

माधवादि मन्त्रां मोक्षा रालता नह व शि. दिनाली 67

42023
BESG

Supplimentary Award No.: 24/83-84 (Supl.)

Name of village: Rawata.

Nature of acquisition: Permanent.

Purpose of acquisition: Increasing the capacity of Najafgarh Drain.

These are the supplementary proceedings of Award No. 24/83-84 announced on 23.7.83. After the announcement of the award, the Land Acquisition Act, 1894 has been amended and the amendment act came into force w.e.f. 24.9.84.

Under the Amendment Act, 1984 the provision of sub-section 2 of section 23 have been amended by clause (b) of section 15 of the Amendment Act which provides solatium @ 30%. A new sub-section (1-A) of section 23 of the Principal Act have also been inserted by clause (a) of section 15 of Amendment Act which provides 12% addl. compensation from the date of notification u/s 4 of the L.A. Act till the date of award of the Collector.

As provision of section 30 of the Amendment Act of 1984, the provisions of sub-section (1-A) of section 23 of the Principal Act as inserted by clause (a) of section 15 of the Amendment Act and sub section 2 of section 23 as amended by clause (b) of section 15 shall also apply in every proceedings for acquisition of any land under the Principal Act pending on the 30th day of April, 1982 (the date of introduction of the land acquisition Act (Amendment) Bill, 1982 in the House of People) in which no award has been made by the Collector before that date.

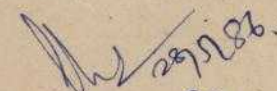
As per provision of section 30 of the Amendment Act, 1984 the provision of section 34 of the Principal Act, as amended by section 20 of this Act shall apply, and shall be deemed to have applied, also to, and in relation to every case in which provision of any land acquired under the Principal Act had been taken before the 30th day of April, 1982 (the date of introduction of the Land Acquisition (Amendment) Bill, 1982, in the House of People) and the amount of compensation for such acquisition had not been paid or deposited under section 31 of the Principal Act untill such date, with effect and from that date, and every case in which such possession have been taken on or before the date

....2/-

24/5/84

28⁵/₈₆

Award has been announced to-day
in the presence of the following persons:


LAC (ME)
Silki

1. Deep Chand s/o Natham

L.T. 9
 Deep Chand

2. Ram Kishan s/o Ram pal. Ram Kishan

L.T. 9. mangle Ram

3. mangle Ram s/o Hazari



4. Lekh Ram s/o Uelai Singh

L.T. 9. Lekh Ram



5. Lok Ram s/o Nauhat

L.T. Lok Ram



6. Lal Chand s/o Het Ram

L.T. 9. Lal Chand

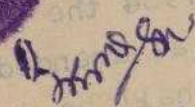


7. Rattan s/o Lal Chand

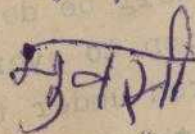
L.T. Rattan



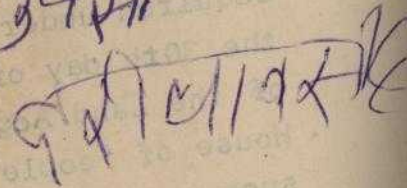
8. Beg Raj s/o Nauhat Ram



9. munshi s/o Jai Lal



10. Dayao Singh s/o Jai Lal



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but before the commencement of this Act without the amount of compensation having been paid or deposited under the said section 31 with effect on and from the date of taking such possession.

Keeping in view the provision of the Amended Act, the interested person/bhumidar of Award No.24/83-84 announced 23.7.83 are also entitled for payment of solatium @ 30% on the market value and 12% as addl.compensation w.e.f.13.1.81 to the date of notification u/s 4(1) of the L.A.Act to 3.2.81 and interest @ 9% per annum for one year i.e.w.e.f. 3.2.81 to 2.2.82 for an area measuring 295 bighas 5 biswas u/s 34 of the L.A.Act and interest @ 15% for the same area shall be payable from the date of expiry of the said period of one year.

As per above discussion, the following amount is also allowed to be interested persons of the Award No.24/83-84 and this amount shall be apportioned as per the original Award No.24/83-84.

SUMMARY OF THE AWARD:

Compensation for the land measuring 295 bighas 5 biswas @ Rs.2000/-per bigha.	Rs. 590500-00
Solatium @ 30%	Rs. 177150-00
Addl.compensation @ 12% from 13.1.81 to 2.2.81 (21 days)	Rs. 17150-00
Interest u/s 34 @ 9% from 3.2.81 to 2.2.82 (one year)	Rs. 4076-88
Interest u/s 34 @ 15% after the expiry of the said period i.e. from 3.2.82 to 23.7.83 (1 year 171 days)	Rs. 69088-50

Total:	Rs. 169093-31
Paid amount:	Rs. 1009908-69
Balance:	Rs. 722615-10
	Rs. 257493-59
	Rs. 230,256-17

Two lakh thirty seven thousand four hundred and ninety three and paise fifty nine only.

(VED PARKASH)
Land Acquisition Collector(ME):
Delhi.

Revenue
28/5/86 Announced & filed to stay
LAC(ME)
delhi 28/5/86

A W A R D No. 24/83-84

671

OF THE VILLAGE : RAWATA
OF ACQUISITION : PERMANENT
USE OF ACQUISITION : INCREASING THE CAPACITY OF NAJAF-
GARH DRAIN.

These are the proceedings of determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land under acquisition measuring 295 Bighas 15 Biswas situated in Village Rawata was notified u/s 4 vide notification No. F.7(103)/79-L&B(i) dated 13.1.81, u/s 6 vide notification No. F.7(103)/79-L&B dated 13.1.81 and u/s 17 vide notification No. F.7(103)/79-L&B(III) dated 13.1.81 for a public purpose namely for increasing the capacity of Najafgarh Drain. In pursuance of the aforesaid notifications orders u/s 9 & 10 of the L.A. Act were issued to the interested persons inviting their claims and claims filed by them are discussed under the heading "Claims for Compensation".

THE CORRECT AREA

The land was measured on the spot and area found available at the spot is 295 Bighas 5 Biswas. The area notified was 295 Bighas 15 Biswas. The correct area available on the spot is 295 Bighas 5 Biswas. There is a difference of 10 Biswas between the area notified and correct area available on the spot. Due to consolidation operations there is a difference of 0.10 Biswas in Kh. No. 3/22/2, 7/7 and 7/8/1. In the notification area of Kh. No. 3/22/2 is 0.11 Biswas while according to field book the area is 0.13, area of Kh. No. 7/7 notified is 4.14 and area according to field book is 4.14 Bighas 11 biswas and of Kh. No. 7/8/1 notified area is 3 Bighas 9 biswas while according to field book it is 3 Bighas. Kh. No. 3/26(0.5), 6/26(0.15) and 16/26(0.5) are included in the aforesaid notifications but this area is not included in the grand total of the notifications since land of these khasra numbers is ^{under Bz} ~~included~~ the wells on which section 17 is not applicable. That area measuring 1 Bighas 3 biswas is thus left out from the present proceedings. The details of true and correct area are as

under:-

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<u>Kh. No.</u>	<u>Area</u> <u>Hg-Hs</u>	<u>Kind of soil.</u>
1/3	0-18	Banjer
4.	1-14	-do-
6.	5-10	-do-
7	4-16	-do-
8	3-09	-do-
13/1/1	0-18	-do-
15/1	4-13	-do-
14/1	3-04	-do-
16/1	0-02	-do-
2/9	2-06	Gair Abpash
10	4-08	-do-
11	4-16	-do-
12-	4-16	-do-
13	4-12	-do-
2/14/1	1-07	-do-
14/2	0-17	-do-
16	4-16	-do-
17/1	2-10	-do-
17/2	2-06	-do-
18/1	0-16	-do-
18/2	4-00	-do-
19/1	0-16	-do-
19/2/1	3-04	Banjer
20/1	0-16	Gair Abpash
20/2/1	0-6	Banjer
23/1	1-06	Gair Abpash
24/1/1	1-11	-do-
24/2/1	2-05	-do-
25	4-16	-do-
3/20/1	1-03	Banjer

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3/20/2	1-09	Gair Abpash(1-00) Parti(0-09)
21/1	2-01	Gair Abpash
21/2	0-18	Banjer
3/21/3	1-17	Gair Abpash
22/1	4-03	Banjer
22/2	0-13	Gair Abpash
23	3-10	Banjer
4/22/1	0-12	-do-
22/2	2-05	Parti
5/20/1	1-11	Gair Abpash
20/2	0-1	-do-
21/1	1-02	-do-
21/2	3-03	-do-
21/3	0-07	-do-
22/1	3-07	-do-
22/2	0-13	-do-
23	1-15	Banjer
6/9	2-08	-do-
10	4-11	-do-
11	4-16	-do-
12/1	0-12	-do-
12/2	4-04	Gair Abpash
6/13	2-03	-do-
14/1/2	2-09	-do-
14/1/2	4-06	-do-
16	4-11	-do-
17/1	0-05	-do-
17/2	2-15	-do-
18	4-00	-do-
19/1	1-08	Banjer
20/1	1-16	Gair Abpash
23/1	4-03	-do-
24/1/1		

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On	- 4 -	
6/24/2	0-05	Gair Abpash
25	4-16	-do-
7/1/1	1-00	-do-
1/2/1	0-07	Banjer Banjer
1/3/1	2-10	Banjer Gair Abpash
2	4-14	Gair Abpash
3	4-16	Banjer
4	4-14	-do-
7/5	3-00	-do-
6-	4-16	-do-
7	4-11	-do-
8/1	3-00	-do-
8/2/1	0-09	Gair Abpash
8/3/1	0-12	-do-
9/1/1	1-06	-do-
9/2/1	0-04	Banjer
14/1	1-03	-do-
15/1	3-08	-do-
8/4/2/1	-	- (Laziman Bawa)
5/1/1	1-12	Gair Abpash
15/4/1/1	0-06	-do-
5/1/1 15/1/1	0-13	-do-
5/2/1	1-10	-do-
16/1/1	4-14	-do-
2/1	3-14 3-14	-do-
16/2/2	0-17	Banjer
3	4-16	-do-
4/1	3-00	-do-
4/2	1-00	Gair Abpash
5	1-06	-do-
6	4-16	-do-
7/1	0-18	-do-

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16/7/2	3-18	Gair Abpash
8	4-6	Benjer
9/1/1	0-11	-do-
9/2/1	2-15	Gair Abpash
10/1	0-15	-do-
13/1	0-15	-do-
14/1/1	2-05	-do-
14/2/1	0-16	-do-
15/1	4-15	-do-
16/1	0-16	-do-
17/10	3-08	-do-
11	4-16	-do-
12	5-08	-do-
17/13	2-12	-do-
16	1-06	-do-
17	4-12	-do-
18	4-16	-do-
19	4-16	-do-
20/1	2-18	-do-
22/1	1-03	-do-
23/1/1	3-09	-do-
23/2/1	0-08	-do-
24/1	3-04	-do-
24/2	0-09	-do-
26/3/1	0-06	-do-
362/1	0-17	Gair Mumkin Resta
368/1	0-10	-do-
369/1	0-11	-do-
Gair Abpash	Parti	
191-01	2-14	Benjer
		Gair Mumkin Resta
		1-18

Total: 295.05

COMPENSATION CLAIMS

The following persons have filed their claims for compensation:-

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S.No.	Name of claimants	Kh. No.	Claims.
1.	Balwant Singh s/o Maman	6/14/1, 17/2 24/1	Rs. 75,000/- per bigha.
2.	Ram Kishan s/o Niader Singh.	3/22	Rs. 1,00,000/- per bigha
3.	Risal Singh s/o Umraw Singh	2/14/1, 17/2, 18/2, 23/1, 24/1/1	Rs. 1,00,000/- per bigha Severance charges Rs. 20,000/- Value of standing crops Rs. 30,000/-.
4.	Yad Ram s/o Mangat, Duli- chand s/o Mangat. <i>Pr</i>	6/12/2 13, 19/1	Rs. 1,00,000 per bigha Value of the standing crops Rs. 40,000/- Bearing and trees compensation Rs. 10,000/-, Change of profession Rs. 1,00,000/-
5.	Rate Ram s/o Tulsi	17/22/1 24/2, 20/3/1 17/23/2/1.	Rs. 1,00,000 per bigha, <i>24/2</i> Severance charges, <i>20/3/1</i> , Value of standing crops Rs. 29,000/-
6.	Kishan s/o Jai Lal	-	Rs. 100/- per sq. yd.
7.	Sharbati wd/o Jai Lal	-	Rs. 100/- per sq. yd.
8.	Dariav Singh s/o Jai Lal	-	Rs. 100/- per sq. yd.
9.	Balwant Singh s/o Maman	6/17/2, 18, 24/1, 14/1, 15/4/1	Rs. 1,00,000/- per bigha, value of the standing crops Rs. 40,000/- Bearing and trees compensation Rs. 10,000/- change of profession of Rs. 1,00,000/-.
10.	Kishan Vir s/o Nihal Singh	7/7	Rs. 50,000/-.
11.	Bhagwan Singh s/o Nihal Singh	7/6	-do-
12.	Bhim Singh s/o Daulat	2/17/1, 14/2, <i>Pr</i> 8/4/2/1, 24/2/1 <i>24/2</i>	Rs. 100000/- per bigha, Severance charges as Rs. 20,000/- and value of standing crops Rs. 30,000/-.
13.	Deep Chand s/o Nathan, Labha s/o Uday Singh, Mange s/o Hazari <i>Pr</i>	17/13, 16, 17, 18, 23/1/1 24/1.	Rs. 12000/- per bigha
14.	Mahinder, <i>Pr</i> Parkash, Karan Singh ss/o Dhar m Singh Lekh Ram s/o Uday Singh.	6/16, 25, 17/1 24/2	Rs. 12000/- per bigha.
15.	Surat Singh, Karan Singh ss/o Nand Ram, Nafe Singh Kadam Singh, Rambir Singh Samnder Singh ss/o Man Phool Smt. Bharto wd/o Men Phool.	17/13, 16, 17	Rs. 12000/- per bigha.
16.	Deep Chand s/o Nathan	16/1/1, 2/1, 9/2/1, 10/1, 15/5/2/1, 5/20/2 21/3, 22/1.	Rs. 12000/- per bigha.

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17. Munshi s/o Jai Lal 2/16, 25, Rs. 12000/- per bigha. 6/2/2, 21/1, 17/1/1, 8/5/1/1.
 18. Rattan s/o Dal Chand. 17/11, 12, 10, 19 Rs. 12000/- per bigha. 13, 16, 17, 18, 23/1/1, 24/1.
 19. Shera, Kali Ram and Immrat ss/o Chand. 5/21/2 Rs. 12000/- per bigha.
 20. Lok Ram s/o Nabat 5/20/1 Rs. 12000/- per bigha. 5/2/1/1
 21. Mange s/o Hazari 3/21/3 Rs. 12000/- per bigha. 22/2/1, 7/1/3/1 7/2
 22. Umed Singh, Med Singh s/o 17/13, 16, 17, 18 Rs. 12000/- per bigha. Ghanshyam, Risal Singh 23/1/1, 24/1. *1,00,000/-*
Rs. 12000/- per bigha
Sovereign charges Rs. 40,000/-
Value of crops Rs. 40,000/-
 23. Suba Chand Pardhan - About Rs. 40000/- per *Kila Rs* bigha.
 24. Pop Singh s/o Chandgi - Rs. 100/- per sq. yd.
 25. Balbir Singh s/o Chandgi - Rs. 100/- per sq. yd.
 26. Hoop Singh s/o Chandgi - Rs. 100/- per sq. yd.
 27. Fattah s/o Mohra - Rs. 100/- per sq. yd.
 28. Lal Chand s/o Mela Ram - Rs. 100/- per sq. yd.
 29. Ram Kishan s/o Ram Pershad. - Rs. 100/- per sq. yd.

DOCUMENTARY EVIDENCE.

Shri Kishan s/o Jai Lal has produced the following documentary proof in support of his claim.

1. Photo-stat copy of sale deed No. 2813 dated 6.6.81 for an area measuring 5 bighas 11 biswas situated in village Jhuljully for a sum of Rs. 20000/-
2. Photo state copy of sale deed No. 2745 dated 26.6.80 for an area measuring 0-10 biswas situated in village Galib Pur for a sum of Rs. 4000/-.
3. Photo copy of sale deed No. 2355 for an area measuring one bigha situated in village Rawata for a sum of Rs. 7000/-.

The evidence furnished by the claimant is not relevant. Firstly that the sale deeds at SL.No. 1 & 2 above does not pertain to the revenue estate that the land is situated. The sale deed at SL.No. 3 above pertain to a residential plot situated *within* of the abadi of village and the land

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transacted cannot be compared with the land of these proceedings.

MARKET VALUE :

Market value of the land under acquisition is to be determined as on 13.1.81 the date of notification u/s 4 of the Land Acquisition Act. All relevant factors viz situation, potentiality and nature of soil etc. are to be kept in mind for arriving at a reasonable market price. Delhi Land reforms Act applies to the land under acquisition and as such its use is restricted to agriculture and allied purposes.

The land is situated near the Delhi Haryana Border. The land is Barani in character but some of the Bhumidars have installed tubewells and wells for irrigation. Inspite of the improvement the land is basically Rolsi. Its potentiality is also restricted by the provision of Delhi Reform Act as it can not be used for any other purposes than agriculture. Keeping in view the above factors a search was made in the revenue record to locate the sale transactions. During the past five years the following sale transactions are available:-

S.No.	S.No. of A-1.	Reg.No.	Date of Reg.	Total area sold.	Consideration amount.
1.	6	1928	31.8.76	13-01	Rs. 17000/-
2.	7	1927	31.8.76	11-05	Rs. 15000/-
3.	1	1799	9.3.77	23-14	Rs. 30000/-
4.	11	9	9.5.78	1-00	Rs. 7000/-
5.	12	1625	27.5.78	15-16	Rs. 24490/-
6.	16	2344	6.4.79	20-11	Rs. 18000/-
7.	18	3399	12.6.79	10-16	Rs. 24000/-
8.	17	2345	26.4.79	18.10	Rs. 16000/-
9.	50	2982	16.7.80	9-09	Rs. 9000/-
10.	51	2983	16.7.80	9-09	Rs. 9000/-
11.	52	2980	16.7.80	5-18	Rs. 8000/-
12.	53	2981	16.7.80	5-18	Rs. 8000/-
13.	54	2979	16.7.80	12-05	Rs. 6000/-
14.	64	3623	3.9.80	9-00	Rs. 10000/-

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15	65	3624	3.9.80	7-18	Rs. 3000/-
16	67	3912	19.9.80	12-04	Rs. 27000/-
17	68	5291	23.12.80	16-00	Rs. 25000/-
18	59	3625	3.9.80	8-02	Rs. 9900/-
19	61	1215	20.3.80	5-14	Rs. 8000/-
20	66	1214	20.3.80	0-10	Rs. 4000/-
21	73	3717	9.1.81	1-00	Rs. 3000/-

A part from the above sale transactions available in the revenue record 7 awards have been drawn in this village but none of the award represent the market value closed to the material date. The latest award was made in 1972 wherein the material date was 24.11.70, is not relevant being of distant past. The only reliable material for arriving at the fair market value are the sale transactions recorded in the revenue record and stated above. Out of these transactions those mentioned at Sl. No. 4, 20 and 21 pertain to residential plot within the village abadi and cannot be compared with the land under acquisition. The sale transaction mentioned at Sl. No. 1 to 3, 5 to 16, 18 and 19 pertain to the land which is different to the land under these proceedings. From the point of view of situation and level the only relevant sale transaction is at Sl. No. 17 of the table above. This pertains to an area of 16 bighas and consideration is Rs. 25000/-. The average sale price comes to Rs. 1562/- per bigha. The land sold in this transaction entered under Mutation No. 5291 in the revenue record is situated quite near to the land now under acquisition rather a part of it is being acquired in these proceedings. The only difference in the two land is of soil. The owner of the land under acquisition have made considerable improvement by installing tube-wells and etc. Hence their land ^{merit} ~~merit~~ better assessment to market value as compared to the other land. Keeping in view the above discussion I am of the opinion that fair just market price of the land in question should be Rs. 2000/- per bigha and I am of the same.

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TREES:

There are two kikars trees in Kh. No. 2/16, 25 and three kikars trees in Kh. No. 6/12/2, 7/2 but these are not in such condition whose compensation can be assessed being too small.

WELLS: TUBEWELLS AND OTHER STRUCTURES : NIL

CROPS :

There were some crops on the land under acquisition at the time of taking over possession as detailed below:-

<u>GRAMS</u>			
<u>Kh. No.</u>	<u>Area</u>	<u>Kh. No.</u>	<u>Area</u>
2/9	2-04	5/20/1	1-11
10	4-00	21/1	1-02
11	4-14	22/2	3-03
12	0-14	21/3	0-07
13	4-10	22/1	3-07
16	4-16	6/14	0-01
18/1	0-16	16	4-06
19/1	0-06	17/1	0-05
20/1	0-16	24/2	0-05
25	4-16	25	4-16
3/20/2	1-00	7/1/1	1-00
21/1	2-01	8/3/1	0-12
7/9/1/1	1-06	17/10	3-08
8/5/1/1	1-12	11	4-6
15/5/2/1	1-10	12	5-08
16/1/1	4-14	17	4-00
2/1	3-14	18	4-16
4/1	1-10	19	4-16
4/2	1-00	20/1	2-18
5	1-06	22/1	1-03
6	2-16	23/1/1	3-09
7/1	0-18	24/1	3-04
7/2	2-00	23/2/1	0-08

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16/9/2/1	2-14	17/24/2	0-09
10/1	0-15	20/3/1	0-06
15/1	4-15	Total area of grams crops.	
14/2/1	0-16	Highas-Biswas.	
16/1	0-16	122-11	

I hereby award the compensation of grams crops @ Rs. 450/- per bigha which comes to Rs. 55147. 50P-

WHEAT

<u>Kh. No.</u>	<u>Area</u>	<u>Kh. No.</u>	<u>Area</u>	
3/21/3	1-17	3/22/2	0-13	
6/14	2-08	6/17/2	4-11	
18	2-15	23/1	1-16	
24/1/1	4-03	7/1/3/1	2-10	
7/2	4-14	7/8/2/1	0-09	
15/4/1/1	0-06	15/5/1/1	0-13	Total 26 Highas 15 Biswas.

I hereby award the compensation of wheat crop @ Rs. 600/- per bigha which to Rs. 16050/-

BARLEY

<u>Kh. No.</u>	<u>Area</u>	<u>Kh. No.</u>	<u>Area</u>	
2/14/1	1-07	2/14/2	0-17	
17/1	2-10	17/2	2-06	
18/2	4-00	23/1	1-06	
24/1/1	1-11	24/2/1	2-05	
6/12/2	4-04	6/13	2-03	
19/1	4-00	16/7/2	1-16	Total:-28 Big. 7 Biswas.

I hereby award the compensation of Barley crop @ Rs. 300/- per bigha which comes to Rs. 8505/-

MUSTERED

<u>Kh. No.</u>	<u>Area</u>	<u>Kh. No.</u>	<u>Area</u>	
2/9	0-02	2/10	0-08	
11	0-02	12	2-02	
13	0-02	19/1	0-10	
16/1	2-00			Total:-5 Highas 6 Biswas.

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I hereby award the compensation of mustered crops @ Rs. 400/- per bigha which comes to Rs. 2120/-.

Total compensation of crops comes as under:-

Grams	Rs. 55,147.50
Wheat	Rs. 16,050.00
Barley	Rs. 8,505.00
Mustered	Rs. 2,120.00
	<u>Rs. 81,822.50</u>

15% Solatium: 15% solatium shall be paid on the market value of the land for compulsory nature of acquisition.

INTEREST: Since section 17 of the L.A. Act is involved, possession of the land was taken and handed over to the acquiring department on 3.2.81 so interest u/s 34 of the L.A. Act is payable 6% P.A. from 3.2.81 to the date of announcement of the award.

APPORTIONMENT: Payment of compensation will be made on the basis of the latest entries in the revenue record. In case of dispute amount which cannot be amicably settled may be referred to the Court of A.D.J. U/s. 30-31 of the L.A. Act for adjudication.

LAND REVENUE: The land under acquisition is assessed at Rs. 42.13^p as land revenue which will be deducted from the Khatauni/Khalsa Rent Roll of the Village from the date of taking over possession i.e. 3.2.81.

Summary of the award is as under:-

Compensation for the land measuring 295 bighas 05 biswas @ Rs. 2000/- P. R.	Rs. 590,500.00
15% solatium	Rs. 88,575.00
Interest @ 6% U/s. 34 from 3.2.81 to 21.11.82 i.e. (one year 292 days)	Rs. 67,907.50
	Rs. 73,340.10
Compensation of crops	Rs. 81,822.50
Total	<u>Rs. 8,34,237.60P</u>

pees eight lacs thirty four thousand two hundred thirty-seven paise sixty only)

23-7-83

ed:-

Announced to day in the presence of 8 persons whose names are quoted on the newspaper of 1st page of Award.

(J.M.L. BHATNAGAR)
Land Acquisition Collector (M.D.)
Delhi.

27/1/82