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AWARD No. 13/85-86

NAME OF THE VILLAGE : SADHORA KALAN
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : PLANNED DEVELOPMENT OF DELHI.

INTRODUCTORY :

These are the proceedings U/s 11 of the Land Acquisition Act for determination of market value of land measuring 12 biswas out of Khasra No. 499/168/2/2 situated in the revenue estate of village Sadhora Kalan. The land is required by the Government for a public purpose, namely, for the Planned Development of Delhi at public expense. The land stands notified U/s 4 of the Land Acquisition Act vide notification No.F.15(III)/59-LSG dt. 13.11.59. After considering objections u/s 5A of the aforesaid Act, the Declaration U/s 6 of the Land Acquisition Act was issued by the Government vide notification No.F.4(II)/61-L&H (ii) dt. 18.1.69.

Notices U/s 9 & 10 of the said Act were issued to the interested persons. In response to the notices issued, claims filed by the interested persons have been discussed under the heading 'claims for compensation'.

Area, Measurement & Classification :

The land was measured on the spot by the Revenue staff and correct particulars of the land are given below :-

<u>Khasra No.</u>	<u>Area</u>	<u>Classification</u>
499/168/2/2	0 - 12	Bagh Nehri

Claims for compensation :

The following persons have filed their claims :-

<u>Sl.No.</u>	<u>Name of the claimant</u>	<u>Substance of claim</u>
1.	Sh Chhatar Singh s/o Sh Surja - 3/4th share; Sh Om Parkash S/o Raghunath Dass - 1/4th share; residents of Shakti Nagar, New Delhi.	Kh.NO.499/168/2; Claim compensation @ Rs.200/-per sq. yds for land on the ground that in questions as near to Bharat Nagar & Shastri Nagar modern regularised colonies having all civic amenities such as water, electricity, pucca road, telephone & transport facility; & Rs.2000/- for trees alongwith solatium and interest.

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Market Value :

Market value is to be assessed as on 13.11.59, the date of notification U/s 4 of the Land Acquisition Act. Relevant provisions of the Land Acquisition Act are to be kept in mind while arriving at fair and just market value.

The land in question is good agricultural land recorded as Bagh Nehri and is situated in between the unauthorised colonies recently developed. The claimants have not furnished proof in support of their claims. Numerous sale transactions are recorded in the revenue record which are the evidence of the prevailing market price of the material date. Further material is also available in the form of previous awards which are sufficient in number. Against these awards judicial decisions are also available which is the best piece of evidence as regards the market value in comparison to the sale transactions recorded in the revenue record and compensation assessed by the Land Acquisition Collector in various awards. One such judgment in RFA No. 100/67 pertaining to the same material date 'Uma Shanker Seth Vs. Union of India' pertaining to the same material date, in which the Hon'ble High Court has fixed the market value @ Rs.8,000/- per bigha of this very village. Union of India has accepted this rate. Following this judgment the land in question is also assessed to @ Rs.8,000/- per bigha.

Other Compensation :

There is no wall, tree and structure on the land presently under acquisition and as such nothing is assessed on account of these.

INTEREST :

- i) Interest U/s 4(3) of the Land Acquisition (Amendment) Act is allowed as the notification U/s 4 made on 13.11.59 and U/s 6 on 18.1.69. There is gap of more than three years in between the two notifications. Hence interest @ 6% is

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allowed w.e.f. 13.11.62 till the announcement of the award.

ii) Amount equal to 12% p.a. on the market value is also allowed w.e.f. 13.11.59 till the announcement of the award U/s 15 of the Land Acquisition Amendment Act, 1984.

Solatium :

Solatum @ 30% on the market value is allowed U/s 23(2b) of the Land Acquisition Amendment Act, 1984.

Apportionment :

Compensation will be paid to the bidders according to the latest entries available in the revenue record. Any dispute of title/apportionment which could not be settled here within a reasonable time then the matter will be referred to the court of ADJ for adjudication.

Deduction of Land Revenue :

The land is assessed to land revenue amounting to Rs. 0-35 which will be deducted from the 'Khalsa Rent' Roll of the village Sadhora Kalan by which time possession under the award would have been taken by the Govt.

Vesting of ownership:

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

SUMMARY OF THE AWARD

Subject to the above the award is summarised as under :-

1. Land measuring 12 biswas @
Rs. 8,000/- per bigha. Rs. 4,800-00

Solatum @ 30%. Rs. 1,440-00

Interest @ 6% on the market
value of land at Rs. 4800/-
w.e.f. 13.11.62 to 12.6.85
i.e. 22 yrs. 182 days. Rs. 6,479-60

Additional compensation as
required U/s 15 on the market
value ~~of~~ i.e. on Rs. 4800/-
@ 12% w.e.f. 13.11.59 to 12.6.85.
i.e. 25 yrs. 182 days. Rs. 14,687-20

Grand Total Rs. 27,406-80

(Rs. Twenty Seven Thousand, Four Hundred Six and paise
Eighty Only).

APPROVED

Ushu
SECRETARY (Revenue)

D. S. RANA
(D.S. RANA)
LAND ACQUISITION COLLECTOR (PD)

Amended and filed today.