Award No. 1199

Award No. 4 for the year 1961-62 by Shri M.L.Mongia, P.C.S., Land Acquisition Collector, Delhi.

CaASE No.

Acquisition of land for the Execution of the Interim General Plan for the Greater Delhi.

Village:-

KHIYALA.

In pursuance of Delhi Administration Notification under section 4 No. F.15(84)/57-LSG dated 3rd. September, 1957 made under the provisions of the Land Acquisition Act of 1894 and as declared vide Notification No. F.15(99)/61-LSG(i) dated the 26th June, 1961 under section 6 of the Act, the Delhi Administration acquired 1102 Bighas 8 Biswas of land in Village Khiyala, Tahsil and District Delhi at a public expense for a public purpose, namely, for the Execution of the Interim General Plan for the Greater Delhi.

2. MEASUREMENT.

The area under acquisition as given in the Notification under section 6 of the Act is 1102 Bighas 8 Biswas, while that found on measurement by the Field Stalf at the spot is 1095 Bighas 14 Biswas. An area of 6 Bighas 14 Biswas has been excluded from the Award as it is Ghair Mumkin Marghat. The land under acquisition lies in 317 fields in Village Khiyala as detailed in Form 7 L.A prepared under paragraph 55 of the Financial Commissioner's Standing Order No. 28.

The detail of Khasra Nos. is also given bel

Khasra No.

4/8/2/2

Khasra No. Big. Bis. 4/12 3 1 0 4/12 4/13/1/2 4/13/2 4/14/1/2 4/14/2/2 4/14/3/2 4/15/2 15 5 4/16 4/17/1 4/17/2 4/17/3 4/18/1 4/18/2 4/19 4/22/1 4/22/2 l 4/22/2 4/22/3 4/23/1, 4/23/2 4/23/3 4/24 j 18 4/25/1 4/25/2 5/6/2 5/7/2 5/8/2 5/11/1/2 5/11/2/2 5/12/2/2 5/13/2 5/13/2 5/13/2 5/14 5/15 5/16 5/17/1 5/17/2 5/18 5/19/1 5/19/2 5/20/1 5/20/2 11 3 4 12 3 5/22/2 5/22/1 5/22/3 5/23/1 5/23/2 5/24 5/25 6/9/2 16 6/10/2 6/11 6/12 6/18_ 6/19 6/20 1 v 16 6/20 6/21 6/22/1 6/22/2 6/23 7/1/1 7/1/2 7/2 7/3/1 7/3/2 7/4 3 5 2

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		8/21			4.	16
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Khasra No. 22/8 22/9/1 22/9/2 22/9/3 22/12/1 22/12/2 22/13 22/14 22/15 22/16 22/17 22/18 22/19/1 22/19/2 22/22/1 22/22/2 22/22/3 22/22/3 22/23 22/24 22/25 23/3 23/4 23/5	Area. Big. 42112244444444444444444444444444444444	Bis. 16 7 5 10 7 16 16 16 16 16 16 16 16 16 16 16 16 16
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23/6 23/7 23/8/1 23/8/2 23/9 23/12 23/13 23/14 23/15 23/16 23/17 23/18 23/19 23/22 23/23 23/24 23/25 23/26/1 24/1 24/2 24/3/1	422444444444444444444444444444444444444	13 5 16 16 16 16 16 16 16 16 16 16 16 16 11
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Khasra No.	Area. Big.	Bis.
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27/1 27/2/1 27/2/2 27/3/1 27/3/2 27/3/3 27/4/1 27/4/2 27/4/2 27/4/3 27/8/1 27/8/2 27/9/ 27/10 27/11/1 27/11/2 27/12/1 27/12/1 27/12/2 27/13/1 27/13/2 27/18/1 27/18/2	431132211404422222224004	14 52 10 5 4 10 7 16 14 11 3 5 5 12 13 13 5 5 12
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Khasra No.		Area. Big.	Bis.
28/10 28/11 28/12 28/20 29/2 29/3 29/4 29/5/1 29/5/2 29/6 29/7 29/8 29/9/1 29/9/2 29/12/1 29/12/2 29/13 29/14/ 29/15/2 29/18/1 29/18/1 29/18/2 29/18/1 29/22/1 29/22/2 29/23 29/24/1 39/3/2 39/12/1 39/12/2 39/13 39/14 39/18 39/19 39/12/1 39/12/2 39/13 39/14 39/18 39/19 39/12/1 39/12/2 39/13 39/14 39/18 39/19 39/12/1 39/12/2 39/13 39/14 39/18 39/19 39/12/1 39/12/2 39/13 39/14 39/18 39/19 39/12/1 39/12/2 39/13 39/14 39/18 39/19 39/12/1 39/12/2 39/13 39/14 39/18 39/19 39/12/1 39/12/2 39/13 39/14 39/18 39/19 39/12/1 39/12/2 39/13 39/14 39/18 39/19 39/12/1 39/12/2 39/13 39/14 39/18 39/19 39/12/1 39/12/2 39/13 39/14 39/18 39/19 39/12/1 39/12/1 39/12/2 39/13 39/14		44234441344413044444404413445041342404422413422104132	16 16 16 16 16 16 16 16 16 16 16 16 16 1
Total :-	1	095	14

The measurement and classification of the land have been accepted by the land owners concerned.

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No objection was received from the Department either.

I, therefore, agree with the classification of the land as proposed by the Naib-Tahsildar (Land Acquisition) on the basis of the entries of the Khasra Girdawari on the date of the Notification under section 4, which is as under:-

Class of the land.	Area.	
	Big.	Bis.
Chai	58	8
Sailab Rosli	11 170	13 18
110311	170	18
Banjar Qadim	108	3
G.M.Khandar	622	15
G.M.Chah	3 Lu	718 ^{Cm}
G.M.Rasta	2	7 16
G.M.Kallar	118	3
· · · · · · · · · · · · · · · · · · ·		
Total:-	1095	14
<u> </u>		

3. POSSESSION.

The possession of the land has not been taken over as yet.

4. MARKET VALUE.

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

- 1. Shri Raghu Nath etc. :- Requested for compensation @ Rs. 8000/- per Bighaand Rs. 3000/- for a well.
- 2. Shri Amar Singh s/o
 Shri Ram Sarup :- Requested that his name as well at that of Chander Bhan should be
- that of Chander Bhan should be entered in the Revenue Records.

 3. Shri Ram Prashadetc. :- Requested for compensation @
- Rs. 12000/- per Bigha and Rs. for a well.

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4. Shri Sis Ram

5. Shri Shib Dut etc

6. Shri Raghu Nath and Shri Dharam Singh

7. Shri Beg Ram

:- Requested for compensation @ Rs. 10000/- per Bigha, loue distirbuted amongst all the shareholders according to their shares.

:- Requested for the compensation @ Rs.10/- per Sq. yard

:- Requested for the compensation @ Rs. 4/- per Sq. yard.

:- Requested for the compensation @ Rs. 12/- per Sq. yard and Rs. 3000/- for a well.

8. Shri, Daryao Singh and Shri Bhoop Singh

:- Requested for the compensation @ Rs. 44/- per Sq. yard and Rs. 3000/- for a well.

9. Shri Risal Singh

:- Requested for the compensation @ Rs. 12000/- per Bigha, Rs. 3000/for a well, Rs. 800/- for a Rahat and Rs. 100/- for trees.

10.Shri Raja Ram

:- Requested for the compensation @ Rs. 12/- per Sq. yard and Rs. 3000/- for a well.

11. Shri Sohan and Shri Mohan

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12. Shri Ram Kishan and Shri Chander

13. Shri Kyehari and Shri Hari Singh

:- Requested for compensation of the wells @ Rs. 3000/- per well.

:- Requested for the compensation @ Rs. 8000/- per Bigha Rs. 3000/- for a well. and

14. Shri Kirpa

:- Requested for the compensation @ Rs. 12/- per Sq. yard and separate compensation for wells and trees.

15. Shri Jai Mal

:- Requested for the compensation @ Rs. 10/- per Sq. ward, Rs. 5000/-for a well and Rs. 500/- for trees.

16. Shri Ram Chand etc

:- Requested that compensation be given to all the shareholders

17. Shri Tej Ram

and not to individual:

- Requested for the compensation @ Rs. 10000/- per Bigha.

18. Shri Chattar Singh etc.

:- Requested for the compensation @ Rs. 10/- per Sq. yard, besides compensation for trees and wells.

19. Shri Dhan Singh

:- Requested for the compensation @ Rs. 15/- per Sq. yard and Rs. 5000/- for a well, besides compensation for trees.

20. Shri Bichattar Singh and Shri Attar Singh :- Requeste

- @ Rs. 10000/- per Bigha, besides compensation for well.
- 21. Shri Shib Dayal :- Requested for the Compensation @ Rs. 9000/- per Bigha.
- 22. Shri Sultan :- Requested for the compensation / @ Rs. 12000/- per Bigha.
- 23. Shri Khazan :- Requested for the compensation @ Rs. 12050/- per Bigha, besides compensation for well.
- 24. Shri Kala etc. :- Requested for the compensation @ Rs. 9500/- per Bigha.
- 25. Shri Chattar Singh :- Requested for the compensation @ Rs. 10000/- per Bigha.
- 26. Shri Maha Singh and
 Shri Dharam Singh :- Requested for the compensation
 @ Rs. 15000/- per Bigha and
 Rs. 3000/- for a well.
- 27. Shri Tara Chand etc:- Requeste! for the compensation @ Rs. 10/- per Sq. yard, Rs. 6000/- for a well and Rs. 100/- for trees.
- 28. Shri Shiv Sahai :- Requested for the compensation @ Rs. 14/- per Sq. yard.
- 29. Shri Bishamber Dayal:- Requested for the compensation @ Rs. 14/- per Sq. yard and Rs. 3000/- for a well.
- 30. Shri Umrao Singh etc:- Do.
- 31. Shri Abhey Ram :- Requested for the compensation @ Rs. 10/- per Sq. yard ,
 Rs. 3000/- for a well and Rs. 100/for trees.
- 32. Shri Dalip Singh etc:- Requested for the compensation @ Rs. 12/- per Sq. yard, Rs. 5000/- for a well and Rs. 6000/- for a house.
- :- Requested for the compensation
 @ Rs. 12/- per Sq. yard, Rs.
 6000/- for a well, Rs. 500/- for
 tube-well and Rs. 500/- for trees
 - 34. Shri Hari Singh :- Requested for the compensation @ Rs. 12/- per Sq. yard and Rs. 4000/ for a well.
 - 35. Shri Ram Saran etc: Requested for the compensation
 .@ Rs. 12/- per Sq. yard, Rs. 4000/for the development of land, Rs.
 6000/- for a well and Rs. 1600/for trees.
 - 36. Shri Brahma Chand :- Requested for the compensation @ Rs. 8/- per Sq. yard. He disclosed that the land belonged to the Sabha.

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37. Shri Ranbir Singh and Shri Raghu Raj Singh

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- 38. Mangat Ram and Shri Bharta
- :- Requested for the compensation @ Rs. 25/35/- per Sq. yard.
- :- Requested for the compensation @ Rs. 12/- per Sq. yard, Rs. 6000/- for the development of land and Rs. 400/- for trees.
- 39. Shri Nand Kishore :- Requested for the compensation @ Rs. 25/35 per Sq. yard.
- 40. Shri Ranbir Singh and Shri Raghu Raj Singh
- Requested that Khasra No. 8/2 and 9 of Rectangle 39 belonged to them and so the compensation as stand above for this land be paid to them. The payment in this case will be with-held till they give proof of their ownership of this land.
- 41.Shri Hari Singh
- 42. Shri Raja Ram
- 43. Shri Beg Ram

- :- Requested for the correction of the entries of Killa No. 21 Re tangle No. 25 which was duly made.
- :- Requested that the compensation of Killa No. 21 Rectangle No. 7 should be with held till the decision of the court. His request will be exceeded.
- :- Requested that the compensation of Killa No. 3/1 of Rectangle No. 24 should be with-held till the decision of the court. His request will be axceeded.

The Department was not represented.

The demand of the land owners concerned is abnormally high. The rates claimed by them cannot be made a basis for the calculation of the price of the land under acquisition, Since the copies of the sale-deeds produced by some of the land-owners reveal fright-fully high rates paid by them due to fear of pre-emption, Litigation expenses and other expenses in connection with the registration of sale deeds and mutations etc. The field staff has worked out the average sale price for the five years immediately preceding the date of Notification under section 4 of the Act. I would not take the average sale price of the five years, but would certainly take into consideration the

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sale price for one year immediately preceeding the date of Notification under section 4 of the Act. The average sale price has been worked out at Rs. 673.38 nP per Bigha. An Award No. 1092 was also announced on 23.12.60 for the acquisition of land for the Najaf Garh Drain. It adjoins the land under acquisition on the Northern side. The rates given were as under:-

Chai and Sailab

R
Banjar Qadim

R
G.M.Nala and

G.M.Path

R

Rs. 600/- per Bigha

Rs. 300/- per Bigha

Rs. 200/- per Bigha

I do not see any justification to differ from the rates already awarded in this very yillage for the adjoining land acquired for the Najaf Garh Drain, specially when the average sale price for the one year immediately preceding the date of the Notification under section 4 of the Act also ranges near the same amount. Most of the land as would appear from the classification of the land is Ghair Mumkin Khandar and Ghair Mumkin Kallar, which indicates that the land is of a very inferior quality. I inspected the spot and found that the land adjoining the Najaf Garh Drain is of better quality than the land which is near the village and unauthorized colonies. This land is mostly Ghair Mumkin Khandar and Ghair Mumkin Kallar. This land is never use for cultivation. I have seen huge depressions. up to a depth of nearly three to four feet, for which a considerable amount vill have to spent for filling the depressions, if the land is put to use for residential purposes.

After giving full consideration to the demand of the land owners concerned, the situation and quality of the land, having depressions & Kallar, the average sale price for the year 1956-57, the Award announced for the adjoint land acquired for Majaf Garh Drain and all other face

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I am of the opinion that the following rates would be quite reasonable and fair market price in this case:-

Chai and Sailab

Rs. 600/- per Bigha.

Rosli

Rs. 400/- per Bigha.

Banjar Qadim

Rs. 300/- per Bigha.

Ghair Mumkin

Rs. 200/- per Bigha.

No compensation will be assessed for the G.M. Rasta being public passage without interruption.

5. TREES, WELLS AND OTHER STRUCTURES.

The detail of trees and compensation assessed for each tree is given below.-

)			
	Khasra No.	Kind of	tree	Compen	sation assesse
	7/1/2	Amrood Kikar Gular Shatoot	1 1 1	Rs. Rs. Rs.	20/- 5/- 2/- 1/-
5/21	5/21	Shisham Neem	1	Rs. Rs.	30/ - 10/ -
	9/4 .	Neem	1	Rs.	10/-
	4/18/2	Kikar	1	Rs.	5/ -
	4/18/1	Kikar	1	Rs.	5/
	4/17/2	Kikar	1	Rs.	5/-
•	4/17/3	Kikar	2	Rs.	10/-
	29/18/1	Neem Kikar	1	Rs. Rs.	10/-
	25/10	Lasura	1	Rs.	5/-
	25/11/1	Kikar	1	Rs.	5/ -
	22/12/1	Kikar	1	Rs.	5/-
	27/10	Neem	1	Rs.	10/-
	Total*:	•		Rs.	143/-
_	177	,			

There are wells in Killa No. 1/2 of Rect.

No. 7, Killa No. 21, 23/2 and 25 of Rect, No. 5, Killa No. 22/2

of Rect. No. 4, Killa No. 22/1 of Rect. No. 6, Killa No. 22/2

of Rect. No. 29, Killa No. 8 of Rect. No. 22, Killa No. 22, Killa No. 25, Killa No. 8/1, 13/1

and 11/1 of Rect. No. 25, Killa No. 8/1, 13/1

Lunua killa no. 14-72ec. 15, killa no. 7, 472ec. 25

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Rect. No. 28 and Killa No. 8/1 of Rect. No. 39 in the land under acquisition. Rupees five hundred for each well would be fair and reasonable market price for it, as the wells are said to be quite old. The total amount comes to Rs. 7000/

There are 7 small houses and the compensation assessed 1s given below:-

Khasra No.	Kind of house Co	mpensation assess
7/1/2	4 Rooms and 1 tin shed built with pucca bricks and mud.	Rs. 200/- per Rs. 50/- for shed
5/25	1 Room built with pucca bricks and mud	Rs. 200/-
5/21	1 Room pucca cemen	ted Rs. 500/-
	Total:-	Rs. 1550/-

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

Class of Land		a	Pri	ce.	Total.
Chai	Bi g. 58	Bis 8		600/-	35040.00 nP
Sailab	11	13	Rs.	600/-	6990.00 nP
Rosli	170	18	Rs.	400/-	68360 _• 00 nP
Banjar Qadim	108	3	Rs.	300/-	32445.00 nP
G.M.Khandar	622	18)	\ n≟	9001	148850.00 ND
G.M.Cha	3 2000	7 18)	jus.	200/-	148760.00 nP
G.M.Kallar	118	3)			
G.M.Rasta	2	<u> </u>	as It	, TS ST	tion is assesse public passage erruption.

Total:- 1095 14 291595.00 nP

7. COMPULSOR Y ACQUISITION CHARGES.

The owners and interested persons will be entitled to 15% in consideration of the compulsory natural of acquisition on the market value which comes to Rs.

43739.25 nP.

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8. INTEREST.

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

9. MODE OF PAYMENT.

will be paid compensation according to themshares as entered in the Bhoomi Dhari record of the Village. In case of dispute the amount of compensation due to the owners will be kept in deposit till they come to any amicable settlement or the dispute is decided by the compentent court. In respect of the land mortgage with possession the amount of compensation due will go towards the amount of debt on the land and the balance, if any, will go to the owner unless otherwise agreed upon.

10. LANDREVENUE REDUCTION.

Khalsa amount of reduction from the land revenue due on account of land acquired works out to Rs. 235.40 nP. There will be a reduction of Rs. 235.40 nP from the Khalsa Rent Roll of the village with effect from the date of taking over possession.

- 11. The land aforesaid, will vest absolutely in the Government, free from all encumberances, from the date of possession.
- 12. Subject to the above remarks, the award stands as follows:-

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Price of land Rs. 291695.00 nP (2) 15% for compulsory acquisition 437**59.7**5 nP Rs. (3) Cost of wells, trees and other 60193.00 14) structures. Rs. anduowa Total:-Rs. 345630.75128.

Land Acquisition Collector,
Delhi

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

Land Acquisition Collector, Delhi.

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