

AWARD NO. 56/86-87

NAME OF VILLAGE
NATURE OF ACQUISITION
PURPOSE OF ACQUISITION
: :
SAMALKA
PERMANENT
TRUCK REPAIR SERVING CUM
SHOPPING COMPLEX

These are proceedings for determination of compensation u/s 11 of the L.A. Act for the land measuring 130 bighas 19 biswas situated in village Samalka. The land under acquisition was notified u/s 4 vide No.F.10(20)/75-L&B dated 19.2.1979 for a public purpose namely for Truck Repair Servicing cum Shopping Complex. A declaration u/s 6 was issued by the Govt. vide notification No.F.10(20)/75-L&B dated 27.9.80. Notices u/s 9 & 10 of the L.A. Act were issued to the interested persons, inviting their claims for compensation. The claims filed by them are discussed under a separate heading "Claims & Evidence."

TRUE & CORRECT AREA

The land under acquisition was measured on the spot and the correct area available on the spot is as under :-

Rect. No.	Killa No.	Area	Kind of soil
10	1/2	0-10	Abpash
	8/2	0-01	-do-
	9/2	2-00	-do-
	10/2	4-08	-do-
10	11	4-16	Parti No.1 (4-13) Patrol Pump (8-03)
	12	4-16	-do-
	13/1/1	2-05	-do-
	13/2/1	0-16	Gair Munkir
	18/1/1	1-00	-do-
	19	4-16	-do-
	20	4-16	Parti No.1
	21/1	2-08	-do-
	21/2	2-08	-do-
	22/1	3-02	Abpash
11	5/2	2-07	-do-
	5-14	5-14	Parti No.1

Land well nati 18

56/86-87
1021
2/8/95
KINDA

CLASSIFICATION OF LAND

16-02	Abpas
99-08	Parti No. 1
3-00	G.M. Rasta
11-13	Gatewar/Boundary wall
0-03	Petrol Pump
0-13	Well
Total:-	
130-19	

CLAIMS & EVIDENCE

The following persons have filed their claims:-

S.No.	Name of claimant	Kn.No.	Description of claim
1.	Harbass Singh s/o Bhawan Singh	8.9.10	Rs.1000/- per sq.yd for land from the market Rs.100000/- for loss of earning Rs.30,000/- for construction.

2. Bhusan Kumar, Shyam Kumar etc. 14 Rs.50,000/- for construction and alternative site.

3. R.K. Gupta etc. -do- -do-

4. Pardesh Kumar Gupta -do- -do-

5. Smt. Dharmo d/o Hari Singh

6. Jasmohan s/o Sultan Singh, Ram Ki Shan, Khazan Singh s/o Rati Ram etc.

10	11,12,19,20,21/1
11	14 to 17,24,25/1
25/2	
14	
4,5	
15/1/1	

Rs.16,0000/- for houses.
Rs.40,000/- for well
Rs.1000/- per sq.yd for land.
Rs.1,00,000/- for severance

7. Ganpat adopted son of Chunt, Smt. Garti d/o Chunt

8. Sat Narain, Ram Dhan, Narain Singh s/o Bhagwana Smt. Bhuren wd/o Bhagwana

Rs.500/- p.sq.yd for land

10. Shri Ki Shan s/o Madan Gopal 14/3/1

Rs.1000/- per plate for land
Rs.2000/- for boundary wall
Rs.20,000/- to room
Rs.100000/- to chuna Bhati
Rs.10/- for levelling

Cont.

11. Sarupit w/o Tara Chand

12. Kanwar Lal s/o Ram Chand

13. Ram Chand s/o Hansa Ram

14. Nand Ki shore s/o Ved Ram

15. Smt. Molan d/o Udmal, Sh. Narain, Har Chand

16. Gant Ram s/o Bhartu, Jangli s/o Kishan

17. Jai Narain, Chander Bhan s/o Kanha, Raghu Nath s/o Ss Ram, Har Narain s/o Mool Chand, Lachman s/o Ratan Singh, Uggam d/o Ratan Singh

18. Dharna s/o Bhurlya, Brahman s/o Bhundu, Raghu s/o Parkash, Lakshman, Om Parkash, Ram Mehar s/o Singh, Jawahar Singh s/o Chander, Charan s/o Ram Singh, Harke sh, Nand Ki shore, Ram Ki shan s/o Ardi

19. Ram Narain s/o Saha Ram

20. Nand Ki shore, Har Singh s/o Dev Singh, Trilok s/o Dev Singh, Sat Parkash s/o Chaud, Sat Parkash s/o Srit Chand

21. Dev Ram, Jagan s/o Behari

22. Jai Singh, Har Parkash, Sat Parkash s/o Smt. Brahma Devi

Rs. 500/- p. sq. yd for Land

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Documentary Evidence

No person have filed any documentary evidence in support of their claim.

Market Value

The market value of the land under acquisition is to be determined with reference to the date of preliminary notification u/s 4, which is 19.2.1979. 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 L.A. Act, 1894 are to be taken into consideration. In this village the following awards have been made so far :-

S.No. Award No. Date of noti- Rate awarded Location u/s 4 made by the Court.

1.	70/72-73	3.12.1971	Rs.2760/-per bigha for block A Rs.1850/-per bigha for block B	N11
2.	5/84-85	22.1.82	Rs.7500/- per bigha for block A Rs.5700/- per bigha for block B	N11
3.	24/85-86	18-9-85	Rs.7500/- per bigha for block A Rs.5500/- per bigha for block B	N11

From the above table, it is clear that award mentioned at Sr.No. 2 & 3 are of post dated. So, they cannot be taken into consideration for the purpose of assessing the market value of the land under acquisition. As regard to Award mentioned at Sr.No. 1 date of notification under the present acquisition is 19.2.1979. If an appreciation @ 9 % is allowed on market value of Rs. 2760/- per bigha for a period of 7 years and two months approximately, it comes to Rs. 4498/- per bigha. In view of the above facts and circumstances of the case as well as keeping the time gap between the two notifications, I am of the opinion that Rs. 4,500/- per bigha for the land is just and fair market value of the land under acquisition and Award the same accordingly.

11, which has been constructed prior to the date of notification
 v/s 4. Condition of the well is good, I assess Rs. 5000/- as the
 compensation of this well.

THREE & STRUCTURES : Nil

SOLATUM

30 % solatium 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 L.A. amendment
 Act, 1984 from the date of notification u/s 41.e. 19.2.1979 to
 the date of announcement of the award.

Appropriation

Compensation will be paid on the basis of latest entries
 in the revenue record. In case of any dispute, which cannot be
 settled amicably within a reasonable time, will 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. 15.79 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 under acquisition will vest in the government
 absolutely free from all encumbrances from the date of taking

over possession.

SUMMARY OF AWARD

Rs. 5,89,275 - 00

Rs. 5,000 - 00

Rs. 1,78,282 - 50

Rs. 5,13,453 - 60

Rs. 12,86,011 - 10

GRAND TOTAL:-

Compensation of Land measuring
 130 bighas 19 biswas @ Rs. 4500/-
 Compensation of Wells
 Solatium @ 30 %
 Additional Amount u/s 23(1a)
 of the L.A. Amendment Act, 1984
 @ 12 % p.a. from 19.2.79 to
 2.5.986 (7 years 73 days)

(Rupees Twelve Lac Eighty Six Thousand Eleven and Paise Ten only)

(J.P. TYAGI)
 LAND ACQUISITION COLLECTOR(MSW)
 DELHI.

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21/4
 14.4.1984
 19/10/84