

AWARD NO... 2039...
NAME OF VILLAGE..... LADPUR.
PURPOSE OF ACQUISITION.. ACQUISITION OF LAND FOR THE DIVERSION OF
MUNGESHIPUR DRAIN NEAR LADPUR VILLAGE.
NATURE OF ACQUISITION... PERMANENT.

6 BIGHA 11 Bis of land of village Ladpur have been notified u/s 4,6,17 of the land Acquisition Act 1934 vide notification No. F.15(3)/63-524 dated 5.12.63 by the Lieutenant Governor, Delhi for acquisition for a public purpose namely for the ^{diversion} ~~diversion~~ of Mungesh Pur drain near Ladpur village. Applying the provisions of sub-section (1) of section 17, the Lieutenant Governor, Delhi directed the Land Acquisition Collector to take order for the acquisition of the above said land and also to take possession of the land on the expiration of 15 days from the publication of notices u/sub section (1) of section 9 of the above said Act. Wide publicity was given to the notification.

The notices u/s 2(1), 2(2) and 10(1) of the said land acquisition Act were served upon the interested persons who in response to the notices filed their claims which will be discussed at the proper place.

'MEASUREMENT AND OWNERSHIP'

According to the notification u/s 6, killa Nos 1/3 min and 1/1 min of Reet No.79, killa No.7/2 min and 14/min of Reet No.80, killa No.21min of Reet No.86, and killa No.25/1min of Reet No.84 measuring 6 bigha 11 bis have been notified for acquisition. At the time of measurement 12 bis have been found less. Therefore the correct area 5 bighas 14 bis is under the present scheme.

OWNERSHIP

The ownership, tenancy, Khasra No. with area and kind of soil of the land under acquisition is as under:-

S.No.	Name of Rahunidar.	Name of Killa No.	Area	Kind of soil
		Occupant.	Reet.	Killa
1)	Risal Singh, Singh Rem Jagdish Singh ss/o Harnam Singh in equal shares.	Self possession. 80	7/2/1 2-02 14/1/1 3-1 3-9	Unirrigated. "

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- | | | | | | |
|--|------------|----|--------|------|-------------------|
| 2) Sher Singh s/o Ramji Lal | Self | 79 | 1/1/1 | 2--2 | Unirrigated. |
| Rajbir s/o Ram Sarup | possession | 86 | 21/1 | 2--1 | " |
| in equal shares. | | | | 2--3 | |
| 3) Chandgi s/o Gurdial | - do- | 24 | 25/1/1 | | less than an bis. |
| 1/2 shares. Ramhar, Moji, Jai Lal, Ram Nath ss/o Tahar in equal shares 1/2 shares. | | | | | |
| 4) Gaon Sabha. | - do- | 79 | 1/3/1 | 0--2 | B. Jadin |

5--14

Unirrigated(5-12) B. Jadin(2-3)

'CLAIMS'

The following claims have been filed.

- 1) Rajbir s/o Ram Sarup He has stated in his claim that the compensation of land be given @ 2.5/- per sq. wd. No evidence has been filed.
- 2) Sher Singh s/o Ramji Lal - do-
- 3) Risal Singh, Singh Ram Singh, They have stated in their claims that the compensation of land be given @ 2.5/- per sq. wd. They have filed a copy of sale deed in support of their claims. According to the sale deed No. 2251 registered on 21.8.57, 11 bis of land out of kil. No. 12/3 of Reel No. 77 was sold for 1000/-
- 4) Ramhar s/o Tahar himself They have filed a claim jointly and on behalf of Ram Nath and Moji Chandgi s/o Gurdial stated that the compensation of land be given @ 2.5/- per sq. wd. No evidence has been filed.

'MARKET VALUE'

5 bighas 14 bis are under acquisition for ^{division} of Hungesh pur drain. Out of it 2 bigha 5 bis are toward west of the village Ladpur and the remaining (3 bigha 9 bis) towards East of the village Ladpur, and the distance between the two is about 4 furlong. Because the situation and nature is almost identical division of the land in-to two blocks is not necessary.

For calculating the compensation to be awarded ^{now} only the conditions mentioned in section 23(1) of the L.A. Act are to be reckoned but other factors also are to be taken into accounts, such as sale transaction of the village that took place during t

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five years preceedings the date of notification u/s 4, which in the case is 5.12.63 nearness of land under acquisition to recent sale transactions, situation, the use to which it is put, its potential value, rise and fall of demand of land in the market and the land acquired previously in the village. Also the claims of the interested persons have to be considered. The average sale price of five year preceedings, the date of notification u/s 4 is as under:-

S.No.	Year	Area	Price	Average per bigha.
1	1961-62	--	--	--
2.	1962-63	7--1	3.4150-00	3. 458-56
3.	1963-64	3--8	3.1400-00	3. 411-76
4.	1964-65	3--2	3.1500-00	3. 483-27
5.	1965-66	14--6	3.7000-00	3. 489-51
Total		27-17	3.14000-00	3. 501-40

The average sale price for five year preceedings the date of notification u/s 4, which is 5.12.63, works out to 3.470-60. The above table reveals that there has been a small decrease in 1963-64 as against 1962-63, otherwise the price has appreciated though. The increase is meagre. However a review of the sale transactions will reveal the causes leading to increase in ~~xx~~ price.

1961-62 : No transactions have taken place.

1962-63 : Kh.No.13/1,8/3,9/3,13/2 of Rect No.25 measuring 7 bighas 13 bis and Killa No.11/2 of Rect No.23 measuring 1 bighas 2 bis were sold on 26.3.62 and 12.7.62 and the price per bigha comes to 444.40 and 525-60 respectively. The former is on Sad-pur Gatab Garh Road and close to the abadi, where as the latter is at a distance from the said road and the village abadi. However the former provides a guide line for assessing market price for land under acquisition.

1963-64 Only one transaction is reported to have taken place in this year. The price per bigha obtained is 3. 411-60. It is about

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one mile from the said road and abadi. The difference in price compared to last year is much better.

1964-65

The price per bigha of the two transactions that took place during the year 1964-65 in each case is Rs. 483-87. The land is about one furlong from the said Road and one furlong from the abadi. Compared to last year the price has appreciated by about Rs. 70/-. These transactions can be taken into account for fixing market price.

1965-66

During the year 1965-66 only one transaction has been registered. The price per bigha has come to Rs. 489-51P. Although the land is at a distance the price as compared to last year has appreciated by about Rs. 6/- which is very small. The review of the transactions that have taken place during the five years indicates that the price per bigha has been steady. The land near the abadi and the said road have fetched a little higher price than the land at a distance from both. The highest price obtained in 1965-66 is Rs. 489-51P and the highest price obtained in 1964-65 is Rs. 483-87P.

In this village land has been acquired only once through award No. 1493 and the date of notification u/s 4 is 25.7.39. In it Rs. 400/- and Rs. 200/- were awarded.

The claimants have demanded Rs. 5/- per sq. yd. and have only filed one sale deed, which pertains to Pl. No. 77/12/3 sold on 21.8.57 for Rs. 1000/-. The price per bigha comes to Rs. 1818-18. It adjoins the abadi. The area sold is 11 bis. It is possible the purchaser was the owner of land adjacent to this road and was willing to buy it at any price. There can be no other reason for that land to fetch that price in 1957. Besides the price never reached Rs. 1818-18P per bigha anytime during the five years.

The market price prevailing just before 5.12.63 that is the date of notification u/s 4 is to be ^{arrived at} ~~corrected~~. It will be unfair and unjust to reckon transactions relating to an unreasonable period from the date of notification u/s 4. Actually transactions that have

taken place before the notification u/s 4 or earlier or the average for the five years which ~~ever~~ is highest allowing a rational percentage of increase over and above it must be considered for arriving at a fair and just market price.

After careful examination of average price of five years preceedings the date of notification u/s 4, the location of land to be acquired, price of land sold in the proximity to the land under the scheme, I am of view that fair and just market price would be Rs. 550/- per bigha kham and I award the same.

COMPENSATION FOR WELLS, TREES AND STRUCTURES

There are no wells, trees and structures on the land under acquisition. As such no compensation has been allowed.

INTEREST

The possession of the land under acquisition has not so far been handed over to the acquiring Department by this office. But the drain has been dug at site by the acquiring Department before issue of notifications u/s 4 dated 5.12.66. According to the entries of Kh. Girdawar the possession has been shown in the Rabi 1966. Hence the owners should approach the acquiring department for interest.

'APPORTIONMENT'

The compensation will be disbursed to the interested persons, according to the latest entries in the revenue records.

'LAND REVENUE'

The land revenue is reported to be Rs. 2.53. It will be deleted from the Khalsa Rent Roll from the Rabi harvest 1966.

The summary of the Award is as under:-

Compensation for 5 bis. 14 bis	
land @ Rs. 550/- per bigha.kham	Rs. 3125-00
15% solitium	Rs. 470-25
G.Total	Rs. 3595-25

(Rupees Three thousand six hundred and five paise twenty five only)

(SEAN KARNI)

LAND ACQUISITION COLLECTOR (P)
DWT.

6.9.67

Forwarded to the Deputy Commissioner (District Collector)
for information and filing the award.

(SIAM KARAN)

LAND ACQUISITION COLLECTOR (P)
DELHI.

Seen. file. Award app. No. 107/6-Dr
V. S. S. S. 11.11.67

12/11/67
N.T. Commission to be set up for the purpose of
fixing the award for the purpose of the
land acquisition.

Announced today in the morning
It is broken down.

10/11/67