

AWARD NO....25/84-85

Name of Village. JHILMIL TAHIPUR

Purpose of acquisition. PLANNED DEVELOPMENT OF DELHI.

Nature of acquisition. PERMANENT.

Introduction: These are the proceedings of Acquisition of the land situated within the Revenue Estate of Jhilmil Tahipur, which is needed by the Govt. at the public expenses for a public purpose, namely for the Planned Development of Delhi. The General preliminary notification No. F.8(13)/76-L&B dt. 27.7.81 u/s 4 of L.A. Act, 1894 covering an area of 4 bigha 19 biswas was issued and the substance of the said notification was given due publicity. After considering objection report u/s 5-A a final declaration u/s 6 of the L.A. Act was made vide notification No. F.8(13)/76 L&B dt. 26.3.1982. Notice u/s 9 & 10 were issued to the known interested persons and compensation claims received are discussed under the heading 'Compensation Claim'.

MEASUREMENT: According to the notification u/s 6 of the L.A. Act and on the actual measurement by the field staff the area of Kh. No. 1180/1118/1 is 4 bigha 19 biswas. Out of land measuring 4 bigha 19 biswas of Kh. No. 1180/1118/1, land measuring 0 bigha 14 biswas is under old structure and building which is being left out for the present award and will be acquired through separate supplementary award. Thus Kh. No. 1180/1118/1 min measuring 4 bighas 5 biswas is acquired under the present award.

COMPENSATION CLAIMS:

Shri Avtar Singh Chugh claimed as following.

- a. Rs. 1,5,25,000/- for structure building.
- b. Rs. 20,000/- for platforms.
- c. Rs. 50,000/- for boundary walls.
- d. Rs. 5,000/- for gate.
- e. Rs. 800/- for per sq. yds. for land.
- f. 15% solatium and interest.

The claim seems to be exonerated and would be dealt at appropriate heads.

EVIDENCE: S. Avtar Singh Chugh submitted 3 sale deeds photostat copy in respect to his claim as under:-

NAME OF PARTY	VILLAGE KH. NO./AREA	amount INVOLVED
1. Sh. Ram Sarup Dua	Karawal Nagar 220 1260sq.yds.	Rs.48000/-
Vs.		average per yd
Sh. Atul Kumar etc.		Rs. 38/- about
dt. 11.5.1981.		5 K.M. far.
		contd...2/-

NAME OF PARTY	VILLAGE KH. NO. / AREA	AMOUNT INVOLVED
2. Smt. Kamla Verma etc. Friends Colony	1171/320min 375 sq.yds.	Rs. 40000/-
Vs.		average Rs. 106/- per sq. yard within same Rev. Estate.
Harnam Singh Anand	JHILMIL TAHIRPUR	
dt. 22.1.1979		

NOTE: This land was on monthly rate of Rs. 110/-

3. Brij Mohan Sahni	JHILMIL TAHIRPUR. 307/21 to 28	30.21/2 to 37 min.
Vs.	(FRIENDS COLONY)	Alongwith superstructure
Vijinder Kumar Gupta.		Rs. 41,000/-
		average per sq.yd. Rs. 192/ within same Rev. Estate.

NOTE : this land was on a monthly rent of Rs. 100/-

Sale deed mentioned at S.No. 1 is for the land of Karawal Nagar, which is about 5 Kms. far from the land in question. Sale deeds mentioned at S.No. 2-3 are of the land of village Jhilmil Tahirpur, but within a Govt. approved and well facilitated colony known as Friends Colony and close to the land under acquisition.

MARKET VALUE: The land under acquisition is on the Delhi U.P. Border between Seemapuri and G.T. Road. It is about 150 yds. far from G.T. Road. The land has a potentiality for building as well as commercial purposes. The D.D.A. has developed Industrial & residential complexes around it. Most of the land of village Jhilmil Tahirpur was notified u/s 4 on 24.10.61 and had been acquired. Therefore, there are minimum Sale transaction for land in bigha. There are few sale transactions for plots within approved colonies, which may be taken as guiding factor. Besides it, some awards for the land of village jhilmil Tahirpur is as under:-

AWARD NO.	DATE OF ACQUISITION U/S 4	COMPENSATION ASSESSED PER BIG
61/72-73	24/10/1961	Rs. 9000/- 7000/-
		Rs. 2000/- per bigha
34/78-79	"	Rs. 14,600/- per bigha
37/79-80	"	Rs. 12000/- per bigha
36/79-80	"	Rs. 12000/- per bigha
23/82-83	"	Rs. 18000/- per bigha
4 A/83-84	"	Rs. 14000/- per bigha
4/83-84	"	Rs. 14000/- per bigha

But the said awards are out dated as it pertains to the period of 1961 while we have to assess the market value prevailed at the time of notification u/s 4 i.e. 27.7.81. To depend on the market value of two years past, will not be fair & safe to determine the correct & fair market value of the land prevailed on 27.7.81.

The two evidences produced in support of his claim, could be a guiding factor in determining the market value of the land but is not

safe fully to depend on these prices as the prices of structures has been included in it. If cost of structure is included then the prices per sq. yd. could be the fair market value of the land prevailing at the time of registration deeds. The rental value of the land involved in the transactions is Rs. 110 & Rs. 100 P.M. It shows that the land involved under the structures was very little. If the value of the structures be deducted from it then the average could be Rs. 80 to Rs. 90/- per sq. yard.

Besides it, we could take the help of previous awards assessed in this revenue estate from time to time. Out of it the award mentioned at Sr. No. 7 bearing No. 4/83-84 has similarity with the land falls under the present award. In the said award, the compensation was assessed @ of Rs. 14000/- P.B. by the Hon'ble High Court. The said land was notified on 24.10.61. There is a time gap of 21 years. During this period this whole area is radically changed, into huge residential, Industrial Complex privately & by D.D.A. have been developed. The potentiality of the land has since been increased at least four to five times. If we take the help of the above said award in assessing at the correct & fair market value and the increased @ 6 P.C. per annum be added to it. Then the approximate value comes to Rs. 102 per sq. yard. But the Hon'ble High Court determined the market value on the plotted area, in the said award. So if we deduct 30 P.C. of land, could be used for common purposes, then the value of the balance area left, comes to Rs. 71 per sq. yard. Through the market value of the land around it is much higher. But on account of the absence of the correct & concrete data for the market value, & keeping all in view the above stated factors, I am of the view that Rs. 70/- per sq. yard be assessed as correct and fair market value of the land under acquisition and thus I hold accordingly, Rs. 70,000/- per bigha, as compensation for the land in question.

OTHER COMPENSATION: There is a pucca wall 333'x5' which is valued as Rs. 10800/- and award the same.

TREES: There are six trees wood of which may be used only for fuel. The owner will be paid Rs. 1000/- as compensation.

RIKKAR	FIVE	30 Qtl.(Wood)
NIM	ONE	30 Qtl. (Wood).

INTEREST: No interest is payable.

SOLATIUUM: 15% solatium of market value of the land will be paid.

APPORTIONMENT: The payment of the compensation will be made according to the latest entries in the revenue record. In case of any dispute compensation will be sent to the court of A.D.J. Delhi u/s 30 & 31 of the L.A. Act 1894.

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LAND REVENUE :- The land is assessed to Rs.1/03 paise as land Revenue which will be deducted from the rent roll of the village from the date of taking physical possession of land by Govt.

SUMMARY OF AWARD:

1. Compensation for land measuring 4 bighas 5 biswas
@ Rs.70,000/- p.b. Rs.2,97,500/-
2. 15% solatium. Rs. 44,625/-
3. Compensation for well. Rs. 10,800/-
4. Compensation for six trees. Rs. 1,000/-

Grand Total Rs. 3,53,925/-

(Rs. three lakhs fifty three thousand nine hundred and twenty five only).

G.C. Pillai
24/8/84
(G.C. PILLAI)
Land Acquisition Collector(DS)

*Announced
in presence of S. Atar Singh
& Rakesh Singh S/o Atar Singh
only. 8.84*

*As per
Antar Singh 10 bigha
late S. Achai
15 Chander Road.
Delua - Deu*

24/8/84

Rhuf
24/8/84
RAKESH SINGH
Son of ATAR SINGH.

[illegible]

क्र.सं.	विवरण	प्रमाण	दिनांक
1	प्रमाणित	11800	19/3/57
2	प्रमाणित	11800	19/3/57
3	प्रमाणित	11800	19/3/57
4	प्रमाणित	11800	19/3/57
5	प्रमाणित	11800	19/3/57
6	प्रमाणित	11800	19/3/57
7	प्रमाणित	11800	19/3/57
8	प्रमाणित	11800	19/3/57
9	प्रमाणित	11800	19/3/57
10	प्रमाणित	11800	19/3/57
11	प्रमाणित	11800	19/3/57
12	प्रमाणित	11800	19/3/57
13	प्रमाणित	11800	19/3/57
14	प्रमाणित	11800	19/3/57

May 25/84

$\overline{A \cap B} = (\overline{A} \cup \overline{B})$

ok. 3-7-88

क्र.सं.	विवरण	प्रमाण	दिनांक	विवरण	प्रमाण	दिनांक
1	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
2	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
3	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
4	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
5	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
6	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
7	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
8	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
9	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
10	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
11	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
12	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
13	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5
14	श्री गुरुदेव	1180	4-5	श्री गुरुदेव	1180	4-5

AS2 gm
 N.T.
 D.D.D
 20/3/85
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 20/3/85
 20/3/85