

Name of the locality:
Nature of acquisition:

Civil Station.
Permanent.

INTRODUCTION:

The land in the locality of Civil Station bearing Idara No. 839/105/2 measuring 18 biswas is acquired 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 Land Acquisition Act was issued vide the notification No. F.1(15)/C3-L&M(iv) dated 17.2.1967. The substance of the notification was given due publicity and objections were invited from the interested persons. The objections were received and heard and a report was made to the Delhi Administration. However, the objections were rejected by the Delhi Administration and a declaration under section 6 of the Land Acquisition Act was made vide the notification No. F.1(15)/C3-L&M dated 18.4.1967. Notices under section 9(1) of the L.A. Act were given due publicity and notices u/ss 9(2) and 10(1) of the L.A. Act were issued to the interested persons. Almost all the interested persons have responded to the notices given to them.

'MEASUREMENT & OWNERSHIP'

According to the notification under section 6 of the Land Acquisition Act the total area to be acquired was 18 biswas. From further verification made on the spot under section 3 of the Land Acquisition Act, the area under acquisition comes to 18 biswas. It, therefore, holds the area under acquisition to be true at 18 biswas the details of which according to the Revenue Record is as given below:-

Sr. No.	Name of the owner.	Name of the Khata No.	Area.	Kind of land.
1.	Government.	Notified Area Committee, Delhi P. & C. Resettlement of India, A Film Studio Delhi- Patidar under the supervision of M/S Chet Singh & Sons Patwa holder v.e.f. 26.7.49 to 25.7.2048 for 99 years	839/105/2/2/1	0 - 18 An. Pahan

'CLAIMS AND EVIDENCE'

Shri Ajit Singh (Through Raju Lal Advocate), Sole proprietor of M/S Chot Singh & Sons has submitted the claim petition and demanded compensation @ Rs.250/- per sq.yd. for the land, Rs.100/- per sq.yd. as loss on account of division of his land into two parts, Rs.50,000/- for the stone crusher, Rs.20,000/- for the oil Engine and Rs.50,000/- for shifting etc. He further demanded Rs.50,000/- as loss of business.

Note: The claim demanded by the claimant is being discussed under the head 'Market Value'.

On behalf of the Land & Development Officer, Delhi Shri Krishan Kumar U.D.C., and Shri A.M. Moha, Additional Secretary, Committee Government Council 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 Union of India.

No evidence has been produced by anyone of the above claimants.

'MARKET VALUE'

The land under acquisition is situated at a distance of about 5½ furlongs from the Khyber Pass near the bank of River Jamuna. It has got potential value for building purposes. Several sales transactions have taken place in the vicinity of this area during the last five years prior to the date of notification under section 4 of the L.A. Act viz. 17.2.1967.

Year.	Area. Bigha.Bis.	Total sale price.	Average per bigha.
1962-63.	--	--	--
1963-64.	6 - 12	Rs.2,51,500/-.	Rs.38106.06
1964-65.	0 - 12	Rs.1,25,000/-.	Rs.2,08,333.33
1965-66.	2 - 14	Rs.1,12,000/-.	Rs.41,481.48
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 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 bighas 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 $1\frac{1}{2}$ furlongs 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 connection Ring Road to Manirabad. Although the land acquired under the award No.1636 is situated on the Hazine Road near the Gurdwara, yet the situation of the land under acquisition is rather important as it is surrounded by the Institutions like After Care Home, Himmat Hospital, Arya Namik Ashram etc. Moreover the date of notification under section 4 of the L.A. Act of the award No.1636 was 24.10.1961, whereas the date of notification under section 4 of the present award is 17.2.1967. One reference petition is reported to have been filed against the award No. 1636 which has not yet been decided by the J. L. Distt. Judge, Delhi. However considering the situation of the land under acquisition and the growing trend in the market value in the vicinity of the land under acquisition, I consider the rate of Rs.4800/- per bigha to be a fair and reasonable market value of the land ~~and~~ under acquisition and I award accordingly.

'OTHER COMPENSATION'

There is one stone crusher ^{with Engine} and a small ^{Kotla} on the land under acquisition. The Haib stone crusher ^{with Engine} is removable and the owner is allowed to remove ~~it~~ if he so desires. Only he is entitled for the shifting charges of the stone crusher and the ^{with Engine} Kotla situated on the land. The Haib Tehsildar (LA) has assessed Rs.2500/- which include the price of the Kotla and the shifting

charges of the stone crusher. - 4 -

I have inspected the site and I find that the prices assessed for the shifting of the stone crusher ^(+ oil Engine) and the kotba by the Naib Tehsildar (IA) are quite reasonable and I award accordingly.

'APPROPRIATEMENT'

The entire compensation of the land will be treated as dispute and sent to the Addl. Distt. Judge, Delhi for adjudication as it ^{has} been claimed by the claimant S. Ajit Singh and by the Land & Development Officer, Delhi.

As regards the compensation which has been assessed for the shifting of the Stone crusher and the kotba, it will also be paid in the presence of S. Ajit Singh and Shri Tilak Raj Sethi, as the claimant Shri Ajit Singh has stated him to be his partner, and in case of dispute it will also be sent to the Addl. Distt. Judge, Delhi for adjudication.

'SUMMARY OF THE AWARD'

Compensation of land measuring 18 biswas @ Rs. 4800/- per bigha. Rs. 4320.00

15% of the above as solatium for compulsory acquisition charges. Rs. 648.00
Rs. 4968.00

Compensation for shifting of stone crusher and kotba: cost of kotba. Rs. 1500.00
G. Total .. Rs. 6468.00

The land is assessed to no land revenue.

(Zal Nowshewanji)
Land Acquisition Collector (DS),
Delhi/12.5.1967.

Submitted to the Collector, Delhi for information and filing.

seen. Filed.
N. J. Arora
24/5
COLLECTOR, DELHI
(Zal Nowshewanji)
Land Acquisition Collector (DS),
DELHI/12.5.1967.

NT

P. Gov. prep. and Shri Tilak Raj Sethi
and Nabha Tilgani. 27/5

Compared
Shri
NTM
12-5-67

Handwritten
12/5/67