

AWARD NO. 32/18-78

NAME OF THE VILLAGE
NATURE OF ACQUISITION
PURPOSE OF ACQUISITION

KHUREJI KHAS
PERMANENT
PLANNED DEVELOPMENT OF DELHI.

These are proceedings U/s 11 of the Land Acquisition Act, 1894 in respect of land measuring 16 Bighas 16 Biswas situated in village Khureji Khas. The land is covered by Notification u/s 4 L.A. Act issued by the Delhi Administration vide No. F.4(7)/69-L&H dated 17.2.1972 followed by Notification U/s 6 No. F.4(7)/69-L&H dated 28.9.1972 for an area 16 Bighas 16 Biswas.

The land is ~~required~~ required by the Government for a Public purpose at the public expense, namely for the Planned Development of Delhi.

Notices u/s 9 & 10 of the L.A. Act were issued to the persons interested in the land. Claims filed in response to the same will be discussed under the appropriate heading.

MEASUREMENT AND CORRECT AREA

Necessary measurement was carried out by the Land Acquisition field staff at the spot. The correct area found is 16 Bighas 16 Biswas as originally notified u/s 4 & 6. The details are as below:-

Khasra No.	Rect. No. / Killa No.	Area	Kind of soil
6	23/1		
8	24/1	1-04	
10	3	1-04	G.M. Plot
10	4	4-16	-do-
10	8	4-16	-do-
		4-16	-do-
		16-16	-do- & Makan

Contd. . . . P/2-

OWNERSHIP & OCCUPANCY

Sl.No.	Name of the Owner	Name of the Occupant	Kh. No.	Area	Kind of Soil
1.	Govt. of India M/o Rehabilitation under the custodian of Evacuse property Jam Nagar House New Delhi.	Amar Chand S/o Ganesh Dass allottee, gair Mauroosi under custodian as per Kh. Gird. Rabi 1971 Raghu Nath S/o Kahana Kh.No. 10/8 min. (0-02).	10/4 10/8 <u>9-12</u>	4-16 4-16	G.M.Plot -do- & Makan
2.	Hari Ram S/o Sobha Ram R/o House No. 6722, Ahata Kedara Bara Hindu Rao New Delhi.	Self	6/23/1 6/24/1 10/3	1-04 1-04 4-16 7-04	-do- -do- -do-

CLAIMS & EVIDENCE

Sl.No.	Name of the claimant	Kh. No.	Area	Rate claimed	Evidence
1.	Prem Kumar S/o <i>Manohar Lal Anand 5/16 share</i>	10/3 6/24/1 6/23/1	4-16 1-04 1-04	Rs.100/- per sq.yd. for land II Rs.10,000/- per severance III Rs.1,00,000/- as damages	Attested Copy of earnest money receipt No. 36 Book No. 144 dated 8.7.74
2	Sh. Sikander Lal S/o Devi Dayal 3/32 Share	-do-		I to III as above IV 15% solatium V interest	Nil
3	Kasturi Lal S/o Bodh Raj 3/32 Share	-do-		As above	Nil
4	Amir Chand S/o Sobha Ram	-do-		Rs.112/- per sq. yd. for land	Attested copy of earnest money receipt No.36 book No. 144 dt. 8.7.74 (ii) Copy of auction programme (iii) Unattested & incomplete copy of sale deed dt. 15.10.1970
5.	Harbans Lal A nand S/o Kanshi Ram A nand Rao 3/16 Share	10/3 6/24/1 6/24/1	4-16 1-04 1-04	Rs.100/- per sq. yd. for land Rs.40,000/- for severance. Rs.1,00,000/- as damages	Nil
6	Dhanpal S/o Girwar Sat Pal S/o Dharanvir Badloo S/o Har Kishan	10/8	-	Rs.150/- per sq.yd. for land 60% compensation at the rate of Rs.150/- per sq.yd. for land of common utility such as Road and parks etc.	Nil

Rs. 20,000/- to each partner
for their residential
houses.

Rs. 5000/- for severance.

- | | |
|---|--|
| <p>7. Hari Ram S/o 10/3
Sobha Ram 6/24/1
6/24/1</p> | <p>4-16 Rs. 100/- per sq. yd. for -do-
1-04 land.
1-04 Rs. 40,000/- for severance
Rs. 1,00,000/- as damages</p> |
| <p>8. Raj Singh S/o 10/8
Rupa
Siya Ram S/o
Shiv Charan

Raghu Nath S/o 5
Kanha Ram

Lachu S/o Kishan

Roopan S/o Phool
Singh

Roomal S/o Kalwa.</p> | <p>- Rs. 150/- per Sq. yd. for land -do-
Rs. 600 compensation @ Rs. 150/-
per sq. yd. for the land of
common utility.

Rs. 20,000/- to each claimants
for their residential houses

Rs. 5,000/- for severance.</p> |
| <p>9. A mir Chand S/o 10/4
Ganesh Dass 10/8</p> | <p>- Rs. 80/- per sq. yd. for land -do-
Rs. 50/- per sq. yd. as rent.</p> |

MARKET VALUE

The market value of the land under acquisition is to be determined with reference to the date of notification u/s 4 which is 17.2.1972.

In evaluating the market value of the land on the material date effort is to be made to find out sale transaction of the land parallel in all circumstances in this revenue estate and also awards for similar land on or about the relevant date.

Several awards have been made in this village. Award Nos. 1693, 22/70-71, 2139 have the material date as 13.11.59. The dates of preliminary notification u/s 4 in award No. 1072, 1125, 1866 are 22.6.60, 22.4.60, & 16.7.62 respectively. All these awards indicate the market value of land at a time 10 to 13 years prior to the date of present notification and can be of no help in this case.

Award No. 3/71-72 has the material date as 23.4.68 and fixes the market value of the land at Rs. 2020/- per bigha for land in Block-A and Rs. 1500/- per bigha for land in Block-B. The market value of the land in Block A is based on mutation

No. 1982 for an area 19.04 sold on 26.12.67. No reference u/s 18 against this award is reported to have been decided by the court.

Before embarking on the scrutiny of sale transactions on the relevant date it would be proper to discuss the evidence of the produced by ~~the~~ some claimants. Shri Prem Kumar has filed an ~~attested~~ attested copy of receipt No. 36 Book No. 144 dated 8.7.74 about payment of earnest money in respect of some plot in Jhil Kuranja auctioned by the Regional Settlement Commissioner of Delhi. This document does not indicate the area of the land and is not relevant to the present case because the sale has taken place after the material date in the present case. Shri Amir Chand claimant has filed unattested and incomplete copy of sale deed dated 15.10.70, for land in kh.No.6/24, 6/23 of this village. It does not indicate the name of the vendee and also the fact of registration, of the document before the Sub-Registrar. It is, therefore, excluded from consideration.

Number of sale transactions relating to land of this village during the last 5 years preceeding the date of notification u/s 4 are reported to have been mutated in the record of rights. Most of them related to small pieces of land which fetch much higher price. It is also found that the land involved in these mutations except the following is situated far away from the land under acquisition.

Mutation No.	Date of Registration	Kh.No.	Area	A mount	Average per Bigha
1982 & 1983	26.12.67	6/23	4-16	Rs.38720/-	Rs.2016/-App.
		6/24	4-16		
		10/3	4-16		
		6/22	4-16		
			19-04		

Part of the land in Kh. No.6/23, 6/24 and whole area of kh. No. 10/3 involved in the above sale transaction is being acquired at present. Sale of the same land offers the best exemplar for evaluating the land under acquisition because ~~the~~ the question of any dissimilarity in land does not arise but this transaction took place about 4 years prior to the material

date in the present case . Allowing margin for increase in price at the rate of 6% p.a. during the intervening 4 years over and above the rate yielded by the above sale I consider it fair & reasonable to fix the market value of land under acquisition at Rs.2500/- per bigha and award the same,.

OTHER COMPENSATION

There is no tree or well on the land under acquisition.

STRUCTURES

There are some structures in part of kh. No.10/8 out of which only one is recorded in the name of Shri Raghu Nath in khasa Girdawari Rabi 1971 prior to the date of notification under section 4. The N.T. has assessed the structure of Shri Raghu Nath which has finished at Rs.500/-. I find the assessment to be reasonable and award the same. Since there is no entry about other structures in the revenue record and no evidence has been produced by to show that they existed prior to the material date, no compensation is therefore assessed. The owners can remove the malhs within 15 days of the announcement of award.

SOLATIUUM

15% solatium will be paid over and above the market value of land for compulsory acquisition.

APPORTIONMENT

Compensation will be paid according to the latest entries in the revenue record except where persons other than owners are occupants or claim compensation. In such cases if the dispute is not settled between the parties within a reasonable time the compensation will be remitted to the court for adjudication of the title u/s 30,31 L.A.Act.

LAND REVENUE

The land is assessed to land revenue of Rs.2.08 which will be deducted from the rent roll of the village w,e,f, the date of taking possession.

SUMMARY

1.	Market value of the land measuring 16 Bighas 16 Biswas @ Rs.2500/- per bigha.	Rs. 42,000-00
2.	Market value of the structures	Rs. 500-00
		Rs. 42,500-00
3.	15% solatium	Rs. 6,375-00
	Grand Total	Rs. 48,875-00

(Rupees forty-eight thousand eight hundred seventy-five only).

S. Parkash
(SUYASH PARKASH)

LAND ACQUISITION COLLECTOR (MSW): DELHI.

*Announced and filed
on 16.12.78*

S. Parkash
16.12.78