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AWARD NO. 1781

AWARD NO. 11 for the year 1964-65 by
Shri P.D.Khurana, P.C.S. Land Acquisition Collector (Narela).
Acquisition of land for the "PLANNED DEVELOPMENT OF DELHI."
VILLAGE : A S A L A T P U R K H A D A R.

A W A R D.

In pursuance of Delhi Administration Notification under section 4, No.F.15(245)/60-LSG/L&H dated the 20th October, 1961, made under the provisions of the Land Acquisition Act, 1894, and as declared vide Notification No.F.4(92)/62-L&H(II), dated the 27th March, 1963, made under sec. 6 of the Act, the Delhi Administration acquired 865 Bighas 14 Biswas of land in village Asalat Pur Khadar, Tehsil and District Delhi at a public expense for a public purpose, namely, the Planned Development of Delhi.

2. M E A S U R E M E N T.

865 Bighas and 14 Biswas was notified under sec.6 of the Land Acquisition Act, 1894, however, total area of field Nos. give in the Notification was 865 Bighas and 19 Biswas. Out of this area, area measuring 850 Bighas 1 Bis. has already been acquired vide Award No.1685 dated 28-3-64 and the remaining area was left out at that time. Now the land under the Gitwar and Johar is to be acquired. The total area under acquisition in the present Award comes to 14 Bigha and 9 Biswas for which the acquisition file has been prepared. The land under acquisition lies in 10 field numbers in village Asalatpur Khadar as detailed in Form 7(LA) as prepared under paragraph 55 of the Financial Commissioner's Standing Order No.28.

The details of Khasra Nos. and ownership is as under:-

Name of the owner.	Name of the Tenant.	Khasra Nos. Rect. No.	Killa No.	Area Big.Bis.	Kind of Land.
2.	3.	4.	5.	6.	
Ram Roop and Jot Ram ss/o Pat Ram	-	35	-	3-10	

contd...2.

2.	3.	4.	5.	6.
ni Lal-s/o Shiv nd - 1/2, Bhartu, e & Sultan Singh o Nand Ram-in al shares - 1/2.	-	6 16/2	0-16	G.M.Gitwar
Lal s/o Chhelu-1/3 ar Singh, Mehar Singh wal Singh s/o Chhatar gh in equal shares-1/3, pat s/o Mohan Lal-1/3.	-	5 23/1	1-15	-do-
Ram s/o Nathan	-	5 23/2	0-16	-do-
u & Ram Pat ss/o gha, in equal res.	-	5 23/3	0-16	-do-
p Ram, -Jot Ram ss/o Ram-1/8, Chuni Lal Shiv Chand-1/16, rtu, Kure & Sultan gh ss/o Nand Ram-1/16, i Singh, Deep Chand, o Daya Ram-1/24, Lekh , Zile Singh ss/o sah-1/24, Jug Lal s/o elu-1/36, Kehar Singh, ar Singh, Kanwal Singh o Chhatar-1/36, Dilpat Mohan Lal-1/36, Rajo o Chet Ram & Gurdial Hukmi-1/12, Mauji s/o ia-1/8, Bhim Singh s/o ia-1/8, Ram Sarup, Man gh, Maha Singh, Ram nder & Satbir ss/o na-1/16, Het Ram s/o han-1/16, Lalu, Ram ss/o Singha-1/8.	-	26 - 27/1 - 12 2/2 12 2/3 12 12/2/2	4-12 1-7 0-3 0-3 0-11	G.M.Johar B.Qadim. G.M.Gitwar -do- -do-

14-09

The measurement and the classification of the land has not been objected by the land owners. No objection was received from the Department either. I, therefore, agree with the classification of the land as proposed by the Naib-Tehsildar(L on the basis of the entries of Khasra Girdawari, as it stood on 24-10-1961, which is as under:-

Kind of soil	Area Big.Bis.
1. Rosli	3-10
2. B.Qadim	1-7
3. G.M.Gitwar	5-0
4. G.M.Johar	4-12
Total	14-09

POSSESSION:

The possession of the land has not been taken over

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so far.

MARKET VALUE:

Some of the owners and the interested persons who appeared in pursuance of the Notices issued under Sections 9 & 10 of the Act, were examined for the measurement of the area, quality of the land and the assessment of the compensation.

1. Ganga Prasad s/o Mauji Ram:

Requested compensation @ Rs.25/- per sq. yard in respect of Field No.19/2/3. However, he did not produce any documentary proof in support of his claim. As per record correct field number is 12/2/3 and not 19/2/3, and claimant's father Shri Mauji Ram is entered as occupant of the said field number. The compensation will remain in dispute and will be paid to the claimant as and when he gets the land mutated in his favour, and produce a copy thereof.

2. Ram Chander s/o Kanwal Sain:

Requested for compensation @ Rs.25/- per sq. yard in respect of field No.12/2/2 but he did not produce any proof in support of his claim. As per record he is the occupant of this field number and not the owner.

3. Ram Sarup, Man Singh, Maha Singh, Ram Chander & Satbir; Sons of Jamuna:

Requested compensation @ Rs.25/- per sq. yard in respect of their share in field No.26 and 27/1 but did not produce any proof in support of their claim.

4. Bhim Singh s/o Kuria, 5) Mauji s/o Kuria, 6) Gurdial s/o Hukmi, Rajo Wd/o Chet Ram, 7) Deep Chand, Hari Singh ss/o Daya Ram, Lekh Ram, Ziley Singh ss/o Mansa Ram:

Claimants from serial No.4 to 7 have filed separate claims all at the rate of Rs.25/- per sq. yard in respect of their share in field Nos. 36 and 27/1. They have produced a copy of sale deed dated 19th September, 1958 with regard to field No.8/24 measuring 1 Bigha for Rs.5,000/-. This Field No. is situated a bit on the road. The vendee, probably purchased this piece of land for construction and the same exists on the spot at present. And that is why the vendee

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had paid so high a price for the same and in the present case this sale cannot be considered as it does not show the correct market value of the land.

8. Ram Pat and Lalu ss/o Singha :

Requested compensation @ Rs.25/- per sq. yard in field No.5/23/1 and their share in field No.26 and 27/1. They have also produced the copy of sale deed discussed above.

9. Mir Singh s/o Het Ram :

Requested compensation @ Rs.25/- per sq. yard in respect of field No.5/23/2 and his share in field No. 26 and 27/1. He has also produced a copy of sale deed discussed at Sl. No.4 to 7. In the Revenue Record land still stands in the name of his father (deceased). The compensation, however will remain in dispute and will be paid to the claimant as and when he produces a copy of the mutation attested in his favour.

10. Dilpat s/o Mohan, Jug Lal s/o Chhelu, Kehar Singh, Mehar Singh, Kanwal Singh ss/o Chhatar:

Requested compensation @ Rs.25/- per sq. yard in respect of field No.5/23/1 and their share in field No.26 and 27/1. They have also produced copy of sale deed discussed above at No.4 to 7.

11. Chuni Lal s/o Shiv Chand, Bharat Singh, Kure Mal, Sultan Singh ss/o Hand Ram:

Requested compensation @ Rs.25/- per sq. yard in respect of their land in field No.6/16/2 and their share in field Nos. 26 and 27/1. They also produced a copy of sale-deed discussed above at Sl. No.4 to 7.

12. Roop Ram, Jot Ram ss/o Pat Ram:

Requested compensation @ Rs.25/- per sq. yard. They have also produced copy of sale deed discussed above.

13. Mattan, s/o Jumna, Sardare s/o Jai Lal, Chandu s/o Mare, Sher Singh s/o Anrit, Chhaju s/o Lakhi Ram, Ram Sarup s/o Lakhi Ram and Dhana s/o Thandu:

They have requested for the release of their Gitwar bearing Khasra No.12/12/2/2. In case of acquisition, they have requested for alternative allotment. They did not mention the rate of

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compensation. They have produced a copy of sale-deed discussed above. In the revenue record this field No. is entered in the occupation of Harijanan. Names of the claimants donot exist. The compensation of this field number will remain in dispute and be paid to the claimants as and when they produce proof with regard to their title.

The owners of the Gitwar have also applied to the Chief Commissioner, Delhi for release of their Gitwar and copy to this office. Since the decision has already been taken by the members of the Standing Committee, D.D.A. that the owners of the Gitwar will be allotted the developed plots in lieu of their land acquired. Hence, no further action is taken on this application by this office.

The department was not represented.

The demand of the land owners and the interested persons is Rs.25/- per sq. yard. The claimants have produced only one evidence, viz., a copy of sale deed dated 19-9-1958 in respect of Kh.No.8/24, measuring 1 Bigha for Rs.5,000/- executed by Shri Ram Sarup and others in favour of Smt. Sujan Kaur. This field No. abuts on the southern side of the Najafgarh-Delhi Cantt. Road and the area is very meagre.

The demand of the land owners is abnormally high and exaggerated. It cannot be made a basis for the calculation of the market value especially when they have not produced any documentary or oral evidence in support of their claims except one sale transection, which cannot be taken as the true index of the Market Value.

Most of the land of this notification under sec.6 has already been acquired vide Award No.1685. The portion of the land which was left out from that Award is now being acquired through the present Award. Except Kh. No.26, which is Johar, the remaining land including Banjar is levelled and is of the same quality. Taking into consideration the above award and giving full consideration to the demand of the land-owners and the interested persons, the situation and quality of the land

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and all other factors, I assess the compensation at the rate of Rs.1,000/- per bigha for levelled land and Rs.500/- per bigha for Johar.

TREES, WELLS & OTHER STRUCTURES:

TREES :

There are trees in some field numbers, the details of which and the amount of compensation assessed is as under:-

Sl. No.	Field No.	Kind of Tree			Amount Assessed.
		Kind	Quantity	Weight.	
1.	5/23/1	Kikar	1	2 Qn.	Rs.10/- @ Rs.5/-per Q.
2.	5/23/2	Janti	1	1 Qn.	Rs.5/- @ Rs.5/- per Qn
3.	26	Pipal	1	15 Qn.	Rs.75/-@ Rs.5/per Qn.
		Janti	13	10 Qn.	Rs.50/-@ Rs.5/per Qn.
		Neem	3	5 Qn.	Rs.25/-@ Rs.5/-per Qn.
Total:			19	33 Qn.	Rs.165/-.

WELLS:

There is no well in the area under acquisition. However there are two hand pumps in field No.5/23/1 and these have been fixed recently by the owners. Hence, no compensation is assessed for the same. The owners can remove them at their liberty.

OTHER STRUCTURES:

There is no pucca structure on the land. However, there are boundary walls about 3-4 ft. of height in field No.5/23/1, 5/23/2, 5/23/3, 6/16/2, 12/2/2 and 12/2/3. The owners have constructed these four walls about 2-3 months back and they are not entitled for any compensation for this structure. The owners are allowed to remove the material, if they so desire. Hence, no compensation is assessed for this item.

By applying the rates mentioned above, the price of the land works out to be:-

	Big.	Bis.	Rate per Bigha	Amount.
1. Levelled land	9	17	Rs.1,000/-	Rs.9,850.00
2. Johar	4	12	Rs.5,00/-	Rs.2,300.00
Total:				Rs.12,150.00

COMPULSORY ACQUISITION CHARGES:

The owners and the interested persons shall be entitled to 15% in consideration of the compulsory nature of acquisition on the market value of the land, trees, which comes to Rs. 1822.50 paisa.

I N T E R E S T:

The owners and the interested persons are not entitled to any interest on the amount awarded as compensation since the possession of the land has not so far been taken.

MODE OF PAYMENT:

The owners and the interested persons will be paid compensation according to the shares as entered in Jamabandi of the village. There are non-occupancy tenants in field Nos. 12/2/2 and 12/2/3 and Field 12/12/2/2 is entered as Maqbuza Harijanan. Protection to Non-occupancy tenants against eviction by the landlords has been secured under the Delhi (Urban Area) Tenants Relief Act, 1961. Since these tenants cannot be ejected unless they violate any of the conditions enumerated in the Clauses of A to D, they would be entitled to a substantial amount of compensation. In this case, the peculiar situation is that the land under occupation of these non-occupancy tenants is Gitwars and this was allotted to them for residential purposes during the Consolidation of Holdings of the Village. In view of this the non-occupancy tenants and the occupants are proprietors of these plots for all intents and purposes and are entitled to receive the whole compensation of these Gitwars. The owners are not entitled to get any penny of the compensation. Hisa Dari Kasht is not maintainable, and therefore, the

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compensation of such land is assessed in the names of the owners according to shares as entered in the Jamabandi of the village.

LAND REVENUE REDUCTION:

No reduction of Khalsa from the land revenue on account of land acquired since the land is Banjar and Ghairmumkin and is exempted from land revenue.

The land, aforesaid will vest absolutely in the Government free from all encumbrances from the date of taking over possession.

Subject to the above, the Award is summarised as under:-

1.	Price of land	Rs. 12150.00
2.	15% towards compulsory acquisition charges	Rs. 1822.50
3.	Compensation for trees.	Rs. 165.00
TOTAL:-		Rs. 14137.50

Prabhu Dyal Khurana
(PRABH DYAL KHURANA)
LAND ACQUISITION COLLECTOR,
DELHI.
22/2/65

Forwarded to the Collector, Delhi for favour of information please.

Prabhu Dyal Khurana
(PRABH DYAL KHURANA)
LAND ACQUISITION COLLECTOR,
DELHI.
22/2/65

Seen and filed.
Naresh Chandra Singh
A.D.M. (L.A.)
With Powers of Collector of Delhi
4.3.65
COLLECTOR, DELHI

کاروانی صفت ازین اورد ۱۷۸۱ فوجی حالت کمر

بجای محض اگر درام بنجی که خبر کنند و بگویند که حالت کمر

2/6	12/5	12/5	12/5	6/5	5/5	5/5	5/5
3	5	5	5	14/3	5/3	5/3	5/3
15	11	3	3	14	14	14	10

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اندر این محاسبه فوجی که در این حالت کمر

تیم که در این حالت کمر

35 - 27 35 - 27 35 - 27 35 - 27 35 - 27 35 - 27 35 - 27 35 - 27

تیم که در این حالت کمر

تیم که در این حالت کمر

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(To be published in Part IV of Delhi Gazette)
Delhi Administration, Delhi.
Notification.

Dated 196,
No. F.4(92)/62-LAH(11). Whereas it appears to the Chief Commissioner of Delhi that land is required to be taken by Government at the public expenses for a public purpose, namely, for the planned development of Delhi, it is hereby declared that the land described in the specification below is required 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

Name of the Village.	Total Area.	Field Nos. or Boundaries.
1. Rasalatpur Khurd.	865.14	1. 7, 8, 13, 14, 15, 16, 17/1, 17/2, 18, 19, 22, 23/1, 23/2, 24, 25. 2. 11, 12, 13, 14, 15/1, 15/2, 16, 17/1, 17/2, 18, 19, 20, 21, 22, 23, 24, 25. 3. 11, 12, 17, 18/2, 19, 20, 21, 22, 23, 24, 25. 4. 1, 9, 10, 11, 12, 13, 19, 20, 21, 22/2, 22/2, 23, 24/2. 5. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10/1, 10/2, 11, 12, 13, 14, 15, 16/1, 16/2, 17, 23/1, 23/2, 23/3, 24, 25. 6. 1/1, 1/2, 2, 3, 4/1, 4/2, 5, 6, 7, 8, 9, 10, 11, 12, 13/1, 13/2, 14, 15, 16/1, 16/2, 17, 18, 19/1, 19/2, 20, 21/1, 21/2, 22, 23, 24/1, 24/2, 24/3, 25. 7. 2, 3/1, 3/2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, 25. 8. 15. 9. 4, 5. 10. 1, 2, 3, 4, 4/1, 4/2, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16/1, 16/2, 17. 11. 1, 2/2, 2/2, 2/3, 3/1, 3/2, 4, 5, 6, 7, 8, 10, 11, 12/1min, 12/2min, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25. 12. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17, 18, 19, 20, 21, 22, 23, 24. 13. 2, 3, 4, 7, 8, 11, 12/1, 12/2, 13, 14, 17, 18, 15. 2, 3, 4, 5/1, 5/2, 6, 7. N11. 26, 27, 27/1, 29, 31, 35.

By order,
Sd/- (Jagmohan)
Deputy Housing Commissioner,
Delhi Administration, Delhi

F.4(92)/62-LAH(11)

Dated the 27.3.1963.

Copy forwarded to the:-
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A.D.M. (Land Acquisition) Delhi.
A.F.A., Delhi Administration, Delhi.
Legal Advisor, Delhi Administration, Delhi.
Engineer Member, D.A.A. Delhi.
Land Acquisition Collector III, Delhi.
Tehsildar (Land Acquisition Housing Department), Delhi
Administration, Delhi.

Sd/- (Jagmohan)
Deputy Housing Commissioner,
Delhi Administration, Delhi.