A W A R D N O. 25/70-71

Name of the Village — Gazipur.

Nature of Acquisition — Permanent.

Purpose of Acquisition — Planned Development of Delhi.

INTRODUCTION.

The land in the revenue estate of Gazipur is required by the Government at the public expense for the public purpose namely for the Planned Development of Delhi and declaration u/s 4 of the Land Acquisition Act regarding 34070 acres of land situated in various villages was made vide notification No. F. 15(111)/59- LSG dated 13-11-59. The substance of the notification was given due publicity and objections were invited from the interested persons. The objectors were heard and a report was made on the objections ~~xx~~ received by the Land Acquisition Collector (III) to the Delhi Administration. Areas which were immediately required are being finally acquired by making notifications under section 6 of the Land Acquisition Act from time to time out of the area notified under section 4. A declaration u/s 6 of the Land Acquisition Act regarding 251 bighas and 15 biswas of land in village Gazipur was made vide notification No. F.15(117)/60-LSG(ii) dated 16th June,1966. Notice under section 9(1) of the Land Acquisition Act was given due publicity and notices u/s 9 (3) and 10(1) of the Land Acquisition Act,1894 were served upon the known interested persons. Almost all the interested persons have responded to the notices.

MEASUREMENT & OWNERSHIP:

According to the notification under section 6 of the Land Acquisition Act,1894 the total area was 251 bighas 15 biswas. But out of this area, the present acquisition proceedings relate to 17 bighas 16 biswas of land. The remaining area will be acquired through supplementary award. From further

contd.....

verification made on the spot under section 8 of the Land Acquisition Act, the actual area under present acquisition comes to 17 bighas 18 biswas which comprises following khasra numbers.

Khasra No.	Area	Name of the owner	Name of the Kabizan	Kind of land
[illegible]/217	4-10	Sant Singh, Lakhi ss/o Ram Karan in equal share	Vidya Bhushan s/o Siri Ram	Dakar.
[illegible]/2	4-8	Smt.Gaboo d/o Misri	Nil	-do-
[illegible]/219	1-00	Lakhpat s/o Mukhtair Singh	Dharam Pal	-do-
[illegible]/219	1-00	Kaptan Bhiku s/o Hari Ram half share, Padam Singh, Prem Singh, Mst. Prem Wati, w/o Tekh Chand, Smt.Nathoo, Kushalya, Geeta dd/o Tek Chand half share.	Nil	-do-
220/1	7-00	Ashoka Finance Pvt. Ltd. Asaf Ali Road, New Delhi.	Sarup, Jiwan ss/o Budhu.	-do-

[illegible] & EVIDENCE.

Name of the claimant	Khasra No.	Claim
Thakur Dass Bagai s/o M/s Bagai &Co. 46 Stock Exchange Building Asaf Ali Road, New Delhi.	624/217 1000 Sq.yds.	at the rate of Rs.50/- per sq.yd.
Bhora Ram Nagpal r/o H.No.9 Gali No.6 Basti Naikawali Ferozpur Cantt.	624/217 1 bigha	
Amir Chand Bogra c/o T.D. Bagai.	624/217 1000	Rs.5/- per sq.yd. Total Rs.50000/-
Kanti Pd. Jain r/o 909 Kidan Building Subzimandi, Delhi.	624/217 100 sq.yds.	Rs.50/- per sq.yd.
Padam Chand s/o Tek Chand r/o village Gazipur.	782/219/2 half share.	Rs.10000/- per bigh[illegible]
Sant Singh and Lakhi ss/o Ram Kumar r/o Gazipur.		Rs.10000/-per bigha.
7. Bahal s/o Daulat r/o Gaizpur		Rs.10000/-per bigha
8. Lakhpat s/o Mukhtair		Rs.10000/-per bigha
9. Tek Chand s/o Siri Ram		Rs.10000/-per bigha
10. Bhiku Ram s/o Siri Ram		Rs.10000/-per bigha

p.t.c.

Thakur Dass Bagai has filed a copy of sale deed (un-attested) dated 11-7-55 in respect of 1000 sq.yds out of khasra Nos. 624/217 executed by Shri Vidya Bhushan Mittal for Rs.950/-. A certificate from M/S Malik & Co, Property Dealers & Finance Brokers to the effect that prices of land in the Patparganj area beyond Yamuna River range between Rs.40/- to 50/- per sq.yd. during 1964-66. This certificate is of no use in the assessment of market value of the land under present acquisition on 13-11-59. The copy of sale deed is un-attested and cannot be taken note of.

Shri Kanti Pd. Jain has filed an attested copy of sale deed executed in his favour by Sh. Vidya Bhushan Mittal on 12-7-57 in respect of plot No.49 measuring 200 sq.yds. in Khasra No. ~~624~~ 624/217 for Rs. 300/-. Since it relates to a small plot of land it could not be accepted as indicative of the correct market value of land in 1959.

MARKET VALUE.

The land under present acquisition is situated in the South West corner of village Gazipur. 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. Since part of land under present acquisition falls in this Kh. No.220 this sale transaction has relevance. This yields an average of Rs.505/- per bigha.

There have been 2 awards 1678 and 1888 in this village for lands 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/- per bigha. 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.532/65 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 and 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 under present acquisition is 'dakar' whereas the land under award No.1888 was Chahi and Bhoor Awal. 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 is under present acquisition 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 No.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, I fix the market value of land under present acquisition at the rate of Rs.600/- p.b. as on 13.11.59.

OTHER COMPENSATION.

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

APPORTIONMENT.

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

INTEREST.

According to the provisions of Land Acquisition(Amendment& Validation), Act,1967, simple interest @ Rs.6% p.a. 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 L.A.Act. Interest in this case is therefore allowed from 13.11.62 to 9.7.70 as the award is likely to be announced on 9.7.70.

SOLATIUM

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.

SUMMARY OF THE AWARD

1.	Market value of land measuring 17 bighas 18 Biswas @ Rs.600 P. Bigha	Rs.10740.00
2.	15% solatium for compulsory acquisition	Rs. 1611-00
3.	Interest @ Rs.6% p.a. on market value from 13.11.62 to 9.7.70. (7 years 239 days)	Rs. 4932-75.
	Total	Rs.17283.75

LAND REVENUE.

The land is assessed to a land revenue of Rs.4.60 paise which will be deducted from the revenue roll of the village from the date of taking over of possession.

Bihlaramdt
28.8.70
(B.M.L. GAUMAT)
LAND ACQUISITION COLLECTOR(DS):DELHI.

Compared..

Announced & filed today

Bihlaramdt
28.8.70
LAC (DS.)