

SUPPLEMENTARY AWARD NO. 1-A/84-85

NAME OF VILLAGE : BEHARIPUR  
NATURE OF ACQUISITION : PERMANENT  
PURPOSE OF ACQUISITION : FORWARD BUND UPSTREAM OF  
WAZIRABAD BARRAGE.

These are the supplementary proceedings of Award No. 1/84-85 which was announced on 23.4.84. The land in this case was notified u/s 4 of the L.A. Act vide notification No. F.7(40)/75 -L&B(i)/19511 dated 30.9.1976 and u/s 6 vide No. F.7(40)/75-L&B(ii) dated 30.9.1976. and since it was a case of emergency, therefore, section 17 of the Act was also made applicable through notification No. F.7(40)/75-L&B dated 30.9.1976 and possession was taken on 9.12.1977. Total land acquired in this award was 1 bigha 4 biswas.

After the announcement of the above award, the Land Acquisition Act, 1894 has been amended and the Amendment Act came into force w.e.f. 24.9.84. However, as per provision of section 30 of the Land Acquisition (Amendment) Act, 1984, certain provisions of the Act are to take effect from 30.4.82. Hence, the need for the supplementary award has arisen.

Under the Amended Act, the provisions of section 23(1) have been amended by providing a new sub-section 1(A) of section 23 of the Principal Act as inserted by clause A of section 15 of the Amended Act. By this amendment, the interested persons will get an amount calculated @ 12 % p.a. on the market value for the period commencing on and from the date of publication of notification u/s 4 till the date of the award of the Collector or date of taking over possession of the land whichever is earlier. Similarly, section 23(2) of the Principal Act has been amended by clause A of section 15(b) of the Amendment Act by which the interested persons will be entitled

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solatium @ 30 % instead of 15 %. Section 34 of the Principal Act has also been amended by section 20(b) of the Amendment Act by which the interested persons will be entitled interest @ 9 % for the first year and 15 % for subsequent years instead of 6 %. from the date of possession till the award is announced.

In the instant case the physical possession of the land measuring 1 bigha 4 biswas was taken over on 9.12.1977 but the L.A.C. did not award any interest u/s 34 from the date of possession till date of award. In the present proceedings I also allow interest u/s 34 @ 9 % from 9.12.77 to 22.4.84 of the land measuring 1 bigha 4 biswas only.

Keeping in view the provisions of the Amended Act, the interested persons/bhumidars of Award No. 1/84-85 which was announced on 23.4.84 are entitled for payment of solatium @ 30 % on the market value, 12 % as additional amount w.e.f. 30.9.76 to 8.12.77 and interest @ 9 % from 9.12.77 to 22.4.84.

As per above discussion, the following amount is allowed to the interested persons of the above award. This amount shall be apportioned as per the original award No. 1-A/84-85.

SUMMARY

1. Compensation of land measuring one bigha 4 biswas @ Rs.6000/- per bigha	Rs. 7200 - 00
2. Solatium 30 %	Rs. 2160 - 00
3. Interest u/s 34 w.e.f. 9.12.77 to 22.4.84( 6 yrs 136 days) @ 9 %	Rs. 5368 - 28
4. Additional Amount u/s 23(1A) @ 12 % from 30.9.76 to 8.12.77 ( one year 70 days)	Rs. 1029 - 70

Total:-	Rs. 15757 - 98
Less amount already tendered	Rs. 11177 - 77
Net payable	Rs. 4580 - 21

(Rupees Four Thousand Five Hundred Eighty and Paise Twenty one only)

(J.P. TYAGI)  
LAND ACQUISITION COLLECTOR(MSW)

DELHI.

Award announced today and filed 16/4/86



वो अदालत श्री जी.पी. त्यागी भूमि अधिग्रहण

अधिनियम (M.S.W) क्रमांक 316 तीसरी मंजिल

न्यू गार्ड वीथ एजरी दि लला

विषय- राव जार बाबत सुनाये जाते अर्थात् नवंबर 14/84-85

supplementary (Amendment ACT 1984)

Area (1-4) का विहारपुर

4/5-23(1A) & 23(2)

निम्न लिखित व्यक्तियों को सूचित किया जाता है कि दिनांक 16 <sup>4</sup>/<sub>86</sub>

को काठ विहारपुर का उपराज अर्थात् सुनाया जायेगा

अतः आप को उपराज अदालत में 10-00 बजे सुनवाई के लिए

उपराज अर्थात् सुनने व प्रतीक प्राप्त करें

राव जार बाबत वीथ वीथ दीव /

काठ वीथ वीथ

(1) चरता पुत्र वीथ वीथ वीथ वीथ

2 देवराज पुत्र वीथ वीथ वीथ वीथ

3 रतीराज पुत्र वीथ वीथ वीथ वीथ

काठ वीथ

श्री जी.पी. त्यागी भूमि अधिग्रहण  
(M.S.W)

अधिनियम क्रमांक 316 तीसरी मंजिल

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राव जार