

NO. 61/73-74

of the village: BAKRAWALA.

of acquisition: Permanent.

of acquisition: For construction of Bakrawala Drain & Nanglei Link Drain.

WARD:

These are proceedings for the determination of compensation under section 11 of the Land Acquisition Act, 1894.

The land measuring 33-15 bighas situated in village Bakrawala

is notified u/s 4 of the Land Acquisition Act read with

sections 6 & 13 of the Land Acquisition Act vide notification

No.F.7(8)/73-L&B(1), (11) & (111) dated 27th August,

1973 for a public purpose namely for the construction of

Bakrawala Drain and Nanglei/^{Link}Drain. Notices u/s 9 & 10 of

the Land Acquisition Act were issued to the persons

interested and claims filed by them are discussed hereafter

under the heading 'compensation claims'.

True & correct area:

The land was measured on the spot by the Land Acquisition Field staff and the available area found at the spot is as follows:

<u>Field No.</u>	<u>Area</u>	<u>Kind of soil.</u>
32/3/2	1-02	Abpash.
32/4/1	1-04	Gair Abpash.
37/1/1	1-02	Abpash.
40/1	1-02	-do-
37/20/1	1-02	-do-
21/1	1-02	-do-
32/5/2/1	1-04	-do-
39/1/1	1-04	-do-
40/3/1	1-04	-do-

contd.....

-: 2 :-

40/4/1	1-04	Abpash.
37/5/1	0-05	-do-
38/1/1	1-04	-do-
38/2/2/1	0-19	-do-
37/1/1	0-05	-do-
18/21/1	1-02	-do-
40/5/2/1	0-13	-do-
✓ 40/1/1	1-04	-do-
40/5/1/1	0-12	Gair Abpash.
27/11/1	1-02	Abpash.
37/2/1	1-02	-do-
37/3/2/1	1-12	-do-
18/20/1	0-03	-do-
39/2/1	1-04	-do-
39/3/1	1-04	-do-
39/4/1	1-04	-do-
39/5/1	1-04	-do-
40/1/1	1-04	-do-
40/2/1	1-04	-do-
41/2/1	1-17	-do-
36/1/1	0-03	Gairmunkin Rasta.
38/1/1	0-03	-do-
39/1/1	0-03	-do-
92/2/1	1-04	Gairmunkin Jehr.

Classification of the area:

Abpash(29-08); Gair Abpash(1-16); G.M.Rasta(0-09);
Gairmunkin Jehr(1-04) = 32-17 bighas.

Owing to non-availability of records in the tahsil office and Sadar Kanunge office pertaining to khasra No.12/19/2/7/2 measuring 0-16 bighas, it has been temporarily left out from acquisition. As and when records are available, it will be acquired through a supplementary award.

contd.....3

Compensation claims:

Notices u/s 9 & 10 were issued to the persons interested. The pradhan, gaon sabha has only filed a claim. He has claimed Rs.10/- per sq.yd. and in its support he has filed a copy of sale deed No.7163 dated 14-8-1968.

Market value:

The market value to be ascertained is the value to the owner of the land in its actual condition at the date of publication of notification u/s 4 of the Land Acquisition Act with all its advantages and with all its potentialities. By market value is reckoned the price which a willing vendor might reasonably expect to obtain from a willing purchaser for the land in that particular position and with these particular potentialities. The best evidence available to prove what a willing purchaser would pay for the land under acquisition would be evidence on genuine sales effected about the time of notification. In determining the market value of the land on the basis of sales of other lands, the question of similarity between the two lands, is of particular importance or in other words, lands must be actually parallel. The claimant in this case has put forth exorbitant and almost marginally claims regarding the market value of the land without any corroborative evidence whatsoever. The sale deed cited by the claimant has hardly any semblance with the land under acquisition. Besides being small in size which always fetches lucrative price, it is located in the close proximity of the road. The sale deed in question relates to the year 1962. The date of notification of the land under acquisition is 1973. The sale deed is too old. Hence this sale deed is

contd.

not worth considering for evaluating the market value of the land.

Efforts were made at this end to find out the parallel sale deeds in the village nearest to the material date so as to evaluate the market value of the land. The following statement shows the various sale transactions made during the year 1971-72.

S.No.	Sale deed No.	Date of Regn.	Area	Consideration money.	Average per bigha.
1.	6700	22.6.71	2-09	Rs.3,000/-	Rs.1,324.49
2.	3500	7.3.72	2-15	Rs.4,500/-	Rs.1,636.36

Only the sale deed at serial No.2 is nearest to the material date. Besides the situation and other conditions are almost identical to the land under acquisition. There is one more aspect which has to be taken into account, the land under acquisition was notified on 27-3-1973 whereas the sale deed in question was executed on 7-3-1972. Since the present notification was issued after one year five months, some appreciation in price has to be given in evaluating the market value of the land. Consequently a sum of Rs.1,800/- per bigha kham is assessed at a flat rate for all land

under acquisition except khasra Nos.86/1/1, 88/1/1, 89/1/1 measuring 3-13 biswas. A road passes through these field numbers and is a public thoroughfare. Hence no compensation will be paid for these field numbers, 86/1/1, 88/1/1, 89/1/1. Khasra No.92/2/1 measuring 1-04 bighas is a johr. For it

Trees, Wells & Structures:

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

15% Solatium:

15% solatium will be paid over and above the compensation assessed u/s 23(1) clause firstly. 6% interest will not be paid as possession of the land under acquisition has not been taken over by the department u/s 17 as yet.

Apportionment:

Khasra Nos. 27/1/1 and 27/10/1 are mortgaged with the government. Hence compensation will be paid to the persons interested on production of a certificate to the effect that the loan has been liquidated. Compensation will be paid on the basis of the latest entries in the revenue record.

Land Revenue:

The land under acquisition is assessed at Rs. ^{9.13P} as land revenue which will be deducted from the Rent Roll of the village from the date of taking over possession of the land.

The aforesaid land will vest absolutely in the government free from all encumbrances.

Summary:

The award is summarised as under:

Compensation of land measuring 21 bighas 04 biswas @ Rs.1,800/- per bigha kham.	=	Rs.56,160-00
Gairamkin Johar measuring 1-04 bigha @ Rs.1,200/- per bigha.	=	Rs.1,440-00
15% solatium	=	Rs.8,640-00
Total:	=	Rs.66,240-00

(Rupees sixty six thousand two hundred forty only)

*Agreed and filed
today*
22.2.74

Sham
(Sham Karan)
Land Acquisition Collector(P),
Delhi.

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)

DELHI ADMINISTRATION: DELHI

NOTIFICATION

AUGUST 1973.

No.F.7(8)/73-L&B(1):- Whereas it appears to the Lt.Governor Delhi, that land is likely to be required to be taken by Govt. at the public expense for a public purpose, namely, for the construction of Bakarwala Drain and Nangloi Link 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 enter upon and survey any land in the locality and do all other acts required or permitted by that section.

of
The Lt.Governor being/the opinion that provisions of section(I) of section 17 of the said act are applicable to this land, is further pleased under sub-section (4) of the said section, to direct that the provisions of section 5-A shall not apply.

SPECIFICATION:

<u>Village or Locality.</u>	<u>Area Big. Bis.</u>	<u>Field Nos. or Boundaries</u>	
		<u>Rect. No.</u>	<u>Khasra Nos.</u>
Ranhola	37-03	19	3min, 4/1min, 4/2min, 5min.
		20	1 min, 2min, 9min, 12/2min, 19min, 22min.
		33	2/2min, 9min, 12min, 19/2min, 19/1min, 22min.
		36	2/2min, 9min, 12min, 13min, 14/1min, 14/2min, 15/2min,
		37	11min, 12min, 13/1min, 18/24/1min, 23min.
		46	4min, 6min, 15min, 16min, 25min.
		51	5min, 6min, 15min, 65min.

contd....2

-: 2 :-

Bakarwala 33-15

18 20min, 19/2min, 21min.
27 1 min, 10min, 11min, 20min, 21min:
37 1min, 2min, 3/2min, 5min.
38 1 min, 2/2min, 3min, 4min, 5/2min
39 1min, 2min, 3min, 4min, 5min
40 1min, 2min, 3min, 4min, 5/1min, 5/2min.
41 1min, 2min.
88min.
86min.
92min.
89min.

By order,

Sd/-
(Krishna Pratap)
Deputy Secretary(L&B),
Delhi Administration, Delhi.

No.F.7(8)/73-L&B(1)

27th August, 1973.

Copy forwarded to :-

1. The Public Relation Deptt., Delhi Admn.(in duplicate) for publication in part IV of Delhi Gazette.
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3. The L.A.C(N)? Delhi.
4. The Executive Engineer, Flood Control & Drg. Divn. J. Curzon Road, New Delhi.
5. The Tehsildar(L&B).
6. All Sub-Registrars, Delhi/N.Delhi/Shahdara.
7. P.A. to D.S.

Sd/-
(Krishna Pratap)
Deputy Secretary(L&B),
Delhi Administration, Delhi.

Copy attested
M
M.I.C
Delhi

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)

DELHI ADMINISTRATION: DELHI

NOTIFICATION

AUGUST 1973.

No.F.7(8)/73-L&B(11):- Whereas the Lt.Governor, Delhi is satisfied that land is required to be taken by Government at the public expense for a public purpose namely, for the construction of Bakarwala Drain and Nangloi Link Drain, it is hereby declared that the land described in the specification below is acquired for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said act, the Collector of Delhi is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected at the office of the Collector of Delhi.

SPECIFICATION

<u>Village or Locality.</u>	<u>Area Big. Bis.</u>	<u>Field Nos. Rect. no.</u>	<u>or Boundaries Khasra Nos.</u>
Ranhola	37-03	19	3min, 4/1min, 4/2min, 5min,
		20	1min, 2min, 9min, 12/2min, 19min, 22min.
		33	2/2min, 9min, 12min, 19/2min, 19/2min, 22min.
		36	2/2min, 9min, 12min, 13min, 14/1min, 14/2min, 15/2min,
		37	11min, 12min, 13/1min, 18/2min, 24/1min, 23min.
		46	4min, 6min, 15min, 16min. 25min.
		51	5min, 6min, 15min.
			65min.

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✓
Bakarwala

33-15

18 20min, 19/2min, 21min.
27 1min, 10min, 11min, 20min, 21min.
37 1min, 2min, 3/2min, 5min.
38 1 min, 2/2min, 3min, 4min, 5/2min.
39 1mkn, 2min, 3min, 4min, 5m
40 1min, 2min, 3min, 4min, 5/2min.
41 1m8n, 2min.
88min.
86min.
92min.
89min.

By order,

Sd/-
(Krishna Pratap)
Deputy Secretary(L&B),
Delhi Administration, Delhi.

No.F.3(8)/73-L&B(11)

Dated 27th August, 1973.

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5. The Tehsildar(L&B).
6. All Sub-Registrars, Delhi/N.Delhi/Shahdara.
7. P.A to D.S.

Sd/-
(Krishna Pratap)
Deputy Secretary(L&B),
Delhi Administration, Delhi

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U.P.C

Delhi

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(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)

DELHI ADMINISTRATION: DELHI

ORDEE

AUGUST 1973.

No.F.7(8)/73-L&B(111):- In exercise of the powers conferred by sub-section (1) of section 17 of the Land Acquisition Act, 1894, the Lt. Governor, Delhi, is pleased to direct the Land Acquisition Collector, Delhi to take possession of the land the specification of which is given in his notification No.F.7(8)/73-L&B(11) of even date on the expiration of 15 days from the publication of the notice under sub-section (1) of section 9 of the said act.

By order,

Sd/-
(Krishna Pratap)
Deputy Secretary(L&B),
Delhi Administration, Delhi.

Dated 27th August, 1973.

No.F.7(8)/73-L&B.

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6. All Sub-Registrars, Delhi/New Delhi/Shahdara.
7. P.A. to D.S.

Sd/-
(Krishna Pratap)
Deputy Secretary(L&B),
Delhi Administration, Delhi.

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4-14-73 Delhi ...