

AWARD NO. 44/1973-74
 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 3big-19bis 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(III)/59-LSG dated 13.11.1959 for 34070 acres scheme. The declaration U/s-6 of the Act was issued vide No.F-4(19)/65-L&H(III) dated 27.4.68 for an area 9big-09bis.

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 & TRUE AREA

As said above the notification U/s-6, L.A.Act was issued for an area 9big-09bis., while the present proceedings are confined to area 3big-19bis only. The 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 through a supplementary Award.

DETAILS OF THE LAND

<u>Kh.No.</u>	<u>Area</u>	<u>Kind of Soil</u>
315/1	1-05	Nehari
318/2	0-11	Bagh Nehari
319/2	1-15	-do-
320/5	0-08	-do-
	<u>3-19</u>	
	Nehari	1-05
	bagh Nehari	2-14
		3-19

Contd...2/-

OWNERSHIP & OCCUPANCY

S.No.	Name of Owner	Name of occupant	Kh.No.	Area	Kind of Soil
1.	Mohd. Shafi, Mohd. Salehin Ss/o Mohd Rafi 5/12 share Rehamatullah s/o Imanullah 5/12 share Mst. Bismillah D/o Imanullah 1/6 share	Self	318/2 319/2 320/5	0-11 1-15 0-08 2-14	Bagh Nehari -do- -do-
2.	Babu, Nawab Ss/o Mohd. Mutkeem in equal shares 8/27 share Nurul Hasan, Swair Sons in equal shares 79/270 shares. Mst. Asia widow 7/216 share. Mst. Chhedo daughter 49/1080 share all of Mohd. Mukeem Kaneez Fatima widow of Riazul Hussain 1/3 share.	Self	315/1	1-05	Nehari

CLAIMS & EVIDENCE

Name of Claimant	Kh.No.	Area	Amount Claimed	Evi.
1. Mohd. Shafi, Mohd. Swahallin Ss/o Mohd Rafi Ramatullah s/o Amanullah Shafiqur Rehman, Jaminul Rehman Sons Sardar Begum Daughter of Mismillahjan D/o Amanullah through Sarveshri Raghbir Singh Chandu Lal Verma Advocates.	319/2 320/5 318/2	1-15 0-08 0-11	1. Rs. 150/- per sq. yd. for land. 2. Rs. 10,000/- per bigha for fruit trees. 3. Rs. 25,000/- as severance. 4. 15%	Nil

NOTE: The Claimants have stated that their land has been partitioned as per orders of the Revenue Assistant, but the same has not been incorporated in revenue record.

MARKET VALUE:

In the present case, the date of preliminary notification is 13.11.59 and as such the market value is to be determined as prevailing during that period. The claimants have demanded exorbitant rates of compensation, but adduced no evidence to substantiate their claims.

Contd...3/-

Before we embark upon the sale transactions in determining the market value, it would be helpful to look into the Awards that might have been made in the village. There has been only one Award in this village, the particulars of which are given as below:-

<u>Award No.</u>	<u>Date of notification</u> <u>U/s-4</u>	<u>Rate awarded by</u> <u>L.A.C.</u>
60/72-73	10.11.60	Rs.880/-P.B.

Revenue Record of village Maujpur was consulted. Following sale transactions came to notice, which took place near about the date of preliminary notification in the case.

<u>SL.NO.</u>	<u>MUTATION NO.</u>	<u>Date of</u> <u>Regn.</u>	<u>Khewat/</u> <u>Kh.No.</u>	<u>Area</u> <u>Bigha</u>	<u>Total</u> <u>amount</u>	<u>Average</u> <u>per bigha</u>
1.	617	12.3.58	1,12,32 (Khewat No.)	1.18	Rs.1000.	Rs.520.
2.	618	-do-	12,35 (Khewat)	1.15	Rs.1000.	Rs.560.
3.	619	18.3.58	Kh.No. 325,318	7.02	Rs.4000.	Rs.564.
4.	614	5.8.59	275.	1.16	Rs.1500.	Rs.833.
5.	615	-do-	274.280	3.03	Rs.2500.	Rs.793.

The above mentioned Award No.60/72-73 was based on transaction at Sl.No.425 coupled with an allowance of Rs.62.00 P.B. on the average of the consideration money in these two sales, towards appreciation in the price as relevant to the date of preliminary notification in the case.

The material date in the present case is 13.11.59 which is quite close to the date of execution of the two sales referred. The average sales price in the two sales works out to Rs.808/- P.B. approximately, say Rs.800/- P.B. These transactions involve considerable area and thus reflect the true market value prevailing at that time in the village and as such are the best guide to the present case to be relied upon. I, therefore, consider that a rate of Rs.800/- per bigha would be the fair

Contd...4/-

market value for the land in question and award the same accordingly.

OTHER COMPENSATIONS:

WELL & STRUCTURES:

There is no well for 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 accordingly.

Kh.No.	Kind of Tree	No.of Trees	Fruit tree/ Timber tree	Value Assessed.
318/2	Neem	1	Timber tree 2 Qtls.	Rs.10/-@ Rs.5/- per Qtl.
-do-	Shisham	1	Timber tree 2 Qtls.	Rs.16/-@ Rs.8/- per Qtl.
-do-	Jaman	1	Timber tree 1 Qtl.	Rs.5/-@ Rs.5/- per Qtl.
-do-	Guava	30	Fruit tree	RS.600/-@ Rs. 20/- per tree
-do-	Khatta	6	-do-	Rs.90/-@ Rs.15. per tree.
319/2	Guava	70	-do-	Rs.1,400/-@ Rs.20/-per tree
320/5	-do-	20	-do-	Rs.400/-@ Rs.20/ per tree.
-do-	Mango	1	-do-	Rs.50/-@ Rs.50/ per tree.
TOTAL AMOUNT :				Rs.2,571/-

SOLATUM

15% Solatium will be paid on the market value of the land.

INTEREST:

The date of notification U/s-4 L.A.Act in the present case is 13.11.59 and the date of declaration U/s-6 of the Act is 27.4.68. The case therefore falls within the purview of the

Contd...5/-

- 5 -

Land Acquisition (Amendment & Validation) Act, 1967. Interest would therefore be payable @ 6% per annum only on the market value of the land from the date of expiry of three years from the date of preliminary notification - which in the present case comes to 13.11.62, till the date of announcement of the Award, which is tentatively fixed as 26.6.1973.

LAND REVENUE:

The land under acquisition is assessed to Rs.2.03 Paisa as land revenue which would be deducted from the Khalsa Rent Roll from the date of possession.

APPORTIONMENT:

The claimants Mohd Shafi etc. have stated in their claim that they had got their land partitioned as per orders of the Revenue Assistant, but the same has not been incorporated in the Revenue Record. Hence the compensation of Kh.Nos.318/2, 319/2, 320/5, will kept as disputed.

As regards Kh.No.315/1 payment will be made according to the latest entries in the Revenue Record, except where persons other than owners/occupants claim compensation.

SUMMARY:- The Award is summarised as below:-

1.	Compensation for land measuring 3big-19 bis @ Rs.800/-P.B.	Rs. 3,160=00
2.	Compensation for trees	Rs. 2,571=00 Rs. 5,731=00
3.	Add 15% Solatium	Rs. 859=65
4.	Interest U/s-4(3) @ 6% per annum only on the market value of the land i.e.Rs.5731/- w.e.f. 13.11.62 to 25.6.73 G.T. (ten years 225 xx days)	Rs. 3,650=56 <hr/> Rs.10,241=21

(Rupees ten thousand two hundred forty one and paise twenty one only)

22.4.73

(G.BAHADUR)

LAND ACQUISITION COLLECTOR (MSW)
DELHI.

Ammur + fair held

22.4.73

44 73-74

11/11/87

1000 14 120 1475

1000 69 171 28 100 147

१५५५ १२७८
 १५५५
 १५५५ १२७८
 १५५५ १२७८
 १५५५ १२७८
 १५५५ १२७८
 १५५५ १२७८

११ (११) ११ ११ ११ ११
 ११ ११ ११ ११ ११
 ११ (११) ११ ११
 ११ ११ ११ ११ ११ (११)
 Solution: 15%
 ११ ११ ११
 ११ - ११ (११)
 ११ ११ ११ ११ ११

12411

137

$$\frac{315}{1} \quad 1000 - 785 = 215$$

148.15

1

148

25
22

Solitaire 15%
HK 6%

	94	44	%
--	----	----	---

4/s - 4(3)

2005/01/01

264.73

३४१॥ १०॥ १०॥ १०॥ १०॥
 १०॥ १०॥ १०॥ १०॥ १०॥
 १०॥ १०॥ १०॥ १०॥ १०॥
 १०॥ १०॥ १०॥ १०॥ १०॥

25/11/15
20/11/15

11

148.14

1

148.

62

10

2

1.

De
Bijkomst

3

3

0.100 240 40 30 21.94 93.19 261.43

146.29

146.29 21.94 93.19 261.43

triplicate

4

0.100 240 40 30 21.94 93.19 261.43

146.30

146.30 21.94 93.19 261.43

triplicate

261.43

(3)

$\frac{1.06}{75}$

आसपास
य. मापन का मूल्य
मापन 10.41+31 7 mm

"

"

"

32.47

-

-

32.47

4.86 20.65 57.92

-

du

diagonal

(6)

"

य. मापन का मूल्य
मापन 10.41+31 7 mm

"

"

"

45.37

-

-

45.37

6.81

28.90

81.08

-

du

diagonal

(135)

य. मापन का मूल्य
मापन 10.41+31 7 mm

"

"

"

333.34

-

-

333.34

50.00

du

7

सं. मोल/ग्रामिनी वार फायदा-
 एमो - १ - १/३ मी.
 जमीन क्षेत्र १०. ०११-५१

1-5	1000-00	333-34	333-34	50-00	212-32	595-66
				1000-00	150-00	636-98
						1786-98

Signature

8

5/32
 सं. मोल/ग्रामिनी वार फायदा-
 एमो - १ - १/३ मी.
 जमीन क्षेत्र १०. ०११-५१

318	1-11	450-00	535-63	985-63	147-84	627-83	1761-30
319	1-15	"					
320	0-0	"					
3000	2-14	"					

as per order of the court dated 24/11/1978

पु. ट. सी. ए.

१. अर्थात् कोर्टाचे
 नो ऑर्डर प्रमाणित
 २. कोर्टाच्या न्यायाधीश
 यांच्या स्वाक्षरीवर
 ३. कोर्टाच्या न्यायाधीश
 यांच्या स्वाक्षरीवर
 ४. कोर्टाच्या न्यायाधीश
 यांच्या स्वाक्षरीवर

5
32
m 244 1110 419 34 m 244
5 m
24

" " 450.00 " 535.62 985.62 147.85 62783 1761.30

As per order of Lt Col (M) dated 21/5 sent to
A.D.S w/ 30-31 of Lt Col - 19/7

133

Signature

10
5
12
m 244 1110 419 34 m 244
5 m
12

" " 900.00 " 1071.25 1971.25 295.68 1255.66 3522.57

Signature

As per order of Lt Col (M) dated 21/5
sent to A.D.S. w/ 30-31 of Lt Col - 19/7

11
5
12
m 244 1110 419 34 m 244
5 m
12

" " 360.00 " 428.50 788.50 170

Signature

11

7-1000 1000/1000 5000 5000

6 m

As per usual procedure 24/5 out to 405 4 30-31/4 10 20/7

2160-4 44000 2571-4 4731-4 709.65 3013.58 8454.23

2160-4 44000 2571-4 4731-4 709.65 3013.58 8454.23
 2160-4 44000 2571-4 4731-4 709.65 3013.58 8454.23
 2160-4 44000 2571-4 4731-4 709.65 3013.58 8454.23

1 to 7

315/ 1-5 ref. 1000/

0112 01121

1000 150-4 636=98 1786=98

1000 150-4 636=98 1786=98

8 1/2 11

38/2 0-11 440-44
 39/2 1-15 440-44
 329/5 0-8 440-44

2-14 11

3-19

3160-4

2571-4

5731-4

659.65

36505

1024.21

8405.23

1.4 1000/1000

No Ten thousand two hundred forty one and Nine Twenty one out of 1000

Line (MP/MS)

1.4 1000/1000