

Award No.61A/72-73 Supplementary

Name of village Jhilmil Taharpur
 Nature of Acquisition Permanent
 Purpose of Acquisition: Planned Development of Delhi.

This Supplementary award is for the land measuring 2 bighas 8 biswas situated in village Jhilmil Taharpur. This land was notified under section 4 of L.A.Act vide notification No.F.15(245)/60-LSC/L&H dt. 24.10.1961. A final decision under section 6 of L.A.Act was made vide notification No.F.4(7)/62 L&H(ii) dt.26.10.1968 for total area measuring 200 bighas 18 biswas out of which area measuring 191 bighas 19 biswas was acquired through award No. 61/72-73 dt.17.11.72. The present acquisition is confined to an area measuring 2 bighas 8 biswas in pursuance of instructions from Land and Building Deptt. to acquire the vacant land. Remaining area of declaration will be acquired later on through separate supplementary award. Notices under section 9 and 10 were issued to all known interested persons and compensation claims filed by them are discussed under the heading Compensation claims.

MEASUREMENT

The Land Acquisition field staff measured land at the spot and found correct as under:

Kh.No.	Area Big. Bis.	Classification of land at the time of notification u/s 4	Remarks
415/267/2	2-8	G.M. Bagicha	Vacant

Compensation claims

S.No.	Name	Kh.No.	Area	Claim
1.	Sh. Satish Suri s/o Late Lala Rameshwar lal Suri	415/267	4-17	Rs.1800/- per sq.yd. Stated that he has filed a C.W.petition No.1317/83 challenging entire acquisition proceedings.

contd.

Market Value

The land under acquisition is situated in the Revenue Estate of Jhilmila Taharpur. Whole area of this village is urbanized. 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 100 yards from the G.T. Road. To arrive at the reasonable market value of the land as on the date of notification under section 4 i.e. 24.10.1961, the awards and sale transactions took place in the locality of village J.M. Taharpur are to be considered which are as under:-

Sales Transaction

Year	Area involved Bigha Biswas	Amount Rs. P	Value average per bigha Rs. P.
1960	17- 14	70431.50	3979.18
1961	37-00	157370.50	5003.33

Awards

Award No.	Date of Notification Under section 4.	Rate given by L.A.C. per bigha	
2193	13-11-1959	Rs. 5000/-	A
		Rs. 4500/-	B
2111	24.10.61	Rs. 5000/-	
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/-	
36/78-79	24.10.61	Rs. 12000/-	
37/79-80	24.10.61	Rs. 12000/-	
23/82-83	24.10.61	Rs. 13000/-	
4/83/84	24.10.61	Rs. 14000/-	

contd..

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

Award No.	R.F.A.No.	Name of parties	Market value assessed by the court per bigha
61/69-70	413/76	Satinder Nath Soni Vs. U.O.I.	Rs.12000/-
	49/77	Parkash Nath Andley etc. Vs. U.O.I.	Rs.12000/-
	469/77	Arjun Singh Gupta Vs. U.O.I.	Rs.14000/-
	2/1979		Rs.12000/-
8/69-70	154/74	Krishan Parshad Vs. U.O.I.	Rs.12000/-
	209/74	Kaushalaya Devi Vs. U.O.I.	Rs.12000/-

The U.O.I. did not go into appeal against the decision of the said court.

The land under acquisition is within 100 yards from the G.T. Road. The land of award No. 61/69-70 and 4/83-84 is similar to the land under acquisition in all similar circumstances as to situation and 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 purpose of assessing the market value. As per the facts cited above, I am of the view that Rs.14000/- per bigha is reasonable and fair market value of the land under reference and award the same.

Interest

In terms of the provisions of the land Acquisition (Amendment and validation) Act, 1967. Interest under section 4(3) at the rate of Rs.6% per annum is payable on the market value of the land from 24.10.1964 to the date of announcement of award.

contd.

(123)

Solatum

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

Apportionment.

The payment of compensation will be paid according to the latest entries in the revenue records. In case of any dispute or not amicable settlement within reasonable time, the amount of compensation will be sent to the court of A.D.J. under section 30-31 of L.A.Act, for adjudication.

Land Revenue

The land is assessed to 0-75 Paise as land revenue which will be deducted from the rent roll of village from the date of taking over physical possession.

Summary award

1. Compensation of land measuring	
2 bighas 8 biswas @ Rs.14000/-per bigha	Rs.33600.00
2. Interest u/s 4(3) of L.A.Act w.e.f.	
24.10.1964 to 30.6.83 @ Rs.6% per annum	Rs.37668.82
(18 years-250 days.)	
3.15% solatium	Rs.05040.00
Total	Rs.76308.82

(Rupees seventy six thousand three hundred eight and paise eighty two only).

Done in the presence of
the following interested persons & file:
Shri Raj 30.6.83
(SHIV RAJ)
LAND ACQUISITION COLLECTOR (DS)
Delhi.
Shri Raj 30.6.83

30/6/83
Sh. Satish Suni S/o late Rameshwar Lal Suni
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