

AWARD NO. 29/83-84

191

NAME OF VILLAGE : WAZIRABAD
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION: PLANNED DEVELOPMENT OF DELHI.

These are proceedings for the determination of compensation under section 11 of the Land Acquisition Act, 1894 regarding the acquisition of land in village Wazirabad for a public purpose namely for the Planned Development of Delhi. The land measuring 72 bighas 14 biswas situated in village Wazirabad was notified u/s 4 of the L.A. Act vide notification No.F.11(29)/80-L&S/ LA(P)(1) dated 18.11.1980. As this land was urgently required for the Planned Development of Delhi, provisions of sub-section(1) of section 17 of the Act were also made applicable to this land and the interested persons were not given any opportunity to file their ~~objections~~ objections u/s 5-A of the said Act. This followed by a declaration u/s 6 vide notification No.F.11(29)/80-L&S/LA(P)(2) dated 18.11.80-

In pursuance of the above notifications issued under the L.A. Act, notices u/s 9 & 10 of the said Act were issued to all the persons interested in the land. In response to these notices, the claims of the persons interested/claimants were received which are discussed hereafter under the heading 'Claims'.

Measurement

The land as given in the declaration u/s 6 was measured at the spot and the area was found to tally with the area given in the notification. The details of the

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land are as under:-

Kh.No.	Area	Kind of land
22/2	2-07	Parti Jadid
23/2	2-10	-do-
75/3	2-14	-do-
76/3	1-18	Banjar Qadim
77/3	3-01	Parti Jadid
78/3	10-17	-do-
79/3	8-08	-do-
80/3	9-03	-do-
81/3	16-05	-do-
82/2	2-16	-do-
33/2	10-14	Abpesh
86	2-01	Parti Jadid

Moreover the owners have also not raised any objection regarding the measurement of the land. Thus, an area of 72 bighas 14 biswas is being acquired through these proceedings.

CLASSIFICATION OF THE LAND UNDER ACQUISITION IS AS UNDER

Kind of land	Area Big.Bis.
Parti Jadid	80-02
Abpesh	10-14
Banjar Qadim	1-18
	72-14

CLAIMS

The following persons have filed their claims in pursuance of notices issued to them u/s 9 & 10 of the LA Act

S.No.	Name of the claimant	Kh.No.	Claim	Remarks
1.	Sh.Kiran Singh s/o Sh.Chuni	75/3, 79/3, 33/2	Claimed compensation @ Rs. 200/- per sq.yd. for evidence Kh.No. 33/2 + @ Rs. 175/- per sq.yd. for rest land. with 15% solatium & interest etc. He has also filed another claim @ Rs. 100/- per sq.yd.	

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|--|---|--------------|
| 2. Shiv Nath s/o Tara Chand and Kiren s/o Chuni | As at S.No.1 | No evidence. |
| 3. Sh. Balwant Singh, Anoop Singh Ss/o Jhandoo | Claimed compensation @ Rs.175/- per sq.yd. + solatium and interest etc. | -do- |
| 4. Jaon Sabha, Wazirabad 22/2 23/2 | Claimed compensation @ Rs.200/- per sq.yd. + solatium & interest etc. | -do- |
| 5. Sh. Chander Bhan s/o Sh. Shagwan Bahal | Claimed compensation @ Rs.170/- per sq.yd. plus 15% solatium. | -do- |
| 6. Ravi Dutt, Manak Dutt, Om Dutt, Maninder Singh | Claimed compensation @ Rs.200/- per sq.yd. for Kh.No.38/2, @ Rs.175/- per sq.yd. for other land + 15% solatium and other allowances @ Rs.5000/- for well in Kh.No.73. | -do- |
| 7. Swami Prakash Nand Ji Mandir Mandir Sh. Vaji Wazirabad | 76/3 Compensation @ Rs.70/- per sq.yd. 15% solatium & interest @ 12% | -do- |
| 8. Jagwati, Jaiwati Ram Piri, Bhagwati Ss/o Nand Ram through 2 Sh. Nand Ram S.A. | 86 ----- 2 ----- 2 Claimed compensation @ Rs.200/- per sq.yd. & solatium & interest. | -do- |
| 9. Jai Wati, Ram Piri Bhagwati Ss/o Nand Ram & Nand Ram s/o Nihal | 77/3 81/3 | -do- |

MARKET VALUE

The market value of the land is to be assessed keeping in view the situation, advantages and potentialities attached to the land on the date of notification u/s 4. The land use also plays an important role in deciding the market value of the land.

The interested persons have claimed compensation ranging from Rs.70/- to Rs.200/- per sq.yd. but have not produced any documentary evidence in support of their contention. The claims appear to be on the very high side and as such no reliance can be placed thereon in the absence of any documentary evidence. No sale deed is reported to have taken place in the vicinity of the date of notification u/s 4 as per revenue record and as such, the awards drawn in this village from time to time will have to be considered. The following awards were

announced in this village:-

S.No.	Award No.	Date of notification u/s 4	Rate
1.	1371	17.2.62	Rs.600/-
2.	1425	-do-	Rs.1000/-
3.	1793	21.1.65	Rs.600/-
4.	1807	-do-	Rs.1200/-
5.	1812	22.4.65	Rs.1150/- Rs.650/-
6.	45/79-80	15.2.79	Rs.4800/-
7.	135/80-81	1.11.78	Rs.4600/-

A perusal of the above statement shows that award No. 45/79-80 is the latest award so far as the material date of notification u/s 4 is concerned. In this case the date of notification u/s 4 was 15.2.79 and a sum of Rs.4800/- per bigha was determined. The date of notification u/s 4 in the present case is 1.11.80. There is difference of about 1 year 9 months between the date of notification^{u/s 4} of award No.45/79-80 and in the present case. There has been fluctuation in the prices of the land during this period. The land under acquisition is situated near Gopalpur Village. Keeping in view the situation of the land and the fluctuation in the price of land during the period of ~~about~~ 1 year 9 month after the ^{initial} date of above award, it would be fair and reasonable if the price of the land in the present case is assessed at Rs.6400/- per bigha and I award the same accordingly.

THINGS ON THE LAND UNDER ACQUISITION

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

POSSESSION & INTEREST

The possession of the land under acquisition has been taken over on 17.5.82. So the interest is to be paid to the interested persons ^{from that date}.

CONCLUSION

As provided under sub-section 2 of section 23 of the

land will be paid to the interested persons

compulsory nature of acquisition.

APPORTIONMENT

Payment will be made to the interested persons according to the latest entries in the revenue record and in case of dispute arising out of the apportionment of the compensation, the matter will be referred to the court of additional District Judge for adjudication u/s 30-31 of the Land Acquisition Act.

LAND REVENUE

Land revenue for the land under acquisition is assessed at Rs. 20.30 which will be deducted from the Khatauni w.e.f. the date of taking over possession.

DETAILS OF THE AMOUNT

Compensation for the land measuring 72 bighas 14 biswas @ Rs. 8400/- per bigha. Rs. 4,68,280.00

15% solatium Rs. 63,792.00

TOTAL Rs. 5,38,072.00

Interest @ 6% per annum from 17.5.82 to 5.7.83 (1 year 50 days) Rs. 26,502.17

GRAND TOTAL Rs. 5,71,574.17

(Rupees Five Lacs Seventy One thousand Five Hundred Seventy Four and paise Seventeen only)

(D.B. KUBBA)
LAND ACQUISITION COLLECTOR (A)
DELHI.

8/8/83

महोदय (सि) के ल. अ. से
म. व. के लिए पैसे की राशि
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