

AWARD No. 15/82-83

NAME OF THE VILLAGE JHANODA MAZRA BAHARI  
 NATURE OF ACQUISITION PERMANENT  
 PURPOSE OF ACQUISITION Construction of two numbers  
 Approach Road to RME(OL).  
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These are proceedings under section 11 of the Land Acquisition Act, 1894 for determination of compensation. The land measuring 3 Bighas 04 Biswas has been notified under section 4, 6 & 17 of the Land Acquisition Act, 1894, vide notification No. F.7(23)/79-L.B(1) dated 16.5.1979 under the land acquisition act for the public purpose, namely for 'Construction of two numbers approach Road to RME(OL)'. Notices u/s 9 & 10 of the L.A. Act were issued for filing their claims and evidence and the claims received are discussed under the heading "Claims".

MEASUREMENT :-

The land under acquisition was measured by the field staff of the Land Acquisition on the spot and found correct which was notified u/s 4, 6 & 17 of the L.A. Act i.e. 3 Bighas 04 Bi was.

OWNERSHIP AND CLASSIFICATION OF LAND :-

The details of the khasra Nos., ownership tenancy and classification of land is given as under :-

| S.No.    | Name of owner                                                | Name of Kh. No.                                                                                                                                                                             | Area | Kind of soil |
|----------|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|--------------|
| Occupant |                                                              |                                                                                                                                                                                             |      |              |
| 1.       | Central Govern-<br>ment, M/o Reh-<br>silitation              | Goahu S/o 23/24/1<br>S/o Gorkm 1<br>Gairmausi (1-02)<br>Tohar S/o Rata<br>Ran, Gair Mausasi (1-02)<br>through<br>Shartu S/o Kalu<br>Caste Agri R/o Malikpur<br>Gair Mauro si liq<br>(2-14). | 0-16 | Cham         |
| 2.       | - do -                                                       | Goahu S/o Gorkm 23/<br>R/o Vill. Malik 25/1<br>pur Chhauri<br>Gair Mausasi                                                                                                                  | 0-16 | Cham         |
| 3.       | - do -                                                       | Shavani R/o 24/<br>Allattu through 21/1<br>Tara Chan S/o<br>Kandiyas Caste<br>Agri R/o Malikpur                                                                                             | 0-16 | Cham         |
| 4.       | Antu S/o<br>Shagee Caste<br>Gujar R/o<br>Jagatpur<br>Shumir. | Self<br>24/22/1                                                                                                                                                                             | 0-16 | Apash        |

COMPENSATION CLAIMS :-

The following persons have filed their claims in pursuance of notices issued to them u/s 9 & 10 of the Land Acquisition Act.

| S.No. Name & Address of Kh. No. & area Compensation Claims of the claimant. |                                                                                 |                          |                                                                                                                          |
|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------|--------------------------|--------------------------------------------------------------------------------------------------------------------------|
| 1.                                                                          | Partap S/o Goshu<br>R/o Malikpur<br>Chhawani, Belhi                             | 23/24 0-16<br>23/25 0-16 | Has claimed Asami rights and claims @ Rs.50/- per sq. y <sup>2</sup> . alongwith solatium & interest.                    |
| 2.                                                                          | Bharth S/o Kaku<br>R/o Malikpur Chhawani<br>Belhi.                              | 23/24 0-16               | -do-                                                                                                                     |
| 3.                                                                          | Mange Ram S/o Kundan<br>R/o Malikpur Chhawani<br>Belhi.                         | 29/1/20-16               | -do- (Note Khasra No. 29/1/2 has not acquired in the present award.)                                                     |
| 4.                                                                          | Antu S/o Bhagu<br>R/o Vill. Jasatpur<br>Belhi.                                  | 24/22/1 0-16             | Has claimed as Bhumi <sup>2</sup> ar @ Rs.50/- per sq. y <sup>2</sup> . for the land & solatium & interest also claimed. |
| 5.                                                                          | Tara Chaud S/o<br>Kantuya R/o Jharo <sup>2</sup> a<br>Bajra Murari, Belhi.      | 24/21/1                  | Has claimed compensation @ Rs.50/- per sq. y <sup>2</sup> s.                                                             |
| 6.                                                                          | Ram Mehar Singh<br>& Mange Ram S/o<br>Prasnu R/o Village<br>Punjab Khor, Belhi. | 23/24, 25min             | Have claimed compensation @ Rs.10,000/- per bigha alongwith the solatium & interest.                                     |

DOCUMENTARY EVIDENCE :-

No documentary evidence was filed in support of their claims except the copy of the award No. 3/79-80 of village Jharo<sup>2</sup>a Bajra Murari which was announced on 16.5.79.

MARKET VALUE :-

The market value of the land is obviously to be as-esse<sup>d</sup> after keeping in view the situation, advantages and potentialities attached to the land on the date of notification under section 4 of the land acquisition Act. The land use is also to play an important role in deciding the market value of the land. It has been seen that the Provision of the Belhi Land Reforms Act ~~that the~~ are applicable and thus restriction contemplated under section 22 & 23 of the Belhi Land Reforms Act are applicable and land can only be used for agriculture, horticulture or animal husbandary etc.

The following award have been drawn & announced during the year 1979-80/1980-81.

| S.No. | Awar <sup>d</sup> No. | Date of Notification | Market Value                             |
|-------|-----------------------|----------------------|------------------------------------------|
|       |                       | U/s 4.               |                                          |
| 1.    | 3/79-80               | 1.11.78              | Rs.7000/- per bigha<br>Rate 18           |
| 2.    | 40/79-80              | 15.2.79              | @ 1000/- for Nalla<br>@ 7000/- for Rosli |

The land under acquisition was notified u/s 4 of the Land Acquisition Act on 15.5.79 while land which was acquired vide award No. 3/79-80 & 40/79-80 was notified on 1.11.78 & 15.2.79 respectively. There is no reference u/s 18 Land Acquisition Act in respect of Award No. 3/79-80 & 40/79-80 has been decided by the court of A.M. District Judge, Delhi so far. I have considered all the claims and proof brought on record. There have been two different awards given by the Land Acquisition Collectors @ Rs.7000/- per bigha vide award No. 3/79-80 & 40/79-80. The land under acquisition is parallel in all circumstances <sup>and situated</sup> in the same vicinity and in the same village. The value of this land is also ~~therefore~~ determined @ Rs.7000/- per bigha accordingly.

STRUCTURE, WELLS AND TREES :- No structure, well and tree was found existence in the land under acquisition prior to the date of notification u/s 4 of L.A. Act.

SOLATUM :- 15% solatium will be given to the interested persons on the market value u/s 23(2) of the Land Acquisition Act.

INTEREST :- The possession of the land under acquisition has been taken over and handed over to the acquiring department on 10.12.1979. Hence the persons interested will be entitled the interest @ 6% per annum from the date of taking over the possession to the date of announcement of the award.

REDUCTION OF LAND REVENUE :- Land revenue for the land under acquisition is assessed at Rs.0.26 paise which will be deducted from the Khatuani with effect from the date of taking over possession.

APPORTIONMENT :- Payment will be made to the interested persons on the basis of the latest entries in the revenue record and in case of dispute arising in the apportionment of compensation the matter will be referred to the court of A.M., Delhi for adjudication in terms of section 30 & 31 of the Land Acquisition Act.

SUMMARY :-

The award is summarised as under :-

|    |                                                                                |              |
|----|--------------------------------------------------------------------------------|--------------|
| 1. | Market value for the land measuring 3 Bighas 04 Biswas @ Rs.7000/- per bigha   | Rs.22,400.00 |
| 2. | 15% solatium                                                                   | Rs. 3,360.00 |
| 3. | Interest u/s 34 of the L.A. Act @ 6% p.a. from 10.12.79 to 9.12.80 (one year). | Rs. 1,545.60 |
|    | Total                                                                          | Rs.27,305.60 |

(Rupees Twenty-seven thousand three hundred & five and paise sixty only).

Amrit Kumar D. pers. *by me*  
 The undersigned *by me*  
 Date 12.5.82 *by me*  
 (Sd/-) (Sd/-) (Sd/-)  
 LAND ACQUISITION COLLECTOR (P) DELHI.  
 12.5.82