

Name of the village :

Civil Station.

Nature of acquisition:

Permanent.

INTRODUCTION:

The land in the locality of Civil Station bearing field No.839/105 min measuring 18 bighas only is required by the Government at the public expense for a public purpose namely for the Planned Development of Delhi. A notification under section 4 of the L.A.Act vide No.F.1(15)/63-L&H (i) dated 17.2.1967 was issued, by the Delhi Administration. Simultaneous the provisions of sub section 1 of section 17 of the said Act were applied to this land, and as provided under sub sec. (4) of the said section, the provisions of section 5(a) were dispensed with. A declaration under section 6 of the L.A.Act was made vide the notification No.F.1(15)/63-L&H(ii) dated 17.2.1967. Notice under section 9(1) of the L.A.Act was given due publicity and notices under section 9(3) and 10(1) of the L.A.Act were issued to the interested persons. Almost all the interested persons have responded to the notices. In pursuance of section 17 of the said Act the physical possession of the land was handed over to the Land & Housing Deptt. on 5.4.1967.

'MEASUREMENT & OWNERSHIP'

According to the notification under section 6 of the Land Acquisition Act, the total area to be acquired was 18 bighas only. But from further verification made on the spot under section 8 of the Land Acquisition Act, it was found that the area of 18 bighas comprised of two separate field numbers viz. 839/105 min covers an area of 16 bighas and 4 biswas only and, the remaining 1 bighas and 16 biswas is covered by the field No.106. The acquisition for this area of 1 bighas and 16 biswas is being done separately. Hence the present award is in respect of 16 bighas and 4 biswas only. I, therefore, hold the area to be acquired to be true at 16 bighas and 4 biswas, the details of which are as below according to the Revenue Record:-

1. Government. Notified Area Committee, Delhi Patedar c/o Resettlement of India, A Film Studio, Delhi-Patedar under the supervision of M/S Chet Singh & Sons, Patta holder, w.e.f. 26.7.1949 to 23.7.2048, for 99 years. 839/1052/2/1 16 - 04 Gm.Bahar

'CLAIMS AND EVIDENCE'

Shri Ajit Singh (through Raj Lal Advocate), sole proprietor of M/S Chet Singh & Sons has submitted the claim petition and demanded compensation @ Rs.200/- per sq.yd. for the land, Rs.50,000/- for ^{shifting of} crusher ~~to~~ to other place, Rs.5000/- per month as loss due to acquisition, Rs.100/- per sq.yd as loss on account of division of his land into two parts by the present acquisition, and solatium for compulsory acquisition.

Note: The present acquisition of the land does not include the area in which the crusher is fitted. Therefore, the claim of the petitioner regarding the crusher etc. cannot be considered at this stage.

The claimant Shri Ajit Singh, sole proprietor of M/S Chet Singh & Sons has not produced any evidence in support of his claim for the land under acquisition.

On behalf of the Land & Development Office, Delhi Shri Kumar U.D.C; and Shri R.K. Mehra, Additional Standing Government Counsel, have appeared and stated that the land in question belongs to Government and they claimed compensation @ Rs.100 per sq.yd. and requested that the value of the land should be paid to the Government of India.

'Market Value'

The land under acquisition is situated at a distance of 5½ furlongs from the ^{Khyber} ~~by-pass~~ near the bank of River Jamuna. It has got potential value for building purposes. Several sales have taken place in the vicinity of this area during the last few years prior to the date of notification under section 4 of the Act, viz. 17.2.1967.

in the vicinity of the

Year.	Area. Bis.Bis.	Total sale price.	Average per bigha.
1962-63.	--	--	--
1963-64.	6 - 12	Rs.2,51,500/-.	Rs.38106.06
1964-65.	11 - 12	Rs.1,25,000/-.	Rs.2,08,333. and 33ps.
1965-66.	2 - 14	Rs.1,12,000/-	Rs.41431.48
1966-67.	--	---	--

From the above figures it will be seen that no sales were recorded during the years 1962-63 and 1966-67. During the intermediary period i.e. from 1963-64 ~~xxx~~ to 1965-66 the rates were fluctuating. Besides, the rates involved in these transactions include the value of the land and the cost of the structures also. These sales have taken place in developed area of civil Station, and the situation of the land in this area is far more superior to the situation of the land under acquisition. Hence the rates involved in the above said sales transactions cannot be made relevant for arriving at the correct market value of the land under acquisition.

Vide the award No.1636 of village Civil Station the land measuring 20 bighas and 14 biswas was acquired, in which the rate of Rs.3200/- per bigha was allowed for the high level land. The land under acquisition is at a distance of only about 1½ furlong from the land acquired vide the award No.1636. The land in both these awards are acquired for the same purpose namely for the construction of road connecting Ring Road to Wazirabad. Although the land acquired under the award No. 1636 is situated on the Mainzine Road near the Gurdawara, yet the situation of the land under acquisition is rather important as it is surrounded by the Institutions like After Care Home, Nirmal Hospital, Arya Mahila Ashram etc.; Moreover the date of notification under section 4 of the Land Acquisition Act of the award No.1636 was 24.10.1961, ~~xxx~~ whereas the date of notification of the present award is 1.2.1967. One reference petition is reported to have been filed against the award No. 1636 which has not yet been decided by the Adl. Distt. Judge, Delhi. However, considering the situation of the land and the growing trend in the market value in the vicinity of the

2 under acquisition 2
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land under acquisition, I consider the rate of Rs.4800/- per bigha to be a fair and reasonable market value of the land under acquisition and I award accordingly.

'Other Compensations'

There is neither any tree nor any structure on the land under acquisition, therefore, the question of payment of compensation does not arise.

Interest: As in pursuance of section 17 of the Land Acquisition Act the physical possession of the land under acquisition has been handed over to the acquiring department on 5.4.1967, therefore the interest @ 6% p.a. will have to be given from the date of taking over possession to the date of payment of compensation i.e. 4.6.1967.

'APPORTIONMENT'

The entire compensation will be treated as disputed and sent to the Additional District Judge, Delhi for adjudication as it has been claimed by the claimant S. Ajit Singh sole proprietor M/S Chet Singh & Sons on the one hand and by the Land & Development Officer on the other.

'SUMMARY OF THE AWARD'

Compensation for the land measuring 16 bighas and 4 biswas @ Rs.4800/- per bigha.	Rs.77,760.00
15% of the above as solatium for compulsory acquisition charges.	Rs.11,664.00
	Rs.89,424.00
Interest @ 6% on the above from 5.4.1967 to 4.6.1967.	Rs. 894.24.
G.Total ...	Rs.90,318.24

The land is assessed to no land revenue.

(Zal Nowshervanji)
Land Acquisition Collector (DS)
Delhi/125.1967.

Submitted to the Collector, Delhi for information, and filing.

seen. files
N. Sharma
24/5
COLLECTOR, DELHI

(Zal Nowshervanji)
Land Acquisition Collector (DS),
Delhi/125.5.1967.

126/86-87

AWARD
VILLAGE : CIVIL STATION
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : P.D.D.

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These are the proceedings for the acquisition of land measuring 4 bigha 6 biswas bearing khara Nos. 259 min of village Civil Station. The land was notified u/s.4 of the Land Acquisition Act vide notification No P.4(14)/67-L&B dated 13.7.67 for a public purpose, namely the P.D.D. The substance of the said notification was given due publicity and objections were invited from the interested persons. The objections were duly heard and a report u/s. 5-A of the Land Acquisition Act was sent alongwith the objections in original to the Land & Building Department Delhi Administration. After that a final declaration u/s.6 of the Land Acquisition Act was issued by the Delhi Admn.vide notification No.P.4(14)/67-L&B dated 25.1.68. Notices u/s.9 & 10 of the Land Acquisition Act were issued to all the interested persons. The claims filed by them are discussed herewith under the heading 'Claims & Evidence'.

MEASUREMENT & TRUE AREA.

The Land Acquisition field staff carried out the necessary measurement of the land at the site and its verification was also made from the revenue record of the village. The total area measuring 4 Bigha 6 Biswas was found to be correct and true area. The details of the area under present acquisition are given below:-

<u>KHASRA NOS.</u>	<u>AREA</u>	<u>CLASSIFICATION OF LAND AS PER KHASRA GIRDAWARI FOR THE YEAR 85-86.</u>
259 min	4 Bigha 6 Biswas	Gair Mumkin Sarak.

CLAIMS AND EVIDENCE :-

NO CLAIM WAS FILED.

MARKET VALUE:-

Earlier awards drawn in this village are as follows:-

<u>S.No.</u>	<u>Award No.</u>	<u>Date of Not. U/s.</u>	<u>Rate assessed</u>	<u>Enhancement</u>
1.	12 1636	24.10.61	B-I 32/-per sq.yd. B-II 25/- "	
2.	2088	8-11-63	Rs.36/-per sq.yd.	
3.	1952	17.6.64	Rs.40/- ""	
4.	1969	17.2.67	Rs.4.80 ""	Rs.17/-
5.	1970	5-4-67	Rs.4-80 ""	P.sq.yd. -do-

The present land relate to the notification dated of 13.7.67 Above awards show that land rates have varied over time from location to location. The first three awards relate to land located near Rajpur Road and Alipur Road while the

the last two awards relate to the outer side of Civil Station. The land now under acquisition is near the Malka Ganj Road. Considering the rates assessed above awards the location of land and its potentialities, the market value of this land should be Rs. 18,000/- per bigha and I assess the same.

SOLATIUM:

30% solatium will be paid on the market value assessed of the land under acquisition.

ADDITIONAL AMOUNT U/S 23(1-A):

The additional amount under section 23(1-A) of the Land Acquisition Act (Amended) will be paid over and above the total market value @12% w.e.f. 13.7.67 (date of notification under section 4 of the Land Acquisition Act) till the date of Award i.e. 18.9.86 i.e. 19 years & 68 days).

APPORTIONMENT:

THE compensation will be paid to the rightful owners on the basis of latest entries in the revenue record. In case of any dispute between the parties which is not settled, the matter will be referred to the court of A.D.J. Delhi under section 30-31 of the Land Acquisition Act.

SUMMARY OF THE AWARD:

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|----|---|----------------|
| 1. | Market value of the land measuring 4 bighas 06 biswas @ Rs. 18,000/- Per Bigha. | Rs. 77,400.00 |
| 2. | 30% Solatium | Rs. 23,220.00 |
| 3. | Amount u/s 23(1-A) from 13.7.67 to 18.9.86 @ 12% (19 Yrs. & 68 days) | Rs. 178,202.36 |

GRAND TOTAL :

Rs. 2,78,822.36

(Rupees two lacs seventy eight thousand eight hundred twenty two & paise thirty six only).

V Singh

(VIJAY SINGH)
LAND ACQUISITION COLLECTOR
(DS) : DELHI.

Jul 1979

REVENUE

Award announced in the open Court.
Notice u/s 12(2) be issued.

V Singh
19/9/86