

AWARD NO: 51/86-87

Name of Village BIJWASAN
 Nature of Acquisition PERMANENT
 Purpose of Acquisition Construction of Bijwasan Drain

There are proceedings u/s 11 of the Land Acquisition Act 1894 for determination of compensation in respect of Land Measuring 108ighas 04 Biswas in village Bijwasan. The land is required for construction of Bijwasan Drain. The land was notified u/s 4 No.F.7(17)/73-L&B(1) dated 21-11-1974 and u/s 6 No.F.7(17)/73-L&B(1i) dated 21.11.1974.

Since it was a case of emergency, therefore, section 17 of the Act was made applicable vide notification No.F.7(17)/73-L&B(3) and possession was taken on 24.10.75.

Notices u/s 9 & 10 of the Act were issued to the persens interested. Claims filed will be discussed later under heading "CLAIMS & EVIDENCE".

MEASUREMENT & CORRECT AREA

The total area under declaration u/s 6 was 67 Bighas 04 Bis. But due to change in alignment of Drain by the requiring deptt. the scheme was diverted and area measuring 57 Bighas is not being acquired as it does not fall in new alignment of the drain. Hence the acquisition proceedings are confined to an area measuring 10 Bighas 04 Biswas only. In the meanwhile, consolidation operation in village Bijwasan was undertaken and new Khasra Nos were assigned to old Khasra number. old Khasra Nos corresponding with new one being stated under this head.

Old Khasra No.	New Khasra No.	Area	KWD
1067/1	92/13	0-04	Abpash
1070/1	92/14	0-09	"
1071/1	92/15	0-11	"
1073/1	92/14	0-14	"
1074/1	91/11	0-06	"
1075/1	91/11	0-03	"
1076/1	91/11-12	0-01	"
1089/3	91/11-12	3-04	"
1092/2	92/13 tp 15 } 91/13	1-00	"

cond...2/-

Contd. from prepage

1093/2	91/14	0-07	Abpash
1094/2	91/14	0-09	"
1096/2	91/14	0-13	"
1097/1/2	91/14	0-10	"
1123/2	91/12-13	0-09	"
1124/1	91/12-13	0-06	"
1125/2	91/11-12	0-18	"
Total..		10-04	

CLAIMS & EVIDENCE

1. Risal S/o Shed Singh	1073/1	Rs. 75,000/- p.b. for land
2. Lal Chand s/o Ranjit	1096/2	Rs. - do -
3. Duli Chand s/o Ram Sahai Jug Lal, Pyare Lal ss/o Molar Shiv Chand s/o Ram Sahai	1089/3	Demanded alternative land.
4. Pradhan Gaon Sabha	1089/3	Rs. 10,000/- p.b. for land.
5. Lakhi Ram s/o Duli Chand and Puran	1097/1/2	- do -
6. Mir Singh & Smt. Ratni D/o Shiv Lal	1074/1	Rs. 15,000/- p.b. for land
7. Smt. Bhagwani D/o Shiv Lal	1093/2	- do -
8. Smt. Bharto D/o Shiv Lal	- do	- do -
9. Dalip Singh S/o Sukh Lal	- do	- do -
10. Harkishan s/o Sukh Lal	- do -	- do -
11. Hukam Chand S/o - do -	- do -	- do -
12. Sardar Singh S/o - do -	- do -	- do -
13. Ram Kishan s/o - do -	- do -	- do -
14. Chottu Ram s/o - do -	- do -	- do -
15. Mir Singh S/o Shiv Lal	- do -	- do -
16. Kali Ram S/o Mukh Ram	- do -	- do -
17. Raghu Nath s/o - do -	1094/1	- do -
18. Misri S/o - do -	- do -	- do -
19. Devi Singh, Bhagwan Singh ss/o Ram Sahai	1071/	- do -

MARKET VALUE

The market value of the land under acquisition is to be determined with reference to the price of the land prevailing at the time of notification u/s 4 of the L.A. Act i.e. 24-10-1975.

The claimants in the case have demanded very exorbitant compensation but no evidence has been adduced in support of their claim.

Record of rights of the village was consulted. Following sale transactions have taken place near to the date of preliminary notification u/s 4 i.e. 21.11.1974.

Sr.No.	Registration No. & Date	Khasra No.	Area	Amount
1.	907/15-2-74	2858/2837/1457	0-18	Rs. 2500-00
2.	2432/3/5/74	2068 min.	2-12	Rs. 6000-00
3.	3336/3-5-74	2068 min.	2-13	Rs. 6000-00
4.	4180/4-8-74	677-min(1-19) 628(13-01)680/2 (6-07)	21-07	Rs. 48000-00
5.	4159/12-8-74	679(19-03)	21-03	Rs. 48000-00
6.	4371/26-8-74	677(2-0)	1-01	Rs. 6000-00
7.	4788/24-9-74	1339	1-01	Rs. 2500-00
8.	5126/17-10-74	1963 min. 160 min.	6-04	Rs. 19830-00

The land involved in these sale transactions are very far away from the land under acquisition. Hence no reliance can be placed on it.

In assessing the market value of the land under acquisition on the date of notification u/s 4, bonafide sale transactions of land parallel in all circumstances to the land under acquisition in the same village and also award for similar land made with reference to the date of notification u/s 4 are taken into account. In this village, the following award is reported to have been made in the near past.

Award No.	Date of notification u/s 4	Rate awarded by LAC
72-72-73	3-12-1971	Rs. 2400/- p.b.

The material date in the present case is 21-11-1974 whereas the date of notification u/s 4 was 3-12-1971 in award No. 72/72-73. There is a time gap of two year 10 months approx. as between the date of notification u/s 4 and date of notification u/s 4 of the land under acquisition. The interested persons had felt aggrieved against award No. 72/72-73, and filed reference petition u/s 18 of L.A. Act and the court of A.D.J. fixed up the market value of the land @ Rs. 4000/- p.b. The Union of India filed an appeal against this judgement over and above Rs. 2800/- p.b. (L.A. Case No. 397/73, Ghisoo Vs. UOI) Hence the market value of the land at the time of preliminary notification u/s 4 as on 3-12-1971 was Rs. 2800/-. In view of aforesaid discussion, I am of the opinion that Rs. 3000/- P.B. as market value of the land is fair and reasonable and award the same accordingly.

TREES, WELL & STRUCTURES

There is no tree or structure on the land under acquisition. Hence no compensation is assessed.

SOLATIUM

30% solatium will be payable on the market value of the land on account of compulsory nature of acquisition.

ADDITIONAL AMOUNT U/S 23(1A)

An additional amount @ 12% on the market value of the land u/s 23(1A) is payable from 21-11-1974 to 23-10-75 i.e. date of possession.

INTEREST U/S 34

Interest u/s 34 is payable as the possession was taken on 24-10-75. Hence interest @ 9% is payable from 24-10-75 to 23-10-76 and interest at the rate of 15% from 24-10-76 to 16-9-86.

LAND REVENUE

The land under acquisition is assessed at Rs. 2-20P. as land revenue will be deducted from the khatanni Khalsa Rent Roll of the village from the date of taking over possession.

APPORTIONMENT

In this village consolidation proceedings are going on and the same have not yet been finalised. Payment will be made after conferring from the consolidation officer that in change in allotment is likely to be made after wards. Payment will be made on the basis of latest entries in the revenue record. In case on any dispute, which will not be settled amicably will be referred to the court of ADJ U/s 30-31 of the Act for adjudication.

S U M M A R Y

The award is summarised as below :-

1. Market value of the land measuring 10 Bighas 4 Bis. @ Rs. 3000/- per bigha	Rs. 30,600-00
2. Solatium 30%	Rs. 9,180-00
3. Interest u/s 23(1A) from 21-11-74 to 23-10-75 (336 days) @ 12% P.A	Total.. Rs. 39,780-00
4. Interest u/s 34 from 24-10-75 to 23-10-76 @ 9% P.A	Rs. 3,380-25
ii) 24-10-76 to 16-9-86 (9yrs, 328 days) @ 15%	Rs. 3,580-20
	Rs. 59,065-12
G. TOTAL:-	Rs. 1,05,805-57

(Rupees One Lac five thousand eight hundred five & ps. fifty seven only)

APPROVED

SECRETARY (REVENUE)

(N.K. SHARMA)
LAND ACQUISITION COLLECTOR (P.S.)
DELHI.

Announced today in the
Open Court.

LAC (PS)

कॉपवाही कब्जा जैर दफा 4, 6, व 17 ग्राम बिजवासन
Drainage scheme.

जमुजिब हुस्म (जनाब A.A.C (MSD) महाब
बहादुर जीके पर बहमराह श्री जलवान सिंह काबूगो (L.A)
श्री मोहचन्द पटवारी L.A व श्री महानन्द प्रकाश चधरसी L.A
ग्राम बिजवासन पहुँचे। जमुजिब प्रोग्राम सहकमा Acquiring
की तरफ से श्री J. K. Gupta Junior Engineer Flood
control division No. 1 Delhi Administration मध्य Staff
जीके पर मौजूद मिले। वास्तुद्वारा में से काबजुद इतना करीब
होजर गयी आया है। आरजी जैर कामदा Notifications No
17(1)/73-123 (i), even No (ii), and even No (iii) dated 21/11/74
4/5 4, 1217(C) of the L.A Act. बत्रामूला जैर राज खरसरा 453/1
(0-4)
454/1, 513/2, 514/2 min, 515/1, 517/2, 520/2, 3223/2773/449/2
(0-2) (0-16) (3-02) (0-2) (1-2) (1-9) (0-14)
3224/2773/449/1, 3246/2773/449/2, 2445/450/1, 2447/450/1
(0-6) (1-5) (0-3) (0-1)
2448/450/1, 3247/2449/450/2, 3248/2449/450/2, 3249/2449/450/2
(0-2) (0-14) (0-6) (0-16)
3251/2449/450/1, 3252/2449/450/1, 3253/2449/450/1, 3254/2449/450/1
(223 Min Bismoy) (0-2) (0-1) (0-2)
3255/2449/450/1, 3256/2449/450/2, 3257/2449/450/2, 954/1, 1036/2
(0-3) (0-9) (0-10) (0-7) (0-11)
1067/1, 1070/1, 1071/1, 1073/1, 1074/1, 1075/1, 1076/1, 1089/3
(0-4) (0-9) (0-11) (0-14) (0-6) (0-3) (0-1) (3-4)
1092/2, 1093/2, 1094/2, 1096/2, 1097/1/2, 1123/2, 1124/1, 1125/2
(1-0) (0-7) (0-5) (0-13) (0-10) (0-9) (0-6) (0-18)
कुल लाफती 23 बिघा 13 बिघा की पैमाइश करके व जमीन जरीब
अवकाजी कुजीयात खोज लगा कर कब्जा करके मध्य दरख्तान हासिल
किया गया और को जलस ही होना आ श्री J.K. Gupta Junior Eng. सहकमा
Acquiring किया गया। शिका पर सामान आरजी खाली है। जमुजिब
समया 514/2 min, 516/1 जिसके मौके पर जसरी गुलाब वगैरा है उसका
(0-8) (0-12)
कब्जा सहकमा Agriculture है किमत लगवाने के बाद हासिल किया
जोका। वरकमत कॉपवाही कब्जा उपरोक्त भूमि करीब सजहमत देश
में आते हैं। मुजादी व मुशतहरी लाबत तब दिली कब्जा मौके
पर व देह दजा में जजरीये श्री महानन्द प्रकाश Peen (L.A)
व अकजा लुमन्द करीब गड़े।

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पटवारी हलका बकजय दिग्वार कार सरकार होजर न
 आ सक्ता है। लिहाजा एक नकल कायवाही केब्जा बि
 उमल दरामद पर कागजात माख बजरीये C.O सुहाव
 दिल्ली मजबुति जावे और एक नकल सिधकम
 Acquiring की। कायवाही केब्जा पूरी हो
 चुकी है लिहाजा रिपोर्ट भजे है। 24-10-75

माइलुद
 पटवारी 24/10/75

कमलजी बख्तराजा
 कागजात (मरआ)
 24/10/75

24-10-75
 N.T. (HA)

Shaharandhar
 24-10-75

Segu
 25/10

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)
DELHI ADMINISTRATION: DELHI.
 (NOTIFICATION)

Dated the Nov., 1974.

No.F.7(17)/73-L&B(ii): -Whereas the Lt. Governor Delhi is satisfied that the land is required to be taken by Government at the public expense for a public purpose, namely for construction of Bijwasan 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

Village Or Locality	Total Area Big. Bis.	Field Nos. Or Boundaries.
Bijwasan	67 - 04	453min, 454min, 513min, 514min, 515min, 516min, 517min, 520min, 3223/2773/949/19min, 3224/2773/949/20min, 3246/2773/949/43min, 950/1min, 950/2min, 950/3min, 950/4min, 950/5min, 950/6min, 950/7min, 950/10min, 954min, 1036min, 1092min, 1093min, 1094min, 1096min, 1097/1min, 1025min, 1123min, 1124min, 1125min, 1089min, 1073min, 1074min, 1075min, 1076min, 1071min, 1072min, 1067min, 1069min, 1070min, 2478/2001min, 2033min, 2034min, 2039min, 2050min, 2051min, 2052min, 2053min, 2057min, 2058min, 2060min, 2061min, 2062min, 2063min, 2098min, 2099min, 2100min, 2101min, 2104min, 2105min, 2108min, 2109min, 2155min, 2159min, 3278/2163min, 3279/2163min, 3280/2163min, 3281/2163min, 3293/2163min, 3287/2164min, 3286/2164min, 2163min, 3288/2164min, 3292/2164min, 3293/2164min, 3294/2164min, 3295/2164min,

Contd....2/-

M. J. Ch

or ty.	Total Big.	Area Bis.	Field Nos. Or Boundaries.
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18 - 08

133min, 134min, 135min, 136min,
137min, 139min, 141min, 142min,
144min, 145min, 146min, 183min,
184min, 185min, 186min, 195min,
197min, 199min, 200min, 201min,
206min, 212min.

7 - 01

209/2min, 210min, 211min, 214min,
215min, 217min, 218min, 285min,
286min, 287min, 290min, 291min,
295min, 297min, 298min, 310min,
323min, 324min, 335min, 336min,
346min, 347min, 357min, 358min,
359min, 360/2min.

BY ORDER

Sd/-

(KRISHNA PRATAP)
DEPUTY SECRETARY (LAND & BUILDING)
DELHI ADMINISTRATION: DELHI.

P.7(17)/73-L&B(11)

Dated the 21 Nov., 1974.

forwarded to:-

The Public Relation Deptt., Delhi Administration
(In Dupl.) for publication in Part IV of Delhi Gazette.

Additional District Magistrate(LA), Delhi.
Land Acquisition Collector(P), Delhi.
The Executive Engineer, Flood Control and Drainage
Division No.1, Curzon Road, New Delhi.

Tehsildar(Land & Building).

All Sub-Registrars, Delhi/New Delhi/Shahdara.

P.A. to D.S.

Sd/-

(KRISHNA PRATAP)
DEPUTY SECRETARY (LAND & BUILDING)
DELHI ADMINISTRATION: DELHI.

*Amended
138*

[Signature]

M. J. Ch

(TO BE PUBLISHED IN PART IV OF THE GAZETTE)
DELHI ADMINISTRATION: DELHI.
NOTIFICATION

Dated the Nov., 1974.

F.7(17)/73-L&B (A):- Whereas it appears to the Lt. Governor, that land is likely to be required to be taken by Government at the public expense for a public purpose, namely for construction of Bijwasan 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 provision 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 work men to enter upon 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, is further pleased under sub-section (4) of the said section, to direct that the provisions of section 5-A shall not apply.

SPECIFICATION

Village or Locality	Total Area		Field Nos or Boundaries.
	Big.	Bis.	
Bijwasan	67	- 04	453min, 454min, 513min, 514min, 515min, 516min, 517min, 520min, 3223/2773/99/19min, 3224/2773/99/20min, 3246/2773/99/43min, 950/1min, 950/2min, 950/3min, 950/4min, 950/5min, 950/6min, 950/7min, 950/10min, 944min, 1036min, 1092min, 1093min, 1094min, 1096min, 1097/1min, 1025min, 1123min, 1124min, 1125min, 1089min, 1073min, 1074min, 1075min, 1076min, 1071min, 1072min, 1067min, 1069min, 1070min, 20478/2001min, 2033min, 2034min, 2039min, 2050min, 2051min, 2052min, 2053min, 2057min, 2058min, 2060min, 2061min, 2062min, 2063min, 2098min, 2099min, 2100min, 2101min, 2104min, 2105min, 2108min, 2109min, 2155min, 2159min, 3278/2163min, 3279/2163min, 3280/2163min, 3281/2163min, 3283/2163min, 3287/2164min, 3286/2164min, 2163min, 3288/2164min, 3292/2164min, 3293/2164min, 3294/2164min, 3295/2164min.

True

[Signature]

C. (N.S.W.)
 Delhi.
 N. T. (K.A.)

[Signature]
 M. T. An

No. of City	Total Area		Ficos. Or Boundaries
	B.g.	Bis.	
18	-	08	133, 134min, 135min, 136min, 137, 139min, 141min, 142min, 144, 145min, 146min, 183min, 184, 185min, 186min, 195min, 197, 199min, 200min, 201min, 206, 212min, .
7	-	01	209/2, 210min, 211min, 214min, 215, 217min, 218min, 285min, 286, 217min, 290min, 291min, 295, 217min, 298min, 310min, 323, 214min, 335min, 336min, 346, 217min, 357min, 358min, 359min, 2min.

By Order

Sd/-

(ISHNA PRATAP)
DEPUTY SECRETARY (LAND & BUILDING)
DELHI ADMINISTRATION: DELHI.

Dated t 21 Nov., 1974.

17/73-L&B (11)

forwarded to:-

The Public Relation Deptt., Delhi Administration,
(in dupl.) for publication in Part I of Delhi Gazette.

Additional District Magistrate (LA), Delhi.

Land Acquisition Collector (P), Delhi.

The Executive Engineer, Flood Control and Drainage
Division No. 1, Curzon Road, New Delhi.

Tehsildar (Land & Building).

All Sub-Registrars, Delhi/New Delhi/Shadara.

P.A. to D.S.

Sd/-

(KRISHNA PRATAP)
DEPUTY SECRETARY (LAND & BUILDING)
DELHI ADMINISTRATION: DELHI.

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