

24/92+93

Award  
Village : Sabhapur  
Nature of acquisition : Permanent  
Purpose of acquisition : Construction of left forward bund for river Yamuna, under the scheme Planned Development of Delhi.

These proceedings relates to the acquisition of land u/s 11 of the land acquisition act, 1984 for the acquisition of 6 bigha 14 biswas of land of village Sabhapur. The land was notified under section 4 of land acquisition act, vide notification No.F.7(9)/82-L&B(i) dated 3.5.91 for construction of left forward bund for river Yamuna under the scheme Planned Development of Delhi. The land was notified u/s 6 of L.A.Act vide notification no.F.7(9)/82-L&B(ii) dated 28.11.91. In the pursuance of the aforesaid notification notices u/s 9&10 of the Act have been issued to all the interested persons. The claims filed by them discussed under separate heading, 'Claims & Evidence'. The aforesaid notification has already been published in the newspapers.

MEASUREMENT & TRUE AREA:-

The acquisition filed staff measured the land under acquisition at site alongwith flood control department staff and area was found to be correct. As this land of village sabhapur falls in Yamuna river bed it has been classified as flooded land. The details of land under acquisition are as under:-

<u>Khasra No,</u>	<u>Area</u>	<u>Classification of land</u>
- 240 min	1-14	Flooded land
- 257	1-06	-do-
258	1-16	-do-
- 259/1 min	1-18	-do-

6-14 *6/15*



COMPENSATION CLAIMS:

Sl.No.	Name of the applicant	Kh.No.	Area	Claim
1.	Bhim Singh s/o Udmi & others	240 min	1-14	Rs.1,50,000/- per bigha. Rs.4000/- per year corps.
2.	Dhani Ram S/o Juttar Singh & others.	257 259	1-06 1-18	Rs.250/- per sq.yd. Rs.50,000/- surveyance Rs.2,00,000/- for damages.
3.	Sardar Singh S/o Roomal & others.	258	1-16	-do-

MARKET VALUE:

The market value of land under acquisition is to be determined with reference to the date of preliminary notification u/s 4 which is in this case is 3.5.1991 and to arrive at the correct and fair market value of land, the locality of the site, quality and other uses of land and availability of civic amenities ought to be considered.

The help of sale transaction or in the vicinity of the land or any award announced in the near or any award announced, in the near past from the date of notification u/s 4 also could be taken into consideration for assessing the correct and reasonable market value of the land, but incidentally no sale transaction or award of similar or identical nature took place on or before the date of notification u/s 4. Moreover, no evidence has been filed by any person which could be considered as guiding factor for assessing the true and fair market value of land under question.

Delhi Administration vide order No.F.9(20)/80-L&B/4313-16 dated 3.5.90 had conveyed the decision of the Administration regarding fixation of minimum price of agricultural land which have to be taken into consideration by the Land Acquisition Collector for payment of compensation and would apply in all cases where land has been notified under section 4 of land acquisition act after 27.4.90.

Vide the said order No.F.9(20)/80-L&B/4313-16 dated 3.5.90, the minimum amount of compensation has been fixed for the land situated in the river bed at Rs.1.5 lacs per acre. This policy decision of Administration has come into force with effect from 27.4.90 and in this case notification under



section 4 was issued on 3.5.91. Hence in view of the guideline conveyed by the Administration rate works out to Rs.31,250/- per bigha i.e.Rs.1,50,000/- per acre. Therefore, as per policy I assess the true & fair market value at Rs.31,250/- per bigha and award accordingly.

OTHER COMPENSATION:

The interested persons are entitled to get the solatium @ 30% on the market value of the land according to the amended Act, 1984.

ADDITIONAL AMOUNT:

Additional amount u/s 23(1-A) will not be paid as possession has been taken over before the date of notification u/s 4.

INTEREST U/S 34:

The possession of the land under present acquisition was taken over by the Flood Control Department in the first week of July 1982, as per letter No,T-9/FCD.IV/92-93/1549 dated 9.7.92, hence the interest u/s 34 will be paid with effect from 7.7.82 (the date of possession till 6.7.83 @Rs.9% and w.e.f.7.7.83 to the date of award @Rs.15% per annum.

APPORTIONMENT:

The compensation will be paid as per latest entries in the revenue record. In case of some dispute, if not settled, the same would be referred to the court of ADJ, Delhi for adjudication u/s 30-31 of the L.A.Act.

*6/15*

Contd.. 4..



SUMMARY OF THE AWARD:

1. Market value of the land measuring 6 bigha 14 biswas @ Rs.31,250/- per bigha. Rs.2,09,375-00
2. 30% solatium on market value Rs. 62,812-50
3. Interest u/s 34 w.e.f.7.7.82 to 6.7.83 @Rs.9% and w.e.f. 7.7.83 to 31.8.92. i.e. 9 years 56 days (3341 days) @ 15% per annum. Rs.3,98,214.03

Rs.6,70,401-53

(Rupees six lakhs seventy thousand four hundred and one & paise fifty three only)

*[Signature]*  
(M.P. MATHUR)  
Land Acquisition Collector(DS)  
Delhi.

*Secretary (Revenue)*

*Approved,*

*[Signature]*  
M/6/92

Announced in  
the open Court on  
31.8.92. None present.

*[Signature]*  
31/8/92.