

AWARD No.

52/72-73

311

Name of the village. Rankhola.  
Nature of acquisition. Permanent.  
Purpose of acquisition. Widening of Najafgarh Drain.

INTRODUCTION.

Land measuring 29 bighas 9 biswas situated in village Rankhola was notified for acquisition U/S 4, 6 & 17 of Land Acquisition Act simultaneously vide notification Nos. F.7(69)/70-L&B(1) dated 15.3.72, F.7(69)/70-L&B(ii) dated 15.3.72 & F.7(69)/70-L&B(iii) dated 15.3.72 respectively, for a public purpose namely 'Widening of Najafgarh Drain'. Notice U/S 9(1), 9(3) & 10 were issued to the known persons interested in this acquisition, most of whom have responded by filing their claims.

TRUE & CORRECT AREA.

The land was got measured on the spot by the field staff U/S 8 and true & correct area was found to be 24 bighas 0 biswas details of which are given as under:-

Rectangle No.	Killa No.	Area.	Kind of land.
51	4/2	Less than biswa.	Abpash.
	5/1/2	(0-15)	-do-
	7/1/2	(0-14)	-do-
	8/2	(0-04)	-do-
	12/2	(0-03)	-do-
	13/1/2	(1-02)	-do-
52	14/1/2	(0-09)	-do-
	15/1/2	(0-09)	-do-
	17/1/1/4	(0-10)	-do-
	18/1/2	(1-01)	-do-
	19/1/1/2	(0-07)	-do-
	21/1/2	(0-18)	-do-
	22/1/1/2	(0-11)	-do-
	22/2/1	(0-01)	xxxxx Jadid

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53	6/1/2 1/2	0-4	Gair Abpash
	6/2/1/2	0-5	Abpash
	7/1/2	0-8	-do-
	8/1/1/2	0-8	-do-
	8/2/1/2	0-9	-do-
	9/1/2	0-16	-do-
	10/1/2	0-4	-do-
	11/1/2	0-15	-do-
	1/1/2	0-12	-do-
	2/1/2	0-16	-do-
54	3/1/2	1-4	-do-
	4/1/2	1-12	-do-
	5/1/2	1-12	-do-
	1/1/2	1-12	-do-
	2/1/1/2	0-5	-do-
55	2/2/1/2	1-4	-do-
	3/1/2	1-8	Abpash
	4/1/2	1-8	-do-
	5/1/2	1-22	Gair Abpash
	1/2	0-12	-do-
56	72/1/2	0-2	G.M. Rasta
Total:		24-00	

CLAIMS

The following interested persons have filed

Claims:-

Sr. No.	Name of the claimant	Rectangle No.	Khasra No.	Amount cl
1.	S/Sh.Mehar Singh, Gola Ram, Male Ram, Tarif Singh ss/e Lehri	51	7/1/2(0-14), 8/2(0-4), 12/2 (0-3), 13/1/2(1-2), 12/2(0-3)	Rs. 7000/- per
2.	(i) Ved Parkash s/o Prem Singh (ii) Virender Singh s/o Prem Singh (iii) Vinod Bala d/o Prem Singh			

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(iv) Smt. Sope s/o Ram Singh	53	7/2/1/2, 7/1/2	Rs. 6000/- per bigha.
(v) Pitam Singh s/o Bhagwa Singh			Rs. 6000/- per bigha.
3. Nthams/o Bdlu (ii) Sadu s/o Abey			
4. "Bep Chand s/o Ghisa	53	6/1/1/2	Rs. 6000/- per bigha.
	54	1/1/2	
	54	5/1/2	Rs. 6000/- per bigha.
5. (i) "Bep Chand (ii) Sh. Gh. Ram s/o Chhatei			
6. Mange, Katre & Narain s/o Chajju	55	1/1/2(1-12) 2/1/1/2(0-5)	Rs. 7000/- per bigha.
7. Ram Singh/o Rati Ram others	53	8/1/1/2	Rs. 6000/- per bigha.
8. Chain Sukla/o Tula, Gopla s/o Dasendi, Hartu s/o Dasari			Rs. 7000/- per bigha
9. Swaroopa s/o Bhima & Uday s/o Tiar	55	2/2/1/2 3/1/2 4/1/2	Rs. 6000/- per bigha.

#### EVIDENCE

An unattested copy of sale deed No. 7098 dated 17.2.69 in respect of 2 bighas & 8 biswas of land in Kh.No. 13/22 for Rs. 9500/- has been filed by Shri Gopala.

#### MARKET VALUE.

Market value of land under acquisition has to be assessed on or about the date of notification U/S 4 i.e. 15.3.1972. Such transactions or awards relating to similar land on the material date have to be taken into consideration. The following awards have been made in this village.

Award No.	Date of notification U/S 4.	Rate per bigha awarded by the L.A.C.
1082	20.6.60	Rs. 300/- per bigha.
1838	6.6.64	Rs. 500/- per bigha.
32/70-71	6.9.69	Rs. 800/- per bigha. & Rs. 500/- per bigha.

The date of notification U/S 4 in award No.1082 and 1838 is 12 and 8 years earlier than the date in the present case and these awards are therefore excluded from consideration. The date of notification U/S 4 in award No.32/70-71 is about 2½ years anterior to the date of the present notification but the land acquired in this award is situated near the Northern end of the village and lies far away from the land under present acquisition which is near the Southern boundary of the village.

The claimant has filed a copy of sale deed No.7098 dated 17.2.69 in respect of 2 bighas 08 biswas Rs. 9500/- yielding an average of Rs. 3958.33 per bigha. This sale deed has been discarded in award No.32/70-71 for reasons mentioned therein. The land involved in this sale transaction is close to the land acquired in award No.32/70-71. If it could not be relevant for consideration in that award it cannot of any guidance in the present case.

The following sale transactions have taken place during 1971 and are mutated in the revenue record.

Mutation No.	Sale deed registration No. with date.	Area.	Consideration money.	Average per bigha
7	336 15.1.1971	13.15	Rs.15000/-	Rs.1090.90
5	1010 5.2.1971	14.08	Rs.10000/-	Rs. 694.44
2	9647 17.8.1971	18.19	Rs.19,000/-	Rs.1002.66

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Sale transaction at Sl.No.1 out of the above is more relevant for our considerations as the land involved in this sale deed is nearer the land under acquisition and also because part of Kh.No.53/8/1 under present acquisition has been sold in this transaction. Land bearing this Kh.No. is Abpash land and Abpash and Gair abpash land is practically the same as has been held in award No.32/70-7 of this village. I, therefore, find the rate of Rs. 1,100/- per bigha as fair and reasonable market value for Abpash and Gair Abpash land measuring 23 bighas 17 biswas under present acquisition and assess the same as there is no evidence of further rise in price of land in this village till 15.3.72. Kh.No.52/22/2/1(0-01) is recorded parti jadid in the revenue record. This kind of land is inferior to Abpash and Gair abpash land and is therefore assessed @ at Rs. 700/- per bigha.

Kh.No.72/1/2(0-02) is recorded as rasta in the revenue record which exists on the spot also. It being a public thorough fare, no compensation is assessed for the same.

OTHER COMPENSATION.

There are no trees, wells or structures on the land under acquisition.

15% SOLATIUM.

A sum of 15% solatium will be paid on account of compulsory nature of acquisition as provided U/S 23(2) of the Land Acquisition Act.

INTEREST.

As possession over the land under acquisition has not yet been taken the question of interest does not therefore arise. *me*

APPORTIONMENT

The compensation will be paid according to the latest entries in the revenue record. In case of dispute which is not settled between the interested persons within a reasonable time the amount of compensation will be sent to the court of A.D.J. Delhi for adjudication.

SUMMARY OF THE AWARD

1. Market value of land measuring 23.17 biswas at the rate of Rs. 1100/- per bigha.	Rs. 26,235.
2. Market value of land measuring 0-01 biswas at the rate of Rs. 700/- per bigha.	Rs. 35.00
3. Market value of land measuring 0-02 biswas.	Nil
4. 15 % solatium on the market value of the land for compulsory acquisition	Rs. 3,940.50

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Grand Total: Rs. 30,210.50

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The land is assessed to land revenue of Rs. 8.76 Paise, which will be deducted from the rent roll of the village from the date of taking over possession of the land.

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*8/11*  
*117*

*B.M.L. Gaumat*  
(B.M.L. GAUMAT) 31.10.72  
LAND ACQUISITION COLLECTOR (DELHI).

*Announced & filed today*

*P. M. L. Gaumat*  
31.11

*72*  
*L*

گاردی قبضہ بابٹ اور 52/72-73 موضع رنہہ تحصیل مہولی ضلع دہلی

حکم ضابطہ اصل - ۱۷ سی و ۱۸ سید اور دہلی شاہ پورہ (مجموعہ غیری)

1996-97 - 52/72-73 F.4 (52) 12/72 21 کے مطابق ایدہ پوری و سیم سنگہ پوری د

نیشنل مار فائونڈری A - وقفہ پنجاب عظمیٰ خانہ شری سیدہ ام S.O. و شری سیدہ اس ایل

51

$$\frac{13}{11} - \frac{12}{11} - \frac{11}{11} - \frac{10}{11} - \frac{9}{11} - \frac{8}{11} - \frac{7}{11} - \frac{6}{11} - \frac{5}{11} - \frac{4}{11} - \frac{3}{11} - \frac{2}{11} - \frac{1}{11} = \frac{1}{11}$$

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52

$$\frac{12}{11} - \frac{11}{11} - \frac{10}{11} - \frac{9}{11} - \frac{8}{11} - \frac{7}{11} - \frac{6}{11} - \frac{5}{11} - \frac{4}{11} - \frac{3}{11} - \frac{2}{11} - \frac{1}{11} = \frac{1}{11}$$

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53

$$\frac{11}{11} - \frac{10}{11} - \frac{9}{11} - \frac{8}{11} - \frac{7}{11} - \frac{6}{11} - \frac{5}{11} - \frac{4}{11} - \frac{3}{11} - \frac{2}{11} - \frac{1}{11} = \frac{1}{11}$$

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54

$$\frac{11}{11} - \frac{10}{11} - \frac{9}{11} - \frac{8}{11} - \frac{7}{11} - \frac{6}{11} - \frac{5}{11} - \frac{4}{11} - \frac{3}{11} - \frac{2}{11} - \frac{1}{11} = \frac{1}{11}$$

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55

$$\frac{11}{11} - \frac{10}{11} - \frac{9}{11} - \frac{8}{11} - \frac{7}{11} - \frac{6}{11} - \frac{5}{11} - \frac{4}{11} - \frac{3}{11} - \frac{2}{11} - \frac{1}{11} = \frac{1}{11}$$

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56

$$\frac{11}{11} - \frac{10}{11} - \frac{9}{11} - \frac{8}{11} - \frac{7}{11} - \frac{6}{11} - \frac{5}{11} - \frac{4}{11} - \frac{3}{11} - \frac{2}{11} - \frac{1}{11} = \frac{1}{11}$$

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72

$$\frac{11}{11} - \frac{10}{11} - \frac{9}{11} - \frac{8}{11} - \frac{7}{11} - \frac{6}{11} - \frac{5}{11} - \frac{4}{11} - \frac{3}{11} - \frac{2}{11} - \frac{1}{11} = \frac{1}{11}$$

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مل لکھادی (۲۴-۲۵) کا قبضہ در فہم حاصل کرتے اور چاروں طرف گولیاں لگوانا شروع

محکمہ مل لکھادی سیدہ ام S.O. کو وقفہ پر دیا گیا اور وقفہ نشانات لگوائے گئے جو وقت

قبضہ گاردی کسی قسم کی مزاحمت پیش نہیں کرتی - بذریعہ شری سیدہ ام S.O.

سے باز روز بلند شہری - دھواؤں دیکھ کر اس وقفہ پر لگائی گئی - شہری ضلعہ جو قلم

پر رکھار کے وقفہ پر جانے نہ ہوا - اس لیے ایک مالی قبضہ گاردی پر دئیے محمد رائد

کاغذات مال سجوائی جاوے - 12/73

Ms. P. 1173

S. K. 1173

Patna 12/11/73

12/11/73 S.O.

14/11/73