

A W A R D NO. 35/82-83

NAME OF VILLAGE : SAQDARPUR
 NATURE OF ACQUISITION : PERMANENT
 PURPOSE OF ACQUISITION : WIDENING OF ROAD

INTRODUCTION

These are proceedings u/s 11 of the Land Acquisition Act for an area measuring 0.2 Biswas of Village Saqdarapur. Notification u/s 4 was issued vide notification No. F.15(245)/60-LSG dated 10.11.1960 for an area of 1808 acres of land situated in different villages including the area of Village Saqdarapur. In pursuance of the above notification u/s 4 an area measuring 742 bigha 17 biswas of Village Saqdarapur was notified u/s 6 vide notification No. F.4(19)/65-L&H(iii) dated 21.9.1976. The land was required to be taken by the Govt. at public expense for a public purpose namely for widening of road. The present proceedings are confined to 0.2 Biswas only. Notice u/s 9 & 10 were issued to the persons interested. The claims filed by them will be discussed under 'Claims & Evidence.'

MEASUREMENT & TRUE AREA

Necessary measurement was carried out by the Revenue Field Staff and the area was found to be correct.

CLAIMS & EVIDENCE

Sr.No.	Name of claimant	Kh.No.	Area	Rate claimed	Evidence
1.	Baru Mal s/o Manohar Lal r/o 690/1, Kabool Nagar, Shahdara.	2263/224 min	104½ sq.yds	Rs. 300/- p. sq.yd	Nil
2.	Ram Piary Khullar wd/o Gopal Dass r/o 16-E/22, East Patel Nagar, New Delhi.	-do-	-do-	Rs. 100/- p. sq.yd	Nil
3.	Hem Chand s/o Baru Mal for and on behalf of Anguri Devi w/o Baru Mal d/o Bhola Nath.			Contd...2...	

4. Hari Krishan Sharma
s/o Bhu Dutt, H.No. 1348,
East Rohtash Nagar, Shahdara,
Delhi.

Claimants have stated
that they are not the
owners of this plot.
However, Baru Mal s/o
Manohar Lal is said to
be the owner of the said
plot.

Note :- The name of husband of Smt. Anguri is Narain in
the Revenue Record.

OWNERS & OCCUPANCY

S.No.	Name of the owner	Name of occupant	Kh.No.	Area Big. Bis	Kind of soil
1.	Ram Sahan Dass s/o Bhu Dutt Mal, 3/8 share	Self	2263/224	0-2	G.M. Plot
2.	Gopal Dass s/o Sant Ram, 3/8 share r/o 19, West Patel Ngr.	-do-	-do-	-do-	-do-
3.	Bhu Dutt s/o Gobind Sahai r/o Rohtash Ngr., 1/8 share.	-do-	-do-	-do-	-do-
4.	Smt. Anguri Devi w/o Narayan r/o Kabool Nagar, 1/8 share.	-do-	-do-	-do-	-do-

Note :- The owners have stated that they are not the
owner of this plot. However, Baru Mal s/o
Manohar Lal is said to be the owner of the said plot.

MARKET VALUE

The market value of the land under acquisition
is to be determined with reference to the date of noti-
fication u/s 4 i.e. 10.11.1960. The persons interested
have claimed very exorbitant rate. One Smt. Ram Piary
has claimed @ Rs. 100/- p. sq. yd but she has not produced
any evidence in support of her claim. Sh. Baru Mal has
claimed rate of Rs. 300/- per sq. yd and in his support has
filed a copy of sale deed of half portion of the land
sold on 8th March, 1972 @ Rs. 80/- p. sq. yd. Now, as the ~~xxx~~
sale deed referred by Sh. Baru Mal belongs to the year 1972
and the material date in this case is 10th November, 1960
reliance cannot be put on this evidence. Therefore, deter-
mining

Contd... 3 ...

the market value of the land previous awards for similar land of the same material date and the sale transactions of the land similarly circumstanced on or about the material date in the Village may be helpful guide. The revenue staff has put up the list of following awards of the same Village:-

S.No.	Award No.	Date of notification u/s 4	Rate awarded
1.	8/75-76	10-11-1960	Rs.1650/- per Bigha Rs.1000/- per Bigha (Uneven land)
2.	69/73-74	9-1-1969	Rs.2500/- per Bigha
3.	16/74-75	29.9.1967	Rs.2800/- p.Bigha

Out of the above awards only award at Sr.No. 1 is of the same date of notification u/s 4. The other two awards have the material date 7 to 9 years posterior to the relevant date in the present case, and therefore they cannot give any guidance in determining the rate of the land under acquisition. In the award at Sr.No. 1 the L.A.C. has assessed Rs. 1650/- per Bigha for ordinary land and Rs. 1000/- per Bigha for uneven land. The award was referred to the Court of A.D.J. u/s 18 of the Land Acquisition Act. In all the references the A.D.J. enhanced the compensation from Rs. 1650/- per Bigha to Rs. 2470/- per Bigha. Addl. District Judge put reliance on sale deed No. 1246 dated 28.10.60 in which an area of 38 Bigha 10 Biswas was sold for Rs. 95,000/- fetching average price of Rs. 2467-60 Ps per bigha. The land under present acquisition is of the same quality/potentiality as acquired under Award No. 8/75-76. Therefore, relying on the judgment delivered by the A.D.J. on 31.1.1981 I assess the market value of this land @ Rs.2470/- per Bigha. Accordingly, rate of Rs. 2470/- (Two thousand

Contd..4....

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four hundred seventy only) per bigha for the land under acquisition is quite fair and reasonable and hence the same is awarded.

TREES & WELL

There is no Tree or Well on the land under acquisition.

STRUCTURE

There is no structure on the land under acquisition.

SOLATIUM

15 % solatium will be paid over and above the market value towards compulsory nature of acquisition.

INTEREST

The case falls within the purview of the Land Acquisition (Amendment & Validation) Act, 1967. The date of notification u/s 4 is 10.11.1960 and the date of notification u/s 6 is 21.9.1966, therefore interest @ 6 % p.a. is payable on the market value of the land from the date of expiry of three years from the date of publication of notification u/s 4 to the date of announcement of the award.

LAND REVENUE

The land under acquisition is assessed to Rs0.4 paise as land revenue, which will be deducted from the Khalsa Rent Roll of the Village from the date of possession.

APPORTIONMENT

Payment will be made according to the latest entries in the revenue record, except where persons other than owners are recorded as occupants or claim compensation or there are other reasons of dispute.

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SUMMARY OF THE AWARD

Compensation of land measuring
0.2. Biswas of land @ Rs. 2470/-
per Bigha. Rs. 247-00

Add 15 % Solatium Rs. 37-05

Interest u/s 4(3) on
Rs. 247/- from 10.11.63
to 9.11.1981 i.e. 18 years Rs. 286-76

GRAND TOTAL: - Rs. 550-81

(Rupees Five Hundred Fifty and Paise Eighty One only)

Certified to be original
copy. Announced today.
27/9/82
(J.M.L. BHATTN AGAR)
LAND ACQUISITION COLLECTOR(MSW)
DELHI.

कायवाड़ कवजा खोवत खेवडि नं. 35/82-83 ग्राम सखदर पुर

आज दिनांक 5⁷/₈₅ को आम्दा पत्र संख्या नं. D.A/SM/L&B/85
905 दिनांक 25/6/85 के अनुसार और मुताबिक प्रोग्राम
महकमा LAC विभाग की और से श्री प्यारेलाल Kgo व
श्री राम चन्द परवारा (L.A) और श्री बाला दत्त परवारा L.A
और L&Estate विभाग की और से श्री मिलाप चन्द गोगनायाव
तहसीलदार, श्री G. C. Bose Chakraborty, Sh. Ram Kumar
Patwari तथा R. K. Jain J.E. works मोका जाली नं. 5 वाला
नं. 14 Kh. No 2263 निम्न तादादी 104¹/₂ एकड़ पर 9/2
974

224
 ५ मोके पर हाजर आमदा को कब्जा वाकई खसरा
 नं. मजकुर 16 $\frac{1}{2}$ x 54-9 = 7 x 2 गेहूँ रखवा तादासी 0-2
 बिस्वे दिया गया यह पैमाइस मोके पर पल्लाट नं. 14 को
 वर्तमान दिवार को मदेनजर रखते हुये की गई है। मोके पर
 बबनत पैमाइस तब कब्जा कार्य वाई किसी प्रकार को
 के मजहूम पेशा नहीं आई इस डोमर की मुशतहरी
 व आवाज बलन्द श्री सोभा राम पयरासी से कराई गई
 परवारी हलका बकार सरकार मेशगुल होले के कारवा
 मोके पर नडासका/दिस की रक कापी बराये कमल दरामन्द
 काशजीत माल तहसिलदार माली को भेज दी जायेगी। अतः
 कब्जा कार्य वाई मुकम्मल हो चुका है। दिनांक 5/9/85

Summer hrs
577/85
Handed over

Pyre. car keys
577/85
A

Taken over

McGraw
577/85
N.T. (L.H.)
J.E. Wakes
577/85

Handled over

Simultaneously
Taken over

J.E. Wakes
577/85