

AWARD NO. 24/85-86

687

NAME OF VILLAGE : SMALKA
 NATURE OF ACQUISITION : PERMANENT
 PURPOSE OF ACQUISITION : Stationing of the emergency duty elements of the National Security Guard.

These are the proceedings for determination of compensation w/s 11 of the Land Acquisition Act, 1984. The land under acquisition was notified w/s 4, 6 & 17(1) of the said Act vide No. F.7(15)/84-L&B(1)(2) & (3) dated 18.9.1985 respectively for the public purpose namely for Stationing of the emergency duty elements of the National Security Guard. Due publicity was made accordingly under the provisions of the Land Acquisition (Amendment) Act, 1984. Notices w/s 9 & 10 were issued to the persons interested inviting their claims for compensation. The claims filed by them will be discussed under a separate heading "Claims & Evidence."

TRUE & CORRECT AREA

The land under acquisition was measured on the spot after consulting the revenue record. The total area measuring 99 bighas 12 biswas was notified w/s 4, 6 & 17(1) in this Village. Against an area measuring 86 bighas 10 biswas the Hon'ble High Court of Delhi has granted the status-quo in C.W.P.No. 2752/85 Harbans Singh & others Vs. UOI so this area can be acquired after the decision of the Hon'ble High Court of Delhi, through a Supplementary award. At present remaining area measuring 13 big. 2 biswas is available for acquisition. Details of which are as under :-

<u>Rect. No.</u>	<u>Killa No.</u>	<u>Area</u>	<u>Kind of soil</u>
1	16/2	2-82	G.M. Pits
	24	2-89	-do-
	25	4-16	-do-
2	7 min	0-88	Banjar
	8 min	0-88	-do-
	9 min	0-88	Abpash
	15/2 min	1-81	-do-
	16/1	0-10	-do-

Contd...

27¹/₈₆ आज लगेवाई गई निम्नलिखित व्यक्ति
उपस्थित हैं। अर्वाड सुनाया गया। बाली
व्यक्तियों को चार 12(2) का नोटिस दिया जावे।

27/11/86
LAC (msw)

1. श्री रामलेशन पुत्र अगडो नि. समालका

Ramla

2. बिरबे राम पुत्र लहरी निवासी
मनारका

19/11/86

3. जिल सिंह पुत्र रतन सिंह
निवासी मनारका

19/11/86

17/2/1

1-00

Abpas

Total:-

13-02CLASSIFICATION OF LANDG.M.Pits
Banjar
Abpas9-07
0-16
2-19

Total:-

13-02CLAIMS & EVIDENCE

The following persons have filed their claims for compensation :-

S.No.	Name of claimant	Kh.No.	Claim
1.	Kewal Singh	2/16/1 min	Rs. 750/- p. sq. meter for land. Rs. 20,000/- for trees & Well.
2.	Sehja s/o Shiv Sahai Smt. Ram Kali d/o Badlu	1 16/2, 24, 25	Rs. 1,00,000/- per bigha for land. Rs. 2000/- for trees. Rs. 30,000/- for structures Rs. 1,00,000/- for shifting Rs. 50,000/- for severance Alternative plot 12 % statutory on market value 30 % solatium 15 % Instt.

DOCUMENTARY EVIDENCE

The following persons have filed the documentary evidence in support of their claims :-

S.No.	Name of claimant	Details of documents
1.	Kewal Singh	1. Photostate copy of sale deed No. Nil in which land measuring 6 bighas 4 biswas situated in Village Samalka was sold for a sum of Rs. 27,5000/- 2. Photostate copy of sale deed No. 3268 dt. 26.5.82 in which land measuring 1 bigha 1 biswas was sold for a sum of Rs. 25,000/- 3. Photostate copy of sale deed No. 3340 dt. 20.3.83 in which land measuring 20 bighas 5 biswas was sold for a sum of Rs. 4,00,000/-

Contd....3...

Contd....

MARKET VALUE

The market value of the land under acquisition is to be determined with reference to the date of preliminary notification i.e. 18.9.85. In assessing the market value of the land under acquisition, the material date, bonafide sale transactions of the land, similar circumstances as also the awards for similar situated lands made with reference to the date of notification u/s 4 of the Land Acquisition Act, 1894 are to be taken into consideration. In this Village the following awards have been made :-

S.No.	Award No.	Date of notification u/s 4	Rate awarded by the L.A.C. per bigha	Enhancement made by the Court
1.	70/72-73	3.12.71	Rs. 2,760/- per bigha for block A Rs. 1850/- per bigha for block B	Nil
2.	5/84-85	22.1.82	Rs. 5700/- P.B.	Nil

Apart from above, several sale transactions have been executed in this Village, the details of which are as under:-

S.No.	0-4 No.	Sale deed No.	Date of Registry	Area	Amount considered
1.	357	490	24.1.85	4-16	Rs. 25,000/-
2.	358	5114	21.12.84	4-16	Rs. 35,000/-
3.	359	120	8.1.85	4-13	Rs. 30,000/-
4.	360	121	18.1.85	7-4	Rs. 50,000/-
5.	361	1661	18.8.85	4.19	Rs. 40,000/-
6.	362	1227	18.3.85	3-3	Rs. 30,000/-
7.	363	1660	18.8.85	6-8	Rs. 48,000/-
8.	364	1766	21.8.85	19-16	Rs. 20,000/-
9.	365	117	8.1.85	11-14	Rs. 50,000/-
10.	366	118	8.1.85	0-4	Rs. 2,000/-
11.	367	1640	18.8.85	0-35 ⁵	Rs. 5,000/-
12.	370	3981	25.5.85	16-00	Rs. 1,00,000/-
13.	373	3023	24.4.85	4-00	Rs. 33,000/-
14.	374	3032	-do-	4-00	Rs. 33,000/-
15.	375	3033	-do-	5-3	Rs. 45,000/-
16.	376	3031	-do-	5-2	Rs. 45,000/-
	377	3027	-do-	1-15	Rs. 6,000/-

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: 4 :

18.	378	3026	24.4.85	4-00	Rs. 30,000/-
19.	379	3503	13.5.85	7-04	Rs. 50,000/-
20.	380	3502	-do-	6-00	Rs. 50,000/-
21.	381	3501	-do-	6-00	Rs. 50,000/-

During the past five years the average sale price per bigha comes as under :-

S.No.	Year	Total area sold	Total Amt.	Average per bigha
1.	1980-81	59-5 $\frac{1}{4}$	Rs. 4,24,812-00	Rs. 7,162 -27
2.	1981-82	140-19	Rs. 10,13,500-00	Rs. 7,190 -49
3.	1982-83	187-14 $\frac{1}{4}$	Rs. 14,16,000-00	Rs. 7,543--45
4.	1983-84	140-14 $\frac{1}{4}$	Rs. 10,86,500-00	Rs. 7,720 -73
5.	1984-85	127-5/8	Rs. 7,77,000/-	Rs. 6,116 -60

As stated above, in Award No. 5/84-85 having date of notification u/s 4 as ²²⁻¹⁻⁸² ~~18.9.85~~ L.A.C. has awarded Rs. 5700/- per bigha for the land. If an appreciation @ 9 % p.a. is allowed on this amount, consideration amount comes to Rs. 7500/- per bigha. The average price of sale transaction per year from 1980-81 to 1984-85 is Rs. 7,162/- to Rs. 7,720/- per bigha. I visited the land under acquisition. There are some pits on the land under acquisition. The land under acquisition should be divided ~~into~~ into two Blocks for the purpose of assessing the market value of the land.

Block A consists of levelled land, Kh.No. 7 min, 8 min, 9 min 15/2 min, 16/1 and 17/2/1 of Rect. No. 2 *Dist*

Block B consists of G.M. Pits Kh.No. 16/2, 24, 25 of Rectangle No. 1.

Keeping in view the facts what has been discussed, I am of the opinion that Rs. 7,500/- per bigha and Rs. 5500/- per bigha is fair and just market value of the land under Block A & B respectively and award the same accordingly.

WELLS & TUBEWELLS

There is no Well or Tubewell on the land under acquisition

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STRUCTURE

There is one boundary wall in Kh. No. 16/1 of Rect. No. 2 which is 41 feet 3 inches in length 6 feet in height & 9" thick. I assess Rs. 8000/- as the cost of this wall. because it has been constructed before the date of notification u/s 4.

TREES

There are some trees on the land under acquisition. I assess their compensation as under :-

Rect. No.	Killa No.	Description of trees	Weight	Rate per Qtl.	Compensation proposed
2	16/1	Neem 5	10 Qtls.	Rs. 10/-	Rs. 100/-
	17/2/1	Neetry 2	No weight	-	-
		Sehtoot 1	1 Qtl.	Rs. 12/-	Rs. 12/-
		Safeda 31	155 Qtls.	Rs. 8/-	Rs. 1240/-
		Kikar 2	8 Qtls	Rs. 8/-	Rs. 64/-
Total:-					Rs. 1416/-

SOLATUM

30 % solatium may be assessed on the market value of the land.

Additional amount

An additional amount @ 12 % per annum will be paid on the market value of the land u/s 23(1a) of the Act. This amount will be paid from 18.9.35 to 5.11.35 as the possession of the land has been taken over on 6.11.35.

INTEREST

As section 17(1) is invoked and possession of the land has been taken over on 6.11.35 interest u/s 34 of the Act will be paid from 6.11.35 to the date of announcement of the award @ 9 % per annum.

APPORTIONMENT

Compensation will be paid on the basis of the latest entries in the revenue record. In case of any dispute, which cannot be settled amicably, will be referred to the Court of A.D.J. u/s 30-31 of the Act, for adjudication.

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LAND REVENUE

The land under acquisition is assessed at ~~Rs. 3-05 P~~ as land revenue which will be deducted from the Khalsa Rent Roll of the Village from the date of taking over possession.

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

SUMMARY

Compensation of land measuring 3 bighas 15 biswas of Block A @ Rs. 7500/- per bigha	Rs. 28,125 - 00
Compensation of land measuring 9 bighas 7 biswas of Block 'B' @ Rs. 5500/- per bigha.	Rs. 51,425 - 00
Compensation of structures	Rs. 8,000 - 00
30 % solatium	Rs. 26,265 - 00
Additional amount u/s 23(1a) @ 12 % p.a. from 18.9.85 to 5.11.85 (49 days).	Rs. 1,410 - 39
Interest u/s 34 @ 9 % p.a. from 6.11.85 to 27.1.86 (83 days)	Rs. 2329 - 31 2,048 - 07
Compensation of trees.	Rs. 1,416 - 00

G. Total:-

Rs. 1,18,070 - 70

Rupees One Lakh Eighteen Thousand ~~Five~~ Hundred ~~Ninty~~ and Paise ~~only~~.
NINE seventy

(J.P. TYAGI)

LAND ACQUISITION COLLECTOR(MSW)
DELHI.

Announced & filed to-day

LAC (MSW)

APPROVED
SECRETARY (REVENUE)

आर्वाड नं. 24 व 24 A Comptroller

कलजा कार्यावाही शुद्धि पत्र ग्रांथ संग्रालका

आज दिनांक 26/04/04 को मुताबिक कलजा कार्यावाही दिनांक
11-04-89 को शुद्धि खपरा नम्बरों $\frac{2}{16/1} (1-0)$ $\frac{2}{17/2/1} (0-10)$
कीया गया था जबकि आर्वाड में खपरा $\frac{2}{16/1} (0-10)$ $\frac{2}{17/2/1} (1-0)$
एम्बार्स किया गया था जिसकी कलजा कार्यावाही दिनांक
6-11-85 को हुई थी, अतः अब पुनः खपरा नम्बरों
में रकमा निम्न प्रकार संग्रालाक खपरा नं. $\frac{2}{16/1} (0-10)$
 $\frac{2}{17/2/1} (1-0)$ कुल 1-10 शुद्धि पाए गए हैं। महंगा न. S. D. की
तरफ से भी गुरजान सिंह A.C.-I, हलका पटवारी श्री मोहनवीर
L.A की तरफ भी दिलवागा सिंह पटवारी व शहीराम नामक
तहसीलदार L.A (S.W) हाजिर हैं; जिसकी मौजूदगी में कार्य
शुद्धि पत्र तैयार किया गया।

I गुरजान सिंह A.C.-I 26/4/04

2 आम्बरी पटवारी हलका 26/04/04

3 दिलवागा पटवारी L.A Dilbag Singh
26/4/04

4 शहीराम S.T. L.A 26/4/04

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कार्यवाही कठजो श्री लालदास 99-12 ग्राम समालका दिल्ली

आज दिनांक 6-11-85 को लुधियाना जिला L.A.C. (MSW) मुताबिक
 जोग्राम बहमरा सर्व श्री लाल चन्द पटवारा, अब्दुल रहीम चपरासी L.A.
 बरामे देने कठजो श्री नम्बरान खसरा मु. नं. 1 किला नं. 6 (0-18)
 15 (3-3), 16/1 (3-00), 16/2 (2-2), 24 (2-9), 25 (4-16) मु. नं. 2 किला
 नं. 7 (1-00), 8 (1-14), 9 (2-4) 10 (2-8), 11/1 (1-08), 11/2 (3-8), 12 (4-16)
 13 (4-16) 14 (4-16), 15/2 (3-4), 16/1 (0-10), 17/2/1 (1-0) 18 (4-16)
 19/1 (4-09), 19/2 (0-07), 20 (4-16), 21/1 (2-12), 21/2 (2-04), 22 (4-16)
 23 (4-16) मु. नं. 11 किला नं. 1 (4-16), 2 (4-16), 3 (4-16), मु. नं. 12 किला
 नं. 4 (4-00), 5 (4-16) कुल लालदास 99-12 बाबका ग्राम समालका मौका
 पर पहुँचा। महलमा रोकवापरींग (N.S.C.) को और से सर्वश्री B.K.
 करकरा ग्रुप कमांडर (Admin.) B.C. शर्मा इंस्पेक्टर तथा अन्य
 अधिकारी गंगा व जवान बरामे देने कठजो मौका पर हाजिर मिले। वास्ते-
 धारन में से सर्वश्री D.N. शर्मा, राम चन्द्र, फुसारा राम, जगदाम, वेद प्रकाश,
 और रामधन मौका पर उपस्थित मिले। मौका पर उपरोक्त नम्बरान खसरा
 को निशान देही बजामे फिता करके हर कोने पर पिलर लगाये गये
 जो महलमा रोकवापरींग (N.S.C.) के नुमायन्दों को दिखा और
 समझा दिये गये। बाध निशान देही दाया कि मु. नं. 11 किला नं. 1 के
 दाहिना पूरव कोने में रकबा 0-16 बिस्वा अर्थात् 127' x 53' में मलान
 दिखायी देने हुये हैं जिसका कठजो बाध गिराने मलान दिया जा
 सकता है। जिसका कठजो आज नहीं दिया गया। बाकी रकबा
 लालदास 98 बिस्वा 16 बिस्वा मय चार दिवारी बाबका मु. नं. 12 किला
 नं. 5, मु. नं. 11 किला नं. 2, 15/2, 16/1 के कठजो बाकी मौका पर
 प्राप्त कर के बहवाल श्री B.K. करकरा (Admin.) ग्रुप कमांडर
 नुमायन्दा महलमा Acquiring उसी समय उसी दशा में लिया गया।
 अवकत कार्यवाही कठजो कोई मजहमत पैदा नहीं आई। इस कार्यवाही
 को मुशतहरी व नुमादा श्री अब्दुल रहीम चपरासी L.A. से कभी आवृत्ति
 में कनस्तर बजवा कर मौका पर और गाँव में करवाई गई। कार्यवाही
 कठजो मौका पर सुबेरे 10 बजकर 45 मिनट पर समाप्त हुई। पटवारा
 हलका मौका पर नहीं है। इसलिये इस कार्यवाही को रोक नकल
 तहसीलदार महारौली को बरामे अमलदरागत जागजाते माल मित्रवत
 जाले। इस कार्यवाही को रोक नकल मय नकल फिलडबुक और अकला
 सिजरा श्री B.K. करकरा को दी गई।

6/11/85 (1045A.M.)
 N.T. (L.A.)
 11 85 (Raghu) 11
 6/11/85

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TO BE PUBLISHED IN PART IV OF DELHI EXTRA ORDINARY GAZETTE)
LAND & BUILDING DEPARTMENT : DELHI ADMINISTRATION : DELHI

NOTIFICATION

Dated the 18th Sept., 1985

(1)
F.7(15)/84-L&B:- Whereas it appears to the Lt. Governor, Delhi that the land is likely to be required to be taken by the Government at the public expense for a public purpose, namely, for 'Stationing of the emergency duty elements of the National Security Guard'. It is hereby notified that the land in the locality described below is likely to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lt. Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey and land in the locality and do all other acts required or permitted by that section.

The Lt. Governor, being of the opinion that the provisions of sub-section (1) of section 17 of the said Act are applicable to this land, is further pleased under sub-section of the said section to direct that the provisions of section 5-A shall not apply.

SPECIFICS

Name of village	Total area Big.-Bis.	Rectt. No.	Khasra No.	Area Big.-Bis.
Samalka	99 - 12	1	6 15 16/1 16/2 24 25	0 - 18 3 - 03 ✓ 3 - 00 2 - 02 2 - 09 4 - 16 ✓
		2	7 8 9	1 - 00 1 - 14 ✓ 2 - 04

contd....2/-

Sh.KR Sarangal,
Land Acquisition Collector,
Tis Hazari, Delhi.

B. K. Karkra
(BK Karkra) 39.4.85

- 2 -

1.	2.	3.	4.	5.	6.
Samalka (contd)			2.	10	2 - 08
				11/1	1 - 08 ✓
				11/2	3 - 08 ✓
				12	4 - 16 ✓
				13	4 - 16 ✓
				14	4 - 16 ✓
				15/2	3 - 04 ✓
				16/1	0 - 10
				17/2/1	1 - 00
				18	4 - 16 ✓
				19/1	4 - 09
				19/2	0 - 07
				20	4 - 16 ✓
				21/1	2 - 12
				21/2	2 - 04
				22	4 - 16 ✓
				23	4 - 16 ✓

11 1 4 - 16 ✓
2 4 - 16 ✓
3 4 - 16 ✓

12 4 4 - 00
5 4 - 16 ✓

2. Bijwasan 20 - 01

Kharra No. 193 min. 19 - 07

Rect. 40 24/1 min. 0 - 08
No. 24/2 min. 0 - 05
G.M. Rasta 0 - 01

By Orders,

(S.M.S. CHAUDHARY)
JOINT SECRETARY
DELHI ADMINISTRATION : DELHI.

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- : 2 : -

No.F.7(15)/84-L&B/

22082

Dated 18.9.1985.

Copy forwarded to :-

1. The Addl. Distt. Magistrate(LA), Dy Commissioner's Office with two copies of each of the Notification both in English and that of Hindi version are enclosed with the request that the Notification be given wide publicity in accordance with the Statutory requirements of the Land Acquisition (Amendment) Act, 1984 in two leading local daily Newspapers of which at least one should be in Hindi.
2. The Officer Incharge(LA), Tis Hazari Courts, DELHI.
3. The Land Acquisition Collector(MSW), Tis Hazari Courts, DELHI..
4. Group Commander(Adm.) Directorate General National Security Guards, Ministry of Home Affairs, Block V(East), R.K. Puram, NEW DELHI.
5. Inspector General, Dte. Genl. National Security Guards, M/o Home Affairs, Block V(East), R.K. Puram, NEW DELHI.
6. Shri Chander Sain, Dy. Secretary to the Govt. of India, Ministry of Works & Housing, Nirman Bhawan, NEW DELHI.
7. Director(DC&B), D.D.A., Vikas Minar, NEW DELHI.
8. The Tehsildar(L&B), (in duplicate), Vikas Bhawan, N.D.
9. The Tehsildar (Notification), Tis Hazari Courts, DELHI.
10. The Sub-Registrar, I & II, Delhi.
11. The Sub-Registrar, Shahdara, DELHI.
12. The Sub-Registrar, Delhi.
13. P.A. to Joint Secretary(L&B), Vikas Bhawan, NEW DELHI.
14. The Supdt.(LA), Vikas Bhawan, NEW DELHI.

(S.M.S. CHOUDHRY)
JOINT SECRETARY
DELHI ADMINISTRATION:DELHI

Sh.KR Sarangal,
Land Acquisition Collector,
Tis Hazari, Delhi.

(BK Karkra) 39 4.05

LA (85)

2

DRAFT NOTIFICATIONS U/S 6 OF THE LAND ACQUISITION
ACT, 1934

WHEREAS it appears to the Lt. Governor of Delhi that
land is required for a public purpose, namely for the stationing of the
emergency duty elements of the National Security Guards.
it is hereby notified that the land described in the specifi-
cation below is required for the above purpose.

THIS declaration is made under the provisions of section
6 of the Land Acquisition Act, 1934 to all whom it may concern
and under the provisions of section 7 of the Collector of
Delhi is hereby directed to take order for the acquisition of
the said land.

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

SPECIFICATION

Locality	Total Area	Field Nos. or Boundaries
WALKA 99-12	1	6 0-18 15 3-03 16/1 3-00 16/2 2-02 24 2-09 25 4-11 7 1-00 8 1-16 9 2-04 10 2-08 11/1 1-08 11/2 3-08 12 4-16 13 4-16 14 4-16 15 3-04 16/1 0-10 17/2 1-00 18 4-16
	2	19/1 4-09 19/2 0-07 20 4-16 21/1 2-12 21/2 2-04 22 4-16 23 4-16 1 4-16 2 4-16 3 4-16 4 4-00 5 4-16
		6 Total 99-12

ENTER SIGNED

[Signature]

Assistant Director
National Security Guard
HA (Govt. of India)
New Delhi

[Signature]

[Signature]
Land Acquisition Collector
DELHI.