Award No : 14/80-81

1131

NAME OF THE VILLAGE : LADPUR

NATURE OF ACQUISITION : PERMANENT

PURPOSE OF ACQUISITION : Construction of Ladpur Link Drain.

INTRODUCTION

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land situated in Village Ladpur measuring 12 Biswas was notified u/s 4 of the Land Acquisition Act vide notification No. F.7(18)/79-L&B(4) dated 24.4.1979 for a public purpose namely for "Construction of Ladpur Link Drain." The substance of the notification was given due publicity as required under the Law and the objections were invited from the interested persons. After consideration of objection u/s 5-A of the L.A. Act, the Delhi Administration issued a declaration u/s 6 of the L.A. Act in respect of 12 Biswas of the land in Village Ladpur vide notification No. F.7(18)/79-L&B dated 21.9.1979 for acquisition for the purpose mentioned above.

In pursuance of the above notification u/s 6 notices u/s 9 & 10 of the L.A. Act were issued to all the interested in land now under acquisition and they were given full opportunity to file their claims and the claims filed by the claimants are discussed hereafter under the heading "CLAIMS."

MEASUREMENT

The area under acquisition as given in the declaration u/s 6 is 12 Biswas and at the time of measurement by the Field Staff the same was found to be correct. In this way the area of 12 Biswas of this Village is being acquired at present.

CLASSIFICATION OF LAND

The details of Khasra Nos. in form 7-A have been prepared under paragraph 5 of the Financial Commissioner Standing Order No. 28 which are as under:-

Rect. No.	Khasra No.	Area	Kind of land
40	7/2/1/2	0-1	Abpash

Contd...2...

1157

	4/2/1/2	0-1	Abpash
41	2/2/1/2	0-2	-do-
	4/2/1/2	0-8	-do-
		0-12	

The land owner have not raised any objection regarding the measurement and classification of the land. At present there is no other alternative left with me except to agree with the classification and measurement as proposed by the field staff (L.A). On the basis of entries of Khasra Girdawari and other relevant records at the time of publication of notification u/s 6 the classification of the land is as under:-

Kind of land	Area
Abpash	0-12

POSSESSION

The possession of the land now under acquisition has not so far been taken over and handed over to the acquiring department.

CLAIMS

The following persons have filed their claims in pursuance of notices issued to them u/s 9 & 10 of the L.A. Act.

Sr. No.	Name	Kh. No.	Claim	Remarks
1.	Tek Chand s/o Athe Ram	40/3/2, 4/2	Claim @ Rs. 20/- per sq. yds	Produced copy of sale deed No. 5882 dt. 30.10.78
2.	Mangey Ram Raj Singh Umed Singh ss/o Choota Ram Satbir Singh		Claimed compensation @ Rs. 25000/- per bigha with solatium & interest Rs. 5000/- severance. Rs. 2000/- per Bigha for crops damages.	Failed to produce any evidence.
3.	Kanwar Singh } ss/o Jaipal Tek Chand }		Claimed compensation @ Rs. 30,000/- per bigha Rs. 20000/- for severance Rs. 10000/- for pucca Room Rs. 800/- for standing crops Rs. 600/- for Well	-do-

Contd... 3.

MARKET VALUE

The market value of the land is obviously to be assessed after keeping in view the situation, advantages and potentialities attached to the land on the date of notification u/s 4 of the L. A. Act. The land use is also to play an important role in deciding the market value of the land. It has been seen that the provisions of D.L.R. Act are applicable and thus restrictions contemplated u/s 22 & 23 of the Delhi Land Reforms Act are applicable and land can only be used for agriculture, horticulture or animal husbandary etc.

The record reveal that the entire area under acquisition involved in this Award is Chahi and is of the same quality. Thus the market value in respect of the entire area can be assessed at the flat rate. An Award No. 50/70-71 has already been announced in this Village and the date of notification u/s 4 of that Award was 24th July, 1967 whereas the date of notification of the land now under acquisition is 24th April, 1979. There is thus considerable time gap between the date of notification of the Award No. 50/70-71 and the present Award and hence Award No. 50/70-71 cannot be used as a base in determining the market value of the land under acquisition in the present Award.

However, following sale transactions effected through the recorded mutations in revenue records have been reported by the revenue staff:-

Sr.No.	Year	Registration No. & date	Name of Party	Kh.Nos.	Amount	Average per big ha
1.	1974-75	14197 dt. 30.7.74	Tule s/o Thunda Vs. Ramesh Chander s/o Parkash Chand	41/16/2, 16/1, 42/20/1, 21,22, 23/1,20/3 (16-8)	Rs. 46000/-	Rs. 2804.88
2.	1974-75	232 dt. 28.1.75	Singh Ram s/o Pyare Vs. Ram Dhan s/o Sohan	51/16 min (2-8)	Rs. 4000/-	Rs. 1666.67

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It has also been reported by the Field Staff that there was no sale in the year 1975-76 ~~and~~ to 84/ 1978-79 in Village Ladpur. Thus, for the purpose of determing the market value of the land involved in the present award we have to be guided by the above mentioned sale transactions. It is apparent that though there was a sale transaction at the rate of Rs. 1866/- per bigha vide registered sale deed No. 832 dated 29th Jan.,1975 but the land involved in that transaction is not in the immediate vicinity of the land involved under the present acquisition. In my opinion the sale transactions mentioned at Sr. No. 1 though of earlier date is more relevant because of two factors. First the land involved in that transaction falls in the same rectangle from which the present acquisition is made and secondly it involves a bigger area compared to the area involved in the sale transaction mentioned at Sr. No. 2. Thus, I find that the sale deed No. 14197 dated 30th July,1974 mentioned at Sr. No. 1 is a relevant guide in determining the market value of the land involved in the present award. The market value in that sale works out to be Rs. 2804.86 Ps per bigha. As this sale was effected nearly 5 years prior to the date of notification u/s 4 of this award, hence appropriate appreciation has to be given to determine the market value of the land on the date of notification u/s 4 i.e. 24th April,1979. Giving due appreciation in the market value of the land for the time gap between the date of sale transaction effected at Sr. No. 1 and that of date of notification u/s 4 for the land involved in the present acquisition, I feel that the market value of the land involved in the present award @ Rs. 5500/- per bigha is adequate and I assess the market value of the land accordingly.

OTHER COMPENSATION

STRUCTURES

There is one structure in Kh. No. 41/4/2/1/2 measuring 15' x 10' x 9' height having 10 curies and roof of tile bricks. Thus the total area of this structure works out to be 150 sq. feet. I find it reasonable to assess the value of this structure at the rate of Rs. 20/- per sq. feet.

Contd.. 5..

The total compensation thus comes out to be Rs. 3000/- only for the structure, and I assess the value of the structure accordingly. There is also one pucca Kotha in Kh.No. 40/3/3/1/2 and 4/2/1/2 measuring 14' x 10' which has been constructed by the Department of Minor Irrigation. The Department is allowed to remove the Kotha. Therefore, no compensation is assessed for the same.

There is one bored pipe in Kh.No. 41/2/2/1/2. The owner is allowed to remove the Pipe. Hence, no compensation is assessed for the Pipe.

TREES

There are three Mango and 8 Gauvas trees in Kh.No. 41/4/2/1/2. The owner of these trees can remove the same. I have assessed Rs. 150/- for each Mango tree and Rs. 50/- each for Gauva tree as compensation of trees which comes to Rs. 700/-

APPORTIONMENT

The persons interested shall be paid compensation according to the latest entries in the revenue record of the land now under acquisition. In case of any dispute the payment shall be made after any amicable settlement between the parties concerned failing which the matter shall be referred to the Court for adjudication.

LAND REVENUE

The land revenue works out to Rs. 0.23 Ps which will be deducted from the Khalsa Rent Roll of the Village of the Khatauni of the Village from the date of taking over possession i.e. 8.6.1979.

SOLATIUM

15 % solatium will be paid for compulsory nature of acquisition.

INTEREST

The persons interested are not entitled to get the interest because the possession of the land has not been taken over so far.

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SUMMARY OF THE AWARD

Compensation for the land measuring 12 Biswas @ Rs. 3500/- per bigha	Rs. 2100-00
15 % Solatium	Rs. 315-00
Compensation for structure	Rs. 3000-00
Compensation for Trees	Rs. 700-00
GRAND TOTAL:-	Rs. 6115-00

(Rupees Six Thousand One Hundred and Fifteen only)

(V.K. JHA)
LAND ACQUISITION COLLECTOR(N)
DELHI

Announced today on 23-4-80 in the open Court

(V.K. JHA)
LAC (N) Delhi

कब्ज़ा [illegible] नं० 14/80-81

आज दिनांक 28/5/80 को आदेश अनुसार [illegible] [illegible] [illegible] [illegible] [illegible] श्री [illegible] [illegible] [illegible] श्री [illegible] सिंह [illegible] व [illegible] [illegible] मौके पर पहुंचा, [illegible] [illegible] मौके पर [illegible] [illegible] की [illegible] श्री [illegible] [illegible] [illegible] [illegible] [illegible] हाजिर मिले, मौके पर [illegible] [illegible] 40/3/2/1/2 (0-1), 40/4/2/1/2 (0-1), 41/2/2/1/2 (0-2), 41/4/2/1/2 (0-8) कुल [illegible] [illegible] 0-12 [illegible] का [illegible] [illegible] से [illegible] [illegible] [illegible] [illegible] को [illegible] किया गया और [illegible] [illegible] 41/4/2/1/2 के मौके पर 3 [illegible] [illegible] और 8 [illegible] [illegible] [illegible] [illegible] [illegible] की [illegible] [illegible] को दिया गया और [illegible] [illegible] 40/3/1/2, 40/4/2/1/2 के मौके पर [illegible] [illegible] [illegible] हुआ है जो Minor Irrigation विभाग का [illegible] जाता है [illegible] की [illegible] विभाग को दिया गया है जो [illegible] विभाग के ही [illegible] है [illegible] [illegible] [illegible] [illegible] की [illegible] पैदा नहीं आई और इस [illegible] को [illegible] [illegible] [illegible] श्री [illegible] [illegible] [illegible] [illegible] की [illegible] [illegible] पर [illegible] से [illegible] गई है। मौके पर [illegible] सिंह [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] की वजह से [illegible] नहीं हो [illegible] [illegible] इस [illegible] [illegible] की [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] Sechi [illegible] [illegible] [illegible] [illegible] विभाग को [illegible] [illegible] [illegible] [illegible] दी गई — [illegible] [illegible] मुकम्मल हो चुकी है।

नोट - श्री [illegible] सिंह ने हस्ताक्षर करने से इनकार कर दिया है। —

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