

Supplementary Award No. 28A/83-84

dt. 7/11/84

Name of village ; MASOODPUR
Nature of Acquisition ; PERMANENT
Purpose of Acquisition ; PLANNED DEVELOPMENT OF DELHI

These are the supplementary proceedings of Award No. 28/83-84 announced on 8.8.83. After the announcement of the Award, the Land Acquisition Act, 1894 has been amended and the Amendment Act came into force with effect from 24th Sept., 1984.

Under the Amended Act (68 of 1984), the provisions of Sub-Section 2 of Section 23 have been amended by clause (b) of Section 15 of the Amendment Act ~~and~~ which provides solatium @ 30%. ^{also} A new Sub-Section (1-A) of Section 23 of the Principal Act ~~has been~~ inserted by clause (a) of Section 15 of the Amended Act which provides 12% additional amount from the date of notification u/s 4 of the Land Acquisition Act till the date of the Award of the Collector or the date of taking possession of the land, whichever is earlier.

As per Transitional provision of Section 30 of the Amended Act of 1984, the provision of Sub-Section (1-A) of Section 23 of the Principal Act as inserted by clause (a) of Section 15 shall also apply in every proceedings for acquisition of any land under the Principal Act pending on the 30th day of April, 1982 (the date of introduction of the Land Acquisition Act (Amendment) Bill, 1982 in the House of People) in which no Award has been made by the Collector before that date.

As per Transitional provision of Section 30 of the Amended Act of 1984, the provisions of Section 34 of the Principal Act, as amended by Section 20 of this Act, shall apply and shall be deemed to have applied, also to and in relation to every case in which possession of any land acquired under the Principal Act had been taken before the 30th day of April, 1982 (the date of introduction of Land Acquisition (Amendment) Bill, 1982 in the House of People) and the amount of compensation for such acquisition had not been paid or deposited under section 31 of the Principal Act untill such date, with effect on and from that date and every case in which such possession has been taken on or after the date but before the commencement of this Act without the amount of compensation having been paid or deposited under the said Section 31 with effect on and from the date of taking such possession.

Keeping in view the provisions of the Amended Act, the interested persons/bhumidars of Award No. 28A/83-84 announced on 8.8.83 are also entitled for payment of solatium at 30% on the market value and 12% as additional compensation with effect from 24.10.61, the date of publication of the notification u/s 4(1) of the Land Acquisition Act & interest @ 9% p.a. for one year i.e. w.e.f. 1.6.76 to 31.5.77 for an area measuring 1 bigha 08 biswa under section 34 of the Land Acquisition & interest @ 15% p.a. for the same area shall be payable from the date of the expiry of the said period of one year.

As per above discussion, the following amount is also allowed to the interested persons of Award No. 28/83-84 and this amount shall be apportioned as per the original Award No. 28/83-84.

SUMMARY OF THE AWARD

1. Land measuring 14 big. 08 bis. @ Rs. 3,000/- per bigha;	Rs. 43,200-00
i) Add 30% solatium.	Rs. 12,960-00
ii) Interest u/s 4(3) for an area measuring 13 bigha @ 6% p.a. w.e.f. 24.10.64 to 7.8.83 i.e. 18 yrs, 288 days.	Rs. 43,966-36
iii) Interest u/s 4(3) for an area measuring 1 big. 08 bis. @ 6% p.a. w.e.f. 24.10.64 to 31.5.76 i.e. 11 yrs. 220 days.	Rs. 2,923-89
iv) Interest u/s 34 for an area measuring 1 big. 08 bis. @ 9% p.a. for one year i.e. w.e.f. 1.6.76 to 31.5.77 on the market value of Rs. 4,200/-.	Rs. 378-00
v) Interest u/s 34 for an area measuring 1 big. 08 bis. @ 15% after the expiry of the said period of one year i.e. w.e.f. 1.6.77 to 7.8.83 i.e. 6 yrs. 68 days. on the market value of Rs. 4,200/-.	Rs. 3,897-37
vi) Additional compensation @ 12% as required u/s 15 of the Amended Act on the market value of land at Rs. 39,000/- w.e.f. 24.10.61 to 7.8.83 i.e. 21 yrs. 288 days.	Rs. 1,01,972-71
vii) Additional compensation @ 12% as required u/s 15 of the Amended Act on the market value of land at Rs. 4200/- w.e.f. 24/10/61 to 31/5/1976. Total	Rs. 7,359-78
Less Amount Of Compensation Already Tendered	Rs. 2,16,658-11
(-) Rs. 98,061-63	
TOTAL BALANCE NOW PAYABLE	Rs. 1,18,596-48

APPROVED

SECRETARY (REVENUE)

(Rs. One Lax, Eighteen Thousand, Five Hundred Ninety Six & Paise Forty Eight Only).

(D.B. KUBBA)
Land Acquisition Collector (PD)

44 (15)

(TO BE PUBLISHED IN PART IV OF THE DELHI GAZETTE)
DELHI ADMINISTRATION : DELHI.

Dated the 6th January, 1969

No. F. 4(69)/65-L&H whereas it appears to the Lt. Governor, Delhi that land is required to be taken by Government at the public expense for a public purpose, namely for the Planned Development of Delhi, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector of Delhi is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected at the office of the Collector of Delhi.

SPECIFICATION

Village or locality.	Area			Field Nos. or Boundaries.
	Big.	Bis.		
Masoodpur.	79-18			131, 371/132, 133, 134, 209, 216/2, 214, 215, 423/170/1, 205/2, 206/2, (206/2), 358/207, 359/207, 476/217, 477/217 208/1, 208/2, 443/204, 444/204, 218/1.

By order,

sd/-

(D.P. BHUGUNA)

Deputy Secretary III (Land & Building)
Delhi Administration, Delhi.

Dated the 6th January, 1969

No. F.4(69)/65-L&H

*Compared
Yashwanth
29/1/76*

27/1/69 4112 4112 4112

(413)

A W A R D NO 28/83-84 dt 8/8/83

Village : MASOOD PUR
Nature of acquisition: PERMANENT
PURpose of acquisition: PLANNED DEVELOPMENT OF DELHI.
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Introductory :

These are the proceedings u/s 11 of the Land Acquisition Act in respect of an area measuring 14 bigha 08 biswa situated in village Masoodpur. The land is required by the Government, for a public purpose, namely, for the Planned Development of Delhi at public expense. The land stands notified under section 4 of the Land Acquisition Act vide notification No.F15(245)/60-LSG/L&H dt.24.10.61 & notification No.F.4(69)/65-L&H dt. 6.1.69 issued under section 6 of the Act. The Land Acquisition Collector was required to take notice of the case and accordingly notices under section 9 & 10 were issued to the interested persons. Claims filed by them in response to the notices have been discussed under the heading 'Claims for Compensation.'

True & Correct Area :

The land was measured on the spot by the Land Acquisition field staff with reference to the revenue record and area found with its kind of soil and correct area available is as under :-

<u>Kh-sra No.</u>	<u>Area</u>	<u>Kind of soil</u>
131	6.- 00	Rossl1
371/132-133	5 - 17	Rossl1
134	2 - 11	Rossl1
	<u>14 - 08</u>	

No objection as regards the measurement has been received from the interested persons. Hence the total area now being acquired is 14 bigha 08 biswa.

Claims for Compensation :

The following interested persons have filed their claims

<u>Sl.No.</u>	<u>Name of the claimant</u>	<u>Substance of claim</u>
1.	Sh Mannu s/o Sh Desu Vill. Masoodpur:Delhi.	208/2(1-09); claims compensation @ Rs.100/-p.sq.yd for land. Rs.1,50,000/-for residential house & Rs.50,000/- for displacement in respect of residential house.

.....2/-.

- | 1. | 2. | 3. |
|-----|---|--|
| 2. | Raja Ram s/o Kallu
Vill. Masoodpur:Delhi. | 216/2(0-13), 218/1(1-16),
215(0-06). Claims compensa-
tion @ Rs.100/-per sq.yd for
land. Rs.2,50,000/-for resi-
dential house and cattle shed
structure with chardiwari &
Rs.50,000/- for displace of
residential house & Cattleshed. |
| 3. | Karan Singh, Jage Ram &
Ram Mehar ss/o Mahipat
vill. Masoodpur:Delhi. | 208/2; claimx compensation
@ Rs.100/- per sq.yd for land;
Rs.1,50,000/-for residential
house of each one claimant &
Rs.50,000/- for displacement
for each residential house. |
| 4. | Jailal s/o Topan
Vill. Masoodpur:Delhi. | 208/2(1-09); Claims compensat-
ion for land @ Rs.100/-per sq.
yds; Rs.1,50,000/- for resident
ial house & Rs.50,000/- for
displace ment of residential
house. |
| 5. | Mangtu, Lakhi ss/o Sri
Chand and
Ram Sarup s/o Dhani Ram
Vill. Masoodpur : Delhi. | 206/2(5-12); 338/207(1-04);
Seeks exemption from acquisi-
tion. If acquired, claim
compensation for land @
Rs.200/-p.sq.yd. Rs.1,00,000/-
for structure & in alternative
alternative plots be given
to the claimants individually. |
| 6. | Sheo Lal s/o Tota
Vill. Masoodpur : Delhi. | 215(0-06), 218/1(1-16), 214(1-
06) & 209(2-06). Seeks for
exemption from acquisition.
If acquired claim compensation
@ Rs.200/-p.sq.yd for land;
Rs.2,50,000/-for structures
alongwith solatium + interest. |
| 7. | Risal Singh s/o
Lekha R/o Vill. Masoodpur. | 477/217(0-01); Seeks exempt-
ion from acquisition. Claims
compensation @ Rs.200/-p.sq.yd
for land; Rs.1,00,000/-for
strucuture alongwith interest
& solatium & also demands
alternative plot. |
| 8. | Devi Singh s/o Ghisu
R/o Vill. Masoodpur,
Delhi. | 476/217; Seeks exemption from
acquisition. Claims compensa-
tion @ Rs.200/-p.s.yd for land;
Rs.2,50,000/-for strucn res. In
addition claims solatium +
interest. Besides it also claim
alternative plot. |
| 9. | Randhir Singh, Hoshiar Singh,
Dharam Singh Pal, Vijender
Singh, Shrinder Singh -
equal shares;
Kartar Singh - $\frac{1}{2}$ share
Vill. Masoodpur : Delhi. | 208/1; seeks exemption from
acquisition. |
| 10. | Narain Singh, Pyare Lal,
Tek Chand ss/o Tirkha Ram
and Smt Nandi, Har Kaur
ds/o Tirkha Ram
Vill. Masoodpur : Delhi. | 208/1; Seeks exemption from
acquisition, if acquired claim
compensation @ Rs.500/-p.sq.yd
for land; Rs.three lacs for
structures alongwith solatium
& interest.3/-. |

Market Value :

Market value is to be assessed as on 24.10.61, the date of notification u/s 4 under the provisions of the Land Acquisition Act. The land was inspected by me, it is situated towards the North-west of the village Abadi about a furlong away from the Delhi Mahipal Pur Road. A part of it abutts on the approach road recently constructed for the Dairy Farm. Rather a part of it measuring 1 bigha 08 biswa out of Kh. No. 371/132-133 has been included in the boundary walls of the Dairy Farm.

For assessing the market value on the material date, the sale transactions of similar land in the village, ^{Award announced} and judicial judgments made against those awards can be the basis. Amongst these three basis, ^{is} to be considered, the most reliable and dependable base of evidence are judicial judgments which are available in this village. The sale transactions, recorded do not represent the true picture, as small pieces of land have been transacted close to the material date. Amongst previous awards, Award No. 1944 & 2040 with the same material date as in this case is are the relevant Awards. In these awards, the market price was fixed as under :-

<u>Award No.</u>	<u>Date of notification under section 4.</u>	<u>Rates awarded by L.A.</u>
1944	24- 10- 1961	Block A Rs.1200/-P.B. ☒ Block B Rs. 900/-P.B. ☒ Block C Rs. 700/-P.B. ☒
2040	24-10-61	Block A Rs.1000/-P.B. ☒ Block B Rs. 800/-P.B. ☒ Block C Rs. 600/-P.B. ☒

The above rates awarded pertain to Rossli land, which has been placed in Block A; Banjar Qadim which has been placed in Block B and Geir Mumkin Pahar which has been placed in Block C. The above rates were enhanced by the Court of ADJ in a number of judgments made on the reference u/s 18 of the Act and price of Block A land was enhanced to Rs.3500/-P.B. in L.A. Case No. 424/67 - 'Om Prakash Versus Union of India' and a number of other cases. The Govt. has gone in appeal over & above Rs.3,000/- and the matter is still pending in the Hon'ble High Court. Hence the price so determined by the Hon'ble Court of ADJ is further subjudiced and it is reasonable to accept the price which has been admitted by the UOI. The land of Block A involved in these judgments is quite similar to the present land and hence it is reasonable & fair that the present land be fixed accordingly at Rs.3,000/-P.B. & award the same.

Compensation for Well, Tree & Structures:

There is no well, tree & structure on the land presently under acquisition & hence nothing is assessed on account of these.

Interest :

Interest u/s 4(3) is attracted at 6% per annum as the land was notified u/s 4 on 24.10.61 followed by declaration u/s 6 dt. 6.1.69 & hence interest is effective w.e.f. 24.10.64 till the announcement of the Award. Interest u/s 34 is also payable for an area measuring 1 bigha 08 biswa w.e.f. 1.6.76 @ 6% per annum till the date of announcement of the award.

Solatum :

15% solatium will be paid to the persons interested over & above the value of land on account of compulsory nature of acquisition.

Apportionment :

Compensation will be paid on the basis of the latest entries available in the revenue record. If there is a dispute which could not be settled here within a reasonable time then the matter will be referred to the court of ADJ for adjudication.

Deduction of Land Revenue :

The land under acquisition is assessed to land revenue amounting to Rs.2.20 which ^{will be} ~~which~~ be deducted from the 'KHALSA' rent roll of the village Masoodpur from the date of taking over possession of the land.

Vesting of Ownership :

From the date of taking over possession of the land, the land will absolutely vest in Govt. free from all encumbrances.

Summary of the Award

Land measuring 14 big 08 bis @ Rs.3,000/-per bigha	Rs. 43,200-00
Add 15% solatium. ^{on} area	Rs. 6,480-00
(i) Interest u/s 4(3) ³⁴ for an/area measuring 13.00 bigha @ 6% p.a. w.e.f. 24.10.64 to 23.6.83 i.e. 18 years 243 days.	Rs. 43,677-86
(ii) Interest u/s 4(3) for an area measuring 1 big 08 bis @ 6% p.a. w.e.f. 24.10.64 to 31.5.76 i.e. 11 years 220 days.	Rs. 2,923-89
(iii) Interest u/s 34 for an area measu- ring 1 big 08 bis @ 6% p.a. w.e.f. 1.6.76 to 23.6.83 i.e. 7 years 23 days.	Rs. 1,779-88
Grand Total	Rs. 98,061-63

(Rupees Ninety Eight Thousand, Sixty One & Paise Sixty Three Only).

Model Awarded and
Filed to day.

21/5/83
LAC (PD)

(B.S. Rana)

Land Acquisition Collector (PD)
Delhi.

कार्यवाही कठजाना बाबत अर्वाइ नं०

28/83-84 गणम मस्य उर लहलीह मरोनी

आज व हमरा श्री सुबे लिह पत्रवारी L.A व

श्री जय उकाश P.S(LA) बरार कार्यवाही कठजाना

अर्वाइ नं० 28/83-84 मौका पर पहुचै। मौके पर

मुताबिक जोगराम श्री जी० रम० अग्रवाल

नामक लहलीह पार सादाब L.B व श्री राज.

मिले कार्यवाही कठजाना शुरू की गई नमबराब

रवाकरा 131 371/132-133 मिन, 134 कुल लक्ष्मी

Bug-Bk (6-0)

(4-9)

(2-11)

13-0 किन्हे मौके पर रवाली पाया गया और नं०

रवाकरा 371/132-133 मिन पर पहले से ही D.D.A

(1-8)

की उरी जाम का कठजाना चला आ रहा है लिहाजा

रकबा हज के चारो तरफ धुमा धीरा कर

निशानात शवाम लगावाए गए इस रकबा का

कठजाना बाकई वाला यागव से दलित करके

कुल रकबा 14-8 किन्हे का कठजाना बाकई हवाते

श्री जी० रम० अग्रवाल N.T-L.B निजा गया

बल अगर की मुबिनी व मुस्तहिले का आवज

मुल्कन्द बजरीने कल्लर श्री जय उकाश P.S(LA)

से मौके पर व देहजा में कार्य गरि/बरवकत कार्य-

वाही कठजाना कीली बिजम की कोई मजाद मत घेरा

नही अर्वा/ पत्रवारी हलका व बड्ड मसकक व बाट-

सरकार हाजीर नही आ सका इस लिए रकबाकत

कार्य कठजाना पत्रवारी हलका की मात्र फल

लहलीह पार सादाब महरली मिलवा दी

जगरगी कार्य कठजाना मुकमल हो चुकी है

लहरीर:- 11-8-83 Chander/PA

जकाश P.S(LA)

11-8-83

Rajbhar

11/8/83

11-8-83

N.T(BDA)

11/8/83

NT(LA)

11/8/83