AWARD NO. 60/72-73

Name of village:- Mauj Pur.

Nature of acquisition:- Permanent.

Purpose of acquisition:- Planned Development of Delhi

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These are proceedings u/s 11 of Land Acquisition Act 1894 in respect of land measuring 1 big. 11 bis. situated in village Maujpur. The land forms part of general notification No. F.15(255)/60-LSG dt. 10.11.60 issued u/s 4 of the Act for an area 1808 acres required for Planned Development of Delhi including area of other villages. A declaration u/s 6 of the Act was issued vide No.F.4(19)/65-L&H(ii) dated 6.1.1967 for an area of 81 big. 3 bis. of village Maujpur.

As the present acquisition is confined to an area 1 big. 11 bis., the remaining area will be acquired through a supplementary award.

Notices u/s 9 & 10 were issued to the persons interested. Claims filed in response to the notices will be discussed under the heading 'Claims & Evidence".

Measurement & true area

Necessary measurement was carried out by the field staff at the spot and relevant revenue record were consulted. The details of the land under acquisition and its correct area are as below:-

Khasra No.	Area Big.Bis.	Classification of land
392/1	1- 4	Nahri.
393/1	0- 7	"
Total....	1-11	

OWNERSHIP & OCCUPANCY

S.No.	Name of Owner.	Name of Occupant.	Kh.No.	Area	Kind of soil
1.	Nathua s/o Juhara caste Rajput r/o village Babarpur.	self	392/1	1-4	Nehri.
2.	Ramjilal, Tulsi, Ram Singh ss/o Jag Dev, Caste Ahir r/o Shahdara (in equal share).	self	393/1	0-7	"

Claims & Evidence.

S.No.	Name of Claimants	Kh.No.	Area	Rate claimed	Evidence.
1.	Tulsi s/o Jagdev Singh, Smt.Jagandevi wd/o Ram Singh, Smt.Nihali wd/o Ramjilal, Smt.Kamla Devi, daughter, Kamal Singh & Gajraj Singh ss/o Ramji Lal through Tulsi Ram s/o Jagdev Singh.	393/1	0-7	40,000/- per bigha	nil.
2.	Nathwa s/o Jawahar through Dhan Prakash Gupta Advocate.	392/1 (1210 sq.yd.	1-4	i) Rs.50/- per sq.yd.) ii) 15% Solatium.	nil.

Market value

In determining the market value of the land as at the date of preliminary notification many factors have to be considered like size and shape of the land, the situation, the tenure, the use to which it is put, its potentiality and also rise and fall in the demand for the land. The best evidence to arrive at the correct market value of the land would be the evidence of genuine sales effected about the time of

~~preliminary noti~~

preliminary notification either in respect of the land under acquisition or part thereof or the sales of the land parallel in circumstances to the land under acquisition.

In the present case, the date of preliminary notification is 10.11.60 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.

Before we embark upon the sales transactions in determining the market value, it would be helpful to look into the awards that might have been made in the village, but no such award has yet been made.

The land under acquisition falls under the purview of Delhi Land Reforms Act, 1954 which puts certain restrictions on the use of the land. The said Act enjoins, that land cannot be used for any other purpose except that it is connected with agriculture, horticulture etc.

Revenue record in respect of the village [redacted] was consulted by the field staff and the following sale transactions were found recorded:-

S.No.	Mutation No.	Date of Registration.	Khewat/ Kh.No.	Area	Amount	Average p. b.
1.	617	12.3.58	[redacted]. 1,12,32	1-18	1000/-	520/-
2.	618	"	12,35	1-15	"	560/-
3.	619	18.3.58	[redacted] 325, 318	7- 2 etc.	4000/-	564/-

...P/4.

4.	614	5.8.59	275	1-16	1500/-	833/-
5.	615	"	274,280	3-3	2500/-	793/-

In the above sales, the transactions at S.No.1 to 3 relate to the period, March 1958 and are anterior by about two and a half years to the material date in the present case. The transaction at S.No.4 & 5 were struck on 5.8.59 in respect of land measuring 4-19 for a consideration of Rs.4000/- making an average of Rs.818/- approximately, per bigha. The table reveals that there has been some rising trend in the sale prices from the year 1958 to the year 1959 in the said village. However, no sale transaction was found recorded in the year 1960. Sales at S.No.4 and 5 can be relied in the present case and reasonable to assess the market value after giving a margin of 6%p.a., on the sum of Rs.818/- which works out to Rs.61.34, say Rs.62/-. I, therefore, assess the market value in the case at Rs.880/- p.b. and award the same accordingly.

Other Compensation

Trees, wells & structures

There is no well, tree, and structure on the land under acquisition and as such no compensation is assessed under these headings.

Solatium

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

...P/5.

Interest:

The case falls within the purview of the Land Acquisition (Amendment & Validation) Act, 1967 as declaration u/s 6 of the Act in the present case was issued after the expiry of 3 years from the date of notification u/s 4 of L.A.Act. The date of notification 4 of L.A.Act being 10.11.60, Therefore, interest @ 6% p.a. would be paid only on market value of the land w.e.f. 10.11.63 to the date of announcement of the award which is tentatively fixed on 15.11.72.

Land Revenue:

The land under acquisition is assessed to 68 paise as land revenue which will be deducted from the Khalsa Rent Roll of the village from the date of taking over the possession.

Apportionment:

Compensation will be paid on the latest entries of the revenue record, except is cases:-

i) Where persons other than owners are recorded as occupants.

ii) where persons other than owners/occupants claim compensation.

SUMMARY.

1.	Compensation of land measuring 1 big. 11 bis. @ Rs. 880/- per bigha.	Rs.	1,364-00
2.	Add 15% solatium.	Rs.	204-60
3.	Interest u/s 4(3) of the land Acquisition (Amendment & Validation) Act 1967 w.e.f. 10.11.63 to 15.11.72 (9 years 6 days) on market value i.e. Rs. 1364/-.	Rs.	737-90
	(Rupees two Thousand three Hundred six and paise fifty only).	Rs.	2,306-50

V.K. Bhalla

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

Award announced today. Filed
V.K. Bhalla
16/11/72

कार्यवाही कब्जा अवार्ड नं० 60/72-73 ग्राम मौजपुर देहली
बाबत रकबा 1-11 Bis.

बमुजिब हुक्म जनाब डी.सी. साहब बहादुर दिल्ली

आज दिनांक 5.12.72 बहमराह श्री रतन सिंह/श्री फूल चन्द्र पटवारी व श्री मिलाराम पटवारी मौका पर पहुंचे। बमुजिब प्रोग्राम महकमा C.P.W.D. Division No. 10 की ओर से श्री D.K. Chhabra (S.O) व भूमि तथा भवन विभाग की ओर से श्री राम प्रकाश लाम्बा नायब तहसीलदार (L&B) व श्री ज्ञानचन्द कानूनगो (L&B) दिल्ली प्रशासन दिल्ली मौका पर मौजूद थे। काश्तकारों की ओर से बावजूद इत्तलायाबी के कोई हाजिर नहीं आया। आराजी अवार्ड शुदा बराये अवार्ड नं० 60/72-73 ग्राम मौजपुर में से नम्बरान खसरा 392/1 व 393/1
(1-4) (0-7)

कुल तादाद 1-11 Bis. का कब्जा कार्यवाही बाद अज पैमाइश बजरिया जरीब अलामात व निशानात खड़ी करके हासिल किया गया और बजनसही श्री राम प्रकाश लाम्बा, नायब तहसीलदार (L&B) हवाला किया गया और जिन्होंने बजनसही कब्जा आराजी मजकूरा बाला हवाला श्री D.K. Chhabra (S.O) C.P.W.D. Division No 10 किया गया। मौका पर तमाम रकबा खाली पाया गया जिसकी सूचि संलग्न की गई है। बवक्त कार्यवाही कब्जा कोई मजाहमत पेश नहीं आई। मौका पर व देह हजा में मुश्तरी व मुनादी बाबत तबदीली कब्जा बजरिया श्री मिलाराम पटवारी करा दी गई है। पटवारी माल हल्का देह हजा बवजह

(115)

कोई सरकार हाजिर नहीं आया। लिहाजा एक तरफा
कार्रवाई कब्जा मई अमला दौरा व निशान कुछ बजरिया
तहसीलदार महाल दिल्ली बमुताबिक अमल दरामद पर
कागजात माल पटवारी हलका को लिखवाई जावे।
कार्रवाई कब्जा मुकम्मल हो चुकी है। रिपोर्ट अर्ज है। 5-12-72

L. N. Sharma
5/12/72
N.T. (LA)

NT-LA
5/12/72

5/12/72

Mita Ram Patwari
5/12/72

Dkchhabra
5/12/72
J.E/DADE

L. [illegible]
5/12/72

KGO (LA)
5/12/72

Seen
6/12/72
L.A.C (NSW)
6/12/72