

AWARD NO. 3/1976-77

|                        |                           |
|------------------------|---------------------------|
| NAME OF THE VILLAGE    | MUSTAFABAD                |
| NATURE OF ACQUISITION  | PERMANENT                 |
| PURPOSE OF ACQUISITION | DELHI WATER SUPPLY SCHEME |

These are proceedings u/s 11 of the L.A.Act, 1894 for determination of compensation in respect of land measuring 1 big 6 biswas in village Mustafabad. The land is required for Delhi Water Supply Scheme. It is notified u/s 4 of the L.A.Act vide notification No.F.7(7)/73-L&B(1) dated 18.3.74 and u/s 6 vide No.F.7(7)/73-L&B(II) dated 18.3.74.

Since it was a case of emergency therefore section 17 of the Act was also made applicable through notification No.F.7(7)/73-L&B(III) dated 18.3.74 and possession of the land was taken on 19.5.1975.

Notices u/s 9 & 10 of the Act were issued to the persons interested.

CORRECT AREA & MEASUREMENT

The Land Acquisition field staff carried out necessary measurement on the spot alongwith the field staff of the acquiring department. As per the demarcation given and measurement carried out the area required for the scheme was found to be 1 bigha 6 biswas instead of 1 bigha 11 biswas notified originally. The details of the land are given as below:-

| <u>Kh.No.</u> | <u>Area</u> | <u>Kind of soil.</u> |
|---------------|-------------|----------------------|
| 1 etc./393/1  | 0-11        | Gair Abpash          |
| 1 etc/394/1   | <u>0-15</u> | -do-                 |
|               | 1-06        |                      |

OWNERSHIP & OCCUPANCY

| <u>Sr. No.</u> | <u>Name of the Occupant.</u> | <u>Name of the owner</u>   | <u>Kh.No.</u>  | <u>Area</u> | <u>Kind of soil.</u> |
|----------------|------------------------------|--|----------------|-------------|----------------------|
| 1              | Self                         | Smt.Bharto wd/o Jiwan<br>Smt.Bhoti wd/o Piloo,<br>all in equal share<br>1/2 share, Shib Lal,<br>Ram Chander, Bhule ss/o<br>Hukmi in equal share<br>1/12 share. | 1etc/<br>393/1 | 0-11        | Gair abpash          |

*1cc. ch/ra*



Dharam Singh s/o Niader, 1/12  
share, Sheo Narain s/o Laja 1/6  
share, Ganga Ram, Jag Ram ss/o  
Nanwa in equal share 1/6 share.

2. Self Hans Ram s/o Kale letc/394/1 0-15 Gar Abpash

### CLAIMS AND EVIDENCE.

No claim has been filed by the interested persons in response to notices u/s 9 & 10 L.A. Act inspite of service of notices.

### MARKET VALUE.

The market value of the land under acquisition is to be determined with reference to the date of preliminary notification u/s 4 i.e. 18.3.1974.

Inspite of opportunity given to the interested persons no claim has been filed in response to the notices u/s 9 & 10 L.A. Act. In determining the market value of the land under acquisition previous awards of similar land with the same material date and sale transactions of land similarly circumstanced on or about the material date in the village are taken into consideration. In this village no award has been made. Effort is therefore to be made to find out sale transactions of similar land on the material date. The following sale transactions are reported by the staff to have been mutated in the revenue record of this village

| Sr. No. | Mutation No. | Sale registra<br>tion No. & date. | Kh.No.        | Area  | Amount     | Average per bigha. |
|---------|--------------|-----------------------------------|---------------|-------|------------|--------------------|
| 1.      | 1051         | 8569/16.10.70                     | letc/<br>309  | 0-03  | Rs.1005.00 | Rs.6,700/-         |
| 2.      | 1440         | 12067/24.7.71                     | letc/<br>377  | 15.09 | Rs.21000/- | Rs.1359.2          |
| 3.      | 24           | 1786/18.2.72                      | letc/<br>333  | 0-02  | Rs.1000/-  | Rs.10000/-         |
| 4.      | 26           | 1785/18.2.72                      | letc/<br>333  | 0-04  | Rs.2000/-  | Rs.10000/-         |
| 5.      | 25           | 6424/12.5.72                      | letc/<br>333  | 0-03  | Rs.1000/-  | Rs.6666.6          |
| 6.      | 662          | 9336/13.6.72                      | 1 etc/<br>379 | 11-00 | Rs.21000/- | Rs.1909-0          |

letc/379



A perusal of the above sale transactions reveals that ~~the~~ sales at Sr.No.1,3,4,5 relate to small pieces of land measuring 2 to 4 biswas. This is common knowledge that small plots of land fetch much higher price because they attract large number of buyers. Their sale price cannot correctly reflect the market value of land. Sale transaction at Sr. No.6 involves large area of land measuring 11 bighas and yields a rate of Rs.1909/- per bigha. A perusal of the copy of sale deed, however, reveals that the entire consideration money of Rs.21,000/- was paid in advance to the vendor and nothing was paid before the Sub-Registrar at the time of registration of the sale deed. It is not apparent from the sale deed how much amount actually passed from the vendee to the vendor. This sale deed is therefore excluded from consideration in determining the market value of the land. There now remains sale transaction at Sr. No.2 taking place on 24.7.71 for a large area 15 bighas 9 biswas and yielding an average rate of Rs.1359.22. The entire consideration money was paid in the presence of Sub Registrar. The land involved in sale transaction situated in Kh. No.377 which is not far from the land under acquisition can offer reasonable guidance for determination of market value in the present case but there is a time gap of about 2½ years between the date of the sale transaction and the material date in the present case. Allowing increase of 6% over the average rate of sale transaction at Sr. No.2, I consider the market value of Rs.1565/- per bigha fair and reasonable and award the same.

#### OTHER COMPENSATION.

There is no structure, well and tree on the land under acquisition.

#### 15% SOLATIUM.

A sum of 15% on the market value of land can be paid for compulsory nature of acquisition.

#### INTEREST.

Possession over 1 bigha 06 biswas of land was taken on 19.5.75 u/s 17 of the L.A.Act. Interest is therefore to be paid on the compensation assessed from 19.5.75 till the date of tender of payment.

*K.C. Chandra*



APPORTIONMENT.

Payment will be made according to the latest entries in the revenue record. In case of dispute which is not settled within a reasonable time between the parties the amount of compensation will be remitted to the court u/s 30,31 L.A.Act for adjudication of title.

LAND REVENUE.

The land under acquisition is assessed to Rs. 0.16 as land revenue which will be deducted from the rent roll of the village from Kharif 1975.

SUMMARY OF THE AWARD

|    |   |             |
|----|---|-------------|
| 1. | Compensation for land measuring<br>1 bigha 6 biswas @ Rs.1565/-<br>per bigha. | Rs. 2034-50 |
| 2. | Add 15% solatium.   | Rs. 305-17  |
| 3. | Interest @ 6% p.a. on<br>Rs. 2339-67 w.e.f. 19.5.75<br>to 15.9.75( 120 days). | Rs. 46-15   |

GRAND TOTAL

Rs. 2385- 82

(Rupees Two Thousand Three Hundred Eighty Five  
& Paise Eighty Two only).

*K.L. Chopra*  
(K.L. CHOPRA)  
LAND ACQUISITION COLLECTOR(MSW):DELHI.

*Announced + filed today*  
*K.L. Chopra*  
*7/4/76*  
*LAC (MSW)*



कायवाही कब्जा दिनांक 19/5/25

पृष्ठ 3

आज दिनांक 19/5/25 को बृहन्म जनान श्रमि आचिग्रहण  
आचिकारी (MSW) बरोये देने कब्जा श्राम मुस्तफाबाद जिसका  
नॉटिफिकेशन चार 4, 6, 12 No. F. 7(2)/13-24 B (i) (ii) व (iii)  
दिनांक 18/3/24 को गजट हो चुका है बृहन्मराही श्री होशियार सिंह  
Kgo. L.A. व श्री चमवीर सिंह डांगर Kgo. L.A. व श्री फूलचन्द  
पटवारी L.A. व श्री सतवीर सिंह चपरासी के साथ मोके पर पहुँचा।  
मोके पर Acquiring Deptt. की ओर से श्री S.K. Aचरव (A.E.) व  
अशोक कुमार (A.E.) व श्री विष्णु दत्त (J.E.) महकमा L.S.G.E.O.  
मंत्रिश्चिठ (iii) गाजियाबाद (U.P.) हाजिर मिले। इस प्रकार  
कब्जा कार्यवाही शुरू की। मोके पर ~~श्रमि जिस पर फारसल मुजुद~~  
~~मिली उसकी बुद्धि अलम से बना~~ पटवारी हल्का कार-सरकार  
होन के कारण मोके पर हाजिर नहीं मिला। वारंते पारान में से  
कोई भी मोके पर हाजिर नहीं मिला। श्री S.K. Aचरव (A.E.) को  
श्रमि आचिग्रहण के नम्बरान खसरा 1 व गहरा/393/1 व गहरा  
(0-11) 394/1 (0-15)  
कुल रकबा तायादी 1 बीघा 6 बिरवे का कब्जा नाकई हासिल  
करके श्री S.K. Aचरव (A.E.) को कब्जा दे दिया गया है।  
दोराजे कार्यवाही कब्जा मोके पर कोई किसी किसम की  
मुजाहमत पेश नहीं आई। इस अमर की मुश्तरी व  
मुनादी बजरिये श्री सतवीर सिंह चपरासी L.A. के जरिये  
मोके व देह-हजा में बआवाज बलबद बजरिये अनस्तर  
करा दी गई है। एक नकल कब्जा कार्यवाही की भारफत  
तहसीलदार साहब दिल्ली बरोये अमल दरामद  
का गजात भाल भिजवाई जानी मुनासिब है। अब  
कार्यवाही कब्जा हर लिहाज से मुकमिल हो चुकी है।

अशोक कुमार  
N.E. (A.E.)

19/5/25

श्री सतवीर सिंह  
19/5/25

श्री चमवीर सिंह  
19/5

श्री फूलचन्द  
19/5/25

श्री अशोक कुमार  
19/5  
A.E.

अशोक कुमार  
A.E. 19/5

सतवीर सिंह  
19.5.25

निष्कर्ष  
19/5/25