AWARD NO. 1835

Award No.________ for the year 1965-66 by Shri Prabh Dyal Khurana, P.C.S. Land Acquisition Collector, Delhi.

Case No. 20

Scheme : New Terminal Airport, Palam.

Nature of Acquisition: Permanent.

VILLAGE : B A G R O L A.

A W A R D

In pursuance of Delhi Administration Notification under Section 4, No.F.15(38)/64-LSG dated the 26th September, 1964 for 107 bighas and 19 biswas made under the provisions of the Land Acquisition Act of 1894 and as declared vide Notification No.F.15(38)/64-LSG(iii) dated the 25th January, 1965 under Section 6 of the Land Acquisition Act for 108 bighas 6 biswas of village Bagdola, Tehsil and District Delhi at a public expense for a public purpose, namely, for the New Terminal Airport, Palam.

MEASUREMENT:

The total area as given in the Notification under Section 6 is 108 bighas 6 biswas whereas on actual measurement the area comes to 100 bighas 15 biswas. A difference of 7 bighas 11 biswas is due to the fact that C.P.W.D. authorities have changed the alignment of the land required. On account of the change in alignment with the result that the area of field No. 208/2, 209/2, 211/2, 212/2 and 213/2/2 was reduced. Thus total area reduced in this way comes to 7 bighas 11 biswas. Hence the acquisition papers have been prepared for 100 bighas 15 biswas.

The details of field Nos. and their ownership are as under :-

S.No.	Name of the owner	Name of tenant.	Field No.	Area Big.Bis.	Kind of land.
1.	Ramji Lal s/o Nand Lal	-	1 etc/212/1 min.	1-17	Ghair Abpash
2.	Kundan, Ram Gopal ss/o Baddan in equal share - 1/3 share, Lakhmi Chand, Sube Singh s/o Raghbir Singh in equal shares - 1/6 share, Munshi S/o Singh - 1/2 share.	-	1 etc/217	29-17	-do- (14-8) G.M.Batha(14-19)

1.	2.	3.	4.	5.	6.
3.	Sis Ram, Dhoom Singh ss/o Kanahiya in equal shares.	-	1 etc/237/2	12-17	G-Abpash
4.	Ram Chander s/o Bhuri	-	1 etc/236/1	1-2	-do-
			1 etc/216/2	10-18	-do-
5.	Umrao Singh, Ganpat Singh, Kanwar Singh ss/o Bansi.	-	1 etc/212/1 min.	1-13	-do-
6.	Balbir Singh s/o Liak Ram.	-	1 etc/215/2	20-7	-do-
7.	Evacuee proper under Custodian	Dalip Singh s/o Bharat Singh, Ishwar Singh s/o Dharam Singh in equal shares (allottees)	1 etc/211 min.	4-11	d-o-
			1 etc/209/1	1-18	-do-
		Baljit Singh s/o Shiv Narain Singh, Ram Narain Singh @ Ram Narain, Ishwar Singh ss/o Risal, Satvir Singh s/o Bisal in equal share.	1 etc/213/2/1	2-17	-do-
		Narain Dass s/o Ishwar Dass (2-06) Central Govt. (1-12)	1 etc/214/2	3-18	-do-
		Sahab ~~Singh~~ Ram s/o Ude Singh, Mir Singh, Sri Chand ss/o Liak Ram, in equal share - 1/4 share, Ram Chander s/o Bhura - 1/4 share, Hira Singh, Dalip Singh, Hardwari Lal ss/o Ganpat in equal share - 1/4 share, Sis Ram, Dhoom Singh s/o Kanahiya - 1/4 share.	1 etc/208/1	5-1	-do-
8.	Gaon Sabha	-	1 etc/218/1	3-19	G.M.Rasta.
			Total:	100-~~13~~15	

CLASSIFICATION:

In the latest Khasra Girdawri, i.e. Kharif, 1964 and Rabi, 1965 prepared under Rules of Delhi Land Reforms Act, 1954, the kind of soil has not been given. The land covered by the notification has been shown as Ghair-Abpash, Bhatta or Rasta. On spot inspection it has been revealed that the land shown as "Ghair Abpash" is Rosli(Barani).

In view of the above, the classification of land according to the entries of Khasra Girdawri is given below :-

	Big.Bis.
1.GAbpash (Rosli)	81-17
2.G.M.Bhatta	14-19
3.G.M.Rasta	3-19
TOTAL:	100-15

There is no religious place of worship, tomb, grave-yard or Wakf property etc. in the land under acquisition. However, Khasra No. 1etc/211, 209/1, 213/2/1, 214/2 and 208/1 have been shown as the property of Custodian Department which in turn has been allotted to Dalip Singh, Ishwar Singh s/o Dharam Singh, Baljit Singh, Ram Narain Singh, Ishwar Singh s/o Risal Singh, Satvir Singh, Narain Dass, Sahab Ram, Mir Singh, Siri Chand, Ram Chander, Hira Singh, Dalip Singh, Hardawari Lal, Sis Ram, Dhoom Singh. Compensation of the above quoted field Nos. ~~xx~~ will remain in dispute unless they show the sanad of permanent allotment.

MARKET VALUE:

In determining the amount of compensation to be awarded for the land acquired under the Land Acquisition Act, we have to consider the points detailed in para 23(i) of the Act. In addition to this, the market value is to be worked out by scrutinising the sale transactions of the village that took place during first five years preceding the date of notification and especially in which the notification under section 4 was made, situation and kind of soil, award if any, claims of the interested persons etc.

The details of claims put forth by the persons interested are given below :-

1. Munshi s/o Singha, 2. Kishan Chand s/o Kundan, 3. Sis Ram, Dhoom Singh ss/o Kanahiya, 4. Hira Singh, Dalip Singh & Banwari Lal ss/o Ganpat, 5. Ram Chander s/o Bhuri, 6. Kanwar Singh, Ganpat Singh and Umrao Singh ss/o Bansi.

Claimants No.1 to 6 have claimed compensation at the rate of Rs.5/= per square yard plus 15 % compulsory acquisition

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charges for their respective land but they did not produce any documentary evidence to support their claims.

7. Ramji Lal s/o Nand Lal through Raj Kumar, 8. Siri Chand, Mir Singh, Balbir Singh ss/o Lim Ram, Sahab Ram s/o Ude.

Claimants No.7 and 8 have filed claim at the rate of Rs.10,000/= per bigha for their respective land. They have not produced any documentary proof to support their claims.

9. Surat Singh on behalf of Gaon Sabha, Village Bagdola.

He has filed claim at the rate of Rs.5,000/= per bigha for the land of Gaon Sabha. No proof has been given in support of his claim.

The Department was not represented.

The claims put in by the interested parties range from Rs.5,000/= to Rs.10,000/= per bigha. As summed up above, no positive proof in support of their claims has not been put forwared by the interested persons. We have to determine the market value of the land as prevailing on the date of issue of notification us/-4 i.e. 26-9-1964. The following awards have been announced in this very village and the rates and date of notification are as under:-

S.No.	Award No.	Date of Notification u/s.4.	Rate per bigha.
1.	990	1-2-1960	Rs.530/- for Chahi Rs.350/- for Rosli Rs.100/- for G.M.
2.	1080	7-10-1960	Rs.350/- for Rosli,
3.	1215	29-8-1961	Rs.530/- for Chahi Rs.350/- for Rosli.

The year-wise statement of the average sale price for the quinquannum immediately preceding the date of notification under section 4 of the Land Acquisition Act has been worked out as under :-

S.No.	Year	Area Big.Bis.	Amount	Average per bigha.
1.	1959-60	No transaction		
2.	1960-61	No transaction		
3.	1961-62	0-15	Rs.2,000/=	Rs.2,666.67

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1.	2.	3.	4.	5.
4.	1962-63	46-17	Rs.23,433.00	Rs.500.17
5.	1963-64	No transaction.		

The average sale price for the five years comes to Rs.534.31 paise. No sale transaction took place during the year 1963-64.

No sale transaction within the acquired area has taken place during the above noted five years and the land sold through above transactions is quite at good distance from the present land notified.

I inspected the land at site. The land under acquisition is situated along the boundaries of villages Nangal Dewat and Shahbad Mohd.pur and of the Palam Airport. The land under acquisition is of rural area and is goverened by the Delhi Land Reforms Act, 1954. The land is almost levelled except a part of Khasra No.217 which is under 'Gadhas'. I have to assess the market value of the land as it stood on 26-9-1964, i.e. the date of notification under section 4 of the Land Acquisition Act. I divide the land under acquisition into two blocks for the purpose of assessment of the compensation, i.e. (i) Levelled, and (ii) Low-lying (Gadhas). The Blocks will consist of the field Nos. given below :-

<u>BLOCK 'A'.</u>

1 etc/212/1 min (1-17), 1 etc/217 min (14-18), 1 etc/237/2 (12-17), 1 etc/236/1 (1-2), 1 etc/216/2 (10-18), 1 etc/212/1 min (1-13), 1 etc/215/2 (20-7), 1 etc/211 (4-11), 1 etc/209/1 (1-18), 1 etc/213/2/1 (2-17), 1 etc/214/2 (3-18), 1 etc/208/1 (5-1).

<u>BLOCK 'B'</u>

1 etc/217 min (14-19)

In field No.1etc/218/1 (3-19), there is public passage and belongs to Gaon Sabha. Since this is being used as public passage since long, hence no compensation is assessed for this field No.

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In this village the land was last acquired in the year 1961 vide the award No.1215 @ Rs.530/- per bigha for chahi and Rs.350/- per bigha for rosli land. Moreover there have been no transactions during the year 1963-64. It is, however, well known fact that the price of the lands have appreciated all over the Delhi. After giving full consideration to the demand of the land owners and interested persons, the situation and quality of the land, average sale transactions for the five years, before the date of notification under section 4 and the Awards announced in this village and all other factors, I am of the opinion that Rs.700/- per bigha for block 'A' (levelled) and Rs.400/- per bigha for Block 'B' (Low-lying) would be the reasonable and fair market price in this case.

By applying the rates mentioned above, the price of the land works out to be as under:-

Block	Area Big. Bis.	Rate per bigha	Amount.
A	81-17	Rs.700/-	Rs.57,295.00
B	14-19	Rs.400/-	Rs. 5,980.00
Rasta	3-19	----	-----
	100-15		Rs.63,275.00

TREES, WELLS & OTHER STRUCTURES:

There is no tree, well or structure on the land under acquisition. Hence, no compensation for this item.

COMPULSORY ACQUISITION CHARGES:

The owners and the interested persons will be entitled to 15% in consideration of the compulsory nature of acquisition on the market value of the land which comes to Rs.9491.25ps.

INTEREST:

The owners and the interested persons are not entitled to get any interest on the amount awarded as compensation, since the possession of the land has not so far been taken.

MODE OF PAYMENT:

The owners and the interested persons will be paid compensation according to their shares as entered in the Revenue Record of the village. In case of dispute the amount of compensation due to the

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owners will be kept in dispute and shall be referred to the Competent Court.

Some land vests in Custodian Evacuee Property and is in the possession of the individuals. Compensation of such land is assessed in the name of the Custodian, Evacuee Property and be paid to the entitled persons as and when they produce permanent Allotment Sanad from the Ministry of Rehabilitation. Otherwise, the amount shall be referred to the court.

Out of field No.1 etc/212 area measuring 3 bighas 10 biswas has been acquired and there is doubt about the declaration of bhumidari rights and it is not clear to whom the particular portion of land under acquisition belongs. Hence, compensation of this field Number will remain in dispute and shall be paid to the bhoomidars after recording their statements.

LAND REVENUE DEDUCTION:

Khalsa amount of deduction from the land revenue due on account of land acquired works to Rs.30.64. There will be deduction of Rs.30.64 paise from the khalsa Rent Roll of the village with effect from taking over possession of the land.

The land aforesaid will vest absolutely in the government free from all encumbrances from the date of taking over possession.

Subject to the above, the Awards stands as follows:-

Compensation of land =	Rs.63,275.00
15% towards compulsory = acquisition charges.	Rs. 9,491.25
	Rs.72,766.25

Prabh Dayal Khurana
(PRABH DAYAL KHURANA)
LAND ACQUISITION COLLECTOR:DELHI.
DATED:

Forwarded to the Collector, Delhi for favour of information please.

Prabh Dayal Khurana
(PRABH DAYAL KHURANA)
LAND ACQUISITION COLLECTOR:DELHI.
DATED:

Seen.
[illegible] Singh
ADMLA.
With Powers of Collector, Delhi
1-7-1965.

COLLECTOR: DELHI.

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Physical possession of land acquired by this award has been handed over to Shri A.C. Malhotra Asstt Engineer C.P.W.D. possession report may kindly be perused which is with the file.

Submitted pl. Balwant Singh
28/7/65

LAC

Seen.
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29/7/65

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13/9/67 [illegible]