

NO. 5/83-84

NAME OF THE VILLAGE: SINGHOLA

NATURE OF ACQUISITION: PERMANENT

PURPOSE OF ACQUISITION: FOR REMODELLING OF DRAIN NO. 6.
XXXXXXXXXXXXXXX

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land situated in village Singhola ^{measuring 2 bighas 5 biswas} was notified u/s 4 of the L.A. Act vide notification No. F.7(52)/81-L&B(4) dated 24.5.1982 for a public purpose, namely for the Remodelling of Drain No. 6. The substance of the notification was given due publicity as required under the law and the objections were invited from the interested persons. After consideration of the objection u/s 5-A of the L.A. Act, the Delhi Administration issued a declaration u/s 6 of the L.A. Act in respect of 2 bighas 5 biswas of the land in village Singhola vide notification No. F.7(52)/81-L&B dated 29.9.1982 for acquisition of land for the purpose mentioned above.

In pursuance of the notification u/s 6, notices u/s 9 & 10 of the L.A. Act were issued to all the interested persons to file their claims and the claims filed by the claimants are discussed hereafter under the heading 'Claims'.
MEASUREMENT

The area under acquisition as given in the declaration u/s 6 is 2 bighas 05 biswas and found correct at the time of measurement by the field staff. In this way the area of 2 bighas 5 biswas is being acquired at present.

CLASSIFICATION OF LAND

The details of Khasra Nos. in form 7-A have been prepared under para 55 of the Financial Commissioner's order No. 28 which are as under:-

Rect. No.	Khasra No.	Area	Kind of land
1	14/1 & 14/2 2/1	0-15	G.M. Char Diwari

...2....

1.	17/1/2	0-13	G.M. Char Diwari
	24/1/2/1/	0-13	-do-
	4/2/2/1	0-04	-do-

2-05

POSSESSION

The possession of the land has not been taken over and handed over to the Acquiring Department till today.

CLAIMS

The following persons have filed their claims in pursuance of notices issued to them u/s 9 & 10 of the L.A. Act

S.No.	Name	Claim	Remarks
1.	Surinder Singh, Virinder Singh Ss/o Ramesh Singh	Claimed compensation @ Rs.50/- per sq.yd. For crops Rs.4000/- for manure, levelling Rs.3000/- severance charges Rs.10000/- @ 6% interest & 15% solatium.	No evidence.

MARKET VALUE

The area of this village is governed by the provisions of Delhi Land Reforms Act, 1954. Therefore, the land of this village cannot be used for the purposes other than agriculture, horticulture etc. without the prior permission of the Competent Authority.

The market value of the land is to be assessed keeping in view the price prevailing at the time of notification u/s 4. The owner has claimed compensation @ Rs.50/- per sq.yd. but he has not produced any documentary evidence. The claim thus appears to be on the higher side. In order to determine the market value of the land, various awards in this village are to be consulted besides taking into consideration the various sales transactions

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The following awards were announced:-

No. of notification u/s 4	Date	Rate per bigha.
43/10-81	F-7(47)/79-L&B dated 21.12.79	Rs.2000/-
47/10-81	-do-	Rs.2000/-
21/11-82	F-7(42)/71-L&B dated 23.10.80.	Rs.2100/-

The last award No.31/31-81 relates to the material date of 23.10.82 whereas in the present case, the date of notification u/s 4 is 24.5.82. These three awards cannot be taken into consideration.

The field staff was requested to consult the revenue records in order to find out the sale deeds executed in this village in the vicinity of the date of notification u/s 4. A perusal of the sale deeds shows that an area of 1 bigha out of Killa No.1/17 was sold for Rs.3000/- whereas 2 bighas out of Killa No.1/7 was sold for Rs.2000/- vide registered deed No.4756 and 4758 dated 18.8.81 respectively. Killa No.1/17 forms part of Killa No.1/7 adjoining the land under acquisition. Similarly an area of 2 bighas 11 biswas comprising of Plots No.4/7, 8, 10, 12/1, 14/17 and 14/18 was sold for Rs.24500/- vide registered deed No.4758 dated 18.8.81. Killa No.4/7 also adjoins the land under acquisition. A number of sale transactions have taken place after 18.8.81 but all these relate to the land which is far away from the land under acquisition and as such, these cannot be considered. Since the land covered by registered deed No.4758 comes within the land under acquisition and the land covered by registered deed No.4756 and 4758 adjoins it, these will be helpful to arrive at the market value of the land. The average per bigha of all these registered deeds comes to Rs.2360/- per bigha. The date of registered deeds in all these cases is 18.8.81 whereas the date of notification u/s 4 is 24.5.82. There is a difference of about 9 months between these two dates. After adding interest for 9 months at a sum of Rs.2360/- it comes to Rs.2483/-. In my opinion, it would be justified if a sum of Rs.2500/- per bigha is determined in this case and I award the same accordingly.

OTHER COMPENSATION

TREES

There is no tree in the land now under acquisition.

WELL

There is no well in the land now under acquisition.

STRUCTURES

The following structures are reported to be in existence at site before the date of notification u/s 4. The details of structures and amount assessed are shown against each:-

Kh.No. in which the structure is situated	Kind of structure	Amount assessed
1// 11/1 & 14/2 2/1	Wall 200' in length 5' in height, 9" in width	Rs. 2000/-
17/1/2	Wall 168' length 5' in height 9" in width	Rs. 1800/-
24/1/2/1/	Wall 168' in length 5' in height 9" in width.	Rs. 1800/-
4//4/2/2/1	Wall 43' in length 5' height 9" in width.	Rs. 450/-

There are tin sheds 9' x 9', 12' x 15', 9' x 25' in Kh.No. 24/1/2/1. No compensation is assessed for tin sheets and the owners are at liberty to remove the same. A sum of Rs. 100/- is awarded for removal charges.

SOLATIU

As provided under sub-section(2) of section 23 of the L.A. Act, the interested persons are entitled to have 15% solatium on the market value of the land.

INTEREST

The possession of the land has not been taken over and handed over to the Acquiring Department. So the interested persons are not entitled to receive any interest u/s 24 of the L.A. Act. *me*

An interested person is not entitled for working, maintenance, or any other charges, as the land is being acquired and compensation is being paid. The claimant is also not entitled for any other charges as he is left with sufficient land with him after the acquisition of this land.

ADJUDICATION

The persons interested shall be paid compensation according to the latest entries in the revenue record of the land after acquisition. In case of any dispute, the payment shall be made after an amicable settlement between the parties concerned failing which the matter shall be referred to the court of Additional District Judge, Delhi for adjudication.

LAND REVENUE

The land revenue worked out to Rs. 1.39 which shall be deducted from the rent roll of the village w.e.f. taking over possession of the land.

SUMMARY

Compensation for the land measuring 2 bighas 5 biswas @ Rs. 2500/- per bigha	Rs. 5625.00
Compensation for structures & removal charges	Rs. 8150.00
15% solatium	Rs. 1751.25

GRAND TOTAL

Rs. 15526.25

(Rupee 15 thousand five hundred twenty six and paise twenty five only)

(D.B. KUBRA)
LAND ACQUISITION COLLECTOR (H) DELHI.

21/3/87

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written by me & by the claimant
the same is true & correct
proved.
21/12/87