

NAME OF VILLAGE : BAWANA
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : Water Course for providing irrigation facilities

S/Shri Surat Singh s/o Sher Singh, Risal Singh s/o Shish Ram and Mange s/o Sudhey etc. all r/o village Bawana Tehsil & distt. Delhi applied to the Divisional Canal Officer, Delhi Division, West Yamuna Canal, 3 Alipur Road, Delhi u/s 21-22 of the Northern India Canal & Drainage Act, 1873 for acquisition of small strip of land for taking link & water course for providing irrigation facilities to their land situated in Rectangle No. 41, Kila Nos. 8 to 13, 18 and Rect. No. 42, Kila No. 6 to 19. Rect. No. 31, Kila No. 19 & 22 and Rect. No. 42 Kila No. 2 in revenue estate of village Bawana, Delhi. A sketch map was also received showing the proposed link water course marked "A.B." in Rect. No. 31, Kila nos. 19, 22. Rect. No. 42, Kila No. 2 for the Western side in width one gatha sanctioned u/s 21-22 Northern India Canal & Drainage Act 8 of 1973 from the Divisional Canal Officer vide his office letter No. 3359 dated 12-12-1973 addressed to the Deputy Commissioner, Delhi.

The investigations carried out by the Divisional Canal Officer as required under the above mentioned Act it was recommended that the proposed water course is the only way for irrigating the land of the applicant & that the land be acquired under the Northern India Canal & Drainage Act, 1873. The proposal was also scrutinised by the then L.A.C.(N) who agreed to the above recommendations of Divisional Canal Officer.

Notices were issued to the interested persons. In response to the notices S/Sh. Om Prakash, Azad Singh s/o Kheru appeared before the Land Acquisition Collector(N) on 5.11.1974 and raised objections against the acquisition proceedings. They submitted that a pucca Kotha comes in the alignment of the land proposed for Canal Water Course. But the investigations carried out by the field staff reveal that pucca Kotha was constructed after the date of decision of the Divisional Canal Officer.

In view of the above noted facts acquisition proceedings for the Canal Water Course, the measurements of which are given below, are undertaken in the present award:-

khxNa.

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<u>Kh.No.</u>	<u>Area</u>
Rect. No. 31/19/1	0-04
22/1	0-04
Rect No. 42/2/1	0-03
Total:-	<u>0-11</u>

CLASSIFICATION OF LAND

The details of Khasra Nos. and classification of land according to the revenue records are as follows:-

<u>Sr.No.</u>	<u>Kh.No.</u>	<u>Area</u>	<u>Kind of Land</u>
1.	31/19/1	0-04	Abpash Nehri
2.	31/22/1	0-04	-do-
3.	42/2/1	0-03	-do-
Total:-		<u>0-11</u>	

MARKET VALUE

In determining the market value of the land many factors enter into reckoning for instance size & shape of the land, its situation, the use to which it is put, its potential value & rise and fall in the demand of the land. The area is governed by the Delhi Land Reforms Act, 1954 and cannot be used for any other purpose except for agricultural purpose without the prior permission of the concerned authority. The land under acquisition is adjacent the road connecting Narela-Bawana Road to Radar installation of the Defence. The land under acquisition is fertile.

A perusal of the sale transactions of village Bawana reveals that there has been no sale near to the land under acquisition close to the material date of notification. Some Kh.Nos have been sold in the shape of plots but these are situated at a quite considerable distance from the land under consideration and so there cannot be a comparison between the land.

Therefore, for determining the Market value of the land under consideration the awards in village Bawana have been examined. It has been found that Kh.Nos. 30/16/2, 30/25/2, 43/5/2, 30/6-15 were acquired under Defence of India Act, 1962 in Offer No. 1961 drawn on 15.5.1967. These Khasra numbers are adjoining the land under acquisition and bear the same quality of land. In determining the market value of the land in above said offer the L.A.C.

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has placed the above mentioned Khasra numbers in Block 'B' and has fixed their price at Rs. 400/- per bigha. There are also some enhancements in the above award as announced by the Sub Judge in L.A. Case Nos. 21/68 & 32/68. Accordingly, the learned Sub Judge has fixed the market value as Rs. 855/- per Bigha. The material date of notification of Khasra numbers acquired in Offer No. 1961 is 19.6.65 whereas in the present award the material date of notification for khasra numbers under acquisition is 12.12.1973.

Keeping in view the above mentioned facts and the spiral rise in prices I deem it fair and equitable to fix the market value of the land under acquisition as Rs. 1300/- per Bigha. I assess the same accordingly. The price of 11 Biswa thus comes to Rs. 715/- which is to be paid to the recorded owners. The Divisional Canal Officer may be requested to get this amount deposited from the applicant for payment to the interested persons. The departmental charges of the Irrigation Deptt. will be in addition to the price of the land.

R.D.S.
(R.D. SRIVASTAVA)
LAND ACQUISITION COLLECTOR(M)
DELHI.

*Approved
with per Govt on
12/12/76*

R.D.S.
12/13