

A W A R D No. 9/71-72

Name of the village: KHUREJI KHAS
Nature of acquisition: PERMANENT
Purpose of acquisition: PLANNED DEVELOPMENT OF DELHI

A W A R D

These are proceedings for the determination of compensation u/s 11 of the Land Acquisition Act, 1894 regarding the acquisition of land in village Khureji Khas at the public expense for a public purpose viz. Planned Development of Delhi. A notification u/s 4 for the acquisition of land measuring 452 bighas 8 biswas situated in village Khureji Khas was issued by the Delhi Administration vide No.F.4(19)/65-L&H dated 23.4.68. After hearing objections u/s 5-A, the Delhi Administration issued a declaration u/s 6 of the L.A. Act vide notification No. F.4(19)/65-L&H dated 9.7.68. In pursuance of to the declaration further notices u/s 9 & 10 of the L.A. Act were issued to all the persons interested in the land under acquisition. In response to these notices claims/objections of the interested persons/claimants were received which are discussed hereafter under the head 'CLAIMS'.

MEASUREMENT

The total area under acquisition as given in the declaration u/s 6 is 452 bighas 8 biswas whereas during the actual verification and measurement at the spot by the revenue staff the correct area out of the khasra numbers to be acquired works out to 454 bighas. Out of this area ^{42 min} killa No.18 of Rect.No.43 measuring 2 bighas 18 biswas is under stay order in Civil Writ No.52/71. Similarly ^{10 min} killa Nos.11/1 min measuring 1 bigha 3 biswas and 19/2 min measuring 2 bighas 17 biswas of Rect.No.51 are also under stay in Civil Suit No.777/70 from the court of Shri Hari Kishan Singh Malik, Sub Judge Ist Class, Delhi. Thus the total area of 6 bighas 18 biswas is under stay orders. The net area now being acquired under the present award works out to 447 bighas 2 biswas.

During the course of verification of the record by the revenue staff it was revealed that a portion of land under acquisition is custodian property owned by Ministry of Rehabilitation. A reference was, therefore, made to the Managing Regional Officer (Rural), Office of the Settlement Commissioner, New Delhi who vide his letter No. MO(R)/Land Acquisition/Khureji *20.3.71* Khas/Delhi/D/273 informed that the following khasra Nos. were acquired on 7.7.55 u/s 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954.

Killa No.27 of Rect.3, Killa Nos.13, 15, 16, 17, 18/1-2, 25 min, 23, of Rect.29, Killa Nos.12/2, 12/3, 12/4, 18, 23, 24/ of Rect.30, Killa Nos.1 min, 2,3,4,8,7,9,11,20,21/1,21/2 of Rect.33, Killa No.3/1,24 of Rect.34, Killa No.7min,8min of Rect.36, Killa No.21 of Rect.37, Killa 18 of Rect.43, Killa No. 1/1,7,8,9,14,15,19,20 to 23 of Rect.44, Killa 17,18,19,22,23,24, 25 of Rect.45, Killa 15,16,17, of Rect.46, Killa 3,4,7,8 of Rect. 47, Killa 3 of Rect.49, Killa 4,7 of Rect.55, Killa 3/4,6,8,16, 24/7,25/2 of Rect.57, Killa 3/4 of Rect.63, Killa 1,2 of Rect. 50, Killa 3,4,5/2,11/1,5/1,19/2,20 of Rect.51, Killa 1,2,7,8/1, 8/2, of Rect.52, Killa 1,2,10,19,20 of Rect.53.

As this was an evacuee property vested into the Central Govt. and came under the management of Rehabilitation Deptt. w.e.f. 7.7.55. This land is still undisposed and a number of occupants are recorded in possession in Khasra Girdawri. These occupants have also claimed their interest in response to notices issued u/s 9 & 10 for the acquisition of this property. The N.T.(L4) in this connection has referred to ruling in a case Govt. of Bombay Vs. Eusuf Ali Salebi (34) Bombay 618 whereas it has been held that in a case where the government claims the ownership of the land the Collector has jurisdiction to go into and determine the question of title for the purpose of enquiry before him and that the Act applies to the land of which the Government are or claims to be owners. Thus the entire area as claimed by the Managing ^{Officer} (Rural), in his letter referred to above will be acquired according to the provisions of L.A. Act, 1894 and taken into possession under the same Act. The compensation to be awarded for this land will be kept disputed. In case of an amicable settlement it will be paid to the interested persons otherwise a reference will be made to the competent court for adjudication.

CLASSIFICATION OF LAND

The details of khasra Nos. in form 7-A have been prepared under para 55 of the Financial Commissioner's order No.28 which are as under:-

S.No.	Khasra No. Rect.No.	Killa No.	Area Big.Bis.	Kind of soil
	3	27	1 - 07	G.M. Shore
1.	29	13	3 - 01	Chahi
2.		15	3 - 02	-do-
3.		16	4 - 16	-do-
4.		17	5 - 04	-do-
5.		18/1	1 - 16	-do-
6.		18/2	3 - 00	-do-
7.		23	4 - 16	-do-
8.		25	4 - 16	-do-
9.				
10.	30	12/2 /	0 - 11	-do-
11.		12/3 /	0 - 12	-do-
12.		12/4 /	2 - 10	-do-
13.		18 /	4 - 16	-do-
14.		19 /	4 - 16	-do-
15.		20 /	4 - 16	-do-
16.		21	4 - 16	-do-
17.		22	4 - 16	-do-
18.		23	4 - 16	-do-
19.		24/1	3 - 12	-do-
20.		24/2	1 - 04	-do-
21.	33	1	4 - 16	-do-
22.		2	4 - 16	-do-
23.		3	4 - 16	-do-
24.		4	4 - 16	-do-
25.		7	2 - 02	-do-
26.		8	2 - 08	-do-
27.		9	2 - 14	-do-
28.		10	3 - 00	-do-
29.		11	2 - 04	-do-
30.		20	4 - 16	-do-
31.		21/1	0 - 04	-do-
32.		21/2	1 - 04	-do-
33.	34	3/1	2 - 12	-do-
34.		5	4 - 16	-do-
35.		6	3 - 08	-do-
36.		24	4 - 16	-do-
37.	36	7	4 - 16	-do-
38.		8	4 - 16	-do-
39.		13/1	1 - 09	-do-
40.		14	2 - 16	-do-
41.	37	21	3 - 06	-do-
42.	43	18/1	1 - 18	-do-
43.	44	1/1	3 - 01	-do-
44.		7	4 - 16	-do-
45.		8	4 - 16	-do-
46.		9	4 - 16	-do-
47.		12/1	2 - 08	-do-
48.		14	4 - 16	-do-
49.		15	5 - 02	-do-
50.		19	4 - 16	-do-

41.	44	20	4 - 02	Chahi
42.		21	4 - 02	-do-
43.		22	4 - 16	-do-
44.		23	4 - 16	-do-
45.	45	10	5 - 06	G.M. Colony
46.		17	4 - 16	Chahi
47.		18	4 - 16	-do-
48.		19	5 - 07	-do-
49.		22	3 - 03	-do-
50.		23	4 - 14	-do-
51.		24	4 - 14	-do-
52.		25	4 - 16	-do-
53.	46	15	4 - 16	-do-
54.		16	4 - 16	-do-
55.		17	4 - 16	-do-
56.		18/1	2 - 15	-do-
57.	47	3	4 - 16	-do-
58.		4	4 - 16	-do-
59.		7	4 - 16	-do-
60.		8	4 - 16	-do-
61.	49	3	2 - 18	-do-
62.	50	1	4 - 16	-do-
63.		2	3 - 15	-do-
64.	51	3	5 - 05	-do-
65.		4	4 - 16	-do-
66.		5/1	3 - 00	-do-
67.		5/2	1 - 16	-do-
68.		11/1/1	0 - 05	Banjar Jadid
69.		20	4 - 16	-do-
70.	52	1	4 - 02	-do-
71.		2	4 - 16	-do-
72.		7	4 - 16	G.M. Plot
73.		8/1	1 - 16	-do-
74.		8/2	0 - 12	-do-
75.		13	4 - 16	Banjar Jadid
76.		14	4 - 16	-do-
77.		15	4 - 16	-do-
78.		16	4 - 16	-do-
79.		17	4 - 16	-do-
80.		18/1	3 - 00	-do-
81.		18/2	1 - 16	-do-
82.	53	1	4 - 16	Chahi
83.		2	4 - 16	-do-
84.		10/1	2 - 08	Dakar
85.		19	4 - 16	Chahi
86.		20	4 - 16	-do-
87.	55	4	3 - 03	Chahi
88.		7	4 - 16	Dakar
89.	57	3/4	2 - 08	G.M. Colony
90.		4/2	2 - 08	G.M. Plot
91.		6	4 - 16	Banjar Jadid
92.		7	4 - 16	Chahi
93.		8	4 - 16	Banjar Jadid
94.		16	4 - 16	Chahi
95.		17	4 - 16	Banjar Jadid
96.		18	4 - 16	-do-
97.		24/7	0 - 04	-do-
98.		25/2	0 - 16	-do-

109.	58	3/1	1 - 02	Chahi	
110.		6/2	3 - 14	Chahi	3-10
				G.M.	0-14
111.		7/1	2 - 08	Chahi	
112.		7/2	2 - 08	Bhhor	Awal
113.		8	4 - 16	Chahi	
114.		15/2	1 - 00	Bhhor	Awal
115.		15/3	1 - 04	-do-	
116.	62	4	4 - 16	Banjar	Jadid
117.	63	4/3	2 - 00	Chahi	
118.		16	4 - 16	Bnajar	Jadid
119.		17	4 - 16	-do-	
120.		24	3 - 14	-do-	
121.		25	2 - 02	-do-	

Total: 447 - 02

The land owners have not raised any objection regarding the measurement and classification of land. I have gone through the chief data submitted by the Naib Tehsildar(LA). I agree with the measurement and classification of land as proposed by the Naib Tehsildar on the basis of entries of Khasra Girdawri and other relevant record.

At the time of publication of notification u/s 4, the classification of land is as under:-

Kind of land	Area Big.Bis.
Chahi	333 - 06
Dakar	7 - 04
Bhhor Awal	4 - 12
Banjar Jadid	83 - 03
G.M. Shore	1 - 07
G.M.Plot and Colony	17 - 06
G.M.Chah	0 - 04
Total:	447 - 02

POSSESSION

The possession of the area now under acquisition has not so far been taken by the department concerned. The possession of area shown in Annexure 'A' attached with the award will not be taken due to stay orders from the High Court in various Civil Writs.

C L A I M S:

The following persons have filed their claims in pursuance of declaration u/s 6 of the L.A.Act.

S.No.	Name of claimant	Compensation claimed	Evidence
1.	Sh. Malhan s/o Haider	Claimed compensation @ 50/- per sq.yd. plus Rs.50,000/- for the loss of possession & crops alongwith 15% solatium.	No evidence produced.
2.	Sh.Noora s/o Boonda	Claimed compensation @ Rs.25/- per sq.yd.	-do-
3.	Sh.Noora s/o Boonda	Claimed compensation of the land of shamlat deh stating to be shareholder.	-do-
4.	Sh.Ahmad s/o Altaf	Claimed compensation for killa No.26 of Rect.15	-do-
5.	S/Sh.Salamudin, Abdul Ghani ss/o Nizamudin	Claimed compensation for killa No.3/4 of Rect.57.	-do-
6.	S/Sh.Ali Hussain, Mohd. Hussain ss/o Gulam Ali	Claimed compensation @ Rs.50/- per sq.yd. and Rs.5000/- for a well.	-do-
7.	Smt.Haneeff W/o Haider	Claimed compensation @ Rs.50/- per sq.yd.	-do-
8.	Sh.Mooruddin s/o Haider	-do-	-do-
9.	Sh.Asgar Ali s/o Karimuddin.	-do-	-do-
10.	Sh.Shaukat Ali s/o Azimuddin.	-do-	-do-
11.	Sh.Ashik Ali s/o Azimuddin.	-do-	-do-
12.	S/Sh.Chandu Lal s/o Lala Saudagar Mal, Rattan Lal s/o Lala Kanwar Sain, Smt.Kailash Wati wd/o Bir Sain	Claimed compensation @ Rs.20/- per sq.yd. alongwith 15% solatium.	-do-
13.	S/Sh.Sumat Prakash Jain s/o Lala Sheo Singh Rai Jain & Ved Prakash s/o Lala Asa Ram Gupta.	Claimed compensation @ Rs.125/- per sq.yd. for an area measuring 88 bighas 6 biswas.	-do-
14.	Sh.Saran Singh s/o Sh.Amir Singh	Claimed compensation @ Rs.80/- per sq.yd. & Rs.2,15,500/- for 10 shops, one tube-well, one room, Flour Mill & Shop, residence, fodder machine its shop & store room & servants quarters.	-do-
15.	Sh.Jagat Ram s/o Uttam Chand.	Claimed compensation @ Rs.50/- per sq.yd. & Rs.12000/- for a tube-well & persian wheel with 15% interest.	Produced certified copies of sale deeds dt.28.1.69 & 20.1.67.
16.	Jagat Ram & Co.	Claimed compensation @ Rs.50/- per sq.yd. with 15% solatium & interest.	No evidence produced.

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| 17. Thakhat Ram Group | Claimed compensation @ Rs.50/- per sq.yd. with 15% solatium & interest. | No evidence produced. |
| 18. Sh.Guli Chand s/o Beli Ram. | Claimed a total compensation of Rs.1,17,600/- with 15% solatium and interest. | -do- |
| 19. Sh.Roshan Lal s/o Beli Ram. | Claimed a total compensation of Rs.120000/- with 15% solatium & interest & Rs.5000/- for a well, Rs.500/- as profit. | -do- |
| 20. Sh.Ghansham Dass s/o Beli Ram. | Claimed a total amount of Rs.391250/- for land, Rs.500/- p.m. as profit along with 15% solatium & 6% interest. | -do- |
| 21. Sh.Ram Chand s/o Beli Ram. | Claimed a total amount of Rs.1,33,750/- for land, Rs.500/- p.m. as profit along with 15% solatium and 6% interest. | -do- |
| 22. ^{by Niwandi} Smt.Nainandi Bai d/o Beli Ram. | Claimed a total amount of Rs.1,20,000/- for land, Rs.500/- p.m. as profit along with 15% solatium & 6% interest. | -do- |
| 23. Sh.Attar Singh s/o Mool Chand. | Claimed a total sum of Rs.7500/- for land, Rs.20000/- for house Rs.1200/- for loss of severance with 15% solatium & interest. | -do- |
| 24. Sh.Gobind Ram s/o Sh.Mool Chand. | Claimed compensation @ Rs.130/- per sq.yd. for land with 15% solatium & interest. | Produced copy of Sale deed No. 6673 of 14/8/59 and plan showing the colonies. <i>Ch</i> |
| 25. ^{Himayat} Sh.Hinat Ali s/o Iniat Ali. | Claimed compensation for killa Nos.3/4 & 8 of Rect.57. | -do- |
| 26. Sh.Lekha s/o Dharam Singh. | Claimed compensation @ Rs.30/- per sq.yd. | Produced certified copies of rent receipts. |
| 27. Sh.Niader s/o Bahal | Claimed compensation for killa No.4 of Rect.52, killa Nos.1 & 10 of Rect.59. | No evidence produced. |
| 28. ^{by Tulsi} Sh.Pun Ram s/o Main Sukh | Claimed a total amount of Rs.1,18,000/- as the cost of land. | Produced the extract of khasra Girdawri. |
| 29. Sh.Panna Lal s/o Mohru | Claimed compensation @ Rs.30/- per sq.yd. | Produced uncertified copies of rent receipts. |
| 30. Sh.Risal Singh s/o Sh.Umrao. | Claimed compensation @ Rs.30/- per sq.yd. | -do- |
| 31. Sh.Fateh Singh s/o Changa Singh | -do- | -do- |
| 32. Sh.Jaswant Singh s/o Sh.Kale. | -do- | -do- |

33.	Sh. Saloo Singh s/o Sh. Bhan Singh	Claimed compensation @ Rs. 30/- per sq. yd.	No evidence produced.
34.	Sh. Hira s/o Kale Singh	-do-	-do-
35.	Sh. Kale s/o Khacheru	Claimed compensation @ Rs. 50/- per sq. yd.	-do-
36.	Sh. Sant Singh s/o Risal Singh	-do-	-do-
37.	Sh. Rewati s/o Puran	As at S. No. 33	Produced - undertified copies of rent receipts.
38.	Sh. Chander Singh s/o Mani Ram.	-do-	-do-
39.	Sh. Des Raj Nag Pal s/o Anoop Chand.	Claimed a total sum of Rs. 28000/- along with 15% solatium & interest.	No evidence produced.
40.	Sh. Subhash Chander s/o Om Parkash	Claimed a total sum of Rs. 27800/- for land and 15% solatium with interest.	-do-
41.	Sh. Mangat Ram s/o Devi Dutta.	Claimed a total sum of Rs. 32000/- for land with 15% solatium & interest.	-do-
42.	Sh. Sham Kumar s/o Nathu Singh	Claimed a total sum of Rs. 17000/- for land with 15% solatium & interest.	-do-
43.	Sh. Dedar Singh s/o Sh. Harnam Singh	Claimed a total sum of Rs. 14000/- for land with 15% solatium & interest.	-do-
44.	Smt. Sushil Wati w/o Sh. Devi Chand	Claimed a total sum of Rs. 20000/- for land with 15% solatium & interest.	-do-
45.	Sh. Abinash Chander s/o Charan Dass Babbar	Claimed a total sum of Rs. 28200/- with 15% solatium & 6% interest.	-do-
46.	Sh. Madan Lal s/o Chunni Lal Luthra	Claimed a total sum of Rs. 28200/- for land with 15% solatium & interest.	-do-
47.	Sh. Ramesh Chander s/o Lekh Raj.	Claimed a total sum of Rs. 17000/- for land with 15% solatium & interest.	-do-
48.	Sh. Hari Dutt s/o Luxmi Dhar.	Claimed a total sum of Rs. 16500/- for land with 15% solatium & interest.	-do-
49.	Sh. Mani Ram s/o Manghai Ram.	Claimed a total sum of Rs. 20000/- for land with 15% solatium & interest.	-do-
50.	Sh. Jagdish Lal s/o Ladha Ram.	Claimed a total sum of Rs. 18000/- for land with 15% solatium & interest.	-do-
51.	Sh. Mohan Lal s/o Lala Ram	Claimed a total sum of Rs. 17800/- for land with 15% solatium & interest.	-do-

52. Sh. Das Mal s/o Malhana Ram.	Claimed a total sum of Rs.15300/- for land with 15% solatium & interest.	No evidence produced.
53. Sh. Khushi Ram s/o Sh. Hakim Singh	Claimed a total sum of Rs.17000/- for land with 15% solatium & interest.	-do-
54. Sh. Balwant Singh s/o Sunder Singh	Claimed a total sum of Rs.17000/- for land with 15% solatium & interest.	-do-
55. Smt. Jeewan Lata w/o Shanbhu Dutt.	Claimed a total sum of Rs.28000/- for land with 15% solatium & interest.	-do-
56. Smt. Krishna Devi w/o Trilok Chand	Claimed a total sum of Rs.14000/- for land.	-do-
57. Sh. Chela Ram s/o Dudha Ram.	Claimed a total sum of Rs.14500/- for land with 15% solatium & interest.	-do-
58. Smt. Shakati Rani w/o Om Parkash	Claimed a total sum of Rs.22500/- for land with 15% solatium & interest.	-do-
59. Sh. Manglu Ram s/o Jamna Ram.	Claimed a total sum of Rs.19500/- for land with 15% solatium & interest.	-do-
60. Sh. Fateh Chand Madan s/o Sukh Ram Madan	Claimed a total sum of Rs.25000/- for land with 15% solatium & interest.	-do-
61. Sh. Tara Singh s/o Kesar Singh	Claimed a total sum of Rs.17000/- for land with 15% solatium & interest.	-do-
62. Sh. Mulkh Raj s/o Bhoop Chand Nagpal	Claimed a total sum of Rs.17500/- for land with 15% solatium & interest.	-do-
63. Sh. Partap Singh s/o Ragat Singh.	Claimed a total sum of Rs.22000/- for land with 15% solatium & interest.	-do-
64. Sh. Nathi Singh s/o Ram Singh	Claimed a total sum of Rs.17000/- for land with 15% solatium & interest.	-do-
65. Sh. Ram Chander s/o Sh. Aru Ram.	Claimed a total sum of Rs.28000/- for land with 15% solatium & interest.	-do-
66. Sh. Charanjit Singh s/o Inder Singh	Claimed a total sum of Rs.28000/- for land with 15% solatium & interest.	-do-
67. Smt. Sushil w/o Madan Lal	Claimed a total sum of Rs.26500/- for land with 15% solatium & interest.	-do-
68. Smt. Shiv Dulati w/o Hari Prakash	Claimed a total sum of Rs.25950/- for land plus Rs.4000/- as solatium & interest.	-do-

69. Sh. Ishwar Dhari Prashad s/o Ram Jharoka. Claimed a total sum of Rs.29910/- for land and Rs.6555/- as solatium & interest. No evidence produced.
70. Sh. Lal Parikshan Ram s/o Prayag Ram. Claimed an amount of Rs.20290/- -do- for land plus Rs.3043/50 as solatium & interest.
71. Sh. Jagan Nath Pd. s/o Rameshwar Pd. Claimed an amount of Rs.25960/- -do- for land & Rs.3894/- as solatium and interest.
72. Sh. Nageshwar Pd. s/o Roop Narain. Claimed an amount of Rs.28690/- -do- for land & Rs.5904/- as solatium and interest.
73. Smt. Prema Devi w/o Inder Mani. Claimed an amount of Rs.22000/- -do- for land & Rs.3300/- as solatium and interest.
74. Sh. Sis Ram s/o Hassaina Ram. Claimed an amount of Rs.20350/- -do- for land & Rs.3052/50 as solatium and interest.
75. Sh. Har Lal Nath s/o Gobind Charan Nath. Claimed an amount of Rs.26600/- -do- for land & Rs.4730/- as solatium and interest.
76. Smt. Tara Bala w/o Priya Nath. Claimed an amount of Rs.21150/- -do- for land & Rs.4605/- as solatium and interest.
77. Sh. Jai Kishan s/o Beli Ram. Claimed an amount of Rs.15000/- -do- for land with 15% solatium and interest.
78. Sh. Darshan Singh s/o S. Dasanda Singh. Claimed an amount of Rs.14000/- -do- for land with 15% solatium and interest.
79. Sh. Karam Singh s/o Gurbachan Singh. Claimed a total sum of Rs.15500/- -do- with 15% solatium & interest.
80. Sh. Braham Chand s/o Barfi Ram. Claimed a total sum of Rs.24000/- -do- with 15% solatium & interest.
81. Sh. Gian Chand s/o Khila Ram. Claimed a total sum of Rs.17500/- -do- with 15% solatium & interest.
82. Sh. Gurcharan Singh s/o Tilak Singh. Claimed an amount of Rs.14500/- -do- for land, Rs.2900/- as severance, Rs.2175/- as solatium & interest.
83. Sh. Balbir Singh s/o Jassa Singh. Claimed a total sum of Rs.12115/- -do- with 15% solatium & interest.
84. Sh. Kala Ram s/o Tej Ram. Claimed a total sum of Rs.39025/- -do- with 15% solatium & interest.
85. Smt. Ram Kaur w/o Sh. Surat Singh. Claimed a total sum of Rs.48000/- -do- with solatium and interest.
86. Sh. Surat Singh s/o Damodar Singh. Claimed a total sum of Rs.35800/- -do- with solatium & interest.
87. Sh. Dewan Singh s/o Sh. Moti Singh. Claimed a total sum of Rs.18700/- -do- with solatium and interest.
88. Smt. Jagjit Kaur w/o Jaswant Singh. Claimed an amount of Rs.57781/- -do- with solatium and interest.10/-

MARKET VALUE:

Before determining the market value of the land to be acquired it is essential to have the idea of the general characteristics and physical condition of the land under acquisition as on the date of notification u/s 4 of the L.A. Act. Village Khureji Khas where the land is proposed to be acquired is situated at a distance of about four miles from Delhi. This revenue estate is surrounded on its northern aspect by the revenue estates of Jhil Kurenja, Chondali, Chandarawali and Shahdara. In its south there are revenue estates of Mandawali Fazalpur, Shakarpur Khas. In its east is village Karkardooma and in its western aspect is the bank of river Jamuna. Spot inspection of this land shows that it consists of some low lying areas and some pockets of uneven land. The low lying areas goes with the bank of river Jamuna. The uneven pockets appear to have been due to the reasons that earth from these have been lifted either for brick kilns or building construction work. Major portion of land is of better quality, plain and has the potentiality of agriculture only. In view of this situation and quality of the land it has been classified in two blocks for the purpose of assessing its market value. The plain and even land will form block 'A' comprising the khasra numbers detailed below:-

Killa Nos. 13, 15, 16, 17, 18/1, 18/2, 23, 25 of Rect. 29, Killa Nos. 12/2, 12/3, 12/4, 18, 19, 20, 21, 22, 23, 24/1, 24/2 of Rect. 30, Killa Nos. 1, 2, 3, 4, 7, 8, 9, 10, 11, 20, 21/1, 21/2, of Rect. 33, Killa Nos. 2/1, 5, 6, 24 of Rect. 34, Killa Nos. 7, 8, 13/1, 14, of Rect. 36, Killa Nos. 21 of Rect. 37, Killa Nos. 13, 1 of Rect. 43, Killa No. 1/1, 7, 8, 9, 12/1, 14, 15, 19, 20, 21, 22, 23 of Rect. 44, Killa Nos. 10, 17, 18, 19, 22, 23, 24, 25 of Rect. 45, Killa Nos. 15, 16, 17, 18/1 of Rect. 46, Killa Nos. 3, 4, 7, 8, of Rect. 47, Killa Nos. 1, 2, of Rect. 50, Killa Nos. 3, 4, 5/1, 5/2, 11/1/1, 20, of Rect. 51, Killa Nos. 1, 2, 7, 8/1, 8/2, 13, 14, 15, 16, 17, 18/1, 18/2, of Rect. 52, Killa No. 1, 2, 10/1, 19, 20 of Rect. 53, Killa No. 6/1, 6/2, 7/1, 7/2, 8, 15/2, 15/3 of Rect. 58, Killa No. 4 of Rect. 62.

Total Area: 382 Bighas 18 Biswas.

The low lying and uneven land is taken in block

'B' which comprises of the following khasra Nos:

Killa No.27 of Rect.3, Killa No.3 of Rect.49, Killa Nos.4, 7 of Rect.55, Killa Nos.3/4, 4/2, 6, 7, 8, 16, 17, 18, 24/7, 25/2 of Rect.57, Killa Nos.4/3, 16, 17, 24, 25 of Rect.63.

Total Area: 64 Bighas 4 Biswas.

As per provisions u/s 23(1) of the L.A. Act while calculating the amount of compensation to be awarded the following main points have to be kept into consideration:

- (1) Market value of the land on the date of publication of notification u/s 4 sub-section 1.
- (2) The damage sustained by the standing crops or trees at the time of taking over the possession.
- (3) The damage sustained by reasons of severing such land from other land.
- (4) The damage sustained by reasons of acquisitioning injuriously affecting the other moveable or immoveable property.
- (5) If any consequences of acquisitioning of land the persons interested is compelled to change his residence or place of business.
- (6) The damage resulting from diminution of profits of land between time of publication of declaration u/s 6 and at the time of taking over possession.

In addition to the above, factors like size and shape of the land, its situation, the potentiality, the use to which it is put, rise and fall in demand for the land have also to be taken into consideration. The best evidence available to prove what a purchaser would pay for the land under acquisition would be evidence of genuine sales effected about the time of notification either in respect of land under acquisition or a portion thereof, or the land sales of land precisely parallel in all circumstances to the land under acquisition. If the evidence of sales of similar land or the awards of the court in the locality with similar advantages are available, the market value can be fixed with reference to the prices mentioned in them.

In the present case some of the claimants have filed uncertified copies of the sale deeds in respect of their claims. I have scrutinised these sale deeds. These pertain to the period ranging from 1958 to 1969. Their date of execution being far from the material date and the sale

being
 under these/for the smaller plots of land, to my mind, cannot
 form the basis to determine the market value in the present
 case.

Before entering into the question of market value
 in right earnest, it would be necessary to have a glimpse of
 the previous awards drawn in this village. The following
 awards have been drawn in this village during the past years:

S.No.	Award No.	Date of notifica- tion u/s 4	Price assessed per bigha
1.	670	13.9.44	Dakar 400/- Banjar 300/-
2.	686	18.1.49	Chahi 300/-, Rosli, Bhoor Matiar 150/-, Banjar and Ghair Mumkin 100/-.
3.	882	5.12.53	149/80.
4.	1072	23.6.60	400/-
5.	1125	22.4.60	4/- per sq.yd.
6.	1693	13.11.59	Block 'A' 800/- Block 'B' 450/-
7.	1866	16.7.62	4/50 per sq.yd.
8.	2139	13.11.59	1050/-
9.	22/70-71	13.11.59	Block 'A' 1100/- Block 'B' 600/-
10.	22/70-71 (Suppl.)	-do-	-do-

I have gone through the details of these awards.
 These pertain to the period ranging from 1944 to 1962. The
 date of notification u/s 4 of these awards is far from the
 material date in the present case. These awards therefore,
 cannot be proper examplers to base the market value in the
 present case.

Certain sale transactions in village Khureji Khas
 also find mention in the record of rights. A close scrutiny
 of this record shows that the following sale transactions
 pertaining to larger area of land nearest to the material
 date of notification in the present case have taken place
 in this village:

-: 13 :-

S.No.	Mutation No.	Date of sale deed	Area	Amount	Average price
1.	1911	21.12.66	98-00	17700/-	Rs. 180-61
2.	1912	21.12.66	91-12	16500/-	Rs. 180-13
3.	1982	26.12.67	19-04	38720/-	Rs. 2016-67

The sale transactions mentioned at S.Nos. 1 & 2 took place on the same date. The average price per bigha of the land of these sales works out to Rs.180.38. A close scrutiny of these sale deeds reveal that in these cases the vendors have transferred their proprietary rights to the purchasers but they did not hand over the physical possession of the land because of the reasons that the land under both these transactions was in occupation of the tenants. In case where actual possession of the land cannot be handed over to the purchasers the sale price is bound to be quite low because of the reasons that the rights of tenants stand protected under the law and it takes time and efforts to eject the lawful tenants. Keeping all these facts in view these sale deeds also cannot form the basis for evaluating the market value of the land under acquisition.

The transaction indicated at S.No.3 above pertains to an area measuring 19 bighas 4 biswas which was sold by the Central Government in an open auction on a consideration of Rs.38720/-. This sale has been carried out by the Central Government in an open auction and bid was granted in favour of Shri Hari Ram who is now owner of the land. This land is similarly circumstanced and has the same agricultural potentiality as the land under acquisition. No building activity can be allowed in any of these lands without the sanction of the Delhi Development Authority. The average sale price per bigha in this case works out to Rs.2016.67. I, therefore, rely on this transaction executed by the Central Government in an open auction and assess the market value of the land under block 'A' @ Rs.2020/- per bigha.

-: 14 :-

The land under block 'B' measuring 64 bighas 4 biswas is low lying and uneven. It is definitely inferior to the land placed in block 'A'. In order to bring it at par with the land under block 'A' the owner shall have to spend a considerable amount. Keeping in view this factor I assess the market price of land under block 'B' at the rate of 1500/- per bigha.

STRUCTURES:

The revenue staff during their survey have reported the existence of a number of structures in the following

Khasra Nos:

Killa No.10 of Rect.45, Killa Nos.11/1/1, 20 of Rect. 1, Killa No.7, 8/1, 14, 15, 16,17, 18/2 of Rect.52, Killa Nos. 4/4, 4/2, 17, 18 of Rect.57, Killa Nos.6/1, 6/2, 7, 8, 15/2, 15/3 of Rect.58, Killa No.4 of Rect.62, Killa No.4/3, 16,17, 25 of Rect.63.

All these structures are in the shape of unapproved colonies known by different names such as J&K Block, J Extension Block of Luxmi Nagar Colony, East Guru Angad Nagar, West Guru Angad Nagar & its extension. All these structures have come into existence after the issue of preliminary notification on 23.4.68. Their being unauthorised colonies no compensation is payable for these structures. However, the owners are at liberty to remove their structures immediately after the announcement of the award failing which possession of land will be taken from them as per provisions of the law.

WELLS:- There are eight kacha wells (Dhankali) and two tube-wells in which the pipes have been put inside the ground and water is being drawn with the help of machinery. The kacha wells are temporary located in khasra Nos. 44/19, 44/20, 44/21, 44/15, 52/1, 53/10/1. These wells do not find any entry in the revenue record. Moreover it is reported that all these kacha wells and tube-well in killa No.10 of Rect.33 have been constructed after the date of notification u/s 4 therefore, no compensation will be payable for these wells and tube-well. The owners are at liberty to remove the machinery of the tube well immediately after the announcement of the award. Is

contd...15/-

contd...16/-

regards tube-well in killa No. 6/2 of Rect.58 this existed prior to the date of notification u/s 4. The owner will be paid removal charge of Rs.50/- for this tube-well.

TREES:- There are scattered trees over the land now under acquisition which can be used as fuel wood. The N.T.(LA) has reported in his chief data every detail i.e. weight, rate per quintal etc. of these trees. I assess the price of these trees as under:-

Field No.	Kind & No. of trees	Weight in quintal	Rate per quintal	Total price
36/8	Kikar 1	2	5/-	10/-
29/13	Kikar 1	2	5/-	10/-
44/14	Shisham 1	1/2	10/-	5/-
44/8	Peepal 2	4	5/-	20/-
	Shehtoot 4	1	5/-	5/-
	Goolar 1	1/2	5/-	2/50
	Jungal 1	1/2	5/-	2/50
	Jalebi			
	Jaman 2	(small)	-	5/-
	Amrood 4	-do-	-	10/-
	Malta 1	-do-	-	5/-
	Santra 1	-do-	-	5/-
44/12	Amrood 2	-do-	-	5/-
	Mango 1	-do-	-	2/50
	Shehtoot 1	1/2	5/-	2/50
	Bakan 1	1/2	5/-	2/50
	Shisham 1	1/2	10/-	5/-
44/19	Shehtoot 5	1	5/-	5/-
	Bakan 1	1/2	5/-	2/50
	Amrood 2	(small)	-	5/-
44/22	Shehtoot 3	1/2	5/-	2/50
	Amrood 1	(small)	-	2/50
	Khatta 30	-do-	-	30/-
44/20	Shehtoot 7	-do-	-	14/-
	Amrood 1	-do-	-	2/-
44/21	Khatte 6	-do-	-	6/-
52/1	Khatte 4	-do-	-	4/-
44/15	Lichi 1	-do-	-	5/-
	Shehtoot 2	-do-	-	5/-
	Kikar 1	-do-	-	2/50
	Kikar 1	-do-	-	2/50
53/10/1	Papita 1	-do-	-	5/-
58/6/2	Bakan 2	1	5/-	5/-
	Shehtoot 6	3	5/-	15/-
	Amrood 1	(small)	-	2/50
	Anar 11	-do-	-	11/-
	Jungal Jalebi 1	1	5/-	5/-
Total:				229/50

SOLATIUM:- The persons interested will be entitled to have 15% solatium on the market value of the land.

APPORTIONMENT: The interested persons will be paid compensation according to the existing entries in the revenue record. In case of any dispute the payment will be made after any amicable settlement between the parties concerned failing which the matter will be referred to the competent court for adjudication.

LAND REVENUE DEDUCTION: The total land revenue for the land proposed to be acquired works out to Rs.93.30. This amount will be deducted from the Khalsa Rent Roll of the village with effect from the date of taking over the possession.

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

Subject to above remarks, the award is summarised as under:-

1. Compensation for land measuring 382 bighas 18 biswas placed in block 'A' @ Rs.2020/- per bigha.	Rs. 7,73,458-00
2. Compensation for land measuring 64 bighas 4 biswas of block 'B' @ Rs.1500/- per bigha.	Rs. 96,300-00
3. 15% solatium	Rs. 1,30,463-70
4. Compensation for trees.	Rs. 229-50
5. Removal charges for tube-well.	Rs. 50-00
Total:	Rs.10,00,501-20

(K. N. Joshi)

Land Acquisition Collector: (N):
Delhi.

The award will be announced on 26.4.71 at 11 am. Inform the interested persons accordingly

(A. T.)

Len Joshi

20/4/71

P.F.O.