

AWARD NO. : 20 /88-89

NATURE OF ACQUISITION: PERMANENT

PURPOSE OF ACQUISITION: HOUSING THE GOVT. OFFICE.

NAME OF VILLAGE : 4/5-A, UPPER ANAND PARBAT
(SADHORA KHURD).

These are proceedings for the acquisition of land bearing Khasra No. 344min situated at village Sadhora Khurd, Delhi. Notification u/s 4 was issued vide No. F.7(9)/86-L&B(1) dt. 13.3.87. Section 17 of the L.A. Act was also applicable so the opportunity of hearing the objections u/s 5-A was not given and a declaration u/s 6 was issued vide No. F.7(9)/86-L&B(2) dated, 23.3.1987.

AREA:

The land was measured by the Land Acquisition field staff and total area to be acquired at the spot is 3218 sq.yds.

COMPENSATION CLAIMS:

Notices u/s 9(1) & 10(1) were issued to the interested parties on 13.2.89 and Shri Ram Kumar Gupta Hony. Secretary of the Managing Committee of Ramjas Foundation, 4609-Darya Ganj, New Delhi, filed the claim for the land @ Rs. 7 lakhs per bigha besides all other statutory benefits like interest, solatium etc. He has claimed Rs. 10 lakhs for the super structure. However, no document/proof has been filed by the claimant in support of his contention.

MARKET VALUE:

The following sale deeds are available in the office record of the Sub Registrar:

S.NO.	REGN.NO.	DATE	AREA	AMOUNT	PROPERTY No.	AMOUNT
1.	4285 4292	7.12.1984	80sq.yds.	30,000	199/1, Rs. 375/-per Gali No.9, sq.yd. Thansingh Ngr. (Sadhora Khurd).	
2.	150	14.1.1985	-do-	35,000/-	199/1, Rs.437.50 Gali No.9	

From the sale transaction it is clear that House No. 199/1, Than Singh Nagar built on 80 sq.yds. of land was sold on 7.12.84 for Rs. 30,000/- and again on 14.1.85 for Rs. 35,000/- This property is situated in Than Singh Nagar, Sadhora Khurd which is nearer to the land under acquisition, than the Bagh Kare Khan where property mentioned st sl. No. 3 was sold for Rs. 45,000/-. Hence no reliance can be placed on the sale of Bagh Kare Khan property.

In this village following two awards have been announced:

AWARD NO.	DATE OF NOTIFICATION U/S 4	RATE AWARDED PER BIGHA.
20/71-72	1-5-1970	Rs. 12,000/-
14/85-86	13-11-1959	Rs. 9,250/-

It is thus appear that the market value of the land was Rs. 9,250/- per bigha as on 13.11.1959 and Rs. 12,880/- per bigha as on 1.5.1970. By giving an increase of Rs. 9% per bigha annum, the market price on 13.3.87 comes to Rs. about 33/- per sq.yd. Similarly on the basis of above sale deed of (Than Singh Nagar) the average price comes to Rs. 437.50/- per sq.yd. which includes the cost of construction of the house also.

The Addl. District Judge vide his judgement dated 25.9.78 in L.A.C. No. 36/72 Smt. Sarti Devi Vs. Union of India against award No. 20/74-72 fixed the market value of the land and structure situated on 100 sq.yds. of land at Rs. 7,840/-, whereas the Land Acquisition Collector had awarded Rs. 1200/- for the land and Rs. 4670/- for the structures. This market value was based on the latest Supreme Court Authority wherein, it was held that 16 years rent of the annual value represents the correct market value of the property.

Keeping in view of the above awards and judgement of the A.D.J. I consider it fair and reasonable to fix the market value of the land at Rs. 50/- per sq.yd. and I assess the same.

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STRUCTURES

There are temporary structures having corrugated sheets on the walls on a part of the land. I assess Rs. 40,000/- as cost of the structures.

SOLATUM

30% solatium will be paid over and above the market value so assessed.

ADDITIONAL AMOUNT

12% additional amount w.e.f. the date of notification under section 4 dated 13.3.87 to the date of announcement of award will be paid.

SUMMARY OF THE AWARD

1.	Market value for the land measuring 3218 sq yards @ Rs.50/- per sq yd.	Rs. 1,60,900.00
2.	30% solatium	Rs. 48,270.00
3.	Addl amount @ Rs.12% w.e.f. 13.3.87 to 20.3.89 (2 years 7 days)	Rs. 38,966.29
4.	Value of structures	Rs. 40,000.00
Total		Rs. 2,88,156.29

(Rupees two lakhs eighty eight thousand and one hundred fifty six and paise twenty nine only).

(Signature)

(M.P. MATHUR)
Land Acquisition Collector (DS)
Delhi.

APPROVED

SECRETARY (REVENUE)

Award announced in
the open Court. None
present. Notice u/s 12(2)
be issued.