

SUPPLEMENTARY AWARD NO. 27A/71-72

Name of the Village.

Gazipur.

Nature of Acquisition.

Permanent.

Purpose of Acquisition.

Planned Development of Delhi.

INTRODUCTION.

This is supplementary award for acquisition of 227 bighas 2 biswas of land in village Gazipur which was notified u/s 4 of the Land Acquisition Act vide notification No.F.15(iii)/59-LSG dated 13-11-59 and u/s 6 vide notification No.F.4(19)/65-L&H dated 20-6-1966 for 2886 bighas 9 biswas. Out of the area notified u/s 6 179 bighas 2 biswas were acquired vide award No. 27/70-71 announced on 29-3-70 and 227 bighas 2 biswas are now being acquired through this supplementary award. A declaration u/s 17 of the Land Acquisition Act was also issued in respect of this land measuring 209 bighas 5 biswas vide notification No.F.8(59)/70-L & B dated 9th November, 1970. A corrigendum in the area notified u/s 17 was issued vide notification No.F.8(59)/70- L & H dated 23-7-71 for 227 bighas 2 biswas. The remaining area under aforesaid notification u/s 6 will be acquired through another supplementary award on receipt of instructions from Delhi Administration. Notice u/s 9(1) was given due publicity and notices u/s 9(3) and 10(1) of the Land Acquisition Act were issued to the known interested persons, most of whom filed claims.

MEASUREMENT & OWNERSHIP.

In the notification No.F.8(59)/70- L & H dated 23.7.71 u/s 17 of the Land Acquisition Act, the area for the field numbers under present acquisition is mentioned as 227 bighas 2 biswas. According to the Khatauni of this village the area of field Nos. notified u/s 17 of the Land Acquisition Act comes to 227 bighas 18 biswas details of which are as under:.

<u>Khata No.</u>	<u>Area</u>	<u>Kind of land.</u>
650/283/2	4-00	Bhoor Awal
773/206 Min	3- 00 ¹¹	Rosli.
300	12-6	12-2 Chahi, 0-4 G.M.Makan.
651/283/2	4-00	Bhoor Awal.
653/288	6-09 6- 00 ⁰⁹	-do-
738/287	6-6	-do-

198	3-8	Rosli.
739/287	0-13	Bhoor Awal.
286/2	7-18	-do-
299/2	4-2	Chahi.
771/206/1 min	28-5	Rosli.
772/206	11-15	-do-
777/206 min	2-18	-do-
773/206 min	2-2	Rosli.
✓ 204	1-13	-do-
✓ 205	4-1	Rosli.
203	2-11	-do-
709/201	6-9	Bhoor Doyam
652/288	13-10	-do-
667-68/287/2	3-14	Rosli.
621/290/1	2-17	-do-
629/200	5-2	-do-
199	4-16	Chahi.
304	3-0	Rosli.
708/201	1-5	-do-
770/201	1-14	Bhoor Awal.
884/1	4-00	Chahi.
889/1	3-00	-do-
891	3-15	Bhoor Doyam.
892	2-11	Rosli.
891	3-5	Bhoor Doyam.
890/2	2-15	Chahi.
897/285	15-00	Rosli.
891/200	4-14	Bhoor Awal.
894/285	3-12	-do-
898/203	3-15	-do-
899/203	0-3	Rosli.
892/294 min	7-00	Banjar Qadin.
891/200/2 min	22-4	-do-
891/200	3-4	2-19 G.M. Plot, 0-5 G.M. Makan.
891/204 min		

	Rosli	: 3 : Bheer Awal	Bheer Doyam	Banjar Qadim.
	94-11	43-1	26-19	29-4
Plot	G.M. Makan.			
	0-9			

According to settlement record the area of Khasra Nos under acquisition comes 227 bighas and 2 biswas. The difference of 16 biswas in the area mentioned in the settlement record is due to tatimmas in Khasra No. 768/201, 669/201, 774/206, 736/285, 737/285, 738/287, 739/287. From verification made on the spot by the field staff the area under acquisition is found to be 227 bighas 2 biswas. The true and correct area of land under present acquisition is held at 227 bighas 2 biswas.

NAME.

Name of the claimant.	Amount claimed.
Mrs. Kamlesh Vig r/o Gurdwara Road Karol Bagh	Rs. 20/- per sq.yd.
Sh.Ganpati Lal Bhatia s/o L. Alam Chand Flat No.5 Punam, Palihill Road Khar, Bombay-5	Land @ Rs. 50 to Rs.100/-per sq.yd.
S/Sh.Shib Lal, Har Lal, Ram Chander ss/o Shamy Singh and Amar Singh s/o Kishan Lal through Shiv Lal.	-do-
Smt.Shanti Devi w/o H.L. Handa Manager Punjab National Bank Ltd., Kashmere Gate Delhi through Shri Satya Dev Kumar Advocate	Land @ Rs. 20/- per sq.yd.
Sh.Budhu s/o Gopal	Land @ Rs. 10000/- p.b.
Sh.Daya Ram s/o Kalle	-
Sh. Jhinga s/o Ratta Singh	-
Sh.Shiv Lal s/o Shamy Singh	-
Sh.Har Lal s/o Shamy Singh	Land @ Rs. 8000/- p.b.
Shiv Parshad, Ram Chand s/o Shah Mal and Udey Ram th. S.S. Shukla and R.K.Shukla Advocate.	Land @ Rs. 15000/- p.b.
Sh.Bhagmal Sharam and Mohinder Singh ss/o Sh. Lakhi Ram.	Land @ Rs. 20/- per sq.yd.
Sh. Jingga s/o Rattan Singh	-
Sh. Bheola s/o Gisa th. S.S.Shukla and R.K.Shukla.	Land @ Rs. 15000/- p.b.
S/Sh.Sohan Lal s/o Nanwan Meer Singh, Jag Ram, Kanshi Ram, Devi Ram ss/o Rattan Lal.	-do-
Sh. Mela Ram s/o W.P. Nagar	-

Sh. Kishan Beri s/o Ram Lal Beri
77/5624 Reghar Pura K. Bagh.

Sh. O.P. Nanda s/o Hari Chand

Sh. Pritam Kaur w/o Sewa Singh

Sh. Nand Lal s/o Ram Chand

Sh. Suresh Kumar Bhardwaj

Sh. Darahan Singh Bedi.

Sh. Hari Singh s/o Bikan

Sh. B.L. Anand

Sh. Sh. Amrik Singh Arora

Smt. Gabee w/o Badam Ram

Sh. Pokhar s/o Nain Singh

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Land @ Rs. 5/- per sq.yd.

Land @ Rs. 15000/-.

Land @ Rs. 25/- per sq.yd.

Land @ Rs. 15/- per sq.yd.

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Land @ Rs. 8000/- p.b.

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EVIDENCE.

The claimants have not ^{produced} any evidence in support of their claims.

MARKET VALUE.

The land under present acquisition is situated on the western boundary of village Gazipur to the north of land acquired under award No. 27/70-71. This land is not situated near any developed colony and has no potential value for building purpose. It is agricultural land and is not developed land. Out of the sale transaction which took place in 1959 one relates to Kh. No. 220 out of which 9 bighas 18 biswas of land was sold for Rs. 5000/- vide sale deed registered on 25.5.59. This yields an average of Rs. 505/- p.b. Part of land in this Khasra No. 220 was acquired vide award No. 27/70-71. Out of land sold in 1959, this is nearest to the land under present acquisition.

There have been 3 awards 1678, 1888 and 27/70-71 in this village for land which were notified u/s 4 of the Land Acquisition Act on 13.11.59 which is also the date of notification u/s 4 in respect of land under present acquisition. In Award No. 1678 the Land Acquisition Collector divided the land into two blocks A & B and fixed the market value for land in block A at Rs. 600/- per bigha and the land for block B at Rs. 450/- p.b. Two references u/s 18 of the Land Acquisition Act are reported to have been filed against Award No. 1678. One of them LA Case No. 582/65

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Gaon Sabha Gazipur Vs. Union of India was dismissed as withdrawn and the other LA Case No.254/67 Daya Ram and others Vs. Union of India has been decided on 3.4.70. The A.D.J. has maintained the market value of Rs. 600/- per bigha fixed by the L.A.C. for land in block A but enhanced the market value of land in block B from Rs. 450/- p.b. to Rs. 600/- p.b. on the ground that the land in block B was also of the same kind as the land in block A was not inferior in quality.

In Award No.1888 the Land Acquisition Collector fixed the market value of land in this village as on 13.11.59 at the rate of Rs. 700/- per bigha on the ground that the land involved in award No.1888 was superior to the land in Block A of Award No. 1678. No reference petition is reported to have been filed against this award. The land acquired vide this award is far away from land ^{present} under/acquisition.

Under award No. 27/70-71 the L.A.C. fixed the market value of land at the rate of Rs. 600/- p.b. as on 13.11.59. The land acquired under award No. 27/70-71 comprised all kind of land, Chahi, Rosli, dakar, banjar qadim et. There was Chahi and Rosli land under award No.1678 for which the Land Acquisition Collector fixed the market value at Rs. 600/- per bigha. As I have already mentioned above the average price of land sold out of Kh. No.220 part of which was acquired under award No. 27/70-71 comes to Rs. 505/- per bigha in May, 1959. But this sale deed was considered by Land Acquisition Collector in his award No. 1678 for arriving at the market value of land in block 'B'. Since A.D.J. Delhi has enhanced the market value of land in block 'B' in LA Case 254/67 as discussed above to Rs. 600/- P.B., the fixation of market value on the basis of this sale deed has been rejected by the A.D.J. Delhi. Following the decision of A.D.J. Delhi in LA Case No.254/67 and the rate awarded in original award No.27/70-71, I fix the market value of levelled land under present acquisition at the rate of Rs. 600/- p.b. as on 13.11.59.

The N.T. has reported that earth had been removed from the following Khasra Nos. 621/200(15-00), 621/200(22-04), 621/200/1(3-14), 621/200/2 min(1-00), 771/206 min(22-07), 772/206 min(9-00), 773/206 min(3-15), 774/206 min(1-18), total area 58 bighas 18 biswas before possession was handed over to C.P.W.D. on 23.1.71. The value of land in the above mentioned Khasra Nos having pits is depreciated. I think fair and reasonable to fix market value of land measuring 58 bighas 18 biswas in the aforesaid Khasra Nos having pits at the rate of Rs. 400/- per bigha.

The remaining levelled land measuring 168 bighas 4 biswas is awarded a rate of Rs. 600/- per bigha as discussed above.

INTER COMPENSATION.

There is no structure, well or tree over the land under present acquisition.

Damages u/s 23(1) Secondly.

Crops were standing on 103 bighas 12 biswas at the time of taking over possession on 23.1.71. But no earth was lifted from the land in Khasra Nos. having crops as intimated by the Executive Engineer DAD X C.P.W.D. New Delhi vide his letter No. 23(80)/DAD X/71/638-39 dated 29.6.71 and no damage was caused to the standing crops. The interested persons of this land are therefore, not entitled to any damages u/s 23(1) Secondly.

INTEREST.

According to the provisions of Land Acquisition (Amendment and Validation) Act, 1967, simple interest @ Rs. 6% per annum is allowed on the market value of the land from the date of expiry of 3 years after the date of publication of notification u/s 4 of the Land Acquisition Act. Interest ~~at~~ in this case is therefore allowed from 13.11.62 to 15.8.71 as the award is likely to be announced on 16.3.71. As the period of possession is covered in the period for which interest u/s 4(3) is awarded, no interest is payable separately for the period 23.1.71 to 15.8.71.

SOLATIUUM:

15% of the market value of land under acquisition shall be paid on account of compulsory acquisition as provided in Section 23(2) of the Land Acquisition Act, 1894.

APPORTIONMENT.

The compensation will be paid on the basis of latest entries in the revenue record and in case of dispute it will be sent to A.D.J. Delhi for adjudication.

p.t.o.

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'SUMMARY OF THE AWARD'

1. Market value of land measuring 168 bighas 4 biswas @ Rs. 600/- P.B.	Rs. 1,00,920-00
2. Market value of land measuring 58 bighas 18 biswas @ Rs. 400/- P.B.	Rs. 23,560-00
3. 15% solatium for compulsory acquisition.	Rs. 18,672-00
4. Interest @ 6% p.a. on market value from 13.11.62 to 13.9.71 (8 years 310 days).	Rs. 66,093-76
GRAND TOTAL	Rs. 2,09,245-76

LAND REVENUE.

The land is assessed to land revenue of Rs. 54.49 paise which will be deducted from the rent roll of the village from the date of taking over possession i.e. 23.1.71.

B. M. L. Gaumat
(B.M.L. GAUMAT) 23.9.71
LAND ACQUISITION COLLECTOR(DS):DELHI.

Announced & filed today.

B. M. L. Gaumat
20.9.71
Ld. Delhi.