

AWARD NO. : 29/73-74
NAME OF VILLAGE : Maujpur
NATURE OF ACQUISITION: PERMANENT
PURPOSE OF ACQUISITION: PLANNED DEVELOPMENT OF DELHI.

There are proceedings U/s-11 Land Acquisition Act 1894 for determination of compensation in respect of land measuring 1big-07bis situated in village Maujpur. The land forms 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 10.4.68 for an area 1big-04bis.

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 the 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 1big-04bis. land, while the present proceedings ~~as above said~~ are confined to an area 1-07. This area was found correct as per measurements carried out by the Field Staff at the spot.

The remaining area notified U/s 6 of the Act will be acquired ~~later~~ through a supplementary Award.

DETAILS OF LAND

Contd. 2/-

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<u>Kh.No.</u>	<u>Area</u>	<u>Kind of Soil</u>
320/2	1-07	Bagh Nehari

OWNERSHIP AND OCCUPANCY

<u>Name of owner</u>	<u>Name of Occupant</u>	<u>Kh.No.</u>	<u>Area</u>	<u>Kind of Soil</u>
Mohd. Shafi, Mohd. Sale-hin Ss/o of Mohd. Rafi in equal shares 5/12 share Rehamat ullah s/o Iman ullah 5/12 share Mist. Bismillah D/o Iman ullah 1/6 share	Self	320/2	1-07	Bagh Nehari

CLAIMS & EVIDENCE

<u>Name of Claimant</u>	<u>Kh.No.</u>	<u>Area</u>	<u>Amount Claimed</u>	<u>Evidence</u>
Mohd Shafi, Mohd. Swahlin s/o Mohd. Rafi Rahamtullah s/o Aman ullah Shafiqur Rehman, Jamin-ul-Rehman, Ss/o; Sardar Begum D/o Bismilla Jan D/o Aman ullah through Sarve Shri Raghbir Singh Chandu Lal Verma Advocates	320/2	1-07	1.Rs.150/-per sq.yd.for land 2.Rs.10,000/- per bigha for fruit trees 3.Rs.25,000/- as damages due to severance. 4. 15%	Nil

Note: The claimants have stated in the claim that the land has been partitioned as per orders of the Revenue Assistant but the same has not been incorporated in the revenue record.

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.

Contd..3/-

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 is based on the two sale transactions (Mutation No.614 & 615) struck on 5-8-59 for an area measuring 4big-19bis. for a consideration of Rs.4,000/-. The land involved in these transactions is situated in the same vicinity as the land under 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 ^{and} which I award accordingly.

OTHER COMPENSATION

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

TREES:

There are following trees on the land under acquisition. The Naib Tehsildar has assessed their value, to which I agree, and award the same.

KH.No.	Kind of Trees	No.of Trees	Fruit tree or timber tree	Value assessed.
320/2				
320/2	Mango	6	Fruit tree	Rs.300/- per @ Rs.50/- per tree.
	Guava	25	Fruit Tree	Rs.500/- @ Rs.20/- per tree.
			Total	Rs.800/- only

Contd..4/-

Solatium

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 under section 6 of the Act is 10.4.68. The case therefore falls within the purview of the land acquisition (Amendment and Validation) Act 1967. Interest would, therefore, be payable at the rate of 6 % per annum only on the market value of the land from the date on expiry of three years from the date of publication 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.0-61paise as land revenue which would be deducted from the Khalsa Rent Roll from the date of the possession.

APPORTIONMENT;

The claimants have stated in their claims that they have got their land partitioned as per ^{order} of the Revenue Assistant. *but the same has not been effected in the Revenue Record.* Hence the entire compensation may be kept as disputed.

SUMMARY

1.	Compensation of land measuring 1big-07bis. @ Rs.230/- P.B.	Rs.1,255=50
2.	Compensation for trees	Rs. 200=00 Rs.2,055=50
3.	Add 15% Solatium	Rs. 308=32
4.	Interest U/s-4(3) of the Land Acquisition (Amendment & Validation) Act, 1967 w.e.f. 25.10.64 to 21.6.73 (8 years G.T. 240 days) on the market value i.e. 2,055=50.	Rs.1,067=73 Rs.3,431=55

(Rupees three thousand four hundred thirty one and paise fifty five only)

Handwritten: 31/7/73
(V.K.BHALLA)
LAND ACQUISITION COLLECTOR
DELHI (MSW)

कार्यवाही कब्जा दिथी-16/73

आज दिनांक 16/11/73 को वाहुकम जगान मूमि औपचारिक
उपस्थिति दिनांक 14/11/73 बरोये देने कब्जा अर्वाड नं० 29/73
गाम गौज पुर वाहुमराई श्री होशियार सिंह कानूनीगवासी-
पूला-बन्दे परिवार L. A. व महानन्दप्रकाश चपरासी गौज
पर पहुँचा / गौज पर गौज तथा गवज विभागा की ओर
से श्री राग प्रकाश लाम्बा लाम्बा लहसीलदार व श्री
रवजान सिंह परिवार व तथा C. R. W. D. Derivation No. 10
की ओर से श्री P. C. Guptha H. E. व M. M. Murtwani SO
गौज हाजिर मिले। वास्तविकता में से बावजूद इल्लाह के
कोई गौज हाजिर नहीं आया है। अर्वाड नं० 29/73-74
गाम गौज पुर में एक वाइर शुद्धा खसरा नं० 320/2
तादीदा 1 = 07 बि जगान नहरी का कब्जा काबूई
श्री राग प्रकाश लाम्बा लहसीलदार को गौज पर हासिल
वर के हवाले किया गया दौरान कब्जा कार्यवाही
कोई किसम की मुज्जाहगत पैदा नहीं आई, इस अंगर
की मुज्जरी व मुज्जादी बजरीय श्री महानन्दप्रकाश चपरासी
गौज पर व देह हिजा में काआवाज बजरीय कनसतर
करा दी गई है। परिवार हलका दीवार कार सरकार
की बजय हाजिर नहीं आया, इस लिये कब्जा
कार्यवाही की एक जकल माफक लहसीलदार सडान
दिनकी बरोये असल दर असल कावजाल माल
मिजवाही जामा मुज्जासिज है। उन कार्यवाही कब्जा
दर लिडान से मज्जासिज है। पुकी है 16/73 P.T.P.

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16/11/73

16/11/73

Mahamud Parshah (L.A.)
16/11/73

16/11/73

16/11/73

14/11/73

16/11/73

14/11/73

3. रुद्रमन्द उल्ला 5/0
रुद्रमन्द उल्ला 5/12
रुद्रमन्द

4. रुद्रमन्द उल्ला 5/0
रुद्रमन्द उल्ला 5/12
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रुद्रमन्द उल्ला 5/0

रुद्रमन्द उल्ला 5/12

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(Rs. Three thousand four hundred thirty one and four paise fifty-five)

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523=13

333=33

856=46

128=46

444=89

1429=81

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