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AWARD No. : 69/83-84
 VILLAGE : MADIPUR
 NATURE OF ACQUISITION : PERMANENT
 PURPOSE OF ACQUISITION : PLANNED DEVELOPMENT OF DELHI

Introductory :

These are the proceedings for the acquisition of land measuring 3 bigha 7 biswa in village Madipur. The land was notified U/S 4 vide No. F15(245)/60-LSG dated the 10th November, 1960. After considering the objections U/S 5A, declaration U/S 6 vide No. F4(30)/63-L&H dated the 24th June, 1967 was issued for an area of 11 bigha 09 biswa. Out of which area measuring 4 bigha 13 biswa bearing khasra No. 584/1/1 has been denotified vide notification No. F4(30)/63-L&H dated the 22nd October, 1971. There is increase of 1 biswa in khasra No. 584 due to Tatimas. Hence an area of 3 bigha 7 biswa has been taken for these proceedings.

Notices U/S 9 & 10 were issued to the interested persons and claims filed by them have been discussed under the heading 'claims for Compensation'.

True & Correct Area :

Area measuring 3 bigha 7 biswa of these proceedings was measured on spot by the Land Acquisition field staff with reference to the revenue record. The details of the same with kind of soil are as under :-

Khasra No.	Area Bigha - Biswa	Kind of soil
582/2	00 - 17	Geir Mumkin Plot
582/3	00 - 06	-do-
584/1/2	00 - 09	Rossli
584/3	01 - 15	-do-
Total	3 - 07	

Geir Mumkin Plot - 1 bigha 03 biswa;
 Rossli - 2 bigha 04 biswa.

Claims :

The following interested persons have filed their claims :-

Sl. No.	Name of the claimant.	Substance of claim.
1.	Shri Mahant Ganga Dass	
	Chela Ramji Dass.	
"	Shyam Lal Mittal s/o	
	Jai Narain.	
		Kh. No. 584/1: Claims compensation @ Rs. 50/ per s.yd
		Claims compensation @ Rs. 120/ per sq.yds.

.....2/-.

Sl.No.	Name of the claimant.	Substance of claim.
4.	Sh Bhola Ram s/o Nathan	Kh.No.584/1; Claims compensation @ Rs.150/-per sq.yds.
5.	" Deekh Ram s/o Nathan	-do-.
6.	" Nihal Singh s/o Jas Ram	Kh.No.582/3; - do-.
7.	Smt Pyar Kaur w/o Sh K.S. Bajwa.	Claims compensation @ Rs.100/- for land & Rs.10000/- for three shops, one shed & three residential khoka; & Rs.5000/- for loss.
8.	" K.S. Bajwa S/o Harnam Singh	Claim compensation for land @ Rs.100/-per sq.yd; Rs.5000/- as cost of malha; Rs.5000/-for construction & 15% solatium.
9.	Baij Nath s/o -do-.	582/3; claim compensation for land @ Rs.110/- & Rs.40000/- for house.
10.	Bajinder Singh	584; Claim compensation @ Rs.120/-per sq.yd for land.
11.	Tagbir Chand s/o Amir Chand	584; - do-.
12.	Smt. Durga Devi	584; -do-.
13.	Smt Pritam Kaur	584; -do-.
14.	Sh Kuldeep Singh Bindra	584; -do-.
15.	Sh Durga Dass Khanna	584; -do-.
16.	Refugee Cooperative Housing Society.	Kh.No.582/2-3 & 584/1; Claims compensation @ Rs.250/-per sq yds for land.
17.	Smt Israr Kaur P/o 111-A/155, Ashok Nagar, Kanpur, UP.	kh.No.584; claims compensation @ Rs.120/-per sq.yds for land.

Evidence :

In support of the claims the interested persons have filed following documents as regard to market value of the land in question :-

- i) Copy of Sale Deed. No.3908 dt. 16.10.56 pertaining to an area of 559 1/10 sq.yds of plot No. 71 in village Madipur. This transaction was for a consideration of Rs.3089.06. The average sale price comes to Rs.7663.11 P.B.
- ii) Copy of sale deed No. 53 dated 2.2.60 for an area of 532 3/10 sq yds in village Madipur. This transaction was for a sum of Rs.8597/-.

All these transactions pertain to sale of small pieces of land which are not relevant to these proceedings. Moreover the

.....3/-.

land transacted is quite different to the land of these proceedings. Hence the proofs furnished by the claimants do not support the exorbitant claims filed by the interested persons.

Market Value :

Market value is to be assessed as on 10.11.60 on the date of notification U/S 4. ~~From~~ ^{All} the relevant factors as provided in the Act, are to be considered for arriving at a fair and just market value.

The evidence furnished by the claimants has not been found helpful nor any sale transactions recorded in the revenue record can lead to a fair conclusion in respect of market value as the sale transactions available in the revenue record also pertain to small plots of land and also not worth consideration from the situation point of view.

The only help which can be derived for arriving at the fair market value are the awards announced in the village close to the material date and judicial judgments arising out of these awards. Relevant to these proceedings are the five awards detailed as under:

Award No.	Date of notification U/S 4.	Rate awarded
1182	3.9.57	R. 600/-P.B.
1870	13.11.59	R.2500/-P.B.
1691	-do-	R.2000/-P.B.
	Block A	R.1500/-P.B.
	Block B	R.1000/-P.B.
1098	20.6.60	R. 400/-P.B.
	Block C	R. 100/-P.B.
1458	10.11.60	R.1500/-P.B.

Out of the said awards, some of the land acquired through Award No. 1691 is similar to the land of these proceedings. The present land is situated on the Main Rohtak Road and part of the land acquired through Award No. 1691 is quite close to it. In this award land of Block A was assessed at R.2,000/- per bigha on the material date i.e. 13.11.59. In a Reference U/S 18, the Addl. Distt Judge enhanced the market value from R.2,000/-P.B. to R.5,200/-P.B. in I.A. Case No. 139/69 - 'Ram Saran etc. Versus Union of India'. The Union of India has not preferred appeal against this judgment hence this judgment is most reliable base of evidence to the market value of the land in question. No other judgment is available. On the basis of the market value fixed in the said judgment the land in question is assessed at R.5,200/-P.B. kham and the same awarded.

Compensation for structures :

There are structures on khasra No. 584/1/2, but these
.....4/-.

have been constructed after the date of notification U/S 4
Hence no compensation is assessed.

Interest :

Interest U/S 4(3) is attracted @ 6% per annum as the land was notified U/S 4 on 10.11.60 & U/S 6 on 24.6.67. The interest is payable w.e.f. 10.11.63 till the announcement of the award.

Solatium :

15% solatium will be paid to the persons interested over & above the value of land on account of compulsory nature of acquisition.

Apportionment :

Compensation will be paid on the basis of the latest entries available in the revenue record. If there is a dispute which could not be settled here within the reasonable time then the matter will be referred to the court of ADJ for adjudication.

Deduction of Land Revenue :

The land under acquisition is assessed to land revenue amounting to Rs. 1.17 which will be deducted from the 'Khalsa' rent roll of village Nadipur from the date of taking over of possession.

Vesting of ownership :

From the date of taking over possession of the land, the land will absolutely vest in government free from all encumbrances.

SUMMARY OF THE AWARD

Land measuring 3 bigha 7 biswa @ Rs. 5,200/- per bigha.	Rs. 17,420-00
Add 15% solatium.	Rs. 2,613-00
Interest @ 6% w.e.f. 10.11.63 to 16.11.83 i.e. 20 years 7 days on the market value of land i.e. Rs. 17,420-00.	Rs. 20,924-04
Total	Rs. 40,957-04

(Rs. Forty Thousand, Nine Hundred Fifty Seven & Paise Four only).

[Signature]

(B.S. PANNA)
Land Acquisition Collector (PD)
Delhi.

and filed today.

[Signature]
17.11.83.
LAC (P.D.)

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No. 1-93-10

SECRETARY (Land & Building)
(Surrey)

11/27/22
8/8/22

6-10-10

882/2, 882/3, 883 W.L., 884 W.L.

6 - II

• **and town**

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NOVEMBER

A plan of the land may be inspected at the office of the collector of the land.

This declaration is made under the provisions of section 9 of the Land Acquisition Act, 1864 to all whom it may concern and under the provisions of section 7 of the said act, the collector of District is hereby directed to take order for the regulation of the said lands.

A plan of the land may be collected by the collector of the said district.

dated the _____ June, 1967.

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10-11-1961

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