

AWARD NO. 6-A/74-75 Supplementary  
NAME OF THE VILLAGE : OLDENPUR  
NATURE OF ACQUISITION : PERMANENT  
PURPOSE OF ACQUISITION: PLANNED DEVELOPMENT OF DELHI.

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These are supplementary proceedings under section 11 of Land Acquisition Act 1894 to awards Nos.6/74-75 of village Oldenpur for determination of compensation in respect of land measuring 20 bighas 1 biswas situated in village Oldenpur.

The land forms part of notification No.F.15(iii)/59-LSG dated 13.11.59 under Section 4 L.A. Act for an area 34070 acres scheme and of notification No.F.4(19)/65-L&H (i) dated 9.8.66 for an area 449 bighas 13 biswas under Section 6 L.A. Act. The land is required by the Government and the public expense for a public purpose namely for the Planned Development of Delhi.

Notices under section 9 & 10 of L.A. Act were issued to the persons interested in the land. Claims filed will be discussed under a separate heading "Claims & Evidence".

#### MEASUREMENT & TRUE AREA

Out of the land notified under section 6 L.A. Act an area measuring 4 bighas was acquired through award No.6/74-75.

As already said the present proceedings are confined to an area 20 bighas 1 biswas only, which was found correct as per measurement carried out by the field staff. The remaining land notified under section 6 will be acquired through another supplementary award on receipt of instructions from the Administration. The details of the land under acquisition are as under:-

Khasra No.	Area Big.Bis.	Kind of soil
.....	.....	.....
597/442	6.08	B.Qadim (4.00) G.M.Khudan Zer Aab (2.00)
698/442	7.14	G.M. Rasta (0.08) B.Qadim (4.05) G.M.Khudan Zer Aab (2.15) G.M.Rasta(0.14)
		.....2/-



699/442

5.19

B.Qadim (3.13)  
G.M.Khudan Zer Aab  
(2.00)  
G.M.Rasta (0.06)

Total: 20.01

OWNERSHIP & OCCUPANCY

Sr.No.	Name of owner	Name of occupant.	Kh.No.	Area	Kind of soil
1.	Chander Mohan s/o Raj Narain.	Self	697/442	6.08	B.Qadim (4.00) G.M.Khudan Zer Aab (2.00) G.M. Rasta (0.08)
			698/442	7.14	B.Qadim (4.05) G.M.Khudan Zer Aab (2.15) G.M.Rasta (0.14).
			699/442	5.19	B.Qadim (3.13) G.M.Khudan Zer Aab (2.00) G.M.Rasta (0.06)
			Total:	20.01	

CLAIMS & EVIDENCE

Sr.No.	Name of the Claimant.	Kh.No.	Area	Rate claimed	Evidence
1.	C.M.Gupta s/o Raj Narain Gupta.	697/442	-	Nil	Nil
2.		698/442	-		
		699/442	20.01		

Note: States that he is not the owner of land and one Shri Raghunath Parshad s/o Kuria Mal r/o 2998, Kucha Nil Kanth, Darya Ganj Delhi. is the real owner of the land and compensation be paid to him.

2.	Raghunath Parshad s/o Kuria Mal	697/442	-	Rs.25/- p.sq.yd. for land.	Nil
		698/442	-	15% solatium	
		699/442	-		
3.	-do-	-do-	20.01		

4.	Ali Hasan s/o Hatim Khan.	686/442	-	Rs.20/- p.sq.yd. for land + interest and solatium.	Nil
		687/442	-	compensation for a house in Kh.No.697/442	
		420			
		443			
		697/442			
		446/1			
					Copy of mutation No. 1230 decided on 1.12.71.
					....3%/-



5. Mohd.Usaf s/o Hakim  
Mohd., Shamim Khan s/o  
Abdullah, Mukhtiar Hasan  
s/o Rehmat Khan, Hamid Ali  
s/o Ahmed Hasan Lakhi  
Ram s/o Shiv Lal, Abdul  
Hamid s/o Abdullah, Sayed  
Ulla s/o Gulam Ahmed etc. etc.

Note: State that they will file a civil writ in the High Court.

MARKET VALUE

The market value of the land under acquisition is to be determined with reference to the date of preliminary notification i.e. 13.11.59. In assessing the market value various factors such as size and situation of the land, kind of soil, the use to which it is put, the advantages and potentiality are taken into consideration. The best evidence in this regard is awards in respect of similar land in the village around the date of preliminary notification and court decisions pertaining to these awards. If no such award is available sale transactions between the willing purchaser and a willing seller in respect of land parallel in circumstances to the land under acquisition are taken into consideration.

There are following awards with the same date of notification under section 4 of this village.

Award No.	Rate awarded by L.A.C.
1506	Block 'A' Rs.200/- per bigha Block 'B' Rs.300/- per bigha Block 'C' Rs.500/- per bigha Block 'D' Rs.200/- per bigha.
1648	Block I Rs.300/- per bigha Block II Rs.200/- per bigha
1941	Rs.300/- per bigha
6/74-75	Rs.200/- per bigha.

The present proceedings are supplementary to Award No.6/74-75 as the date of notification under section 6 is the same. In award No.6/74-75 previous awards Nos.1506, 1648 and 1941 were also considered and the land was evaluated on the basis of award No.1506 because it was adjacent to the land acquired in award No.1506 but in the present case award No.1506 is not so relevant as



Award No.1648 and 1941 are, because the land involved in Award No.1506 is situated North of the G.T. Road and Railway Line whereas the land acquired through award No.1648 and 1941 alongwith the present land are situated South of the Railway Line. In Award No.1941, 1648 the Collector fixed the market value of land at the rate of Rs.300/- per bigha and of land in the shape of nala at the rate of Rs.200/- per bigha after taking into consideration the sale transactions and the evidence filed by the interested persons. In the present case no evidence has been led by the claimants. Keeping the rate awarded in Award No.1648 and 1941 in view I consider the rate of Rs.300/- per bigha fair and reasonable for land measuring 11 bighas 18 biswas in Block I and Rs.200/- per bigha for land measuring 6 bighas 15 biswas in Block II which is G.M. Khudan Zer Aab.

The land measuring 1 bigha 8 biswas is recorded as G.M. Rasta in the revenue record. It is found in use as rasta at the spot. No compensation is, therefore, assessed for the same.

#### OTHER COMPENSATION

There is no tree or well on the land under acquisition.

#### STRUCTURES

There are some structures on the land under acquisition which appear to have come up after the date of preliminary notification under section 4 as there are no entries in the revenue record prior to 13.11.59. No compensation is, therefore, assessed for the same. The owners may remove the malba within 15 days of the announcement of the award.

#### SOLATUM

15% solatium on the market value of the land is payable on account of compulsory nature of acquisition.

#### INTEREST

The present case falls within the purview of land acquisition (Amendment and Validation) Act 1967. The date of notification under section 4 is 13.11.59 and date of notification under section 6 is 9.3.66. Interest at the rate of 6% per annum is, therefore, payable three years after the preliminary date

.....5/-



1962 from 13.11.62 to the date of announcement of the award which is tentatively fixed 24.1.1976.

APPORTIONMENT

The compensation will be paid according to the latest entries in the revenue record. In case of dispute between the interested persons which is not settled within the reasonable time the compensation will be remitted to the court for adjudication of title under section 30/31 of L.A. Act.

LAND REVENUE

The land under acquisition is assessed to land revenue of Rs.7.00 which will be deducted from the Rent Roll of the village w.e.f. the date of taking possession.

SUMMARY OF THE AWARD

1. Market value of the land in Block I measuring 11 big. 18 bis. @ Rs.800/- p.b.	Rs. 9,520.00
2. Market value of the land in Block II (G.M.Khudan Zer Aab) measuring 6 big. 15 bis. @ Rs.200/- p.b.	Rs. 1,350.00
3. Market value of land measuring 1 bigha 8 biswas (G.M. Rasta)	Rs. Nil
Total:	Rs.10,870.00
4. 15% solatium.	Rs. 1,630.50
5. Interest @ 6% p.a. w.e.f. 13.11.62 to 23.1.76 (13 years 72 days) on the market value of land (Rs.10,870.00).	Rs. 8,607.25

GRAND TOTAL:

Rs.21,107.75

~~Rs.22,507.75~~

(Rs. Twenty one thousand one hundred seven & paise seventy five only).

*B.M.L. Gaumat*  
(B.M.L. GAUMAT) 24.1.76  
LAND ACQUISITION COLLECTOR(MSW)  
DELHI.

*Announced this way*

*B.M.L. Gaumat*  
24.1.76  
LAC