

Award No.. 66/86-87

NAME OF THE VILLAGE: TUGLAKABAD.
NATURE OF ACQUISITION: PERMANENT.
PURPOSE OF ACQUISITION: PLANNED DEVELOPMENT OF DELHI.

This is an award u/s 11 of the Land Acquisition Act, 1894, for permanent acquisition of land in Village, Tuglakabad. Land measuring 44 bighas 7 biswa was notified u/s 4 of the Land Acquisition Act, vide No F-15(243)60, L.S.G., dated 10/11/60 and u/s 6 of the Act vide No. F-1(23)61 L.M., dated 4-1-69. Notices u/s 9-10 were issued and claims were received which are discussed in the award below:-

True and Correct Area:-

<u>Khasra No.</u>	<u>Area</u>	<u>Kind of soil</u>
2609/727-728	5-1	G.M.
2610/728-729 min	3-6	G.M.
2610/728-729 min	1-0	G.M.
730 ✓	2-6	G.M.
731 ✓	8-09	G.M.
732 ✓	2-03	G.M.
733 ✓	1-18	G.M.
2612/735-736 ✓	5-03	Banjar (edim(3-02) G.M. (2-01)
2613/735-736	0-17	G.M.
Total:-	30-3	

Difference of 7 bighas is due to mis-calculation according to actual measurement by the field staff and 7 bighas 4 biswa comprising of khasra No. 725(3-1), 726(1-3) and 734(3-0) has been left out at present due to built up area and will be acquired subsequently. This award is for an area of 30 bighas 3 biswa only.

Compensation Claimed:-

Following claims have been received.

<u>S.No.</u>	<u>Name of the claimant</u>	<u>Khasra No.</u>	<u>Area</u>	<u>Claims</u>
1.	Sh. Sudershan Lal s/o Bakshi Ram	2609/727-728	(5-01)	Rs 10,000/- per sq. yd. for land, Rs 2,00,000/- for structure,
2.	Sh. Partap Singh s/o Margian, Raj Dhan, Ajay Pal(minor), Manoj Kr. ss/o Balbir, Mahipal s/o Hazari, Ranbir s/o Shiv Dayal	725	(3-01)	Rs 1,500/- per sq. yd. for land.

Nahab, Charan Lal Anarjeet,
Kuldeep Singh ss/o Jaswant Singh

3. Sh. Dushan Singh s/o 732, 733, 734
Puran Singh (4536 sq. yd.)

Rs 1,050/- per sq.
sq. yd. for land,
Rs 5,19,990/- for
structures,
Rs 2,00,000/- for
severance.

735, 756
Rs 1,050/- per sq.
yd. for land, (2100 sq. yd.)

4. Sh. Ragbir Chand/o
Moti Ram.

Rs 1,050/- per sq.
yd. for land,
Rs 1,05,600/-
for structure,
Rs 2,00,000/- for
severance.

731, 732, 734
(4536 sq. yd.)

5. Sh. Indar Lal Singh
Kalan s/o
Har Parshad

Rs 1,050/- per sq. yd.
for land,
Rs 6,525/- for
structure,
Rs 2,00,000/- for
severance.

731
(2016 sq. yd.)

6. Miss Prem Kanti,
Mrs. Pramsai W/o
Ramesh Chander

Rs 1,050/- per sq.
yd. for land,
Rs 6,77,175/- per
structure
Rs 2,00,000/- for
severance

731
(1008 sq yd.)

7. Mt. Chela Kumari w/o
Kishan Lal

Rs 1,050/- per sq.
yd. for land,
Rs 15,87,600/- for
structure,
Rs 2,00,000/- for
severance.

731
(1512 sq. yd.)

8. Smt. Sita Devi w/o
Ram Singh

Rs 1,050/- per sq.
yd. for land,
Rs 3,03,000/- for
structure,
Rs 2,00,000/- for
severance.

731
(1008 sq. yd.)

9. Smt. Joginder Kaur w/o
Trilochan Singh

Rs 1,050/- per sq.
yd. for land,
Rs 2,27,700/- for
structure,
Rs 2,00,000/- for
severance.

731
(1008 sq. yd.)

10. Ph. Rajinder Singh,
Harmander Singh s/o
Bishan Singh

Rs 1,050/- per sq.
yd. for land,
Rs 13,450/- for
structure,
Rs 2,00,000/- for
severance.

730
(1258 sq. yd.)

11. Sh. Gurdeep Singh s/o
Kalan Singh

Contd....3/-

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5 1/2

on 4 1/2

12. Sh. Keshari s/o Nihal 2612/735-736 (1-4) Rs 1,050/- per sq. yd.
for land,
Rs 1,00,000/- for
structure.
Rs 2,00,000/- for
severance.
13. Sh. Chet Ram s/o Jaharia 2609/727-728 (5-1) Rs 50/- per sq- yd.
Lok Ram, Hari Ram s/o 725 (3-1) for land.
Jaharia, Gian Chand s/o Shiv
lal, Tego, She-shu Ram
ss/o Ganga Sahai, Gokal
Hari Chand ss/o ~~XXXXXXXXXX~~,
Himmat, Keshari s/o Pharat
Singh, Markush, Sahamal ss/o
Jh t ar, Lakhi Chand s/o Main
Singh, Rattan Singh, Attar
Singh ss/o Pilly, Khenu s/o
Batur, Har Chand s/o Sam at,
Beer Singh s/o Munshi Ram.
14. Sh. Ram Phal s/o Jhutai, Vija 725 (3-1) Rs 20/- per sq. yd.
for land.
Ram s/o Jhutai, Khajan s/o
Teja, Ranchander s/o Ramjilal,
Chander s/o Ram Lal, Ram Kesh
Jaharia, Mohan Lal s/o Sultan,
Rok Ram, Lakh Ram, Om Prakash,
Ram Kishan ss/o Har Lal,
Bhagnal, Kirpal ss/o Amir Chand,
Donger, Chanta ss/o Kanhiya,
Rami s/o Birpal.

Documentary Evidence:-

The claimant, Shri-Shudershan Lal had produced a copy of registered deed dated, 11/6/60, for Khasra No. 2609/727-728(5-1). This land was sold for Rs 3,000/- . Valuation reports of structures were also filed by the claimant.

Market Value:-

In determining the market value of the land many factors are taken into consideration such as its size, situation, potential value and the uses to which it is put. The best evidence to prove the market value would be the evidence of genuine sales effected at the time of notification u/s 4. If the evidence of sales of similar land or the awards are available, the market value can be fixed with reference to the prices mentioned in them.

In the instant case the ~~claim~~ claimants have put forth exorbitant claims without corroborative evidence. Therefore, no reliance can be placed on their claims. Claimant Shri-Sudershan Lal has produced a copy of registered sale deed, dated 11/6/60, regarding Khasra No. 2609/727-728(5-1), where the land was sold for Rs 3,000/-. The average sale price per bigha comes to Rs 600/-. This very sale deed has disproved the claims made by the claimant. ~~XXXXXX~~ ~~XXXXXX~~ However, we can not base our award on one sale transaction and have to rely on the awards ^{and} enhancement made by the Court. In this village several awards have been announced, Award No. 1980 in which date of notification u/s 4 is 13/11/59 can guide
Contd.....4/-

us in determining the market value in the present award, where the material date is 10/11/60. In award No. 1980 the Land Acquisition collector awarded Rs 1,100/- per bigha for Block-A, and the High Court in A.F.A., 105/60, Jaswant Singh vs. Union of India has awarded Rs 3,000/- per bigha as compensation. This case relates to award No. 1980. Taking into consideration all the relevant facts including potential value of the land and rise in prices, I am of the view that Rs 3,300/- is a fair and reasonable market value of the land under acquisition and I award the same accordingly.

TREES, WELLS AND OTHER STRUCTURES:-

Trees:-

There are trees on the land under acquisition under the following compensation is awarded for the same.

S.No.	Khasra No.	Kind of Trees	Amount
1.	2609/727-728	2-Mangoes 10 qnl.	200/-
2.	---do---	6-Guava 16 "	320/-
3.	---do---	13-She sham 55 "	1100/-
4.	---do---	3-Siras 45 "	900/-
5.	---do---	2-Pipal 10 "	200/-
6.	---do---	2-Katar 25 "	500/-
7.	---do---	6-Kachnar 12 "	240/-
8.	730	3-Sheesham 30 "	600/-
9.	---do---	1-Neem 5 "	100/-
10.	---do---	3-Mangoes 25 "	500/-
11.	731	10-Sheesham 60 "	1600/-
12.	---do---	4-Jamun 40 "	800/-
13.	---do---	2-Shahtoot 20 "	400/-
14.	---do---	2-Mangoes 10 "	200/-
15.	---do---	1-Pipal 15 "	300/-
16.	---do---	3-Neem 45 "	900/-
17.	2612/735-736	4-Mangoes 20 "	400/-
18.	---do---	2-Neem 2 "	40/-
19.	---do---	5-She sham 40 "	600/-
20.	---do---	1-Kachanar 5 "	160/-
21.	---do---	1-Guava 2 "	40/-
22.	2613/735-736	10-Sheesham 50 "	1000/-
23.	---do---	3-Neem 12 "	240/-
			574 " 11,460/-

Wells:-

There is only one tube well on the land under acquisition in Khasra No. 2612/728-729. The owner is at liberty to remove the tube well at his own expenses.

Contd.....5/-

structures:-

At the time of notification u/s 4 following structures are reported. The compensation of these structures is assessed as follows:-

No.	No. of Structures	Dimension	Area	Amount
.	1-Room	20' x 30'	600 Sq. ^{feet}	3,000/-
.	1-Room	16' x 20'	320 " "	1,600/-
.	4-Room	57' x 21'	1197 " "	5,985/-
			2127 sq. ^{feet}	10,585/-

There are some structures in the land under acquisition, which were erected after notification u/s 4 that is 10/11/60, therefore, no compensation is assessed for these structures.

Interest:-

The Land owners and interested persons are entitiled to get interest u/s 4(3) of the Land Acquisition (Amendment) Act, 1967. The notification u/s 4 was made on 10/11/60 and the notification u/s 6 was made on 4/1/63. There is a gap of more than 3 years in between these two notifications, hence, interest @ 6% is allowed w.e.f., 10/11/63, till the announcement of the award.

Additional Amount:-

Additional amount @ 12% per annum on the market value is also allowed w.e.f. 10/11/60 till the announcement of the award.

Solatium:-

Solatium @ 30% on the market value is also allowed to the land owners.

Apportionment:-

Compensation will be paid to the land owners according to the latest entries ⁱⁿ the revenue record. In case of dispute the matter will be referred to the court of Additional District Judge for adjudication, u/s 30-31 of the Act.

Land Revenue:-

The land is assessed to land revenue amounting to Rs 11.18 paise which shall be deducted from the Khalsa Rent Roll of the Village from the date of possession.

am my 10/11/60

30%

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संख्या ३ दिनांक

अमरा

बसरा

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THE AWARD IS SUMMARISED AS UNDER:-

Land measuring 30 bigha, 3 biswa, @ Rs 3,300/- per bigha.	= Rs 99,495.00
Compensation for Trees.	= Rs 11,480.00
Compensation for structures solatium @ 30%.	= Rs 10,585.00
Interest u/s 4(3) @ 6% per annum on the market value w.e.f. 10/11/63 to 15/9/66 for 22 yrs. and 310 days.	= Rs 29,848.50
Additional amount @ Rs 12% per annum w-e-f- 10/11/60 to 15/9/66, for 25 yrs, 310 days only.	= Rs 1,36,403.55
Grand Total	= Rs 3,08,625.31
	= Rs 3,96,437.36

(Rs Five lacs, Nintysix thousand, Four hundred Thirtyseven
and Thirtysix paise only)

Secretary (Revenue) is requested to kindly approve the
above award.

[Signature]
10/9
APPROVED
16/9/66
SECRETARY REVENUE

[Signature]
(JAMIL MURAZA)
Land Acquisition Collector (HE),
Delhi.

Award announced
in an open court today.
None present.

[Signature]
LAC (HE)
13/9/66

60/10/66

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का	संख्या व दिनांक
जमान	
पुनर्	बसरा
पाविका	