

AWARD NO 10/82-83:

VILLAGE : KILOKRI
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : WIDENING OF ROAD OVERBRIDGE AT
ASHRAM.

INTRODUCTORY :

These are the acquisition proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894 for an area measuring 0-13 biswas situated in Village Kilokri. The land under acquisition has been notified u/s 4 of the L.A. Act vide notification No. F7(39)/81-I&B dated 23.12.81 for Widening of Road Over Bridge at Ashram. Subsequently after deciding the objections filed u/s 5 A of the said Act, a declaration u/s 6 of the said Act was made vide notification No. F7(39)/81-I&B dated 3.3.1982. In pursuance of the above said notification notices u/s 9 & 10 of the L.A. Act were issued to all the interested persons and the claims filed by them are discussed hereunder under the heading "Compensation and Claims".

TRUE & CORRECT AREA :

The land under acquisition was measured on the spot and the correct area available on the spot is as under:-

Khassra No.	Area bigha-biswa.	Kind of soil.
1129-1130/1105/63/1	00 - 13	Geir Mumkin

COMPENSATION & CLAIMS :

The following interested persons have filed their claims in pursuance of the notices u/s 9 & 10 of the Land Acquisition Act :-

Sl.No.	Name of the claimants	Kh. No.	Compensation claimed.
1.	Smt Jivni w/o Ved Parkash.	1130/1105/63/1	Claim compensation @ Rs. 6,000/- per sq. yd or an alternative plot.

DOCUMENTARY EVIDENCE :

No documentary evidence has been produced in support of the claims filed by the claimants.

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MARKET VALUE :

Market price is to be assessed as on 23.12.81, the date of notification u/s 4 of the Land Acquisition Act. In arriving at the fair market value, sale transactions close to the date of notification, awards announced in the village, judicial judgements if any available and other relevant factors are to be considered.

The claimants have not furnished proof in support of their claims which are quite exorbitant and cannot form basis for arriving at the fair market value. A search was made in the office of the Sub Registrar, New Delhi for locating sale transactions close to the material date and the following sale transactions are available:-

Sl.No.	Regd.No.	Date of Registration.	Area Sold.	Consideration money.	Average F.B.
1.	3888	25.7.81	500 sq.yds Plot.	Rs. 1,12,500/-	Rs. 2,26,875
2.	4003	10.9.81	52 sq.yds House Building	Rs. 16,000/-	310256=41
3.	1074	20.4.79	2 - 18	Rs. 6,000/-	Rs. 2068=96
4.	4460	24.10.79	18 - 12	Rs. 40,000/-	Rs. 2123=39
5.	4461	24.10.79	18 - 12	Rs. 40,000/-	Rs. 2123=39

Amongst these sale transactions noted above, sale transaction dt. 25.7.81 for an area of 500 sq.yds was entered into for a consideration of Rs.1,12,500/-. The average sale price comes to Rs.225/-per sq.yd. This pertains to a vacant plot and can be considered as relevant to the land under acquisition which is also vacant. The sale transaction at sl. No. 2 ~~is~~ involves the sale of developed plot alongwith building thereon and hence is not relevant to the present proceedings. Sale transactions at sl. No. 3 to 5 pertain to the agricultural ~~land~~ 3/-.

land and for the purpose of assessing the market value, these cannot be considered as relevant to a developed plot which is a subject matter of these proceedings.

A number of awards have been made in the village but ~~all~~ ^{ing} represent the market value as on 13.11.1959. Hence these awards and judicial judgments arising out of ~~it~~ ^{them} cannot be considered to be relevant in this case. I think that sale transaction dt. 25.7.81 discussed above is the only evidence which is comparable to the land in question as the guide for arriving at the market value. In this case, sale price comes at Rs. 225/- per sq. yds and I award the same.

TREES :

The following trees are standing on the land under acquisition & I award their price as under:-

Khasra No.	Name of the Tree.	Quantity.	Weight.	Value
1129-1130/1105/63/1	Jangli Jalebi	57	80 Qntls.	Rs. 3,600/-
	Ronjh	1	3 "	Rs. 105/-
	Thohar	1	Nil	Nil
	Neem	1	5 qntls.	Rs. 225/-
		60	88 qntls.	Rs. 3,930/-

STRUCTURES :

There are some old structures on the land under acquisition. I award the value of the structures as under:-

Khasra No.	Details of structures.	Value.
1129-1130/1105/63/1	One Factory of Balmies	Rs. 10,000/-
	Length = 65 Ft.	
	Breadth = 20 "	
	Height = 8 "	
	Teen Chadar = 52	Rs. 7,100/-
	Boundary Wall	Rs. 5,000/-
	Length = 173 ft.	
	Height = 8 "	
	Thickness = 3/4 "	
	Total	Rs. 22,100/-
	10% Depreciation	Rs. 2,210/-
	Proposed Net Value	Rs. 19,890/-

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-: 4 :-

SOLATIUM :

15% Solatium shall be paid over and above the market value of land.

APPORTIONMENT :

Compensation will be paid on the basis of latest entries in the revenue record. In case of any dispute which cannot be settled amicably within a reasonable time will be referred to the Court of ADJ for adjudication.

LAND REVENUE :

The land under acquisition is assessed at Rs. 00-26 paise as land Revenue which will be deducted from the Khasra Rent Roll of the village from the date of taking over possession of the acquired land.

VESTING OF OWNERSHIP :

The above said land will vest absolutely in the Govt. free from all encumbrances from the date of taking over possession of the land.

Subject to the above the award is summarised as under:-

1.	Compensation of the	
2.	Land measuring 18 Biswas (655- <u>5</u> sq. yds)	Rs. 1,47,468-75P
3.	@ Rs. 225/- per sq. yd. 12	
	Compensation for trees.	Rs. 3,930.00P
	Compensation of structures.	Rs. 11,140-00P
	Add. 15% Solatium	Rs. 24,380,81P
	G. TOTAL	<u>Rs. 1,86,919.55P</u>

(Rupees one lakh eighty-six thousands nine hundred nineteen and fifty six paise only).

*Announced
today.*
And filed
20.4.82
LAC (ME)

[Signature]
(R. S. RANA)
Land Acquisition Collector (ME)
Delhi