 2.4.81	3 Bighas		
		& 1 Biswa	Rs.20,000/-	Rs.6557/-

The Sale Deed No.1577 dated 2.4.81 involved an area of 3 Bighas & 1 Biswa and the average sale price works out to Rs.6557/-. The date of notification under section 4 in the instant case is 4.11.81 i.e. about 6 months later than the sale deed No.1577. Considering that there is an increase in the prices of land all over Delhi, it would be fair and just, if the market price in the instant case is assessed at Rs.7,000/-per Bigha. Accordingly, I determine the market price in the instant case at Rs.7,000/- per Bigha.

(XXXXXXXXXX)
XXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXX

Structures Well Tubewells

There is no structures, well or tubewell on the land under acquisition.

SOLATIUM

30% solatium is payable on the market value of the land under sub-section 2 of Section 23 of the Land Acquisition Act.

Additional Amount

The interested persons are entitled for additional amount 12% on the market value of the land with effect from notification under section 4 & 6 of till the date of possession of the land or the award is drawn, whichever is earlier, as per provisions of land Acquisition (Amendment) Act, 1984.

Land Revenue

The land under acquisition is assessed to Rs.2.77 as land revenue which will be deducted from the rent roll of the village from the date of taking over the possession of the land.

Possession

The possession of the land under acquisition has been taken over on 18.10.82, hence the interested persons will be entitled of interest from the date of taking over possession till the date of announcement of the award.

Apportionment

The payment of compensation will be made to the interested persons according to the latest entries in the revenue record. In case of any dispute arising in the apportionment of the compensation, the matter will be referred to the Court of Additional District Judge, Delhi for adjudication under section 30 - 31 of the Land Acquisition Act.

Summary of the Award

Compensation for land measuring 13 Bighas & 17 Biswas @Rs.7000/-per bigha. Rs.96,950.00

30% Solatium - - - Rs.29,085.00
Rs.1,26,035.00

12% Addl.Amount from 4.11.81 to 17.10.82 11,060.26
 (347 days), on Rs.96950.00.

Interest U/s 23, 09% from 18.10.82 to 17.10.83 11,343.15
 (One year) on Rs.1,26,035.00

Interest U/s 23, 015% from 18.10.83 to 15.9.86 55,006.80
 (Two years & 332 days) till the date of announcement of the award on Rs.126035.00.

Total:- Rs.2,03,444.91

(Rs.Two lakhs three thousand four hundred forty four and paise ninety one only).

M. (LA)

Secretary (Revenue)

LAND ACQUISITION COLLECTOR (PALAM NORE)

(R.S. YADAV)

DEPT.

SECRETARY (REVENUE)

None