

AWARD NO. 29-A/78-79 (Supplementary)
 Name of village : Karawal Nagar.
 NATURE OF ACQUISITION: PERMANENT.
 PURPOSE OF ACQUISITION: Storm Water Drainage Scheme Shahdara

INTRODUCTION:

These are the supplementary proceedings for determination of compensation u/s 11 of the L.A. Act, 1894 for an area measuring one Bigha 8 Biswas of land at the public expense for a public purpose namely for Storm Water Drainage Scheme. The Delhi Administration Delhi issued these three separate notifications bearing No. F.7(35)/74-L&B (I) dated 22.7.77, F.7(35)/74-L&B (II) dt.22.7. and F.7(35)/74-L&B (III) dated 22.7.77 u/s 4, 6 & 17 of the L.A. Act 1894 respectively for acquisition of land in this village. The notices u/s 9 & 10 of the L.A. Act were issued to the interested persons in the land under acquisition and the claims were filed by the claimants, which will be discussed under the separate heading 'Claims & Evidence'. The total area measuring 149 Bighas & 8 Biswas of this village was notified u/s 4, 6 & 17 of the L.A. Act but according to survey measurement made by the field staff u/s 8 of the L.A. Act, the true & correct area measuring 145 Bighas 10 Biswas was acquired under Award True Award No. 29/78-79 of this village. But now from the spot verification, it found that an area measuring one bigha 8 Biswas has already been digged by the Flood Deptt. and the same is admitted by the said deptt. as their letter are added in the proceedings file and accordingly the said area is being acquired under the present supplementary award.

MEASUREMENT: According to the survey measurement made by the field staff in the present of the official of Flood Control & Drainage Division No. IV Delhi Admn., the true & correct area comes to one bigha 8 biswas under acquisition. The details of Khasra Nos., area are given below:

<u>KHASRA NO.</u>	<u>AREA</u>	<u>KIND OF SOIL</u>	<u>NAME OF OWNER</u>
51/20/2	0 Bigha 4 Bis.	G.M. Plot	Sh. Ram Chander s/o
52/16/1/2/2	1 Bigha 4 Bis.	G.M. Plot	Jai Lal R/o village Johr Pur.

TOTAL * 1 Bigha 8 Biswa.

CLAIMS & EVIDENCE:

The following persons have filed their claims for compensation:

<u>S.NO.</u>	<u>NAME OF CLAIMANT</u>	<u>KH. NO.</u>	<u>AREA</u>	<u>COMPENSATION CLAIM</u>
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1. Sh. Ram Chander s/o Jilal	51/20/2	0 - 4	1. He has claimed
R/o Village Joshri Pur	52/16/4/ 2/2	1 - 4	@Rs. 100/- per sq. yd. for the land
		1 - 8	2. Damage for the crops Rs. 6000/- P.B.
			3. Solatium @ Rs. 30%
			4. Int. @Rs. 9% for on year & thereafter 15% p.a. & 12% Addl. Market value.

No proof in support of claims & evidence has been filed by the claimant.

MARKET VALUE: The market value of the land under present acquisition in village Kajrawal Nagar on the material date of notification u/s 4 i.e. 22.7.77 is to be determined taking into account the situation and quality of the land and other uses and also future potentialities. Market value is general assessed considering the awards announced in the village prior to the date of notification and sales transactions of similar nature having similar situation in the same year or having date closer to the year of notification. The awards announced in the village Kajrawal Nagar the details of which are as below:

S.NO.	AWARD NO.	NOTIFICATION NO. U/S 4 AND DATE.
1.	859	F.15(99)/56-LSG dt. 8.7.57
2.	860	F.15(24)/58-LSG dt. 14.2.58.
3.	937	F.24(139)/54-LSG dt. 1.4.59
4.	1150	F.15(213)/60-LSG dt. 7.12.60

In the above awards the date of notification u/s 4 is very very long back to the date of present notification and hence these awards lose their value for considering the market value of the land under present acquisition. Scrutiny of the sales transactions further shows that there are no transactions in the year 1977. The following sales transactions took place in the year 1976 the details of which are given as follows:-

S.NO.	Reg.No. & Date	Party	Kh. No.	area	Amount
1.	66dt.2.2.76	Pehlud Singh etc. vs. Luxmi Land Corpn.	48/22	4-16	Rs. 30,000/-
2.	84dt.12.2.76	-do-	48/21	4-16	Rs. 30,000/-
				9-12	Rs. 60,000/-

In these two transactions the land bearing Kh. No. 48/22 and 48/21 is situated within 2 furlongs from the land under acquisition and having the same quality of the land for agricultural purpose. The total consideration in each case for 4 bighas 16 Bis of Rs. 30,000/- per bigha. There are other sales transactions

contd....3/-

in this village but they are in the nature of small plots and specially sold for residential purpose carrying high rate of value and hence these are neglected in determining the market value of the agricultural land in this village in the year 1977. It is to be noted that small plots always bring high value. Keeping the potentiality of the land and future utility I assess the market value of the land under acquisition to be Rs. 6250/- per bgha being fair and reasonable and hence I award the same.

INTEREST: As the possession of the land under the present acquisition was taken & given to the Flood Department of Delhi Administration on 21.1.1978, hence the interest u/s 34 from taking over possession i.e. from 21.1.78 to the date of this award will be paid to the interested persons @ Rs. 9% p.a. for one year & thereafter after 15% p.a.

ADDITIONAL AMOUNT: Additional amount u/s 23(1-A) of the L.A. Act on the market value is payable @ Rs. 12% p.a. w.e.f. 22.7.77 (the date of notification u/s 4 of the L.A. Act) to 21.1.78 (the date of dispossession).

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 A.D.J. U/s 30 & 31 of the L.A. Act.

LAND REVENUE: The land under acquisition is assessed to Rs. 0-26-2 which will be deducted from the rent roll of this village.

SUMMARY OF THE-AWARD: The award is summarised as under:-

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|--|---------------------------------|
| 1.. Compensation for land mg. 1 Bigha 8 Biswa | Rs. 8750.00 |
| @Rs. 6250/- per bigha. | |
| 2. 30% Solatium | Rs. 2625.00 |
| 3. Int. u/s 34 from taking over possession i.e. from 21.1.78 to 20.4.79 @Rs. 9% p.a. & w.e.f. 21.1.79 to 23.4.85 i.e. 6 yrs. & 95 days @ Rs. 15% p.a. | Rs. 11705.34 9999-09 |
| 4. Addl. Amount u/s 23(1-A) @Rs. 12% p.a. w.e.f. 22.7.77 the date of Notification u/s 4 to 21.1.78 (the date of dispossession) i.e. 184 days on the market value | Rs. 529.31 |

(Rupees twenty ^{one} ~~three~~ thousand ^{nine} ~~six~~ hundred and ^{three} ~~nine~~ ^h ~~sixty~~ ^{five} paise only).

forty

(G.C. PILLAI)
LAND ACQUISITION COLLECTOR (DS)
DELHI.

APPROVED

SECRETARY (Revenue)
Delhi Admn., Delhi.

Notice for attendance given for
Sr Ramchander Kardon was ~~not~~
~~not~~ served on 13/6/85 - for 17.6.85 -
But none present till 12 am on 17.6.85 -

And asd. Announced
See

17/6/85