503

AWARD NO. 50/72-73

Name of the village. HASTSAL.

Nature of acquisition. PERMANENT.

Purpose of acquisition. Widening of Najafgarh Drain.

INTRODUCTION.

Land measuring 39 bighas 19 biswas situated in village Hastsal was notified for acquisition U/S 4,6 & 17 of Land Acquisition Act simultaneously vide notificatin Nos. F.7(69)/70-L&B(i) dated 15.3.72, F.7(69)/70-L&B(ii) dated 15.3.72 & F.7(69)/70-L&B(iii) dated 15.3.72 respectively, for a public purpose namely ' Widening of Najafgarh Drain'. Notice U/S 9(1), 9(3) & 10 were issued to the known persons interested in this acquisition, most of whom have responded by filing their claims.

TRUE & CORRECT AREA.

Out of area measuring 39 bighas 19 biswas notified U/S 6 the following Khasra numbers with total area of 13 bighas 14 biswas stand acq[illegible]d in award No. 1959.

Kh.No.	Area.	Kh.No.	Area.
7/18/2	0-14	7/24/2	0-18
20/4	0-01	20/5/2	1-03
20/6/2/2	0-06	20/15/2	0-15
20/16/2	0-15	20/25/2	0-15
22/5/1/2	0-06	22/5/3/2	0-06
22/6/2/	0-14	22/15/2	0-15
22/16/2	0-16	22/25/2	0-16
32/5/2/2	0-13	32/6/1/2	0-11
32/6/2/2	0-06	33/11/1/2	0-13
33/11/2/2	0-09	33/19/2	1-00
33/23/1/2	0-10	33/23/2/2	0-10
113/2	0-02		

total measuring 13 bighas 14 biswas.

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As a result of demarcation given by the acquiring department on the spot it was found that Khasra No. 1/24/2 (less than biswa), 25/2(0-02), 2/18(less than biswa), 3/14/1(less than biswa), 4/14/2(less than biswa) 5/24(0-02) total area 0-04 biswas do not fall within the alignment of the drain. The area in the revenue Khasra numbers was measured on the spot by the field staff U/S 8 and true and correct area was found to be 25 bighas 06 biswas, instead of 26 bighas 1 biswa details of which are given as under:-

Rectangle No.	Kila No.	Area big.bis.	Kind of land
1	16/2/1	0-15	Gair Abpash
	23/2/1	0-13	-do-
	24/1/2/1	0-19	-do-
	25/1/1	less than biswa	-do-
2	13/2/1	0-16	Abpash
	14/2/1	0-10	-do-
	15/2/1	0-19	-do-
	19/2/1	0-17	-do-
	20/2/1	0-18	Gair Abpash
3	6/2/1	0-15	Abpash
	7/2/1	0-17	-do-
	8/2/1	0-7	-do-
	11/2/1	0-15	-do-
	12/2/1	0-14	-do-
	13/1	0-8	-do-
	~~14/2/1~~	~~0-[illegible]~~	~~-do-~~
4	7/2/1	0-15	Gair Abpash
	8/2/1	0-16	Abpash
	9/2/1	0-14	-do-
	10/2/1	0-16	-do-
	15/2/1	0-15	Gair Abpash

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5	11/2/1	0-16	Gair Abpash
	12/2/1	0-14	-do-
	13/2/	0-15	-do-
	16/1	less than biswa	-do-
	17/2/1	0-17	-do-
	25/1/2/1	0-13	-do-
	25/2/2/1	0-2	-do-
	25/3/2/1	0-5	-do-
	25/4/1	0-2	-do-
6	21/2	0-1	Jadid
7	1/2/1	0-19	Gair Abpash
	9/2/1	0-17	Abpash
	10/2/1	0-4	Gair Abpash
	12/2/1	0-6	Abpash
	13/2/2/1	0-9	-do-
	13/1/2	0-5	-do-
8	8/5/1	less than biswa	Gair Abpash
12	2/2/1	0-17	Abpash
	3/2/1	0-8	-do-
	9/1	0-1	-do-
	10/2/1	1-0	-do-
13	14/2	0-7	-do-
	15/1/2/1	0-8	-do-
	15/2/2/1	0-11	-do-
	17/2/1	0-10	-do-
	94/2/1	0-2	G.M.Rasta
	TOTAL	25-6	

CLAIMS

The following interested persons have filed claims:-

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Name of the claimants	Kh.No.	Amount claimed
Chander Bhan , Ram Kishan	12/2/2(1-6), 12/3/2(0-11)	Rs. 16,000/- per bigha 15 % solatium 6 % interest from April,66 till award announced.
Chander Bhan s/o Dharma	13/14,15/1, 15/2,17 , 12/10	Rs. 16,000/- per bigha 15 % solatium 6 % interest from April,66 till award announced.
Sunder Singh, Chander Bhan, Ram Kishan, Umed Singh	12/9/1	-do-
Kishan Lal s/o Bode, Smt. Chotta Wd/o Bhima ,Meva Ram s/o Pokhar through Krishan Lal	2/20/2/1	Rs. 15/- per sq.yd
-do-	12/10/2/1, 13/14/2/1, 15/1/2/1, 15/2/2/1, 17/2/1	-do-
Ishwar Singh, Om Parkash, Charan Singh, Karan Singh & Krishan Daya ~~[illegible]~~ Nand he sons, Phool Singh Smt.Parkasho, daughter, Phool Singh Smt. Qabole widow of he Phool Singh	5/11/2/1 12/2/1 13/2/1 17/2/1 18, 7/13/1/2 7/13/2/2	-do-
Kehar Singh , Ram Singh, Kartar Singh ss/o Ganga Ram	12/10/2/1 13/14/2/1 15/1/2/1 15/2/2/1 17/2/1	-do-
Raghu Nath s/o Baldev ,Bode, Gutti ss/o Jug Lal Smt.Maha Kaur wd/o Inder		Rs. 20/- per sq.yd.

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9.	Sukh Ram, s/o Ratia, Ram Phool s/o Lala, Smt. Manbhari wd/o Lala	1/25/1/1	Rs. 20/- per sq.yd
10.	Darye Singh, Sis Ram, Barkhe Ram ss/o Dharam Singh, Udmi, Chottey Lal ss/o Hari Singh	5/25/2/2/1 25/2/2/1 25/3/2/1 25/4/1 8/5	Rs. 15/- per sq.yd
1.	Risal Singh, Tara Chand ss/o Hira Singh, Charan Singh, Gopal ss/o Har Karan, Ram Swaroop, Lee Ram ss/o Umrao	4/2/1 15/2/1	Rs. 15/- per sq.yd-
2.	Ram Nath, Ram Kala, Ram Karan ss/o Khoob Ram	1/23/2/1 24/1/2/1 16/2/1 12/10/2/1 13/14/2/1 15/1/2/1 15/2/2/1 17/2/1	Rs. 20/- per sq.yd.
3.	Narain Singh, Baljit Singh, Bhola Ram ss/o Chunni Lal		Rs. 25,000/- per bigha.
.	Permal s/o Chet Ram, Smt. Asi wd/o Hirdai Ram, Chiranji Lal s/o Jai Parkash, Nanak Chand ss/o Permal		-do-

VIDENCE

Sh. Ishwar Singh has filed attested copy of le deed dated 22.10.71 in respect of two bighas of land in llage Hastsal for Rs. 22,000/-.

RKET VALUE -

The market value of land under acquisition is be assessed with reference to the date of notification u/s i.e. 15.3.72. The determination of the market value required e consideration of all factors mentioned in section 23 of the

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which gives

L.A. Act. The sale transactions of land in that village similar to the land under acquisition and awards in respect of the similar land or about the date of notification u/s 4.

The following awards have been made in this village:-

Award No.	Date of notification u/s 4	Rate awarded by L.A.C.
1081	2.6.60	Rs. 300/- per bigha & Rs. 250/- per bigha
1623	24.10.61	Rs. 1000/- per bigha
1868	23.1.65	Rs. 1400/- per bigha & Rs. 1000/- per bigha
1959	24.10.61	Rs. 2500/- per bigha Rs. 2000/- per bigha Rs. 1200/- per bigha Rs. 800/- per bigha

The date of notification u/s 4 in award No. 1081 being about 12 years earlier than the present one, this award cannot be of any help in assessing the market value of land under acquisition. Award No. 1623 of this village also cannot render any assistance in the present case for the reason that the land involved in this award is situated far away from the land under acquisition and also the date of notification u/s 4 is anterior to the present one by about 10½ years. The land involved in award No. 1868 is also far away from the land under acquisition and this award can also be of no help in the present case. Award No. 1959 has the same date of notification u/s 4 as award No. 1623 but land in block A & B of this award No. 1959 is much better situated and is far away from the land under acquisition and land in block C of award No. 1959 is adjacent to part of the land under present acquisition.

53 references u/s 18 against award No. 1959

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which gives

are reported to have been decided by the Court of A.D.J.,Delhi who has enhanced the market value of land from Rs. 2500/- per bigha to Rs. 6000/- per bigha in block A, from Rs. 2000/- per bigha to Rs. 4800/- per bigha in blokk 'B', from Rs. 1200/- per bigha to Rs. 2880/- per bigha in block 'C' and from Rs. 800/- per bigha to Rs. 1920/- per bigha in block 'D'. The decisions in the following reference petitions are relevant for consideration because Kh.No. 7/24/2 and 20/6/2 involved therein are comparatively nearer the land under acquisition.

Sr. No.	L.A. Case No.	Parties	Date of decisions	Rate awarded by L.A.C. for land in block C
1.	264/67	Ram Chander & others Vs.U.O.I	14.8.70	Rs. 2880/- per bigha
2.	199/67	Her Lal Vs. U.O.I.	20.8.70	Rs. 2880/- per bigha.

The government did not prefer appeal against the above decisions. I have gone through the judgments of the learned A.D.J.,Delhi in these two cases. He has held that the land in block A & B in award No. 1959 is much better situated than the land in block C. Since the market value of land in block A & B was enhanced to Rs. 6000/- per bigha and Rs. 4800/- per bigha respectively, proportionate increase in the market value of land in block 'C' was also allowed. The land in block A & B of award No. 1959 is situated near Najafgarh Road and Abadi of village Hastsal whereas the land in block 'C' is situated far away and has no such advantage. The land under present acquisition is farther away from the land in block 'C' of award No. 1959. Moreover, the trend of prices on or about the date of notification u/s 4 in the instant case has also to be taken into account. For these reasons I find that the enhancements allowed by the A.D.J.,Delhi in the above mentioned cases under award No. 1959 cannot be made the basis for determination of the market value of land in the present case.

The claimant has filed attested copy of sale deed dated 22.11.71 in respect of land in Kh.No. 75/1 and

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. measuring 2 bighas for Rs. 22,000/- which gives average of Rs. 11,000/- per bigha. The land involved in sale transaction is quite close to the Najafgarh Road un-approved Colony of Uttam Nagar. This sale deed cannot lect market value of the land under present acquisition d is therefore excluded from consideration.

The following sale transactions had taken place the year 1970-71 and have been mutated in the revenue ecord of this village:-

r. o.	Sale deed registration No & date	Area	Consideration money	Average per bigha
.	8443/28.11.70	18-00	Rs. 39,000/-	Rs. 2166.66
2.	1444/18.2.71	16-04	Rs. 39,000/-	Rs. 2407.40
3.	7655/8.7.71	8-17	Rs. 5,000/-	Rs. 564.40
4.	7673/8.7.71	5-04	Rs. 10400/-	Rs. 2000.00
5.	11024/17.9.71	10-09	Rs. 19900/-	Rs. 1905.00

Land in sale transactions at Sr.No. 2 to 5 mentioned above is situated far away from the land under acquisition & is dissimilar to this. Sale transaction at Sr.No. 1 above is most relevant for consideration in the present case because it refers to land in Rect. No.8, Kila No. 7/2 which is quite close to Kila No. 5/1 of the same rectangle under acquisition. This sale transaction can fomm the basis for determination of market value in the present case. This sale transaction involves both Abpash and Gair Abpash land. Infact there is no difference between Abpash and Gair Abpash land as has been observed earlier in award for land in the adjoining village of Ranhola across the Najafgarh drain. I,therefore, consider the market value at the rate of Rs. 2300/- per bigha for Abpash and Gair Abpash land fair and reasonable as on 15.3.72 after allowing for increase in price of land at the rate 5 % during the intervening period.. The Abpash and Gair Abpash land constitutes 25 bighas & 3 biswas.

Land in Kh.No. 6/21/2(0-1) is recorded for

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parti Jadid in the revenue record. This kind of land is inferior to Abpash & Gair Abpash land and is therefore assessed at the rate of Rs. 1400/- per bigha.

Kh.No. 94/2/1 is recorded as Rasta in the revenue record and exists on the spot also. It being a public thorough fare no compensation is assessed for the same.

OTHER COMPENSATION

There is no well or structure on the land under acquisition. There are, however, very small plants for which no compensation is assessed as they have no timber value.

15 % SOLATIUM

A sum of 15 % solatium will be paid on account of compulsory nature of acquisition as provided u/s 23(2) of the Land Acquisition Act.

INTEREST

As possession over the land under acquisition has not yet been taken the question of interest does not therefore arise.

APPORTIONMENT

The compensation will be paid according to the latest entries in the revenue record. In case of dispute which is not settled between the interested persons within a reasonable time the amount of compensation will be sent to the Court of A.D.J., Delhi for adjudication.

SUMMARY OF THE AWARD

Market value of the land measuring 25 bighas 3 biswas @ Rs. 2300/- per bigha	Rs. 57,845.00
Market value of land measuring 1 biswa @Rs1400/- per bigha	Rs. 70.00
Market value of land measuring 2 biswas	Rs. Nil
15 % solatium on the market value for compulsory acquisition	Rs. 8,687.25
GRAND TOTAL:-	Rs. 66,602.25

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LAND REVENUE.

The land is assessed to land revenue of Rs.7.58 paise, which will be deducted from the rent roll of the village from the date of taking over possession of the land.

(B.M.L. GAUMAT) 30.10.72
LAND ACQUISITION COLLECTOR(DS)DELHI.

Announced & filed today.

30.10.72
LAC (DS).

کارروائی قبضہ بابت آرڈر نمبر 50/72-73 موضع ہشتسال تحصیل [illegible] ضلع [illegible]

بحکم جناب ایم- اے- [illegible] صاحب بہادر [illegible] [illegible]

آج مورخہ 12/1/73 کو

حسب حکم نمبر F.4(50)/72-73-19994-95 مورخہ 21/12/72 [illegible] بحکم [illegible]

و [illegible] قانونگوئی A [illegible] موقعہ پر پہنچا موقعہ پر جناب [illegible] [illegible] S.O

حاضر ہے

نمبر [illegible] - ایکڑ [illegible] S.O [illegible] ذیل [illegible]

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۱۵ ، ۱۴ ، ۱۳ ، [illegible]

2
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۱۶ ، ۱۰ ، ۱۹ ، ۱۲ ، ۱۶

3
۷ - ۶ - ۸ - ۱۱ - ۱۲ - ۱۳
۱۵ ، ۱۲ ، ۷ ، ۱۵ ، ۱۳ ، ۸

4
~~۲ - ۸ - ۹ - ۱۱ - ۱۵~~
۱۵ ، ۱۶ ، ۱۴ ، ۱۶ ، ۱۵
= ۱۵

5
۱۱ - ۱۲ - ۱۳ - ۱۸ - ۱۷ - ۵۰ - ۲۵ - ۲۰ - ۵۰
۱۶ ، ۱۳ ، ۱۵ ، نمبر زیرو ، ۱۷ ، ۱۴ ، ۲ ، ۵ ، ۲

6
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7
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نمبر زیرو

12
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۱۷ ، ۸ ، ۱ ، [illegible]

13
۱۲ - ۱۰ - ۱۰ - ۱۷
۷ ، ۸ ، ۱۱ ، ۱۰

94
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کل تعداد (6-25) بیگہ کا قبضہ وقعی حاصل کر کے اور چاروں طرف گھوم پھر کر [illegible]

بحکم [illegible] [illegible] S.O کو موقعہ پر دیا گیا اور موقعہ پر نشانات لگوا دیئے

بوقت قبضہ کارروائی کسی قسم کی مزاحمت پیش نہیں آئی بذریعہ [illegible]

سے باآواز بلند تصدیق و منادی [illegible] موقعہ پر [illegible] [illegible]

کا سرکار کے موقعہ پر حاضر [illegible] قبضہ کارروائی [illegible]

کاغذات مال بھیجی جاتی ہے

12/1/73

S/ [illegible]
12/1

[illegible]
Patwari Halqa
12/1/73

Ms. [illegible]
12-1-73

S/ [illegible]
Kgo
12-1-73

[illegible]
14/1/73

[illegible]
12.1.73
S.O.

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)

DELHI ADMINISTRATION: DELHI

NOTIFICATION

5 March ,1972.

No.F.7(69)/70-L&B(i):- Whereas it appears to the Lt.Governor, Delhi, that land is likely to be required to be taken by Government at the public expense for a public purpose, namely for widening of Najafgarh Drain, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act,1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lt.Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enterupon and survey any land in the locality and do all other acts required or permitted by that section.

The Lt.Governor being of the opinion that provisions of sub-section(i) of section 17 of the said Act are applicable to this land, direct that the provisions of section 5A shall not apply.

SPECIFICATION

Village or Locality	Total Area Big. Bis.	Field Nos. or Boundaries	
		Rect.No.	Kila Nos.
1	2	3	
1.Nangli Sakrawati	10-3	3	25min
		4	5min,6min,15min,16min, 25min,
		19	5/1min,5/2min,6/1min, 6/2min,15/1min,15/2min 16min,25min
		20	5min,6min
2.Keshopur	17-10	9	6/2min
		8	1/2min
		39	2min
		1	22/2min,17/2min,16/2 min,15/2min,18/2min, 23/2min
		2	11/2min,12/2min,9/2 min,8/2min,7/2min, 6/2min
		3	10/2min,11min,9/2min, 12/2min,13/2min,14/2 min,17min,16/2min
		4	20/2 min,19/2min,22min, 23/2min,24/2min

P/2.

1.	2. Bi.-Bis.	3.	
3.Shafipur Ranhola	29-9	56	1min
		55	5/1min,4/1min,3/1min, 2/2/1min,2/1/1min, 1/1min
		54	1/1min,2/1min,3/1min, 4/1min, 5/1min
		53	6/1/1min,6/2/1min, 7/1min,8/1/1min,8/2/1min, 9/1min,10min,11/1min
		72/1min	
		52	14/1min,15/1min,17/1min, 18/1min,19/1/1min,21/1min, 22/1/1min,22/2/1min
		51	4min,5/1min,7/1min,8min, 12min,13/1min
4.Bapraula	32-12	37	4min,7/1min,8/2min,13/1min, 12min,19/1min,20/1min, 21/1min
		34	25min
		38	5/1min,6/1min,15/1min, 15/2min,16/1min,25/1,24min
		41	4/1min,7/1min,14/1min, 17/1min,24/1min
		70/1min	
		42	5/1min,4min,6/1min, 15/1min,16/1min,25/1min
		66	5/1min,4min,7/1min,14/1min 13/1min,18/1min,22/1min
		67	2/1min,10/1min,11/1min

0-7 0-15 0-9 0-10

8-4 7-18

5

1.	2.		3.
5.Tilangpur Kotla	11-11	12	12min, 19/1/1min, 19/2/1min, 20min, 21/1min
		11	25min
		13	5/1min, 5/2/1min, 7/1min, 13/1min, 19/1/1min, 19/3min, 21/1min,
		14	5/1min
6.Razapur Khurd	20-17		2/2min, 3/2min, 4/2min, 5/2min, 6/2min, 12/2min, 13/2min, 14/2min, 15/2min, 16/2min, 17/2min, 18/2min, 19/2min, 20/2min, 21/2min, 22/2min, 23/2min, 24/2min, 25/2min, 26/2min, 27/2min, 28/2min, 29/2min, 32/2min, 33/2min, 34/2min, 35/2min, 36/2min, 37/2min, 38/2min, 39/2min, 40/2min, 41/2min, 42/2min, 43/2min, 44/2min, 45/2min, 46/2min, 47/2min, 147/2min, 148/2min
7.Hastsal	39-19	13 ×	11min, 14/2min, 15/1/2min, 15/2/2min, 17/2min
		12 ×	10/2/2min, 9min, 2/2min, 3/2min
		1	23/2min, 24/1/2min, 24/2min, 25/1min, 25/2min, 16/2min
		2	20/2min, 19/2min, 13/2min, 18min, 14/2min, 15/2min
		113/2min	
		3 ✓	11/2min, 12/2min, 8min, 13min, 7/2min, 6/2min, 14/1min
		4	10/2min, 9/2min, 8/2min

P/4.

0-7 0-15 0-9 0-10

8-4 7-18

1.	2.		3.
			7/2min,14/2min,15/2min
		5	11/2min,12/2min,13/2min,18min,17/2min,24min,25/1/2min,25/2/2min,25/3/2min,25/4min
		8	5min
		6	21/2[illegible]
		7	1/2min,10/2min,9/2min,12/2min,13/1/2min,13/2/2min,18/2min,24/2min
		94/2min	
		20	5/2min,4min,6/2/2min,15/2min,16/2min,25/2min
		22	5/1/2min,5/3/2min,6/2min,15/2min,16/2min,25/2min
		32	5/2/2min,6/1/2min,6/2/2min
		33	11/1/2min,11/2/2min,19/2min,23/1/2min,23/2/2min
8.Nawada Majra Hastsal	17-8		Khasra Nos:-1/2min,2/2min,10/2min,11/2min,19/2min,20/2min,23/2min,24/2min,34/2min,33min,35/2min,46min,47/2min,48/2min,51/2min,52/2min,59/2min,60/2min,66/2min,67/2min,68/2min,77/2min,78/2min,87/2min,88/2min,97/2min,98/2min,109/2min,112/2min,126/2min,127/2min,140min
9.Nilothi	73-19	37	2min,3min,7min,8min,14min,15min,16
		36	20min,21/2,22/1min,22/2min

P/5.

0-7 0-15 0-9 0-10

8-4 7-18

1	2.	3.
	38	2min,3min,7min,8min,14min, 15min,16min
	58min	
	39	21min
	47	1/1min,1/2min,9min,12min, 19min,22/1min,22/2min
	48	2min,9min,11min,20min,21min
	52	1min,2min,9min,12min,13min, 14min,15min,6/2min
	51	10min,1min,2min
	49	6min,22min,23min,17min, 18min,14min,15min
	50	10min,1min,2min
	45	22min,23min,18/1min,17min, 14min,15min,6min
	44	10/2min,1min
	55min	
	42	21min,22min,18min,19min, 13min,14min,6min,7min,5min
	43	1min
	31	21min,22min,19min,18min, 13min,7min,4min,5min
	28	25min
	30	21min,20min,19/2,12min, 9min,8/1min,8/2min,3min

By order,

(R.N. PURI)
DEPUTY SECRETARY(LAND & BLDG.)
DELHI ADMINISTRATION:DELHI.

P/6.

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No.F.7(69)/70-L&B Mar , 1972,

Copy forwarded to:-

1. Public Raltion Department, Delhi Administration, (in duplicate), for publication in part IV of Delhi Gazette.
2. The Additional Disti~~r~~rict Magistrate(LA), Delhi.
3. The Land Acquisition Collector(P), Delhi, w/r to his letter No.F.2(57)/71-Teh(N)/2251-52 dtd.15.2.72.
4. The Executive Engineer, Flood Control and Drg.Div. No.I, Delhi Admn., Curzon Road, New Delhi, w/r to his letter No.NB-23(L)/1031 dtd.17.2.72.

(R.N. PURI)
DEPUTY SECRETARY(LAND & BLDG.)
DELHI ADMINISTRATION: DELHI.

L.N

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