

(131)

AWARD No. 56/82-83

NAME OF THE VILLAGE SINGHU
NATURE OF ACQUISITION PERMANENT
PURPOSE OF ACQUISITION FOR CONSTRUCTION OF CHECK
BARRIER AT SINGHU BORDER.

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land situated in village Singhu was notified u/s 4 of the L.A. Act vide notification No. F.7(42)/76-L&B dated 17.9.82 for a public purpose namely "for construction of check barrier at Singhu Border". The substance of the notification was given due publicity ~~xxx~~ 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~~ ~~xxxxxxx~~ Delhi Administration issued a declaration u/s 6 of the L.A. Act in respect of 38 Bighas 02 Biswas of land in village Singhu vide notification No. F.7(42)/76-L&B dated 4.11.82.

In pursuance of the above notification u/s 6, notices u/s 9 & 10 of the L.A. Act were issued to all the interested persons ~~and~~ ^{to} file their claims and the claims filed by them are discussed thereafter under the heading "Claims".

MEASUREMENT :-

The area under acquisition as given in the declaration u/s 6 is 38 Bighas 02 Biswas and found correct at the time of measurement by the field staff. In this way the area of 38 Bighas 02 Biswas is being acquired at present.

CLASSIFICATION OF LAND :-

When details of khasra no. in form 7-A have been prepared under para 55 of the financial Commissioner order No. 28 which are as under :- *me*

.....P/2-

133

Rect. No.	Khasra No.	Area
10	25/2/1	0-01
11	21/1	0-12
	22/1	0-05
31	1	4-16
	2/1	1-00
	9/2	1-17
	10	4-04
	11	4-05
	12/1	2-14
	19/2	3-11
	20	4-03
	21	3-08
	22/1	4-08
22	5/2/1	1-12
23	1/1	0-16
	2/1	0-10
	Total	32-02

The land owners have not raised any objection regarding the measurement of the land. At present there is no other alternative left with us except to agree with the measurement as proposed by the field staff, Land Acquisition.

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 of the claimant	Claims	Remarks
1.	Mange s/o Jhandu	The claimant claimed compensation @ Rs.20,000/- per bigha for Kh. No.21/9/2.	No evidence
2.	Ram Swardoop s/o Chuni	-do- Kh.No.21/2/1	-do-
3.	Raghunath s/o Pura	-do- Khasra No.21/1 & 21/2	-do-
4.	Khejari W/o Dharama	-do- Khasra No.21/1	-do-
5.	Dhamno W/o Hale	-do- Khasra No.21/1	-do-
6.	Jhara Ram s/o Ramchar	-do- Khasra No.21/10	-do-
7.	Mukhtiar s/o Chandai	-do- Khasra No.21/9/2 & 10	-do-
8.	Chander s/o Chandai	-do- Khasra No.21/9/2	-do-
9.	Surat Singh, Surat Bhan, Banwari Lal s/o Bhole Ram, Deep Chand, Giani, Sher Singh s/o Wairap.	Claimed compensation @ Rs.100/- per sq.yd. for Kh.No.11/21/2/1.	-do-
10.	M/s International Land & Finance Company through its partner	Claimed compensation @ Rs.50000/- per bigha for land Rs.500/- per bigha for crops. Rs.4,00,000/- severance charges.	-do-

...8....

MARKET VALUE :-

The land of this ^{village} ~~district~~ is governed by the Delhi Land Reforms Act, 1954. According to the provisions of this act, the agriculture land can not be used for purposes other than agriculture, horticulture and poultry farm without the ~~sanction~~ ^{sanction} of the competent authority.

The market value of the land is to be assessed keeping in view the prices prevailing at the time of date of notification u/s 4. The claimants have demanded compensation ranging from Rs. 50/- per sq. yd. to Rs. 100/- per sq. yd. but have not produced any documentary evidence in support of their claims. In ^{the} absence of any documentary evidence, no reliance can be placed on the claims. To determine the market value, various awards announced in this village, ^{which} ~~which~~ have to be considered. The following awards are reported ~~d~~ to have been announced in this village recently :-

S.No.	Award No.	Date of notification u/s 4 of the L.A. Act.	Amount per Bigha.
1.	69/80-81	F.7(47)/79-L&B dt. 21.12.79	Rs. 2000/-
2.	29/81-82	F.7(42)/76-L&B dt. 28.10.80	Rs. 2100/-
3.	18/82-83	F.7(47)/79-L&B dt. 26.3.80	Rs. 3150/-

Latest date of notification u/s 4 in the above awards is 28-10-80 whereas in the present case, it is 17.3.82. A

perusal of the revenue record shows that various sale transactions have ~~take~~ place in March, 1982 which ~~also~~ relate to the land under acquisition. As such, these awards can not be considered in the present case.

Especially ^{when} ~~when~~ sale transactions relating to this land are available which were executed about 6 months ago. All the sale deeds bearing Nos. 1539, 40, 41, 42, 43, 44 & 45 were registered on 15.3.1982. The land covered by all these sale deeds except sale deed No. 1539 ^{forms} ~~forms~~ part of the land under ~~xxxxxx~~ acquisition. It further appears that small ^{plots} ~~plots~~ of land were sold at higher rate whereas the bigger ~~plots~~ at smaller rate. For example, khasra No. 21/12 measuring 4 Bighas 15 Biswas, being subject matter of registered ~~sale deed~~ ^{sale deed} dated 15.3.1982 was sold at

the rate of Rs.6666/- per bigha whereas Khazana No.21/11 & 21/20 measuring 8 bighas 08 biswas covered by sale deed No.1545 were sold at Rs.5333/- per bigha on the same date. Similar is the case with other sale deeds. In the present case 38 bighas 02 biswas land is being acquired. Thus the big chunks of land will fetch lesser price. The average price per bigha of the land covered by sale deed No.1539 to 1545 comes to Rs.6000/- per bigha. All this land was sold on 15.3.1982 whereas the date of notification u/s 4 in the present case is 17.9.82. There has been no appreciation in the price of the land during this short period. It would be justified if the price of the land in the present case is fixed @ Rs.6000/- per bigha and I accordingly award the same.

WELL, TREES AND CROPS

There is no well, trees and crops in the land under acquisition. The claimant No.13 has claimed severance charges. Since their land has been acquired on one side, they are not entitled for the same.

STRUCTURES

There is one structure in Kh.No.22/5/2/1 measuring 8' x 15'. The structure was made of pucca bricks and mud. Therefore, I assess a sum of Rs.800/- for the structure.

COMPENSATION

As provided under sub-section 2 of section 23 of the L.A.Act, 1894, the persons interested are entitled to have 15% sol-tum on the market value of the land.

APPORTIONMENT

The persons interested shall be paid compensation according to the latest entries in the revenue records of the land now under 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 Additional District Judge for adjudication.

LAND REVENUE REDUCTION

The land revenue worked out to Rs.5.04 paise. This amount shall be deducted from the rent roll of the village w.e.f. taking over possession of the land.

....S....

SUMMARY :-

The award is summarised as under :-

1.	Compensation for the land measuring 32 Bighas 02 Biswas @ Rs.6000/- per bigha.	Rs. 2,22,600.00
2.	Compensation for structure	Rs. 800.00
3.	15% solatium	Rs. 34,410.00
Total		Rs. 2,63,810.00

(Rupees Two lacs, sixty three thousands, eight hundred ten only).

(B.B. KUMBA)
LAND ACQUISITION COLLECTOR(N) : DELHI.
12/11/62

Approved in
line & filed
12/11/62

Noting that (12/11) of the L.A. Act is in force
these persons who were not present
12/11/62

नाम बांधी कब्जा # 56/82-83 का फिट
प्रतीक डेपुत भाई कोदेगुदा कोदेगाई नेरला हंमन
परोप देज कब्जा काज दिनांक 8/8/84 को वा एमराट
भी राजनीतिद लायी N.T.L. व पूरा फिट कावेगो L.T.
व पत्तारी किशोरी बाल व राज कुमाल व राम भग पमराणी का
मोका पर पुदे मोके व P.W.D. की कोर से भी 5m. वजल
ओकेलेट इनेगल व भी P.C. जिपाठी ने ई. मोके पूर
होकर मिले डिपराट # 56/82 में कुल तादादी 38-2 बिदे
कोदेगुदा डई है जिसमें से खसरा 22/5 तादादी 0-2 बिदे
का कब्जा छोड़ कर गावी 38-0 बिदे का कब्जा दिनांक 16/8/82
को पहले ही हटवा जा चुका है के खसरा 22/5 तादादी 0-2
का कब्जा काज दिनांक 8/8/84 को खाली भूमि का कब्जा होतल
करके जोगेमल खाम लगाकर और चौरा और चुना फिरा कर उ छोला
भी 5m. वजल ओकेलेट इनेगल P.W.D. व भी P.C. जिपाठी
ने ई. किमा गमा कब्जा कामे गावी के साथ किरी किहल की
मगाधम देश नद्ये काई इत कब्जा कामे गावी की जुगादी व
उसरी भी रात भग चपाती के द्वारा मोके वा व ईई हाजा में
न आताज जुलान करइ गरी पत्तारी दहका कब्जा कामे गावी के
समम हाजा नही है मोके व तदी जा दाल के कोपी भिजावरी
जोगोनी कामे गावी कब्जा कुरावरी है x

Shamir
दावा कर जल

Sm. Bamsel
8/8/84
38 M.

Sm. Bamsel
8/8/84

Sm. Bamsel
8/8/84

प. नि. रा.