

10

28/73-74

AWARD No- :
NAME OF VILLAGE : MAUJPUR
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : PLANNED DEVELOPMENT OF DELHI.

These are proceedings U/s-11 LAND ACQUISITION ACT, 1894 for determination of compensation in respect of land measuring 1 bigha 4 biswas situated in village Maujpur. The land forms a part of general notification issued by Delhi Administration U/s-4 L.A.Act, vide No.F-15(245)/60-LSG-L&H dated 24-10-'61 for 16,000 acres scheme. The declaration U/s-6 of the Act was issued vide No.F-4(19)/65-L&H (II) dated 4-10-1968 for area 2bighas 14 biswas.

The land is required by the Government at the public expense for a public purpose namely for the Planned Development of Delhi.

Notices U/s-9 & 10 of the Act were issued to persons interested in the land. Claims filed will be discussed under a separate heading 'Claims & Evidence'.

MEASUREMENT AND TRUE AREA

As said above the notification U/s-6 L.A.Act was issued for area 2 bighas 14 biswas, but as per demarcation given by the requiring department, the present proceedings, as already said are confined to area 1 bigha 4 biswas. This area was found correct as per measurements carried out by the Field Staff at the spot.

The remaining area notified under section-6 of the Act will be acquired later on.

DETAILS OF THE LAND:-

<u>Sl.No.</u>	<u>Kh.No.</u>	<u>Area</u>	<u>Kind of Soil</u>
1.	616/334/2	1-04	Nehari

Contd..2/-

~

Name of owner	Occupant if any	Kh.No.	Area	Kind of Soil
Mst. Shamshul Nisa Wd/o Niamatullah 1/3 share, Rahamatullah s/o Imanullah 1/3 share Mst. Shamshul Nisa, xxx , Mst. Bismilla Jahan Ds/o M Imanullah in equal shares 1/3 share	Self	616/334/2	1-04	Nehari

CLAIMS & EVIDENCE

Name of Claimant	Kh.No.	Area	Amount Claimed	Evidence
Mst. Shamshul Nisa w/o Niamatullah Rehamatullah s/o Imanullah, Shafiqur Rehman, Jamilur Rehman Ss/o Sardar, Begum d/o Bismillahjan D/o Imanulla through Raghbir Singh & C.L. Verma advocates	616/334/2	1-04	Rs. 1.150/- per sq. yd. for land 2. Rs. 10,000/- per bigha for fruit trees 3. Rs. 25,000/- for severance 4. 15% Solatium and interest according to law.	Nil

MARKET VALUE:

The market value is to be determined as prevailing at the time of preliminary notification under Section-4 L.A. Act which in the present case is dated 24-10-1961.

The claimants here have demanded a high rate of compensation without adducing any evidence to substantiate their claims.

Before we embark upon the sale transactions in determining the market value, it would be helpful to also look into the Awards that have been made in this village. Only one Award No-60/72-73 came to notice. In this Award the date of notification under section 4, L.A. Act is 10.11.60 and the rate awarded was Rs. 880/- per bigha.

The Award was based on the two sale transactions (Mutation Nos. 614 & 615) struck on 5-8-59 for an area measuring 4 big-19 bis, for a consideration of Rs. 4,000/-. The land involved in these transactions is situated in the close proximity to the land under

Contd--3/-

acquisition therefore the award could be a best guide in the instant case. However, there is a time gap of about one year in between the two material dates. It would therefore be fair to allow some margin for the period towards appreciation in the market value. I therefore consider a rate of Rs.930/- per bigha would be the fair market value in the present case which I award accordingly.

OTHER COMPENSATION

WELLS & STRUCTURES

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

TREES

There are seventy guava trees falling within the present acquisition. There is no entry with regard to their existence in Kh.Girdavari for the year 1960-61 as relevant to the material date in the present case. It is, therefore, presumed that these trees came up after the date of notification u/s 4 L.A.Act and as such the owners are entitled to only damages U/s 23(I) clause secondly read with Section 24, Clause Seventhly. I, therefore, allow a sum of Rs.15/- per tree as damages. The total amount on this behalf works out to Rs.1050/- which is awarded accordingly

SOLATUM

15% solatium will be paid on the market value of the land towards compulsory nature of acquisition.

INTEREST

The date of notification U/s 4 L.A.Act in the present case is 24.10.'61 and the date of declaration U/s 6 of the Act is 4-10-'68. The case therefore falls within the purview of Land Acquisition (Amendment & Validation) Act, 1967. Interest would therefore be payable @ 6% per annum only on the market value of

Contd--4/=

- 4 -
the land from the date on expiry of three years from the date of preliminary notification - which in the present case comes to 25-10-'64, till the date of announcement of Award, which is tentatively fixed as 22-6-'73.

LAND REVENUE;

The land under acquisition is assessed to Rs-0-26 paise as land revenue, which would be deducted from the Khalsa Rent Roll from the date of possession.

APPORTIONMENT:

Compensation will be paid according to the latest entries in the revenue record except where persons other than owners are in occupation of the land or where persons other than owners claim compensation.

SUMMARY:

- | | | |
|----|---|--------------|
| 1. | Compensation for land measuring 1-04 @ Rs.930/- per bigha | Rs. 1,116-00 |
| 2. | Add 15% Solatium | Rs. 167-40 |
| 3. | Interest U/s 4(3) @ 6% per annum only on the market value of land i.e. Rs.1,116/- w.e.f. 25-10-64 to 21-6-73 (Eight years and 240 days) | Rs. 579-70 |
| 4. | Damages for Guava Trees | Rs. 1,050-00 |
| | G.TOTAL -- | Rs. 2,913-10 |

(Rupees two thousands nine hundreds thirteen and paise ten only)

V.K. Bhalla
(V.K. BHALLA)
LAND ACQUISITION COLLECTOR (MSW)
DELHI.

*Amat Announced
today. Filed
msw
3/7/73*

कारिवाही कबजा

आज दिनांक 16/11/73 अहमदनगर जिला L.A. (L.A.) दिनांक 14/11/73
 अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 सोलापूर लिह का. व मौज पु. अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 मो. व पु. अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 नाकब वहीलदा. व शिवाजी लिह अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 NO 1 का आ. लि. अर्थात् P.C. Gupta A.F. व M.M. Malwani S.O.
 मो. हाजी. लि. अर्थात् अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 मो. हाजी. लि. अर्थात् अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 मुदा शिवाजी NO 66/334/2 अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 कारिवाही हाजी. लि. अर्थात् अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 जाम, अहमदनगर कारिवाही अर्थात् अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 नही आ. लि. अर्थात् अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 - नही आ. लि. अर्थात् अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 अहमदनगर जिला कारिवाही अर्थात् अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 हाजी. लि. अर्थात् अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 जाम, अहमदनगर जिला कारिवाही अर्थात् अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 जाम, अहमदनगर जिला कारिवाही अर्थात् अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर
 जाम, अहमदनगर जिला कारिवाही अर्थात् अहमदनगर जिला कारिवाही अर्थात् NO 28/73-74 जाम मौज पु. अहमदनगर

16/11/73

16/11/73

16/11/73

16/11/73

16/11/73

16/11/73

16/11/73

$$\frac{dV}{dt} = \frac{dV_1}{dt} + \frac{dV_2}{dt} = -0.04 \text{ B/s}$$

३१ मार्च नम्बर	
स्वाता स्वतंत्रता नम्बर	
३१ मार्च १९५५	३१ मार्च १९५५
स्वतंत्रता नम्बर	
स्वतंत्रता	
फिलिम जमीन	
भूमिका प्रतिकार	
लायाद तुरररररररर ररररररर, व फिलिम लीय	
तुररररररर व फिलिम लीय का प्रतिकार	
जोड स्वतंत्रता १ व १	
प्रतिकार जोड का २३(२) Solidium 15%.	
स्वतंत्रता 6% p.a. प/ड-५(३)	
कुल जोड प्रतिकार	
टिप्पणी	

[illegible]

हिस्स भालिकाज
प्रतिकर दिये जाये
तब तक प्रतिकर
भुत जा जा रहे।
(ii) कलेज बंद हो
प्रतीत होता है कि
खिलाफतवा जहा फौज
हो चुकी है। प्रतिकर
भुत जा जा रहे।

3.

संयोजनशा पुस्तिका
इ. आ. न. उ. शा.

Included in S.No. 1.

250

Comparison of item no 1664
sent to A.D. J. by 30-31-44 in La. ael-
ASPR order of M.C.L.M.S. dated 24-4-45

4.

विशालाभा अर्थात् पुस्तिका
इ. आ. न. उ. शा.

Included in S.No. 2

250

- 40 -

कुल योग

61453/2

1-04

न. शा.

1116=00

Damage 1050=00

2166=00

167=40

579=70

2913=10

(15. Two thousand nine hundred thirty and four to 25)

म. शा. 12

कुल 57

207173 in

ASPR order of M.C.L.M.S.

of M.C.L.M.S. 2.8.