

AWARD NO.

6/85-88

NAME OF THE VILLAGE : DALLU PURA

NATURE OF ACQUISITION: PERMANENT

PURPOSE OF ACQUISITION: PLANNED DEVELOPMENT OF DELHI.

These are the proceedings u/s 11 of the Land Acquisition Act, 1894 for determination of the compensation. The land measuring 55 Bighas 05 Biswas situated in the Revenue Estate of village Dallu Pura, Tehsild and District Delhi was notified u/s 4 of the Land Acquisition Act, 1894, vide Delhi Admn. Notification No. F.9(16)/80-L&B dated 24.11.1981 and a declaration u/s 6 of the L.A. Act for an area measuring 55 Bighas 05 Biswas was made vide notification No. F.9(16)/80-L&B dt. 25.5.82 by the Delhi Admn. The present award, however, pertain to an area of land measuring 24 Bighas 19 Biswas only and the rest of the land, being Harijan Basti has been left out from the present award. Notices u/s 9 & 10 of the L.A. Act were issued to the persons interested in the land and claims for compensation received in response to them will be discussed under the heading "Compensation Claims".

CORRECT AREA: As per field book, the area of Khasra No. 141 min is 42 Bighas 09 Biswas instead of an area measuring 55 Bighas 05 Biswas as notified u/s 4 & 6 of the L.A. Act, therefore, an area measuring 42 Bighas 09 Biswas is to be acquired in this present scheme of acquisition. But an area measuring 1 Bigha 04 Biswa ~~is to be acquired in respect~~ of Khasra No. 141 min has already been acquired through Award No. 21/81-82.

As such 41 Bighas 05 Biswas is due to be acquired in respect of Khasra No. 141 min of village Dallupura. *

OWNERSHIP:- The details of Kh. Nos., ownership, tenancy and classification of the land as per revenue record are as under:-

S.No.	Name of the owner	Occupant	Kh. No.	Area	Kind of Soil
1.	S/Sh.Chandu Lal & Narain Singh SS/o Kanwar Singh equal share in 1/2 share, Karan Singh & Ajaib Singh SS/o Rattan Singh equal shares in 1/8 share, Khem Singh, Mr Singh & Balbir Singh ss/o Kishan Lal equal share in 3/8 share. All r/o village Dallupura, Delhi.	Self	141 min	3-00	Abpash

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* There is a Harijan Basti on the land measuring 16 Bighas 06 Biswas which is not being acquired presently. The present proceedings are, therefore, in respect of the land 24 Bighas 19 Biswas only.

- | No. | Sh. Chatter Singh | Self | 141min | 0-15 | Abrash |
|-----|---|---|--------|-------|--|
| 2. | Sh. Chatter Singh
S/o Sukhan 1/2 share
Babu S/o Daman 1/2 share
R/o Village Dallupura,
Delhi. | Self | 141min | 0-03 | C.M.
Garhai
(No. Garhai
at site) |
| 3. | S/Ch. Har Chand &
Zile Singh Ss/o Jhuttar
Equal shares R/o Vill.
Dallupura, Delhi. | Self | 141min | 4-10 | Abrash |
| 4. | S/Ch. Dal Chand S/o
Ram Dal R/o Vill-ge
Dallupura, Delhi. | Self | 141min | 5-05 | -do- |
| 5. | S/Ch. Sag Chand, Om Poo-
Kash & Lachhi Ss/o Pahl &
equal share in 1/2 share;
Tula S/o Harnal 1/3 share;
Bhogat Ram, Dha envir;
Gajraj & Prem Raj Ss/o;
Mst. Asharfi wd/o Ganau
equal shares in 1/2 share
R/o Village Dallupura, Delhi. | Self | 141min | 1-01 | C.M. Garhai
(No Garhai
at site) |
| 6. | Sh. Bhim Singh S/o Munn
R/o Village Dallupura,
Delhi. | Self | 141min | 0-09 | Abrash |
| 7. | Sh. Bhole S/o Tej Singh
3/4 share, Pann Chand,
Jai Chand and Anant Ram Ss/o
Bhoja equal; share in 1/8
share, Jai Karen and
Chander. Pahl sons equal
shares in 3/22 share, Smt.
Jai Mati D/o Ram Pahl
1/32 share, R/o Village
Dallupura, Delhi. | Self | 141min | 3-00 | Abrash |
| 8. | S/Ch. Daya Chand, Dharom Raj
& Prem Raj Ss/o Har S/o
Equal share, R/o Vill.
Dallupura, Delhi. | Self | 141min | 3-03 | -do- |
| 9. | Sh. Ramla S/o Ganda 1/2 share
Kartar, Heteru and Krishan
Sons, Maya wati D/o Ramji
Lal equal shares in 1/2 share
R/o Vill. Dallupura, Delhi. | Self | 141min | 1-10 | -do- |
| 10. | S/Ch. Birham Singh, Karan
& Dharom Singh Ss/o Bhoja
equal shares in 1/2 share
Pannu S/o Harbas 1/2 share
R/o Vill. Dallupura, Delhi. | Self | 141min | 2-00 | -do- |
| 11. | Sh. Om Parkash S/o Kheman
R/o Vill. Dallupura, Delhi. | Self | 141min | 16-03 | Benjamin, Sid
No. 2-14-10
G.M. Gitter
0-16
G.M. Wokan
1-00
Total 16-03 |
| 12. | Gramme Sabha
Dallupura, Delhi | 1. Sh. Sullar S/o
Shiv Dayal unauth-
orised occupant on
one bigha out of kh.
No. 141min
2. Chatter S/o Sukhan
& Babu S/o Daman
unauthorised occupant
on 4 bigha out of kh.
No. 141 min | 141min | 16-03 | |

CLAIMS AND EVIDENCE :-

The following persons have filed their claims for compensation in response to the notices u/s 9 & 10 of the L.A. Act, served up on them.

<u>S.No.</u>	<u>Name of the Claimant</u>	<u>Compensation claimed.</u>
1	Sh. Om Parkash S/o Khiman R/o Vill. Dallupura, Delhi	Has claimed for compensation @ Rs. 500/- per sq. yd. for land.
2.	S/Sh. Chatter Singh S/o Sulhan, Babu S/o Pisan R/o Vill. Dallupura, Delhi.	Have claimed for compensation @ Rs. 500/- per sq. yd. for the land.
3	S/Sh. Karan Singh, Dhan Singh, Dhan Singh Ss/o Phoola, Remu S/o Harbans All R/o Village Dallupura, Delhi.	As above
4	S/Sh. Krishan & Matani Ss/o Ramji Lal, Rania S/o Ganda R/o Vill. Dallupura, Delhi	Have stated in the claim that the land may not be acquired. As there is three pucca rooms and boundary wall on the land in question.
5	S/Sh. Chandu Lal & Wairan Singh Ss/o Kanwar Singh, Khem Chand, Balbir, Bir Singh and Karan Singh Ss/o Krishan Lal R/o Vill. Dallupura, Delhi.	Have claimed for compensation @ Rs. 500/- per sq. yd. for the land.
6.	S/Sh. Tula S/o Harpal, Om Parkash, Beg Chand & Lachhi Ss/o Pahlad, G. J. Raj, Dharmi Jagat Singh & Balraj Ss/o Gannu., Smt. Asa fi wd/o Gannu All R/o Village Dallupura, Delhi.	As above.
7	S/Sh. Phoola & Santa Ss/o Sulhan, Rati Ram S/o Hari Chand, Radhey S/o Suraj Mal All R/o Village Dallupura, Delhi.	Have claimed that the land in xxxxxx dispute should be released from acquisition.
8	Sh. Hanka S/o Chautan, Jai Paul S/o Hanka R/o Village Dallupura, Delhi.	As above
9	S/Sh. Jai Karan & Chander Pal, Ss/o Ram Phal, Smt. Jaiwati S/o Ram Phal, Bhuley S/o Tej Singh, Prem Chand, Jai Chand & Anant Ram Ss/o Bhoja All R/o Village Dallupura, Delhi.	Have claimed for compensation @ Rs. 200/- per sq. yd. for land and Rs. 2,00,000/- for the
10	Sh. Bhim Singh S/o Munni R/o Village Dallupura, Delhi.	Has claimed for compensation @ Rs. 200/- per sq. yd. for land
11	Sh. Charan Singh	As above.
12	S/Sh. Daya Chand, Dhanraj & Prem Raj Ss/o Hari Singh R/o Vill. Dallupura, Delhi	Have claimed for compensation @ Rs. 200/- per sq. yd. for land Rs. 5000/- for trees and Rs. 50,00,000/- for super structures.
13	Sh. Dal Chand S/o Ramphal Atar Singh, Des Raj and Jai Parkash Ss/o Dal Chand All R/o Village Dallupura, Delhi.	Have claimed for compensation @ Rs. 200/- per sq. yd. for the land and Rs. 5,00,000/- for the structures.

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14. Sh. Richpal S/o Mawasi R/o Village Dellupura, Delhi Has claimed that Rs.200/- per sq. yd. for the land and Rs.5000/- for the super structures he given to him.
 15. S/Shri Zile Singh and Hari Chand S/o Jhutter R/o Village Dellupura, Delhi. Have claimed for compensation @ Rs.200/- per sq.yd. for land
 16. Sh. Hain Singh S/o Richpal R/o Vill. Dellupura, Delhi As above & Rs.10,00,000/- for the super structures.
 17. Sh. Lajja Ram S/o Sumar Singh R/o Vill. Dellupura, Delhi Has claimed that he has spent Rs.15,000/- for constructing the house on the land in dispute. Has also stated that an alternative plot be given to him.
 18. Sh. Rattan Lal S/o Mawasi R/o Village Dellupura, Delhi Has claimed that the plot of Rs.200/- per sq.yd. may be given to any colony and Rs.40,000/- may also be given to him.
 19. S/Sh. Jagan, Vijay Pal, Lekhi Ram, Kalar Ram, Kishan, Gajai Singh, Daya Chand, Ram Kishan Ram Kumar, Chander Parkash, Rohitash, Har Dass, Monu Ram, Ram Saran, Mohar Chand, Jai Kishan, Sat. Khosani, Shiv Chohan, Sm-ta Ram Rati, Maha Singh, Rattan Singh, Brahm Singh, Chitranji, Jaswant Singh, Jai Chand, Kamlesh Kumari, Mahender, Giri Ram Sugan Singh, Tala Ram, Shanti Devi, Mathu Ram, Mukam Singh and Har Lal All R/o Vill. Dellupura Delhi (All these are Harijans of the village). They have stated in their claims that all of them have constructed the houses on the land in dispute. They have stated that the money of Rs.45000/- to Rs.1,00,000/- spent for constructing their houses. They have stated in their claims that the land may not be acquired as they are residing there since a long time.

Note :- This Harijans Basti is located on the Gram Sabha land measuring 16 Bighas 06 Biswas pertaining to Khosra No. 141min. This area may be left out from the present award. In this way an area measuring 24 Bighas 19 Biswas is to be acquired by this award.

DOCUMENTARY EVIDENCE :-

S/Sh. Rattan Lal S/o Mawasi and Lajjai Ram S/o Sumar Singh have filed the photo stat copies of sale deed dated 10.8.81 and 19.8.81. Details areas under :-

<u>Sale deed dated</u>	<u>Area Sold</u>	<u>Amount</u>	<u>Average per bigha.</u>
10.8.81	Kh.No.409 (1-00)	Rs.20,000/-	Rs.20,000/-
19.8.81	Kh.No. 408 (1-00)	Rs.20,000/-	Rs.20,000/-

Both these sale deed are executed before the date of Notification u/s 4 of the Land Acquisition Act, 1984 i.e. 24.11.1981.

MARKET VALUE :-

The market value of the land is to be determined keeping in consideration so many factors like situation, size and shape of

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of land, quality and potential value, the sale transactions took place in the land under acquisition and the lands situated near to the land on or around the date of notification u/s 4 i.e. 24.11.1981. The rate of compensation awarded by the Collector.

The land under acquisition is situated in the revenue estate of village Dellupura. A pucca road from Hindon Canal to MOIDA Industrial Complex(U.P) passes through on the North side of the land under reference. Hindon Canal passes through the Western side of land. Being adjacent to MOIDA, this Industrial Complex of U.P. the importance of land has gone high and the potentiality for housing or for factory purposes have also increased.

Award No.79/82-83 of this village was made by the L and Acquisition Collector. In that award the Land Acquisition Collector has assessed the market value of the land @ Rs.12500/- per bigha for the normal land and Rs.10,000/-, Rs.8000/- and Rs.6000/- per bigha for the land under pits which were categories into three categories i.e. A, B & C respectively. The date of notification u/s 4 of the L.A. Act of this award was 17.11.1980 while the date of notification u/s 4 in the present proceedings is 24.11.1981. The land under reference is quite adjacent to the village A Badi of Dellupura and is better quality and situation than that lands acquired vide award No. 79/82-83. and the gap of between two notification u/s 4 is one year.

No sale transaction took place in the village during the period of five years proceeding to the date of notification u/s 4 of the L.A. Act i.e. 24.11.1981 except the following :-

S.No.	Date of Regn.	Kn.No.	Area	Consideration	Average per bigha.
1.	25.7.80	294/1	2-14	Rs.35000/-	Rs.12962.94P
2	4.9.80	266	2-09	Rs.29400/-	Rs.12000-00
3	10.8.81	409	1-00	Rs.20000/-	Rs.20000-00
4	19.8.81	408	1-00	Rs.20000/-	Rs.20000-00

The above noted sale transactions took place before the notification u/s 4 of the L.A. Act i.e. 24.11.81.

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The sale transactions as mentioned above can not be considered as the area involved in these sale deeds is only for one bigha I, therefore, these sale deeds are not useful in assessing the fair market value of the land in the present proceedings. I, therefore, discard the same.

Keeping in view the above stated facts and all other relevant factors, the award No. 79/82-83 is helpful to us in assessing the market value in the present proceedings. Being a time gap of one year between the two notifications u/s 4, I assessed the fair market value @ Rs. 4000/- Per bigha for abpash Land and the remaining land measuring 1 Bigha 07 Biswas recorded as Gadhas @ Rs. 12000/- Per Bigha. Land measuring 16 Bighas 06 Biswas which is left out from the present proceeding due to Harijan Ba.

STRUCTURES:

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

SOLATUM:

The solatium at the rate of 15% shall be paid on the market value of the land on account of compulsory acquisition.

INTEREST:

As the possession of the land has not been taken over so far, therefore, question of payment of interest does not arise.

APPORTIONMENT:

The compensation shall be paid according to the latest entries in the Rev. records of the village.

LAND REVENUE:

The land under acquisition is assessed to Rs. 5.35 per the land revenue. Same shall be deducted from the Khalsa Rent Roll of the village with effect from the date of taking over possession.

SUMMARY OF THE AWARD:

1.	Market value of land measuring 23 Bighas 12 Biswas @ Rs. 14000/- Per Bigha.	Rs. 3,30,400.00
2.	Market value of land measuring 1 Bigha 7 Biswas @ Rs. 12000/- Per Bigha	Rs. 16,200.00
3.	30% Solatium	Rs. 1,03,980.00
4.	Addl. Amount u/s 23(1A) 12% from 24.11.81 to 28.5.85	Rs. 1,45,970.82
		<u>Rs. 5,96,550.82</u>

(Rupees five lakhs ninety six thousand five hundred fifty and paise eighty two only).

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(G.C. PILLAI)
LAND ACQUISITION COLLECTOR (DS) :
DELHI.

Present

an Balbir Singh Kachan Lal
Babul Lal

Award a named in the open land
in the presence of interested persons

28/5/85