

AWARD NO. 25/92-93

Name of the Village : NAWADA
Nature of Acquisition : Permanent
Purpose of Acquisition : Planned Development of Delhi

These are proceedings for determination of compensation U/S 11 of L.A.(Amended) Act, 1984 in respect of the land measuring 05 Bighas and 18 Biswas of village Nawada notified under section 4 of the L.A.Act vide notification No.F.10(2)/90-L&B/LA(1) dated 28-6-90 for a public purpose, namely for Planned Development of Delhi. In view of the urgency of the scheme the provisions of Section 17(1) of the Act were made applicable to the land. The Delhi Administration issued a declaration U/S 6 of the L.A.Act vide notification No.F.10(2)/90-L&B/LA(2) dated 14-11-90.

In pursuance of the above notification, notices U/S 9 and 10 of the L.A.Act were issued to all the interested persons to file their claims and the claims filed by the claimants are discussed hereinafter under heading "CLAIMS".

MEASUREMENT

The area to be acquired as given in the declaration U/S 6 of the L.A.Act is 05 Bighas and 18 Biswas, which was found correct at the time of measurement made by the field staff. The detail of the land are are as under:-

<u>Kh.No.</u>	<u>Area</u>
	Bighas- Biswas
868 Min	0-14
869 Min	5-01
873 Min	0-03
TOTAL	5-18

CLAIMS

The interested persons have filed their claims as under:-

<u>S.No.</u>	<u>Name</u>	<u>Kh.No.</u>	<u>Claim</u>
1.	Smt.Yashodha Devi w/o Sh.Laxmi Chand Gupta r/o 7361 Gali Teliyan, Pahari Dhiraj Delhi.	873 Min	Rs.3 lacs for houses and Rs.3000/-p.sq.yd for land and also demanded for alter- native plot.

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MARKET VALUE

The market value of the land is to be assessed keeping in view the situation, advantages and potentialities attached to the land under acquisition on the date of notification u/s 4 of the L.A. Act. The land use also plays an important role in deciding the market value of the land. In the present case the interested persons has claimed market value of land @ Rs.3000/-per sq.yd, but no evidence/proof in support of the claim has been submitted. However, as per Delhi Administration letter No.F.9(20)/80/L&B/11313-16 dated 3-5-90, the minimum price of the agriculture land has been fixed @ Rs.4.65 lacs per acre, if the land has been notified in the year 1990. But, as per khasra girdawri record for the year 1989-90, the land in question is not an agriculture land and is gar mumkin plot. The field staff of this office was directed to report if any award has been drawn in this village. It was reported that award no.159/86 of village Nawada was announced on 19-9-86. In this award the LAC had assessed the compensation of the land at the flate rate of Rs.17,800/P.B. The date of notification u/s 4 in this award was 27-1-84 whereas in the instant case the date of notification u/s 4 is 28-6-90. Since, there is a time gap of 6 years between the date of notification u/s 4 to the earlier announced award and the instant award, this award can not be taken as basis for determining the market value in the present case. The field staff was also directed to prepare a list of Sale deed executed for the last 3 years from the date of notification pertaining to this village from the office of the Sub-Registrar. The following Sale-deeds during the last 3 years are reported to have been executed:-

<u>Registry No.</u>	<u>Date</u>	<u>Area with Kh.No</u>	<u>Total Amount</u>
2244	4-3-87	1141 sq.yds.(269)	49,000-00
2739	13-3-87	1 Bigha 02 Biswas	49,000-00
2854	8-3-89	2 Bigha (785 min,	1,50,000-00
2855	8-3-89	2 Bigha (791 min)	1,50,000-00

On the basis of above sale-deeds
~~During the last 3 years i.e. 1987, 1988 & 1989~~ the average price comes to Rs.63,687/-P.B, but as already stated ~~that~~ the land in question is Gar-mumkin plot as per khasra Girdawri record for the year 1989-90. The Delhi Administration has fixed the minimum agriculture price of land @ Rs.4.65 lacs per acre which comes to Rs.96,875/P.B. As it is known that the agriculture land is ~~supposed to be the~~ cheapest land

contd....3/..

it would not be proper to assess ^{less} ~~the~~ market value of ~~that~~ land which is ^{of} ~~non~~-agriculture in nature and is Gar-mumkin plot. Moreover the land in question also falls on the main Najafgarh road. Therefore, it would be fair and reasonable if market value is assessed keeping in view all these circumstances in mind. I, therefore determine the market value of the land in question @ Rs.96,875/P.B.

WALL AND

STRUCTURES

The interested persons has claimed Rs.3 lacs for ~~house~~ at the acquired land, but as per ~~report~~ given by the field staff, there are ~~no~~ structures on the acquired land and therefore, no compensation is being assessed for the same.

WELL AND TUBE WELL

There is no well and tube-well in the land under acquisition.

TREES

There are 19 Safeda trees in Kh.no.869 Min in the land under acquisition. I fix the value of each tree @ Rs.50/-

POSSESSION

The possession of the land measuring 17 Biswas out of the total area of 5 Bighas 18 Biswas pertaining to Kh.No.868 Min (0-14) and 873 Min(0-03) has been taken over and handed over to the Land & Building Department on 15-2-91 and the land measuring 4 Bighas 16 Biswas of Kh.No.869 is under dispossession, stay from the court of ADJ vide order dated 5-6-90 in the suit no.nil styled as Ranbir Singh Vs DDA. The total area of kh.no.869 is 5 Bighas 01 Biswas, but since in the courts order the dimensions of the land under stay were not clarified, therefore the possession of this entire land measuring 5 Bighas 01 Biswas was not taken over. The interested persons are ~~entitled persons~~ ~~are~~ entitled for the interest u/s 34 of the LA Act 9% per annum for one year from the date of possession and thereafter 15 % per annum till the date of announcement of the award according to the provisions of the Amended Act, 1984.

SOLATUM

30% solatium u/s 23(2) of the LA Act is given to the interested persons.

ADDITIONAL AMOUNT

U/S 23(1-A) additional amount @ 12% per annum on the actual market value of the land is payable to the interested person from the date of notification u/s 4 to the date of possession of the land or the date of announcement of the award whichever is earlier.

APPORTIONMENT

Compensation will be paid in accordance with the latest entries in the revenue record. In case of any dispute regarding title, apportionment of compensation, the matter will be referred to the court of ADJ U/S 30-31 of the LA Act.

LAND REVENUE

Land under acquisition is assessed at Rs.-05 P as land revenue. It will be deducted from the khalsa rent roll of the village from the date of taking over possession of the land.

SUMMARY

Compensation for land measuring 05 Bighas 18 Biswas @ Rs.96,875/-P.B.	5,71,563-00
Solatum @ 30%	1,71,469-00
Additional Amount 12% on the market value of land measuring 0-17 Biswas on Rs.82,344/- wef 28.6.90 to 4.2.91(221 days)	5,983-00
Additional amount @ 12% on the market value of Rs.4,89,219/-for land measuring 05 Bighas 01 Biswas w.e.f.28.6.90 to 7.9.92(2yrs.72 days)	1,28,993-00
Interest u/s 34 @ 9% per annum w.e.f. 5.2.91 to 4.2.92(one year) on Rs.1,07047/-	9,634-00
Interest u/s 34 @ 15% per annum w.e.f. 5.2.92 to 7.9.92 (216 days) on Rs.1,0,7047/-	9,502-00
Market value for trees	950-00
GRAND TOTAL	8,98,094-00

(RUPEES EIGHT LACS NINTY EIGHT THOUSAND AND NINTY FOUR ONLY)

(DURGA DAS)
LAND ACQUISITION COLLECTOR(PN)

SECRETARY (REVENUE)

[Signature]
10/6/92

None present. Announced in the open court. Issue notice u/s 12(2) to the interested parties.

[Signature]
10/7/92

कब्जा कार्यवाही मौजा नवादा खर्च नं० 25/92-93

आज दिनांक 16-6-93 आदेशानुसार श्रीमान भूमि अधिकृत अधिकारी महोदय जालम नोर्थ कराय जेने कब्जा ग्राम नवादा बहमराह श्री० बी० के० सिंह N.T./L.A. श्री ज्ञानचन्द कानूनगो L.A. तथा श्री छोटे लाल पटवारी L.A. मौके पर पहुँचे। मुताबिक प्रोग्राम लैंड 200 बिलिडिंग डिपार्टमेंट की तरफ से श्री त्रिलोचनसिंह N.T./L&B तथा डी० डी० 200 बी० तरफ से श्री श्रीनिवास कानूनगो व श्री शशीश कुमार पटवारी मौके पर हाजिर मिले। रकसरा नं० 869 भिन रकबा तादादी (5-01) बिस्वा. पश्चिमी दिशा की ओर से कब्जा वाकई हासिल करके श्री त्रिलोचनसिंह N.T./L&B के सुपुर्द किया गया। श्री त्रिलोचनसिंह N.T./L&B ने उसी समय मौके पर उपरोक्त रकबा का कब्जा वाकई श्री श्रीनिवास कानूनगो डी० डी० 200 के सुपुर्द कर दिया। उपरोक्त रकबा के चारों तरफ घुमा फिरकर बुर्जियात रख लगाकर तसल्ली करा दी गयी। रकसरा नं० 869 भिन रकबा तादादी कम खज बिस्वा (0-00) में रक चबूतरा (समाधि) बनी हुई है जिसका कब्जा नहीं दिया गया है।

बालक नब्जा कार्यवाही किसी प्रकार की
मजाहमत पेश नहीं आयी। पटवारी हल्का
बवजह कार सरकार मौके पर हाजिर नहीं
मिला। इस ठामर की श्री रतनसिंह चपरासी
द्वारा मुश्तरी व मुनादी वा आवाज बुलन्द में
पर कथ दी गयी। २००० प्रतिलिपी माहित
तहसीलदार वरगे ठामल दरमद लागजात-मा
पटवारी माल मेज दी जायगी। कार्यवाही
पूर्ण हो चुकी है।

[Signature] 16/6/93
(वी. के. सिंह)
MT/LA.

[Signature] 16/6/93
(जानचन्द)
कानूनी LA.

[Signature] 16/6/93
(छोटेलाल)
पटवारी LA.

[Signature] 16/6/93
(निलचनसिंह)
MT/LRB.

[Signature] 16/6/93
(श्रीनिवास)
कानूनी D.D.A.

[Signature] 16/6/93
(सतीशकुमार)
पटवारी D.D.A.

TO BE PUBLISHED IN PART IV OF DELHI EXTRA ORDINARY GAZETTE)

DELHI ADMINISTRATION : DELHI (LAND AND BUILDING DEPARTMENT)

N O T I F I C A T I O N

Dated 28 June 1990

No.F.10(2)/90-L&B/LA/(1): Whereas it appears to the Lt. Governor, Delhi that the land is likely to be required to be taken by the Govt. at the public Expense for a public purpose, namely, for 'Planned Development of Delhi', it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lt. Governor, Delhi is pleased to authorise the Officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

The Lt. Governor, Delhi being of the opinion that the provisions of sub-section(1) of section 17 of the said Act are applicable to this land, is further pleased under sub-section 4 of the said section to direct that the provisions of 5-A shall not apply.

S P E C I F I C A T I O N

S.No.	Name of village	Total Area (Bigha-Biswa)	Rect.No.	Kh.Nos.	Area (Bigha-Biswa)
1.	2.	3.	4.	5.	6.
1.	Nawada	5-18		868 min.	0-14
				869 min.	5-01
				873 min.	0-03
				13/9 min.	0-12
				12 min.	1-09
2.	Matiala	2-01			

By Order,

(MRS. GENTA SAGAR)
JOINT SECRETARY (LAND & BUILDING)
DELHI ADMINISTRATION : DELHI

nd

No.F.10(2)/90-L&B/LA/(1)/

15808-33

Dated: 28/6/1990

Copy forwarded to the:

1. Secretary to the G.O.I., Ministry of Urban Development
Nirman Bhawan, New Delhi.
2. Vice-Chairman, DDA, Vikas Sadan, I.N.A. Colony, N. Delhi
3. Commissioner(Lands), DDA, Vikas Sadan, INA Colony,
N. Delhi.
4. Dy. Director(NL), DDA, Vikas Sadan, I.N.A. Colony, New Delhi
5. Additional District Magistrate(LA), Tis Hazari, Delhi.
6. Land Acquisition Collector (ME), (PN), (DS), (N), (MW), (PS),
Tis Hazari, Delhi.
7. Legal Advisor (L&B), Tis Hazari, Delhi.
8. Tehsildar(L&B), Vikas Bhawan, New Delhi. (In duplicate)
9. Tehsildar(Notification), Tis Hazari Courts, Delhi.
10. Tehsildar(Delhi), Tis Hazari, Delhi.
11. Tehsildar(Mehrauli), Mehrauli, New Delhi.
12. Central Record Cell (L&B), Vikas Bhawan, New Delhi.
13. Sub-Registrar, Shahdara, Kashmere Gate I /II, Asaf Ali Road
New Delhi.
14. Revenue Assistant, D.C. office, New Delhi.
15. Writ Cell (L&B), Vikas Bhawan, New Delhi.
16. Commissioner M.C.D. Town Hall, Delhi.

(MRS. GEETA SAGAR)
JOINT SECRETARY (LAND & BLDG)
DELHI ADMINISTRATION:DELHI

DELHI ADMINISTRATION: DELHI (LAND AND BUILDING DEPARTMENT)

NOTIFICATION

Dated: 14/11/1990

No.10(2)/90-L&B/(2): Whereas the Lt. Governor, Delhi is satisfied that the land is required to be taken by Govt. at the public expenses for a public purpose, namely the "Planned Development Of Delhi" (Viz. for express way in Papan Kalan (DWARKA) Project). It is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern under the provisions of section 7 of the said Act, the collector of Delhi is hereby directed to take orders for the Acquisition of the said land.

A plan of the land may be inspected at the office of the Collector of Delhi.

SPECIFICATION

Sr. No.	Name of Village	Total Area (Bigha-Biswa)	Rect. No.	Kh. Nos.	Area (Bigha-Biswa)
1.	Nawada	5-18		868 min 869 min 873 min	0-14 5-01 0-03
2.	Matiala	2-01		13/9 min 12 min	0-12 1-09

By order,

(Geeta Sagar)
JOINT SECRETARY(L&B)
DELHI ADMINISTRATION:
DELHI

*S. K. Sankar
K. J. S.
M. A.
19/11/90*

(2)

No.F.10(2)/90-L&B/LA/(3)/25742-67

Dated:14/11/1990

Copy forwarded to the:

1. Secretary to the GOI, Ministry of Urban Development, Nirman Bhawan, New Delhi.
2. Vice-Chairman, DDA, Vikas Sadan, INA Colony, New Delhi.
3. Commissioner(Lands), DDA, Vikas Sadan, INA Colony, New Delhi
4. Dy. Director(NL), DDA, Vikas Sadan, New Delhi.
5. Additional District Magistrate(LA), Tis Hazari, Delhi.
6. Land Acquisition Collector (ME), (PN), (DS), (N), (MW), (PS), Tis Hazari, Delhi.
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12. Central Record Cell (L&B), Vikas Bhawan, New Delhi.
13. Sub-Registrar, Shahdara, Kashmere Gate I/II, Asaf Ali Road, New Delhi.
14. Revenue Assistant, D.C. Office, New Delhi.
15. Writ Cell (L&B), Vikas Bhawan, New Delhi.
16. Commissioner, M.C.D., Town Hall, Delhi.

(Geeta Sagar)
JOINT SECRETARY(LAND & BLDG)
DELHI ADMINISTRATION:DELHI

PN

DELHI ADMINISTRATION: DELHI (LAND AND BUILDING DEPTT.)

NOTIFICATION

Dated: 14/11/1990

No.F.10(2)/90-L&B(3): In exercise of the powers conferred by sub-section (1) of the section 17 of the Land Acquisition Act, the Lt. Governor, Delhi is pleased to direct the Land Acquisition Collector, Delhi to take possession of land, the specification of which is given in his notification No. F.10(2)/90-L&B(1) and (2) dated 28/6/1990 and 14/11/1990 on the expiration of 15 days from the publication of the notification under sub-section (1) of section 96 of the said Act.

By order,

(Geeta Sagar)
JOINT SECRETARY (LAND & BLDG)
DELHI ADMINISTRATION: DELHI

In file with
1990
17/11/90