

A W A R D No.

8/86-87

NAME OF THE VILLAGE : NEELWAL
 NATURE OF ACQUISITION : PERMANENT
 PURPOSE OF ACQUISITION : DEFENCE PROJECT.

These are the proceedings under section 11 of the Land Acquisition Act, 1894 for determination of compensation of land measuring 02 biswas, 03 biswas and 04 biswas in Kh.No. 23, 31 & 2, respectively of village Neelwal. The area under acquisition was notified u/s 4 and 6 of the Land Acquisition Act, 1894 vide notification No.F.7 (29)/80-L&B(2) dated 31.10.80 and notification No.F.7(29)/80-L&B dated 22.6.81.

In pursuance of the aforesaid notifications, notices u/s 9 & 10 of the L.A. Act, 1894 were served upon all the interested persons thereby inviting their claims. The claims filed by them are discussed hereafter under the separate heading 'Compensation & Claims'.

TRUE & CORRECT AREA

The area covered by the aforesaid notifications was measured on the spot by the Land Acquisition staff and the same was found correct as per the following details:-

Rect.No.	Kh.No.	Area	Kind of land.
15	23	0-02	Gair Mumkin well
16	31	0-03	-do-
27	23	0-04	-do-

One well each in Kh.No.15/23, 16/31 and 27/23 existed in the area under acquisition.

CLAIMS & COMPENSATION

1. Sh. Same Ram s/o
 Indraj r/o Village
 Neelwal.

Rect.No.15
 Kh.No.23

Claimed compensation for well as Rs.30000/- plus 15% solatium and separate compensation for land measuring 02 biswas.

2. Sarvahi Ram Kishan
 Surjan, Kanhya Lal,
 Mukhtiar Singh, Chand
 Ram, Dharam Dal, Roshan
 Lal & Jee Ram all r/o
 Village Neelwal.

Rect.No.27
 Kh.No.23

Claimed compensation for well as Rs.30000/- plus interest under the law and 15% solatium besides irreparable loss of the land which had become unirrigated due to acquisition of the well. Claim for the land measuring 03 biswas was demanded separately.

Shri Jai Kishan
s/o Sh. Chhotu
r/o village Neelwal
(Sh. Chhotu is real
Bhoomidar of the land)

Rect.No.27
Kh.No.28.

Claimed compensation for well
at Rs.30000/- plus interest
under the law and 15% solatium
besides claim for land
measuring 04 biswas and
~~irreparable loss~~ irreparable loss
of the land which had
become unirrigated due to
acquisition of this well was
demanded separately.

DOCUMENTARY EVIDENCE

Nobody has filed any documentary evidence in support
of their claims which are exorbitant and therefore, cannot be
accepted in full.

MARKET VALUE

Market value of the land and the wells under acquisition
is to be assessed as on 31.10.1980 i.e. the date of notification
/s 4 of the land under acquisition Act. With a view to assess the
market value, mutation register of this village was checked but no
such sale deed of land covering the sale of well was found executed
in this village prior to 31.10.1980. An award No.12/82-83 of
village Neelwal has already been announced and the date of notifi-
cation in this award and the present award is the same i.e. 31.10.80
and a sum of Rs.2500/- per bigha has been assessed in this award.
I, therefore, assess the market value of the land @ Rs.2500/- per
bigha in this case also. In the instant case, the three wells
have lost their utility due to the acquisition of the surrounding
land acquired vide award No.12/82-83 discussed above and
possession of which was given to the Defence Ministry on 5.12.80.
As such I determine the value of each well at Rs.13000/- and the
total amount works out to Rs.39000/- for the three wells.

SOLATIUM

30% solatium is payable over and above the market value
of the land as determined above.

....3..... ✓

INTEREST

No interest is payable since the possession of the wells including area under acquisition will be handed over to the Defence after the announcement of the award. Moreover, the wells had lost their utility due to the acquisition of the surrounding land vide award No 12/82-83 discussed above, the possession of which was given to the defence on 5.12.80.

ADDITIONAL AMOUNT

Additional amount u/s 23(1-A) @ 12% from the date of notification u/s 4 till the announcement of the award is awarded on the market value.

APPORTIONMENT

Compensation will be paid on the basis of latest entries in the revenue record. In case of any dispute which cannot be settled amicably, it will be referred to the court of Additional District Judge, Delhi u/s 30-31 of the Land Acquisition Act, 1894 for adjudication.

LAND REVENUE

Being Gair mumkin wells, no land revenue is assessed on these khasra numbers.

SUMMARY

Compensation of the land measuring 02 biswas 03 bis was and 04 biswas @ Rs.2500/- per bigha.	Rs. 1125.00
Compensation for three wells @ Rs.1300/- per well.	Rs.3900.00
	<hr/> Rs.5025.00
Solatium @ 30%	Rs.1507.50
	<hr/> Rs.6532.50
Additional amount @ 12% from 31.10.80 to 31.5.86 (5 years 212 days)	Rs.3365.23
	<hr/> Rs.9897.73

(Rupees Nine Thousand Eight Hundred Ninety Seven and Paise Seventy Three only).

Section 11 of the Principal Act has been amended by section 8 of the Land Acquisition (Amendment) Act, 1984. According to this section, no award shall be made by the Collector without the prior approval of the appropriate Govt. or of such officer as the Govt. may authorise in that behalf. Deputy Commissioner, Delhi in his capacity as Secretary (Revenue), Delhi Administration, Delhi has been authorised to approve the awards made by the Collector. In case Secretary (Revenue) agrees with the above market value, he may kindly approve the award.

b. j. yadav
(R.S. YADAV)
LAND ACQUISITION COLLECTOR (PN)
DELHI

Secretary (Revenue)

*Announced in open Court.
Present sh. Same Ram s/o N. D. Ray
N. D. Ray s/o 12 (2) may be issued.
b. j. yadav
18/6/86.*

(TO BE PUBLISHED IN PART IV OF DELHI EXTRAORDINARY GAZETTE)

DELHI ADMINISTRATION : DELHI

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

Dated the 22nd June, 1981.

No. F.7(29)/80-I&B :- Whereas the Lt. Governor, Delhi is satisfied that the land is required to be taken by Government at the Public expense for a public purpose, namely, for Defence Project, it is hereby declared that the land described in the schedule 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 and under provisions of section 7 of the said Act, the Collector of Delhi is hereby directed to take order for the acquisition of the said land.

This declaration is made with reference to this Administration Notification No. F.7(29)/80-I&B(4) dated 31.10.80 issued under sub-section (1) of section 4 of the aforesaid Act and published in Part IV of Delhi Extraordinary Gazette dated 31.10.1980.

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

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

S.No.	Name of village	Total Area		Field Nos. or Boundaries.		
		Big.-	Bis.	Rect No.	Khasra No.	Area Big.- Bis.
1.	Jafarpur alias Hiran Kudna	9-12			291 292	4-16 4-16
2.	Noelwal	0-09		15 16 27	28 31 28	0-02 0-03 0-04

By Order,

(BANSI DHAR)
JOINT SECRETARY (LAND & BUILDING)
DELHI ADMINISTRATION : DELHI.

Pl. Contd.....p.2/-

No. F.7(29)/80-L&B/ *2115* Dated the 22nd. June, 1980

Copy forwarded to :-

1. The Deputy Secretary (P.R.), Delhi Administration, Room No. 62-C, Old Secretariat, Delhi (in duplicate for favour of publication in part IV of Delhi Extraordinary Gazette.
2. The Additional District Magistrate(LA), Tis Hazari Courts, Delhi.
- ✓ 3. The Officer Incharge (LA), Tis Hazari Courts, Delhi.
4. The Land Acquisition Collector (P), Tis Hazari Courts, Delhi.
5. The Military Estate Officer, Delhi Circle, Delhi Cantt, Delhi.
6. The Director General, D.L. & C., (Acq. Section), Ministry of Defence, R.K.Puram, New Delhi.
7. The Director General, D.L. & C., Ministry of Defence, Western Command, Simla - 3.
8. The Tehsildar (Notifications), Tis Hazari Courts, Delhi.
9. The Tehsildar (L&B), Vikas Bhawan, New Delhi.
10. The Sub-Registrar, I & II, Delhi.
11. The Sub-Registrar, Shahdara.
12. The Sub-Registrar, New Delhi.
13. The Under Secretary (Allot.), Vikas Bhawan, New Delhi.
14. P.A. to Joint Secretary (L&B), Vikas Bhawan, New Delhi.

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M.M.S./9681.

[Signature]
(BANSI DHAR)
JOINT SECRETARY (LAND & BUILDING)
DELHI ADMINISTRATION : DELHI