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AWARD NO. 37/84-85

NAME OF VILLAGE : JAGATPUR
PURPOSE OF ACQUISITION : CONSTRUCTION OF AN EMBANKMENT
NATURE OF ACQUISITION : PERMANENT.

These are proceedings u/s 12 of the Land Acquisition Act 1894 for determination of compensation. The land situated in village Jagatpur was notified u/s 4 of the Land Acquisition Act vide notification no. F.7(3)/23-L&B dt. 12/1/24 for a public purpose namely construction of an Embankment. In view of urgency provision of sub Section (1) of section 17 of the Land Acquisition Act are applicable to this area. Hence the interested persons were not given any opportunity to file their objections u/s 5A. The Delhi Administration issued a declaration u/s 6 of the L.A. Act vide notification no. F.7 (3)/23-L&B dt. 12/1/24 for the acquisition of the land for the purpose mentioned above.

In pursuance of the above notification u/s 6 notices u/s 3 & 10 of the L.A. Act were issued to all the interested persons to file their claims and the claim filed by the claimants are discussed hereafter under the heading 'Claims'.

MEASUREMENT:

The area under acquisition as given in the notification u/s 6 is 25 Bighas 13 Biswa and found correct at the time of measurement by field staff. In this way the area of 25 Bighas 13 Biswa is being acquired at present.

CLASSIFICATION OF LAND:

The detail of Khastra no. 1, Form 7A have been prepared under para 35 of the Financial Commissioner's order no. 22 which are as under:

KNAS-BA NO.

AREA

KNASRA NO.

AREA

144/1
146/1
148/1
154/2/1
160/1
165/2/1
168/2/1
170/1
172/2/1
176/1
181/1
183/1
188/1
190/2/1
197/1
234/1
236/2/1
238/2/1
240/1
242/1
244/1
36/1
470/1
471
479
481
483/1
485/1
622/2/1
676/1
681/1
683/1
687/1
693/1
694/2/1
697/1
744/1
747/2/1
754/2/1
756/2/1
759/1
766/2/1
770/1
772/1
774/1
779/1

0-1
0-08 (0-08)
0-051
0-11
Less than Biswa
0-10
0-13
0-05
0-13
0-09
0-05
0-18
0-13
1-18
0-15
0-04
1-05
2-01
4 Biswa
4 Biswa
Less than Biswa
1 Biswa
5 Biswa
1-01
3-02
1-03
1-14
1-03
2-07
10 Biswa
3 Biswa
10 Biswa
1-03
1-01
2-10
0-13
0-04
0-02
0-13
0-06
0-02
1-03
0-02
0-11
0-02
0-01

147/1
153/1
158/2/1
162/2/1
166/2/1
170/1
171/2/1
176/1
180/1
182/1
187/1
189/2/1
191/1
194/1
230/1
227/2/1
233/1
241/1
243/1
360/1
362/1
470/1
472/1
480/1
483/1
484/1
486/1
475/1
674
482/1
484/1
483/1
493/1
694/2/1
698
745/2/1
742/2/1
753/2/1
752/1
743/1
743
771/1
775/1
772/1
720

0-16
0-10
0-08
0-10
0-13
0-06
0-13
0-08
0-09
0-02
0-17
0-05
0-06
1-07
3 Biswa
10 Biswa
4 Biswa
4 Biswa
2-10
3 Biswa
4 Biswa
5 Biswa
1-08 (1-08)
12 Biswa
13 Biswa
1 Biswa
5 Biswa
Less than Biswa
48 14 Biswa
1 Biswa
12 Biswa
17 Biswa
2-11
Less than Biswa
0-07
0-15
0-03
0-13
1-05
Less than Biswa
0-08
0-13
0-01
Less than Biswa

The land owners have not raised any objection regarding the measurement of the land now under objection. At present there is no other alternative left with me except to agree with the measurement of land as proposed by the field staff L.A.

POSSESSION:

The possession of the Land under acquisition has been taken over and handed over on 17/2/44 to the acquiring department.

CLAIMS:

The following persons have filed their claims in pursuance of the notices issued to them u/s 5 & 13 of the Land Acquisition Act.

Srl. No.	NAME	CLAIMS	REMARKS
1.	Bhulay s/o Baley, Roopa s/o Chatter Singh Lal Kaur s/o Ramsa Butti s/o Marbans	Claimed compensation @ Rs. 50/- per sq. yd., Rs. 4000/- per sq. yd. for crops, 12% interest & 15% solatium.	no evi- dence.
2.	Roop Chand s/o Bal Ram etc.	-do-	-do-
3.	Sh. Mangloo etc.	-do-	-do-
4.	Shadi Ram s/o Simbhu etc.	-do-	-do-
5.	Chot Ram etc.	-do-	-do-
6.	Sh. Udai etc.	-do-	-do-
7.	Sh. Bishambhar s/o Media etc.	-do-	-do-
8.	Bhaley s/o Chajju etc.	-do-	-do-
9.	Vijay Singh etc.	-do-	-do-
10.	Kishan Lal s/o Ranji Lal	-do-	-do-
11.	Kadley etc.	-do-	-do-
12.	Sokan etc.	-do-	-do-
13.	Jar Ram s/o Wansa etc.	-do-	-do-
14.	Roopa s/o Migri etc.	-do-	-do-
15.	Prea Singh s/o Sadi ali Parsadi etc.	-do-	-do-
16.	Tara etc.	-do-	-do-

MARKET VALUE.

Market value of the land is to be assessed, keeping in view the situation, advantages and potentialities attached to the land at the time of notification under section 4. The land use also plays an important role in assessing the market value of the land. The land of this village is governed by the provisions of Delhi Land Reforms Act 1954. According to the provisions of this Act, the agricultural land cannot be used for the purposes other than agriculture, horticulture or animal husbandary etc. without the prior sanction of the Competent Authority.

The interested persons claimed compensation @ Rs. 50/- per sq. yd. but did not produce any documentary evidence in support of their claims. According to the Field Staff, no sale transaction has taken place during the last three years in this village. Similarly no award is reported to have been announced in this village. Since no transaction or award is available relating to this village, It would be worthwhile to consult the sale-deeds/awards of the adjoining villages. The land of this village alongwith other two villages of Wazirabad and Surari was notified under section 4 vide notification no. F.7(35)/40-LRS(1) dt. 12/2/51 for a public purpose namely for the construction of an Embankment. The date of notification under section 4 is the same as that of the adjoining village Wazirabad. This land adjoins the land acquired in village Wazirabad for which a sum of Rs. 10,000/- Per Bigha has been assessed. Keeping in view the situation & kind of land, it would be fair and justified if a sum of Rs. 10,000/- P.B. is determined.

TREES, WELL & STRUCTURE.

There is no trees, well or structure on the land under acquisition.

CROPS:

There are crops of wheat on the entire land of 65 Bighas 18 Biswas as per report of the Field Staff. The wheat crops were ripe for harvesting. Keeping in view the condition of the present crops, I assess the compensation @ Rs. 450/- per Bigha for wheat crops including fodder.

The possession of the land has since been handed over to the Flood Department with crops. In case, the Flood Department has allowed the owners to harvest their crops, they will not be allowed any compensation on this account. The compensation regarding crops be given only after confirmation from the Flood Department.

INTEREST:

The possession of the land under acquisition has been taken over on 17/2/41. The interested persons will be entitled for the payment of interest from that date.

SOLATIUON.

As provided under sub-section 2 of section 26 of Land Acquisition Act, 15% solatium will be paid to the interested persons over and above the market value of the land for the compulsory nature of acquisition.

APPORTIONMENT:

Payment will be made to the interested persons according to the latest entries in the revenue record and in case of dispute arising out in the apportionment

contd.....6/-

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ent of the compensation the matter will be referred to the court of A.D.J. for adjudication u/a 30 & 31 of the Land Acquisition Act.

LAND REVENUE:

Land revenue for the land under acquisition is assessed at Rs. ~~12,241/-~~ which will be deducted from the Khalsa Rent Roll of the village from the date of taking over of the possession.

SUMMARY OF THE CLAIM:

1. Compensation for land measuring 35 Bighas 13 Biswa @ Rs. 19,000/- P.B.

Rs. 6,55,000 - 00

2. 15% solatium.

Rs. 98,475 - 00

Rs. 7,54,375 - 00

TOTAL

Rs. 27,475 - 14

3. Interest @ 6% per annum v.s.f. 17/3/24 to 25/3/24 i.e. 322 days

Rs. 29,542 - 50

4. Compensation for wheat crop measuring 35 Bighas 13 Biswa @ Rs. 450/- P.B.

Rs. 2,11,333 - 01

GRAND TOTAL

(Rupees eight lakhs, seven thousand nine hundred, ninety three & paise sixty four only).

(P. B. KUBBA)
LAND ACQUISITION COLLECTOR (H)
DELHI.

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17/1/24

Handwritten notes:
13 July 74 by L.A. 221
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