

No. 48/1971-72

A W A R D

Name of the village: W A Z I R A B A D

Nature of acquisition: Permanent.

Purpose of acquisition: Marginal Embankment between Wazirabad Barrage & Bawana Escape.

A W A R D

These are proceedings for the determination of compensation U/s 11 of the Land Acquisition Act. The land under acquisition measuring 1 bighas 18 biswas situated in village Wazirabad was notified U/s 4 of the L.A. Act and under section 6 & 17 of the L.A. Act vide notification No.F.7(7)/70-L&H(ii) (iii) & (iv) dated 23.11.1970 for a public purpose namely for Marginal Embankment between Wazirabad Barrage and Bawana Escape. Notices U/s 9 & 10 of the Land Acquisition Act were issued to all the persons interested and claims filed by them are discussed hereafter under the heading "COMPENSATION CLAIMS".

TRUE AND CORRECT AREA:

The land was measured on the spot by the Land Acquisition Field Staff and the area available at the spot is as under:-

Field No.	Area Big.Bis.	Kind of soil.
86/2/1	1 - 18	Gair Apash.

COMPENSATION CLAIMS:

The following persons have filed claims for compensation:-

1. Balwant Singh & Anup Singh ss/o Jhandu: Have claimed compensation @ Rs.5000/-per bigha.

An application was filed by Smt. Jagwanti etc. stating that they are entitled to receive compensation for Kh.No. 86/1 area 1 big.18 biswas.

DOCUMENTARY EVIDENCE: No documentary evidence was been filed by the claimants in support of their claim.

Contd...2/-

MARKET VALUE:

The market value of the land under acquisition has to be determined as on the material date with reference to bonafide sale transactions of land possessing similar advantages and potentiality. The claimants have not adduced any evidence in support of their claim. According to the record of rights, the following sale transactions took place in the village nearest to the material date.

S.N.	Mutation No.	Date of sale.	Kh.No.	Area Big.Bis.	Amount	Average per bigha.
1.	176	27.1.67	246/19 etc.	6 - 14	Rs.3000/-	Rs.447.60
2.	177	7.1.67	18	10 - 01	Rs.5000/-	Rs.497.50

These two sale transactions though executed in 1967 have must relevancy in the determination of the market value since the land covered in these two transactions is quite adjacent to the land under acquisition and possessing similar advantages. In award No.51/70-71 of village Wazirabad, the material date of which was March 11, 1970 some land just close to the land under acquisition was acquired. The Land Acquisition Collector after taking into consideration the above two sale deeds and the time gap between the preliminary notification and the execution of sale deed, fixed the market value of the land under acquisition @ Rs.500/-per bigha. This price was fixed with reference to the material date in award No.51/70-71 i.e. March 11, 1970. In the instant case, the notification U/s 4 of the L.A.Act was issued on November 23, 1970 making a gap of about 8 months. To cover this time gap in view of the rise in prices I fix the market value of the land under acquisition @ Rs.525/-per bigha.

15% SOLATIUM:

15% solatium is payable over and above the market value so assessed.

INTEREST: Possession of the land under section 17 was taken on 7.4.71 and interest is payable from this date till the date of tender of payment.

LAND REVENUE DEDUCTION:

The land under acquisition is assessed at Rs.00.69P which will be deducted from the Khatoni of the village w.e.f. the date of taking over possession.

The land will vest absolutely in the Govt. free from all encumbrances.

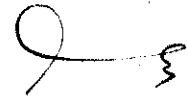
APPORTIONMENT:

The compensation money has been disputed by Smt. Jagwanti etc. and as such it will be kept under dispute. If no amicable settlement is made between the parties within a reasonable time, the amount should be remitted to the court of the A.D.J. U/s 30-31 of the L.A.Act.

SUMMARY OF THE AWARD:

The award is summarised as under:-

S.N.	Area Big.Bis.	Rate per bigha.	Amount of compensation.
1.	1 - 18	Rs.525/-	Rs.997.50
2.	15% solatium.		Rs.149.62
		Total	Rs.1147.12
3.	Interest from 7.4.71 to 12.11.71 (220 days).		41.49
		G.Total	Rs.1188.61



(G. BAHADUR)

LAND ACQUISITION COLLECTOR(MT):DE

Annexure-II

Statement of fixation of pay under Central Civil Service (Revised Pay) Rules, 2008

1.	Name of the Government Servant	Smt. Renu Sharma
2.	Designation of the post in which pay is to be fixed as on January 1, 2006	Steno-Gr.II
3.	Status (substantive/officiating)	Officiating
4.	Pre-revised scale(s) of pay applicable for the post (in case more than one scale of pay is applicable for the post and these have been merged in pursuance of the recommendation of the Sixth CPC in a single revised scale, the scale of pay in which the employee was actually drawing his pay should be specified)	Rs. 6500-200-10500/-
5.	Existing emoluments as on January 1, 2006	
	(a) Basic pay (including stagnation increments, if any)	Rs. 7100/-
	(b) Dearness Pay	
	(c) Dearness Allowance applicable at AICPI Average 535 (1982 = 100) (2.7%)	Rs. 3550/-
	(d) Total existing emoluments [(a) to (c)]	Rs. 2556/-
		Rs. 13206/-
6.	Revised pay band and grade pay corresponding to the pre-revised scale shown at Sl. No. 4 above. (In the case of HAG+ and above the appropriate scale may be mentioned)	Rs. 9300-34800/- + 4200/-
7.	Pay in the revised pay band/scale in which pay is to be fixed as per the format table attached at Annex-I.	Rs. 13210 + 4200/-
8.	Grade pay to be applied in terms of Rule 4 of CCS (RP) Rules, 2008.	Rs. 4200/-
9.	Stopped up pay with reference to the revised pay of junior, if applicable [Notes 7 and 10 below Rule 7(1) of CCS (RP) Rules, 2008]. Name and pay of the junior also to be indicated distinctly.	