

(687)

Award No.	4A/83-84 Supplementary
Name of village	Jhilmil Taharpur
Nature of acquisition	Permanent
Purpose of acquisition:	Planned Development of Delhi.

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This Supplementary award is for the land measuring 12 bighas 1 biswas, situated in village Jhilmil Taharpur. The land was notified under section 4 of the L.A. Act 1894 vide notification No. F.15(245)/60-LSG/L&H dt. 24.10.1961. A final declaration under section 6 of L.A. Act was made vide notification No. F.4(7)/62-L&H (iii) dt. 26.10.1968 for total area measuring 168 bighas 5 biswas. Area measuring 4 bighas 17 biswas through award No. 36/79-80 and 2 bighas 9 biswas through award No. 4/83-84 has already been acquired. The present acquisition is confined to an area measuring 12 bighas 1 biswas in pursuance of instructions from Land and Building Deptt. Delhi Admn. Delhi. Remaining area will be acquired later on through Supplementary award. Notices under section 9 and 10 were issued to known interested persons and objections/compensation claims filed by them are discussed under the heading

!Compensation claims!

Measurements:

Land Acquisition Field staff measured the land at spot and found correct as under:-

Kh. No.	Area		Classification of land at the time of Notification u/s 4.
	Big.	Bis.	
410/267/2 ²¹⁹	2-3		Banjar Qadim
414/267/2	2-8		-do-
416/267/2	2-8		Rosli
429/267	4-17		Upada
Total	12-01		

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Compensation claims

S.No.	Name	Kh.No.	Area	Compensation claim
1.	Sh. Harish Suri s/o Late Sh. Atma Ram Suri	414/267	4918 sq.yds.	Rs.1,02,36,000/- Note: Stated that he has filed a C.W.P.No. 1318/83 for stay of Acquisition proceedings
2.	Master Sanjay Garg & Rajeev Garg sons of Dr. Gm Parkash Garg.	410/219- 267.	2 big.8 Bis.	Rs.1000/-per sq.yd.
3.	Purshotam Dass Singhania s/o Janna Dass Singhania Min	430/267	4 Big.17 Bis.	Rs.1000/-per sq.yd. Rs.one lac for other thing. 30% solatium 9% interest Allt. plot.
4.	Sh. Ramesh Mahajan <i>and</i> Harichand <i>c/o. 82</i> Zulfe Bengal Works G.T.Road, Delhi	418/267 417/267 416/267/2	2½ acres	Rs.four crores.

Market value.

is
The land under acquisition/situated in the revenue estate of
Jhilmil Taharpur. Whole area of this estate is urbanised.
The land in question is on the left side of G.T.Road (Delhi
to U.P.) and locality is known as Dilshad Garden. The land
under acquisition is within about 150 yards from the G.T.Road
To arrive at the reasonable market value of the land
as on the date of notification u/s 4 i.e. 24.10.61, the
awards and sale transactions took place in the locality of
village J.M.Taharpur are to be considered which are as under:-

Sale Transaction

Year	Area	Amount	Value Average per bigha
		Rs. P.	
1960	17-14	70431.50	3939.18
1961	37-00	157370.50	5003.83

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AWARDS

Award No.	Date of Notification u/s 4	Rate given by L.A.C. per bigha	
2193	13-11-59	Rs. 5000/-	A
		Rs. 4500/-	B
2111	24.10.61	Rs. 5000/-	A
8/69-70	24.10.61	Rs. 15000/-	A
		Rs. 10000/-	B
		Rs. 7000/-	C
		Rs. 2000/-	D
61/72-73	24.10.61	Rs. 9000/-	A
		Rs. 7000/-	B
		Rs. 2000/-	C
34/78-79	24.10.61	Rs. 14600/-	
36/79-80	-do-	Rs. 12000/-	
37/79-80	-do-	Rs. 12000/-	
23/82-83	-do-	Rs. 18000/-	
4/83-84	-do-	Rs. 14000/-	

There are also court adjudications pronounced by the Hon'ble A.D.J./High court of Delhi, deciding the reference petition u/s 18 of the L.A. Act against awards. The details some of which is as under:-

Award No.	R.F.A. No.	Name of parties	Market value assessed by the court.
61/69-70	413/76	Satinder Nath Soni Vs. U.O.I.	Rs. 12000/- per bigha
	49/77	Parkash Nath Andley etc. Vs. U.O.I.	Rs. 12000/- per bigha
61/69-70	469/77	Arjun Singh Gupta Vs. Union of India	Rs. 14000/- per bigha
	2/1979		Rs. 12000/- per bigha
8/69-70	154/74	Krishan Parshad Vs. U.O.I.	Rs. 12000/- per bigha

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Kaushalaya Devi
Vs.
U.O.I..

Rs.12000/-per bigha

The Union of India did not go into appeal against the decision of the said court.

SZ.

The land under acquisition is about 150 yards away from the G.T.Road. The land of award No.61/69~~70~~ and 4/82-84 is similar to the land under acquisition in all similar circumstances as to situation, potentiality etc. In both cases, the land is near to G.T.Road, as such award No.61/69-70 and 4/83-84 is a guiding factor for the purposes of assessing the market value. Rs.14000/- per bigha as market value of the land acquired through award No.4/83-84 was assessed by L.A.C.on the basis of adjudication of Hon'ble High court for the land acquired through award No.61/69-70. As per facts cited above, I am of the view that Rs.14000/- per bigha is reasonable and fair market value of land ~~and~~ ^{under} present acquisition and award the same.

Structures

There is boundary wall and one tin shed 30' x 35' on the land of khasra No.414/267/2 which is raised after the date of notification under section 4 i.e. 24.10.61. The owners are allowed to remove their materials and no compensation is allowed.

Interest

In terms of the provisions of the Land Acquisition (Amendment and Validation) Act, 1967 interest under section 4(3) at the rate of 6% per annum is payable on the market value of the land from 24.10.64 to the date of tendering payment, as there is a gap of more than three years in between notification under section 4 and declaration under section 6 of the L.A. Act.

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Solatum

15% solatium is also payable on the market value of land so assessed.

Apportionment.

The payment of compensation will be made according to the latest enteries in the revenue records and in case of dispute or not amicably settlement within a resonable time, amount of compensation will be sent to the court of A.D.J.Delhi under section 30-31 of L.A.Act 1894 for proper adjudication.

Land Revenue.

The land is assessed to Rs.3.75P as land revenue which will be deducted from the rent roll of the village from the date of taking over physical possession of the land.

Submitted Please

Summary of Award

1. Compensation for land measuring

12 bighas 1 biswas @ Rs.14000/-per bigha Rs.1,68,700.00

2. Interest u/s 4(3) of L.A.Act w.e.f. 24.10.64 to 30.6.83 (18 years 250 days).

Rs.1,29,128.88

3. 15% solatium

Rs. 25,305.00

Total

Rs.3,83,133.88

(Rupees three lacs, eighty three thousands, one hundred thirty three and P.eighty eight only).

*is the previous
a following interest
person a file*

Shri Raj
(SHEV RAJ)
LANDACQUISITION COLLECTOR
DELHI
30-6-83

① Sh. Ramesh Mahajan s/o late Sh. Ishar Dass.

② Sh. Harish Suni s/o late Sh. Atma Ram Suni.

Sh. Mahajan
30/6/83
30/6/83