

25/

D E F E R D

NO.

49/1971-72

Name of the village:

WAZIRA BAD

Nature of acquisition:

Temporary.

Purpose of acquisition:

Marginal Embankment between Wazirabad Barrage and Bawana Escape on the right bank of Jamuna.

A W A R D

These are proceedings for the temporary acquisition of land measuring 129 bigha 6 biswas situated in village Wazirabad for a public purpose namely for the Construction of Marginal Embankment between Wazirabad Barrage and Bawana Escape on the right bank of Jamuna as notification vide notification No. F.7(7)/70-L&H (I) dated 23.11.1970 issued U/d 35(I) of the Land Acquisition Act, 1894 for a period of one year from the commencement of such occupation. Notices as required were issued to all the interested persons in the land to file their claims which 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 follows:-

Field No.	Area Big. Bis.	Kind of soil.
25/2	1 - 03	G. Apash.
26/2	4 - 13	-Do-
27	9 - 14	G. Apash 5 - 00 Apash 4 - 14
28 min	4 - 00	G. Apash.
29	6 - 01	G. M. Jhuggee.
30/1/2	2 - 05	"
30/2	3 - 00	Apash.
31min	2 - 16	G. Apash.
32min	3 - 06	"
33/2	10 - 14	"
34/2/2	2 - 12	"

Contd....2.

-2-

35/2/2 min	4 - 03
36/2/2 min	3 - 08
31 min	15 - 01
86/2/2,3	32 - 14
334/36/1/2 min	1 - 00

Banjar Qadim	3 - 11
Bund.	0 - 06

G.M. Bund.

G. Apash.

G. Apash.

G. Apash.

. Total 111 - 15
OF

CLASSIFICATION/THE AREA

1. Apash.	12 big. 14 bis.
2. G. Apash	23 big. 04 bis.
3. G. M. Bund.	3 big. 14 bis.
4. B. Qadim	8 big. 06 bis.
5. G.M. Jugee	3 big. 17 bis.

Total: 111 big. 15 bis.

The difference of 17 bighas 11 biswas of land between the area notified and the area available for acquisition is due to change of alignment by the deptt.

COMPENSATION CLAIMS.

The following persons have filed claims for compensation:-

<u>S.No.</u>	<u>Name of the claimant.</u>	<u>Compensation claimed.</u>
1.	Smt. Jagwati & 3 others.	Have claimed compensation @ Rs.1000/- per bigha.
2.	Shiv Nath	-do-
3.	Om Dutt.	-do-
4.	Rattan Singh	-do-
5.	Balwant Singh & Anup Singh	-do-
6.	Chander Bhan.	-do-
7.	Lekh Ram and 19 others	Have claimed Rs.15000/- for levelling the land.
8.	Karan Singh s/o Chuni Lal	Has claimed @ Rs.1000/- per big. for the removal of earth and Rs.50/- per bigha for crops.
9.	Balwant Singh & Anup Singh	Have claimed @ Rs.1000/- per big. for the removal of the earth.
10.	Smt. Attar Kali Wd/o Ram Dass.	-do-
11.	Smt. Khazani Wd/o Hukam Singh	-do-

Contd.....3.

DOCUMENTARY EVIDENCE:

No documentary evidence has been filed by the claimants in support of their claims.

MARKET VALUE:

The land through this award is temporarily acquired for a period of one year under section 35(1) of the Land Acquisition Act for the Construction of Marginal Embankment between Wazirabad Barrage and Bawana Escape on the Right Bank of Jamuna.

This village falls within the purview of the Delhi Land Reforms Act under which sub-letting is not enjoined. Section 35 of the Delhi Land Reforms Act lays that part from disabled persons no Bhumidhar or Asami shall let for any period whatsoever any land comprised in his holding. That being so, it is not possible to get any mutation by way of lease hold rights executed for the temporary acquisition of land. Local enquiries reveal that no subletting has been made in the village.

The claimants have not adduced any evidence which could have been helpful in fixing the annual rent in respect of land under acquisition.

In award No.51/70-71, the material date of which was March, 11, 1970, some land quite adjacent to the land being temporarily acquired, was taken under permanent acquisition. The Land Acquisition Collector after taking into account the relevant sale deeds fixed the market value of the land under acquisition @ Rs.500/-per bigha. This award of the Land Acquisition Collector is a good guide in the fixation of the annual rental which is proposed to be paid as compensation. In the instant case the notification U/s 35 was issued on November 23, 1970 making a gap of about 3 months. To cover this time gap in view of the rise in prices, it is deemed that a rate of Rs.525/-per bigha would have been quite fair and reasonable ^{been} had the land ~~being~~ permanently acquired. In the absence of

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any positive evidence regarding the annual rental, there is no other method except to pay 6% on the market value of the land as assessed at Rs.525/- per bigha. Calculated at this rate the annual rental of this land is fixed at Rs.31.50 per bigha.

APPORTIONMENT:

Payment of compensation will be made to the persons interested according to the latest entries in the revenue record

SUMMARY OF THE AWARD:

S. No.	Area Big. Bis.	Rate per big.	Amount of compensa
1.	111 - 15	Rs.31.50P	Rs.3,520.12P

(G. BAHADUR)
LAND ACQUISITION COLLECTOR (ME)
DELHI.