

A W A R D NO.

79/1972-73 A' Supplementary

Name of Village:

SAMASPUR JAGIR

NATURE OF ACQUISITION :

PERMANENT

PURPOSE OF ACQUISITION :

PLANNED DEVELOPMENT OF DELHI

These are proceedings U/s 11 of the L.A.Act, 1894 in respect of land measuring 81 bighas 15 biswas situated in village Samaspur Jagir. The land forms part of the general notification issued by Delhi Administration U/s 4 L.A.Act vide No. F.15(111)/59-LSG dated 13.11.59 for 34070 acres Scheme. A declaration U/s 6 L.A.Act, was issued vide Notification No. F.4(19)/65-L&H dated 20th June, 1966 for area measuring 251 bighas 9 biswas. The land is required by the Govt. at the public expense for a public purpose, namely for the Planned Development of Delhi.

Notices U/s 9 & 10 L.A.Act in respect of the land under acquisition were issued to the persons interested. Claims filed in response to the notices will be discussed under the heading 'Claims & Evidence'.

MEASUREMENT & TRUE AREA:-

The Land Acquisition field staff carried out necessary measurement of the land and according to the demarcation given by the Acquiring Department, the correct and true area was found to be 81 bighas 15 biswas. Land measuring 6 big. 12 bis. out of the above declaration U/s 6. of the Act, has already been acquired vide Award No. 79/1972-73 filed on 30.1.73. As such the present acquisition is through these supplementary proceedings. The remaining area will be acquired as and when required by the Government.

The details of the land under acquisition are as below:-

Kh.No.	Area Big.Bis.	Kind of soil
1/1	0-02	G.M.Rasta
1/3	0-09	-do-
4/1	0-02	G.M.Charagan

.....2/-

<u>Kh.No.</u>	<u>Area Big.Bis.</u>	<u>Kind of soil</u>
5 5/1	1-07	G.M.Charagah
6/1/1	0-08	-do-
6/1/3	0-09	-do-
6/2/1	0-08	Chahi
6/2/3	1-07	-do-
7/1	2-01	-do-
11/1/1	2-00	-do-
11/2/1	0-16	-do-
11/2/3	1-09	-do-
12	0-05	G.M.Well Pucca
13/1/2	1-16	Chahi
13/2/1	0-17	-do-
13/2/3	0-02	-do-
14/1	2-06	-do-
19/1	0-10	-do-
20/2	0-01	G.M.Well Pucca
21/1	0-17	Chahi
21/3	3-16	-do-
22/2/1	0-10	Rosli
23/2/3 ~	0-17	-do-
23/2/1	1-10	Chahi
29/1/1	0-16	-do-
29/2/2/1	0-01	Rosli
29/2/2/3	1-05 ~	-do-
28/1	0-07	Chahi
31/2/1	0-15	-do-
31/2/3	1-07	-do-
32/3/1	0-11	-do-
32/1/1	0-02	-do-
39/2/1/	0-17	-do-
39/2/3	2-08	-do-
40/2	0-02	-do-

41/2/1	0-17	Chahi
43/1	1-01	-do-
44/1	0-04	G.M.Well
45/2/1	0-08	Chahi
45/2/3	2-17	-do-
46/1	0-16	-do-
46/3	0-12	-do-
47/2	3-11	-do-
51/1	1-14	Rosli
52/1/1	0-04	Banjar Jadid
52/1/3	1-02	-do-
52/2/1	0-12	Rosli
52/2/3	1-11	-do-
53/1	0-11	-do-
53/3	0-04	-do-
54/1	0-17	G.M.Kund
54/3	1-01	-do-
55/1	2-09	Rosli
56/1	0-07	G.M.Rasta
57/1	0-12	Rosli
59/1	1-17	-do-
60/1	0-05	-do-
60/3	2-00	-do-
61/1	0-16	-do-
61/3	0-03	-do-
62/2/2	1-17	-do-
62/1/1	1-18	-do-
63/1	0-04	-do-
67/1	2-03	-do-
68/1	0-17	-do-
68/3	1-17	-do-
69/1/1	0-16	-do-
69/2/1	0-17	-do-
69/2/3	3-02	-do-
70/1	0-09	-do-

73/1	2-17	Rosli
74/1	0-17	-do-
74/3	1-10	-do-
75/1/1	0-04	-do-
75/2/1	0-07	-do-
75/1/3	0-17	-do-
75/2/3	0-12	-do-
75/3/1	0-07	-do-
75/3/3	0-06	-do-
76/1	0-02	G.M.Rasta
76/3	0-09	-do-
G.Total.	<u>81-15</u>	

Chahi	37-02
Rosli	37-04
G.M.Well	0-10
Banzar Jadid	1-06
G.M.Charagah	2-06
G.M.Kund	1-18
G.M.Rasta	1-09
Total	<u>81-15</u>

OWNERSHIP & OCCUPANCY:

Sr.No-	Name of Owner	Name of Occupant	Kh.No.	Area	Kind of Soil
1.	Khajan, Sujan, Har Gian, Dewan, Karam Singh S/o Kale in equal shares.	Self	40/2	0-02	Chahi
		40/2x	40/2x		
			41/2/1	0-17	-do-
			43/1	1-01	-do-
			44/1	0-04	G.M.Well
					Pucca
			45/2/3	2-17	Chahi
			45/2/1	0-08	-do-
			46/1	0-16	-do-
			46/3	0-12	-do-
		Total		<u>6-17</u>	
2.	Bansi S/o Jagata	Self	63/1	0-04	Rosli
3.	Bharta S/o Ganga Sahai	Self	7/1	2-01	Chahi
			62/1/1	1-18	Rosli
		Total		<u>3-19</u>	
4.	Bharta s/o Ganga Sahai 1/4 share, Bhup Singh s/o Jai Singh, Har Kishan s/o Mangal in equal share in 1/4 share. Sujan, Har Gian S/o Kale in equal share in 1/2 share.	Self	12	0-05	G.M.Well
					Pucca

.....5/-

6.	Bhagwat, Balwant Self Jaswant Ss/o Dalip Kaum Rajput one in equal share.	51/1	1-14	Rosli
6.	Bhup Singh s/o Self Jai Singh 1/2 share, Har Kishan s/o Mangal 1/2 13/2/1 share Kaum Rajput.	6/2/1 6/2/3 11/2/1 11/2/3 11/2/3 13/2/3 60/1 2-00 61/1 61/3 62/2/2 68/1 68/3 69/2/1 69/2/3	0-08 1-07 0-16 1-09 0-17 0-02 0-05 2-00 0-16 0-03 1-17 0-17 1-17 0-17 3-02	Chahi -do- -do- -do- -do- -do- Rosli -do- -do- -do- -do- -do- -do- -do-
	60/3			
	Total		<u>16-13</u>	
7.	Mst. Chhuari Self Wdxm, Inder Singh, Mahender Singh Ss/o Jagra in equal share.	32/3/1	0-11	Chahi
8.	Mst. Chhuari Self widow, Inder Singh, Mahinder Singh Ss/o Jag Ram in equal share in 1/2 share. Mangat s/o Giasa, 1/2 share Caste Rajput	28/1 29/1/1 31/2/1 31/2/3 70/1 73/1 74/1 74/3 75/1/1 75/1/3	0-07 0-16 0-15 1-07 0-09 2-17 0-17 1-10 0-04 0-17	Chahi -do- -do- -do- Rosli -do- -do- -do- -do- -do-
	TOTAL:		<u>9-19</u>	
9.	Chhatra, Bhoja Ss/o Chhanga, Caste Rajput in equal share	52/2/1 52/2/3 53/1 53/3	0-12 1-11 0-11 0-04	Rosli -do- -do- -do-
	TOTAL:		<u>2-18</u>	
10.	Sri Chand s/o Har Dayal Caste Rajput	19/1 21/1 21/3 23/2/1 20/2 →	0-10 0-17 3-16 1-10 0-01	Chahi -do- -do- -do- G.M. Well Pucca.
	TOTAL:		<u>6-14</u>	
11.	Ram Singh, Ratan Self Singh, Jhandu Ss/o Bhagwan Sahai in equal share 1/2 share Baljit S/o Amira 1/2 share, Caste Rajput	39/2/1 39/2/3 67/1 69/1/1 Total:	0-17 2-08 2-03 0-16 <u>6-04</u>	Chahi -do- Rosli -do-
12.	Sujan, Har Gian Self Ss/o Kale in equal share Caste Rajput	11/1/1 13/1/2 14/1 47/2 52/1/3 52/1/1	2-00 1-16 2-06 3-11 1-02 0-04	Chahi -do- -do- -do- Banjar Jadid -do-
	TOTAL:		<u>10-19</u>	Contd...6/-

7

~~58/11~~

Bhartiya
Ghumantran
Jan SewakSangh
Rent Rs. 20/-
per bigha. 

CLAIM & EVIDENCE:

response to the notices issued U/s 9 & 10 of the L.A.Act.

Note:-Kh.No.15 & 10
do not fall under the
present acquisition.

2

Aharta s/o. Ganga Sahai through S. S. Chauhan Advocate. 62/1/1 1-18 i. Rs. 10/- per sq yd. for land Nil
ii. 15% Solatium

Bharat Singh s/o. Ganga Sahai through S. S. Chauhan, Advocate. 7 - i. Rs. 50/- per sq. yd. for land Nil.
ii. Rs. 50/- P.G. for Severance.

Balwant, Jaswant, Bhagwat, s/o. Dalip, r/o. Vill. Samasjagir. 51/1 1-14 i. Rs. 10/- per sq. yd. for land Copy of sale deed
ii. 15% Solatium. No. 12252 dt. 18/10/72 in favour of Sh. Kishan Chand s/o. Mohan Lal Kh. No. 10/4 (4 bis). of vill. Gharonda Neemka Ban-gar for Rs. 1400/-

Har Kishan s/o. Mangal, 60/1 60/3 61/1 61/3 62/2/2 68/1 68/3 69/2/1 69/2/3 11-14. i. Rs. 10/- per sq. yd. for land Nil.
ii. 15% Solatium

Bhup Singh s/o. Jai Singh As above -do- Copy of sale deed No. 12252 dt. 18/10/72 as at Sl. No. 6.

Har Kishan s/o. Mangal, Bhup Singh s/o. Jai Singh through Shri S. S. Chauhan, Advocate. 6/2 11/2 13/2 12. - i. Rs. 50/- per sq. yd. for land Nil.
ii. Rs. 50/- per sq. yds. for severance.
iii. Rs. 2000/- for well.

Chhuari Devi wd/o. Jag Ram. 70/1 73/1 74/1 74/3 75/1/1 75/1/3 6-14 i. Rs. 10/- per sq. yd. for land Nil.
ii. 15% Solatium.

-do- 27, 28, 29/1 31, 32/1 and 32/3 16-11. i. Rs. 10/- per sq. yd. for land Nil.
ii. Rs. 4000/- for 3 trees.
iii. 15% Solatium.

Kh. No. 27 does not form part of the present acquisition.

Inder Singh s/o. Late Jag Ram. 70/1 73/1 74/1 75/1/1 74/3 75/1/3 6-14 i. Rs. 10/- per sq. yd. for land Nil.
ii. 15% Solatium

Indar Singh s/o. 27, 28, 14-03. i. Rs. 10/-per sq.yd
late Jag Ram. 29/1 & for land.
31 ii. Rs. 4000/-for 8 Nil.
trees.
iii. 15% Solatium

Note: Kh.No. 27 does not form part of the present acquisition.

Mahinder Singh s/o 32/1 16-11 i. Rs. 10/-per sq.yd
Jag Ram. 32/3 for land.
27, 28 ii. 15% Solatium Nil.
29/1 iii. Rs. 4000/-for trees.
31.

Note - As at S.No 13.

do- 70/1, 73/1 i. Rs. 10/-per sq.yd
74/1, 6-14 for land. Nil.
74/3 ii. 15% Solatium
75/1/1
75/1/3

Indar Singh, 32/1 i. Rs. 10/-per sq.yd Copy of sale
Mahinder ss/o 32/3 for land. deed No
Smt. Chhauri 2-08 ii. Rs. 1000/-for trees 12252 dt.
s/o. Jag Ram iii. 15% Solatium. 18/10/62 as
at S.No. 6.

Mangat s/o. 70/1 i. Rs. 10/-per sq.yd
Wasa. 73/1 for land.
74/1 ii. Rs. 15% Solatium Nil.
74/3 6-14
75/1/1
75/1/3

do- 27, 28, 14-03 i. Rs. 10/-per sq.yd
29/1, for land.
31. ii. Rs. 4000/-for trees Nil.
(approximately)

Note: Kh.No. 27 does not form part of present acquisition.

Shoja s/o. 52/2/1 i. Rs. 10/-per sq.yd Copy of sale
Changa. 52/2/3 2-18 for land. deed No.
53/1 ii. 15% Solatium. 12252 dt.
53/3 12/10/62
as at S.No. 6.

Sri Chand s/o. 75/2/1 i. Rs. 10/-per sqyd Copy of sale
Hardayal through 75/2/3 for land. deed No.
counsel S. S. Chauhan 75/3/1 ii. Rs. 50/-per sq.yd 5619 dt.
75/3/3 for severance 10/12/56
iii. 15% Solatium and executed in
interest. favour of
Krishna Devi
by Pushap Lata
through General
power of Att-
orney Sh. Ghan-
Sham Singh for
Rs. 1000/- Kh.No
57/31 & 52/4
measuring 125
sq.yd. in vill-
Gharonda Neem-
ka Bangar.

Chander, Sri 19 4-16 i. Rs. 50/-per sq.yd
Chand ss/o. 20 0-07 for land
Har Dayal through 21 6-03 ii. Rs. 50/-per sq.yd Nil.
S. S. Chauhan 23 4-16 for severance
Advocate. 24 4-16 iii. Rs. 2000/-for well
25 2-12 iv. other benefits as
32/1 1-04 per law.
8, 17, 18 -

Note: Kh. no 24, 25, 8, 17, 18 do not form part of present acquisition.
contd...9/

Ram Singh s/o. Bhagwan Sahai 67/1 2-19 1.R.10/-per sq.yd for land Nil.
ii.15% Solatium.

-do- 55/1 4-18 i. -do- Nil.
59/1
57

Rattan Singh s/o. Bhagwan Sahai 67/1 2-19 -do- Nil.
69/1/1

Jhandu s/o. Bhagwan Sahai. -do- -do- -do- -Nil-

Baljit s/o. Amira -do- -do- -do- Nil.

Rattan Singh, Ram Singh s/o. Bhagwan Sahai, 39/2 4-18 i.R.50/-per sqyd
Jhandu s/o. Bhagwan Sahai, Baljit s/o. 22 3-17 for land.
Amira through Shri S.S. Chauhan Advocate. 29/2 3-16 ii.R.50/-per sq.yd Nil.
30 1-11 for severance
iii. other benefits as per law.

Note: Kh.No. 30 does not form part of present acquisition.

Mool Chand s/o. Man Singh 22 3-17
through Shri S.S. 29/2 3-16 -do- Nil.
Chauhan, Advocate. 30 1-11

Note: Kh.No. 30 does not form part of present acquisition.

Prem Wati wd/o. Mool Chand. 55/1 1.R.10/-per sqyd
59/1 4-18 for land.
57 ii.15% Solatium Nil.

(Map)
Brahm Singh, Jai Parkash, P. Chkar, Vinod Kumar, Rajesh Kumar s/o. Mool Chand (Mool Chand) -do- -do- -do- Copy of sale deed no. 12252 dt. 18/10/62 as at S.No. 6.

1. Gram Sabha through Sh. O.P. Tyagi, Advocate. 75/3/1 1.R.20000/-per bigha for land.
75/3/3 ii.R.10000/-P.B. for severance.
56/1 iii. Solatium and interest. Nil.
76/1
76/3
54/1
54/3

2. -do- 1,2,26/2 i.R.10000/-P.B. for land.
3,4,5,6/1 -
8,9,16,17, ii.R.5000/-for well in 1/4 share
18, & 33/1/2 iii.15% Solatium and interest.

only
Note: Kh.No. 1,4,5, and 6/1 only form part of the present acquisition.

....10/-

2

MARKET VALUE:

The date of preliminary notification in the present case is 13.11.59 and as such market value is to be determined as prevailing during that period. The claimants have demanded very high rate of compensation, but have adduced no evidence to substantiate the same. Some of the claimant have produced the following evidence.

1. Copy of sale deed dated 18.10.62 in respect of Khasra No. 10/4 measuring 4 biswas situated in village Ghronda Neemka Banger for a consideration of Rs. 1400/-.
2. Copy of sale deed dated 10-12-56 (The date of execution of sale deed is mentioned in the copy as 22nd September 1971) in respect of Kh.No. 57/71 and 52/4 measuring 125 square yard in village Ghronda Neemka Banger for a sum of Rs.1000/-.

These sale deeds could not be relied upon in the present case as they relate to a different village. Moreover the location of the land in these sale deeds is at a considerable distance from the land under acquisition.

It would therefore be proper to look into the previous awards in this village. There have been the following awards:-

Sl. No.	Award No.	Date of Notification u/s 4.	Rate awarded per bigha.
1.	1762	3.3.64	Rs.1500/- Block A Rs. 1200/- " B Rs. 800/- " C
2.	2156	-do-	Rs.1200/- Block A Rs. 900/- " B
3.	29/69-70	-do-	Rs.1500/- Block A Rs.1200/- " B
4.	79/72-73	13.11.59	Rs.1425/-.

The awards at S.No. 1 to 3 are governed by the date of notification u/s 4 L.A.Act on 3.3.64 which is posterior by about 5 years to the material date in the present case. Therefore, these awards could not afford guidance here. The best case is award at S.No.4 -- No. 79/72-73 of which the material date is 13.11.59 as in the instant case.

Conte..11/-

(11)

The land acquired through this award is in the same village and close by to the land in question. After taking into consideration all relevant factors, the market value in award No. 79/72-73 was assessed at Rs. 1425/- per bigha. Since these are supplementary proceedings of the said award, and that the land in question is similarly circumstanced, it would, therefore, be quite reasonable and fair to assess the market value in the present case at the same rate i.e. Rs. 1425/- per bigha, which I award accordingly.

In the present case land measuring 5 big. 10 bis. comprising of Kh.Nos. 4/1, 5/1, 6/1/3, 54/1, 54/3 and 52/1/1 & 52/1/3 classified as G.M.Charagah, G.M.Kund and Banjar Jadid respectively is of inferior quality, therefore its value should be less than the other land in this case, as such I am inclined to assess its value at Rs. 750/- per bigha which I award accordingly.

An area measuring 1 big. 09 bis. comprising of Kh.Nos. 1/1, 1/3, 56/1, 76/1 and 76/3 is recorded as G.M.Rasta belonging to Gaon Sabha and is dedicated to public use. Hence no compensation is assessed for the same.

OTHER COMPENSATION:

STRUCTURES:

There is no structure on the land under acquisition. Hence no compensation is assessable under this heading.

TREES:

There are some trees on the following Kh.Nos., the detail of which are given below: The Naib Tehsildar has assessed compensation noted against each, which I consider to be reasonable and award accordingly:-

Kh.No.	Kind of trees.	No. of trees.	Weight in Qtls.	Rate per Qtls.	Total Value.	
1	Kikar	5	2	Rs.5/-	Rs. 10/-	
2/1	-do-	10	6	5/-	Rs.30/-	
3/1	Shehtoot	1	8	5/-	Rs. 40/-	
4	Gular	4	2	5/-	Rs. 10/-	Contd.
	Shehtoot	7	5	5/-	Rs. 25/-	13/-

22/2/1	Shehtoot	1	1	5/-	Rs. 5/-
22/2/1	Lesun	1	2	5/-	Rs. 10/-
	Kikar	1	1	5/-	Rs. 5/-
21/2/1	Shehtoot	1	1	5/-	Rs. 5/-
25/2/1	Neem	1	1	5/-	Rs. 5/-
	Gular	1	2	5/-	Rs. 10/-
44/1	Neem	1	1	5/-	Rs. 5/-
52/2/1	Shehtoot	5	2	5/-	Rs. 10/-
	Neem	5	2	5/-	Rs. 10/-
	Gular	1	1	5/-	Rs. 5/-
60/1	Kikar	3	2	5/-	Rs. 10/-
62/1	Neem	1	3	5/-	Rs. 15/-
					<u>Rs. 210/-</u>

COMPENSATION:

There are some wells on the land under acquisition, the details which alongwith Kh.No. are given below:- The Naib-Tehsildar assessed the value of the wells. I consider the same to be reasonable and award accordingly.

Kh.No.	Description of wells.	Price assessed	Shifting charges for Rahat.
12	One pucca cemented well depth: 25'. Diameter: 10 Ft.	Rs.1500/-	Rs. 50/-
44/1	--do--	<u>Rs. 1500/-</u> <u>Rs. 3000/-</u>	<u>Rs. 50/-</u> <u>Rs. 100/-</u>

INTEREST:

15% solatium will be paid on the market value of the land on account of compulsory nature of acquisition.

INTEREST:

The date of notification U/s 4 L.A.Act in the present case is 11.59 and the date of declaration U/s 6 of the Act is 30.6.66. The case therefore falls within the purview of Land Acquisition (Amendment Validation) Act, 1967. Interest would therefore be payable @ 6% annum only on the market value of the land from the date on expiry of three years from the date of preliminary notification - in the present case comes to 13.11.62, till the date of announcement of the award, which is tentatively fixed as ~~12~~ 1.2.1973.

Contd...14/-

(13)

LAND REVENUE:- The land under acquisition is assessed to Rs. 22-98 Ps. as land revenue which would be deducted from the ~~Land~~ Rent Roll from the date of possession.

APPORTIONMENT:- Compensation will be paid according to the latest entries in the revenue record except where persons other than owners are in occupation of the land or where persons other than owners claim compensation.

SUMMARY:

1. Compensation for land measuring 74 big.16 bis. @ Rs.1425/-per bigha.	Rs.1,06,590-00.
2. Compensation for land measuring 5 big.10 bis.classified as G.M.Charagah,G.M.Kund & Banjar Jadid @ Rs.750/-per bigha.	Rs. 4,125-00.
3. Compensation for land measuring 1 big.9 bis.G.M.Rasta.	Nil.
4. Compensation for wells.	Rs. 3,000-00.
5. Compensation for trees.	Rs. 210-00.
Total:	<u>Rs.1,13,925-00.</u>
6. Add 15% solatium	Rs. 17,088-75 17,088-75 ✓
7. Interest u/s.4(3) @ 6% p.a. with effect from 13.11.62 to 31.1.73(10 years 80 days) only on market value i.e. on Rs.1,13,925-00	Rs. 69,853-19
8. Shifting charges.	Rs. 100-00
Grand Total:	<u>Rs.2,00,966-94.</u>

(Rs. Two lacs nine hundred sixty-six & paise ninety four only).

(V.K.BHALLA)
LAND ACQUISITION COLLECTOR (MSW)
DELHI.

Announced today. Filed in the office.

12/7/73