

A W A R D No. 1714

Purpose of acquisitionPlanned Development of Delhi.
Name of the village Shadipur.
Nature of acquisition: Permanent.

Land measuring 34070 acres in different villages around Delhi was notified for acquisition under section 4 of the Land Acquisition Act, 1894, vide notification No.F.15(111)/59-L&H dated 13.11.1959 required by the Government at the public expense for a public purpose namely, the Planned Development of Delhi. The land of village Shadipur including its area was also included in the said notification. Due publicity was given to the notification. Objections received under section 5 (a) appeared to have been duly considered by the appropriate Government and on this declaration under section 6 was issued under the authority of the Chief Commissioner, Delhi vide notification No.F.7(5)/61-L&H(I) dated the 13th Aug. 1963 in which the following field Nos. of the said village were notified.

382/46/2 min, 55, 60/1, 61, 62, 63, 69/1, 70/1, 71, 72/1, 73/1, 325/74/1, 326/74, 327/75, 328/75, 76, 391/77, 78, 79, 394/80, 393/81, 84, 390/88, 89, 90, 388/94, 95/96, 387/97, 386/100, 385/101, 384/113, 383/116, 392/83, 323/64, 324/64, 389/91.

Notices under section 9 and 10 of the Land Acquisition Act were issued to the known persons interested in the land under acquisition. The claims for compensation received in the compliance with the notices will be discussed in this award under a separate heading 'Compensation Claims'.

MEASUREMENT AND CLASSIFICATION OF LAND:

Land notified under section 6 of the Land Acquisition Act, 1894 is 57 bighas and 10 biswas. This land was measured on the spot by the Land Acquisition Field Staff and its verification was done from the Revenue Record. As a result of this checking, it was found to be correct, except that an area of 9 biswas out of khasra No.70/1 was taken for the purpose of notification whereas actually it was 4 biswas only. Later on, it transpired that khasra No.70/1

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No.70/1 over which a double storey quarter exist along before the notification under section 4 of the Act, was not actually meant for acquisition and another plot measuring 9 biswas was intended to be acquired out of khasra No.70. This piece of land (9 biswas) bears khasra Nos.70/2/2 and 70/2/3 min. In the circumstances khasra No.70/1 has for the present been excluded from the scope of present acquisition and a reference to this effect has been made to the Housing Department for clarification.

In the notification under section 6, khasra No.324/64 has been notified for acquisition whereas a portion of it measuring 15 biswas has been included in the present scheme on the basis of preliminary record of draft notification and as such this number should have been notified as 324/64/1. A request has been made to the Housing Department to issue a corrigendum accordingly. The present file has, however, been prepared in respect of 57 bighas and 1 biswa only.

Classification of the above area is as under :-

	Bis.-Bis.
Rosli	11 - 01
B.Qaddim	2 - 06
B.Jaddid.	4 - 00
G.M.Abadi and plots.	10 - 10
G.M.Chah pukhta	0 - 08
G.M.Khud	15 - 17
Chahi.	12 - 19
	<u>57 - 01</u>

OWNERSHIP:

The details of the area namely ownership, tenancy, khasra No. area and classification is given in the statement below :-

Sl.No.	Name of the owner	Occupant.	Khasra No.	Area	Classification.
1.	Sardar Singh, Ramji Lal, Chander ss/o Lehri in equal shares.	Self	386/100	1 - 18	G.M.Khud.
2.	Mst. Ghogri w/o Sis Ram.	-do-	384/113	5 - 02	--do--
3.	Ant Ram s/o Nand Ram	-do-	388/94	1 - 18	--do--
4.	Sardar Singh, Ramji Lal, Chander ss/o Lehri all in equal shares 1/6,				

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Mst. Gohgri w/o Sis	-do-	383/116	0 - 03	-do-
Ram. 1/3, Amar Nath		385/101	1 - 05	-do-
s/o Murli Mal 1/6,				
Ant Ram s/o Nand Ram				
1/3.				
5. Nawal Singh, Tara	-do-	69/1	1 - 03	Rosli.
Chand ss/o Unarao		95	0 - 11	B.Jaddid.
in equal shares 2/3,				-do-
Pernlad, Mauji, Daya		96	0 - 11	-do-
Nand ss/o Deep Chand		72/1	1 - 06	
all in equal shares				
1/3.				
6. Siri Chand s/o Sukh	-do-	421/71	1 - 00	-do-
Chain r/o Shaipur.				
7. Mohan Lal s/o Lalla	-do-	323/64	1 - 10	Rosli.
		420/71	0 - 12	B.Jaddid.
8. Mohan Lal, Yad Ram,	-do-	325/74/1	1 - 09	G.M.Abadi & Plot.
s/o Lalla, in equal				
shares.				
9. Kehar Singh, Ram Phal	-do-	387/97	0 - 13	G.M.Khud.
ss/o Hira in equal				
shares.				
10. Nihal Singh s/o Ranjit.	-do-	390/88	1 - 16	-do-
11. Siri Lal, Tek Chand	-do-	327/75	0 - 10	Rosli.
ss/o Makhan in equal				
shares.				
12. Ram Chand s/o Umrao	-do-	328/75	0 - 10	Rosli.
		89	0 - 09	-do-
		324/64/1	0 - 15	-do-
		326/74	1 - 12	G.M.khud.
13. Siri Lal, Tek Chand	-do-	76	0 - 04	B.Qaddim.
ss/o Makhan in equal				
shares 1/2, Ram Chander				
s/o Umrao 1/2.				
14. Sehju s/i Hari Singh	-do-	62	1 - 00	Rosli.
15. Parbhu s/o Salig Ram	-do-	389/91	0 - 02	G.M.Khud.
16. Risal Singh s/o Jug	-do-	382/46/15	5 - 5	
Lal, 1/3, Net Ram s/o		Net Ram,	60/1	0-12 Rosli.
Abhey Ram 1/8, Rampat,		Ram Pat, Charanji	90 min.	0-11 G.M.Khud.
Charanji s/o Korla in		in equal shares,		
equal shares 1/4, Karan		Karan Singh, Balbir		
Singh, Balbir Singh,		Singh, Hanwat Singh		
Hanwat Singh ss/o Pokharin		equal shares 1/2,		
1/6, Deegh Ram s/o Chuni		Deegh Ram 1/2.		
1/6, Khusi Ram s/o Jug Lal			90 min. 0-12	-do-
1/6.			63 1-00	Rosli.
17. Bhoop Singh s/o Phool				Chahi.
Deep Chand, Lal Chand		78	2-09	
Khazan, Sis Ram, Ved	Self.			
Singh, ss/o Roop Chand		393/81	4 - 15	-do-
in equal shares.				

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18. Sardar Singh, Ramji Lal, Chander ss/o Lehri all in equal shares 1/3. Mst. Goghri w/o Sis Ram } 1/3, Ant Ram s/o Nand Ram 1/3. } 1/2
Chandgi s/o Gariba }
1/2. Jodha Ram, Munshi } 1/12
Ram ss/o Rati Ram in }
equal shares 1/2. }
Sehju s/o Hari Singh
1/2, Bhanu s/o Salig
1/12.
Risal Singh s/o Jug Lal }
1/8, Net Ram s/o Abhey Ram }
1/8, Rampat, Charanji ss/o }
Kuria, in equal shares } 1/4
1/4, Karan Singh, Balbir }
Singh, Runwat Singh s/o }
Pokhar in equal shares 1/6 }
Deogh Ram s/o Chundi 1/6, }
Khushi Ram s/o Jug Ram 1/6 }
19. Ghansham, Chelu, Narian Ghansham, 79 min 2 - 17 Chahi.
Singhas/o Jit Ram in Chelu, Narain 79 min 2 - 17 Chahi.
equal shares 1/3 Singh in equal
Dalip, Molar ss/o Mehar shares, 391/77 2 - 12 Rosli.
Chand in equal shares Dalip
2/3 Molar 392/83 0 - 01 B.Qaddim.
20. Bhoop Singh s/o Phool Self 84 0 - 08 Chah Pukhta
Deep Chand, Lal Chand (Chairjari).
Khazan, Sis Ram, Ved
Singh, ss/o Roop Chand
in equal shares 1/2.
Ghandham, Chelu, Narian }
Singh ss/o Jit Ram in } 1/2
equal shares 1/3, }
Dalip, Molar, ss/o Mehar }
Chand in equal shares }
2/3. }
21. Sardar Singh, Ramji Lal } Through 55 0 - 09 G.M. Rasta.
Chander ss/o Lehri all } fare
in equal shares 1/3, } 1/5 In possession
Mst. Goghri w/o Sis Ram } of the owner.
1/3, Ant Ram s/o Nand } 394/80 1 - 16 -do-
Ram 1/3. } 73/1 2 - 01 B.Qaddim.
- Naval Singh, Tara Chand }
s/o Umrao in equal shares }
2/3, Pahlad, Mouji, Daya } 1/3
Nand ss/o Deep Chand in }
equal shares 1/3, } 1/5
Mst. Sarti w/o Nand Lal }
1/2, Mohan Lal, Yad Ram } 1/3
ss/o Balla all in equal }
shares 1/2, Ram Chand s/o }
Umrao 1/3. }

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Ram Kala, s/o Mansa $1/2$,
 Mukhtiar, Daleel ss/o
 Sultan in equal shares } $1/12$
 $1/2$,
 Bhartu, Maman ss/o Prithi
 Singh $1/12$, Sarup Singh, } $1/5$
 Raghu Nath ss/o Ram Singh
 in equal shares $1/6$,
 Nihal Singh s/o Rangit $5/6$,
 Siri Lal, Tek Chand ss/o } $1/2$
 Makhan in equal shares $1/2$,
 Ram Chander, s/o Umrao $1/2$.)

Chandgi s/o Gariba $1/2$,
 Jodha Ram, Munshi Ram ss/o } $1/6$
 Rati Ram in equal shares $1/2$,
 Sehju s/o Hari Singh $1/6$,
 Parbhu s/o Salig Ram $1/6$,
 Risal Singh s/o Jug Mal $1/8$ } $1/5$
 Net Ram s/o Anbey $1/8$,
 Rampat, Charanji ss/o Koria } $1/8$
 in equal shares $1/4$, Karan
 Singh, Balbir Singh, Harvan
 Singh ss/o Pokhar in equal
 shares $1/6$, Deegh Ram, s/o
 Chuni $1/6$, Khushi Ram s/o
 Jug Ram $1/6$.)

Phup Singh s/o Phool, Deep
 Chand, Lal Chand, Khazan, Sis
 Ram, Ved Singh ss/o Roop
 Chand in equal shares $1/2$,
 Ghansham, Ghellu, Nandan Singh } $1/5$
 s/o Jit Ram $1/3$, Dalip, Molar,
 ss/o Mehar Chand in equal
 shares $2/3$.)

COMPENSATION CLAIMS:

In response to the notices under section 9 and 10 of the Land Acquisition Act, 44 claims in all were received. Of all the claims received, Shri Siri Chand s/o Kalley, Shmt. Angoori w/o Khari, Shri Nand "al s/o Goverdhan", Shmt. Baskari d/o Choona and w/o Dalmera, Shmt. Kaushilya Devi w/o Sh. Bhagwan Dass and Shmt. Jhum Kaur w/o Thandy Ram and Shri Om prakash Dewan have filed their claims in respect of khasra No. 70 which is not under acquisition. Only a part of this khasra No. is under ^{the} present scheme. It is, therefore, futile to discuss their claims in this award. The rest of the claimants have come forward with the request that they are entitled to get compensation of the land under acquisition to the tune of Rs. 35/- to 100/- per sq. yd. on the ground that the land proposed to be acquired is surrounded by thickly populated untra modernize colonies known

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as Ranjit Nagar, Patel Nagar, Shadipur, D.T.U., Pusa Institute. They have further urged that as the land in question is situated in an urban area, it naturally has great potential value and is best suited for residential or commercial purposes. It abuts on pucca roads and has got drainage facilities, water electricity and all other amenities of life. The claims filed by them are discussed in detail as under :

Sl. No.	Name of the claimant.	Khasra No.	Amount of compensation claimed.	Documentary evidence adduced by the claimant if any.	Remarks.
1.	Shmt. Kamla Dewan w/c Jogesh Chander Thawan.	150sq.yds. out of 382/46.	She has claimed @ Rs.100/- per sq.yd.+ Rs.500/- for cost of structures.	She has stated to have purchased 150 sq.yds. from Shri Bisal Singh, vide sale deed dated 25.11.60. No proof has been filed in support of her claim.	
2.	Shmt. Koshalya Devi wd/o Shri Bhagwan Dass.	200sq.yd. out of 70.	He claimed @ Rs.100/- per sq.yd. in respect of the plot measuring 200 sq.yds.+Rs.500/- for the cost of structures.	He has produced an unattested copy of the sale deed dated 12.12.56 which goes to show that plot of land was purchased for Rs.2600/-.	Only part K.No.7 which has been acquired in this case. It is reported that Shmt. Kaushalya Devi has no title to this land and Baulat Ram Basant Singh are the owners of the land.
3.	Karam Singh, s/o Wadhawa. Singh	14,139 & 93 sq.yds. comprised of, 71,73 & 72 respectively.	They have filed three claims of, demanding compensation @ Rs.100/- per sq.yd.+Rs.2200/- for the construct-ed portion. 14 sq.yds. out of K.No.71 was purchased for Rs.200/- only. 2. Attested copy of sale deed dated 7.10.61 and 30.6.61 showing the sale of	An attested copy of sale deed dated 7.10.61 which have not been sanctioned. 14 sq.yds. out of K.No.71 was purchased for Rs.200/- only. 2. Attested copy of sale deed dated 7.10.61 and 30.6.61 showing the sale of	It appears that mutation in the name of the claimant has not been sanctioned. It is reported that Shmt. Kaushalya Devi has no title to this land and Baulat Ram Basant Singh are the owners of the land.

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93 sq.yds.out
of k.No.72, and
73 for Rs.1300/-
and Rs.2500/-
respectively.

4. Hukam Singh s/o 139 sq.yd Rs.100/- He has produced Same as
Mehgar Singh. comprised per sq.yd copy of sale on Si.No.
of K.No. Rs.1000/- deed dated No.3.
73. for cost 7.7.61 according
of constr-to which plot
tion. was purchased
for Rs.1500/-
by the claimant
himself.

5. Sarvshri Daulat 200sq.yds.Rs.100/- No proof has been It appears
Ram and Hanwat of land persq.yd filed. that the
Singh ss/o over which+Rs.20,000/- claimants
Kundan Lal. house No. for cost of are in
240/3 building possession -
stands. over a plot
of 200 sq.yds. -over khasra No.70/1
mutation of which is
pending attestation.
This No.has however,
been kept out of
acquisition pending
instruction from the
Housing Department.

6. Sarupa s/o Nanwa.6bis.out Rs.80/-persq. An attested Mutation does
of khasra No.yd. copy of sale not appear
70, 325/74. deed dated to have been
11.12.61 from sanctioned
a persual of in his favour
which it appears so far.
that a plot of
300 sq.yds.under
claim was purchased
for Rs.6000/-.

7. Shmt. Shanti 8 Bis.(400sq. Rs.80/-per Attested copy -do-
Devi Handa wd/o yds. from K.No. sq.yd. of the sale Shmt. Shanti
Jia Lal. 79,325/74. deed dated Devi has
1.1.62 which submitted
shows a plot claim on
of 400 sq.yd. behalf of
was purchased Jia Lal Handa
for Rs.8000/- but has also
by the claimant. stated that
he has died
and has left behind
3 sons and 4 daughters
as heirs. The compens-
ation of amount of
this No. will be sent
to the/ rightful
claimants.

*Distt. Judge for
disbursement
to the*

8. Sham Sunders/o 7 bis. Rs.80/-persq. Copy of sale
Murari Lal, out of yd.+Rs.4000/- deed dated
Attar Singh khasra for improvement 6.3.61 regard- -do-
s/o Channa Mal No.73. of the land in ing the purchase
Bhola Ram s/o question. of land. 2.Copy
Molar Chand. They have referred of sale deed
to a joint claim. dated 20.12.60 which

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stating that the goes to show
land was purchased that an area
by them for Rs.1700/- of 600 sq.yds.
and Rs.300/- was out of K.No.
incurred on registr-72 was sold
ation etc. for Rs.1500/-.

9. Sarup Singh, 125sq.yds. He claimed Rs.12500/- No document- Same as
s/o Sohan out of Kh. for the land and ary evidence on Sl.
Singh. No.73 Rs.4000/- for the has been produc- No.6.
built up portion. ed.

10. Amar Nath 383/116 Rs.85/- per sq.yd. -do- -do-
s/o Murli 385/101
Mal. (300 sq.yds.)

11. Mohan Lal s/o
Devan. 150sq.yds. Rs.100/- per sq.yd. Shri Leeladhar According
out of Kh. + Rs.500/- for the Advocate has to the
No.382/46. built up portion. furnished the Revenue
following proof Record they
on behalf of have no
client at Sl. title to the
11 to 17. land.

1. Attested copy of sale deed
dated 27.7.63 executed
between Risal Singh and
Waryam Chand which goes
to show that an area
measuring 200, sq.yds.
out of Kh. No.382/46 was
sold for Rs.2500/-.
2. Sale deed dated 7.8.63 according
to which an area of 300 sq.yds. out
of the said Kh. No. appears to have
been sold for Rs.7000/- by Sarvshri
Balbir Singh and ~~Ram~~ Ram in favour
of Shri Jernail Singh and Karnel
Singh.
3. An attested copy of sale deed dated
28.4.60 showing that an area of
150 sq.yds. out of the said Kh. No.
was sold for Rs.2000/- by Shri Khushi
Ram in favour of Mohan Lal.
4. An attested copy of sale deed dated
25.11.60 showing that land measuring
150 sq.yds. out of the aforesaid Kh.
No. was sold by Risal Singh in favour
of Panna for a sum of Rs.2002/-.

12. Sarvshri Tara 4122 sq.yds. Rs.100/- per sq. -do-. It may be
Chand, Naval comprised of yd. and Rs.1000/- mentioned
Singh, ss/o Umrao Kh. Nos. for a well said here that Kh.No.
Pahlad, Mauji and 69-72, 95-96+ to have been 68 is out of
and Daya Nand ss/o 1/15 share sunk in the acquisition.
Deep Chand. in khasra No. said plot. They have also
80, 55, 73, and 1/12 stated that they
share in Kh. No.68, have sold 200.678,
133 sq.yds. out of
kh. No.69, 72, 73
respectively.

13. Waryam Chand 200 sq.yds. Rs.100/- per. -do- According to the
s/o Malla Ram. out of Kh. No. sq.yd. and Rs.1000/- on Revenue Record
382/46. account of he has no title
over the plot. to this land.

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14. Faqir Chand 200 sq. Rs.100/-persq.yd. same as on Same as on
s/o Panna yds.out and Rs.1000/- as Sl. No.11. Sl.No.13.
Lal. of 382/46 construction on
the plot in
question.
15. Siri Chand one bigha Rs.100/- per sq. -do- -do-
s/o Sukh out of yd.
Chain. 421/71.
16. Shmt. Chogri a)384/113, Rs.80/-per sq. -do- She has submitted
Wd/o Sis Ram. 383/116, 61 yd. two claims
385/101. separately in
b)384/113, which different
385/101, amount of compens-
384/116, ation was claimed.
61,73/1, She has stated
55,394/80. that she has sold
four plots measur-
ing 800 sq.yds.
from kh. No.
384/113.
17. Sarv Chri 300 sq.yds. Rs.100/- per sq. He says he purchase
Jarnet Singh, out of Kh. yd.+Rs.700/- for this area by means
Kernel Singh, No.382/46 the construction. of registered
ss/o Mohar sale deed No.
Singh. 9052 dated
17.8.62.
18. Shri Jai 400 sq.yds. Rs.100/-per sq.yd. He has produced His
Gopal. form Kh.No.+ Rs.3000/- for the copy of sale name does
384/113. built up portion. deed dated not find
5.11.59 which place in the
goes to show Revenue
that he himself Records.
purchased 400
sq.yds. of land
for Rs.8000/-.
19. Sarvshri 73/1, 55 Rs.80/- per sq.y.d. No propf has He has stated
Barthu, Maman 394/116. been given. that he has
ss/o Prithi sold 37½
Singh. sq.yds. of land
from Kh.
No.73/1.
20. Shri Ant 388/94, -do- He has referred He has stated
Ram s/o Nand 394/116, to the sale deed that the owner
Ram. 61, 385/ ship of kh.No.
101, 73/1, 61 be ascertained
55, 394/80 as he has larger
Net Ram and others share in this
which to show that No. and that
land measuring 7 he has sold
biswas out of kh. 55 sq.yds.
No.73, 336, sq.yds. from Kh.No.
out of kh.No. 73/1.
382/46 and 275 sq.yds.
out of kh.No.51 was
sold for Rs.7700/-
respectively-

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21. Chandagi s/o 61,73/1, Rs.80/- per sq.yd. Same as on He admits
Chariba, Jodha 55,394/80. sl.No.20. that he has
and Munahi sold 67 sq.
ss/o Rati Ram. yds. from Kh.
No.73/1.
He says that
he has sold
70 sq.yds.
from Kh.No.
73/1.
22. Shri Nihal 390/88, -do- -do-
Singh s/o Ranjit 73/1, 55.
Singh. 394/80.
23. Sarvshri Mohar 389/91, -do- They have They have
Singh, Gulab 61,73/1, produced no stated that
Singh, Hari Ram, 55,384/80. documentary they have
Mola Singh, ss/o evidence. sold 67 sq.
Farbhu. yds. out of
Kh.No.73/1.
They have
further
stated that
they are the
heirs of
prabhu who
has died.
24. Dalip Singh, 79,391/77, Rs.5000/- for a Proof fur- They have
s/o Mehar Chand, 73/1, 55, well and Rs.80/- rished by stated that
Chellu, Ghansham 394/80, 392/ per sq.yds. for Net Ram and due to mutual
Narain Singh, ss/o 85,84. the land. others. partition
Jit Ram. Kh.No.79,
(area 5-14) has come in
the share of the Dalip
Singh 1/2, Ghansham
Chellu and Narain
Singh 1/2, and Kh.No.
391/77, (area 2-14) has
gone to Shri Molar
and as such compensation
be paid to them accord-
ingly. This amount will
be paid after obtaining
written consent of the
parties. They have furth-
stated that they have
sold out 300 sq.yds. out
of khasra.No.73/1.
25. Sarvshri Sardar 386/100, -do- Rs.80/- per sq.yds.
Singh, Ramji Lal 383/116,
Chander Bhan ss/o 385/101,
Lehri. 61,73/1,
55 and
394/80.
26. Shri Sehju s/o 62,61,73/1, -do- -do- He says that he has
Hari Singh. 55,384/80. sold 67 sq.yds. of the
land out of Kh.No.
73/1.
27. Sarvshri Mohan 323/64, Rs.80/- per Same as They have stated to have
Lal, Daya Ram 420/71. sq.yd. on sl.No. sold plots out of
ss/o Lalla. 70/1, 24. kh.No.70/1, 323/74, 73/1
325/74, to the following
73/1, 55, persons:-
394/8 1. Shri Om Prakash,
F.62 Moti Nagar, Delhi
200 sq.yds.
2. Deep Chand s/o Mand
hal resident of Bhadi-
Pur, 500 sq.yds.

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3. Siri Chand and other 600 sq. yds.
4. 139 sq. yds. from Kh. No. 73/1.
5. 200 sq. yds. from Kh. No. 70 to Shmt. Kanchalya Devi w/o Bhagwan Dass.

28. Sarveshri Saru 73/1, 55 Rs. 80/- per sq. same as on Sl. No. 24. stated that Singh, Baghu and 394/80. yd. they have sold 70 sq. yds. of land from Kh. No. 73/1.

29. Siri Lal s/o 76, 73/1, -do- -do- They have stated that Makhan Dhan 327/75, they have sold Singh, Milley 55, 394/ Singh s/o Tek 80, 175 sq. yds. out of Chand. khasra No. 73/1.

30. Siri Kehar 397/97 -do- No proof Singh, Ram Phal, given. s/o Nira.

31. Sarveshri Deo 78, 393/31 Rs. 80/- per sq. -do- They have stated Chand, Lal 84, 73/1, 55, and Rs. 500/- for that they have sold Chand, Khazan, 394/80. a well. 100 sq. yds. of land from Kh. No. 73/1. Sis Ram, Bed Singh s/o Roop Chand, Dhup Singh s/o Phool Singh.

32. Khushi Ram s/o 382/46/2, Rs. 80/- per sq. yd. They have Plots measuring Jag Ram, Pigh 60/1, 90, and Rs. 2000/- for referred to 150 sq. yds., 300 sq. Ram s/o Chuni 68, 61, 73/1, structure on Kh, the proof yds. & 100 sq. Karan Singh, 55, 394/80. No. 382/46/2. filed by yds. are Balbir Singh, Shri Net Ram and other stated to Hanumat Singh ss/o Pokhar. have been sold out of

Kh. No. 382/46/2, 73/1, 60/1 to various purchasers whose addresses have not been given. They have further requested that compensation of Kh. No. 60/1 be given to Kisal Singh and Compensation of Kh. No. 63 be given to the claimants.

33. Shri Ram Chander 328/75, Rs. 80/- per sq. -do- s/o Umrao. 89, 324/64, yd. 326/74, 76, 73/1, 55, 394/80.

He has objected to the measurement of Kh. No. 324/74 and has stated that he has sold 200 sq. yds. & 175 sq. yds. and 10 sq. yds. out of Kh. No. 326/74, 73/1 & 324/64 respectively.

Two plots of 200 sq. yds. each

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34. Risal Singh, 382/46/2, Rs.80/- per sq.yd. same as They have
s/o Jug Lal, 60/1,90, + Rs.2000/- for the on Sl. stated that
Net Ram s/o 63,61,73/1 construction over No.32. four plots
Abhey Ram, 55 & 384/80.khasra No. measuring
Rampat, Chiranji 382/46/2. 200 sq.yds. each
Mal s/o Kuria.

Jointly
Lot of plots No
382/46/2
by them/and 200,150,350,
sq.yds. have been sold
by Rishal Singh out of
his share while land has
been sold by Sarvshri
Risal Singh, Rampat, and
Chiranji and that the
compensation of this
entire kh.No. should be
given to Net Ram. The
compensation of all such
kh.Nos. from which several
plots of land have been
sold will be sent to the
District Judge for disburse-
ment to the rightful
claimants.

FAIR AND REASONABLE VALUE:

The land under acquisition was inspected by me twice. It is situated in the interior of the village shadipur adjacent to the thickly populated colonies viz. V. Shadipur, Ranjit Nagar and Patel Nagar but suffers from some drawbacks. The major portion of the land is either low lying, swampy or full of khuds on account of which water remains stagnant in the pits. Some area of the land in question has been shown as Rosli or Chahi but it is not being utilized for agricultural purposes presumably because lot of money will be required to bring it under plough. Very close to this land is a Ganda Nala which emits obnoxious smell throughout. All these factors have greatly undermined the value of the land and it goes without saying that a lot of earth work will have to be done to bring it at par in level along with the adjacent lands. In the circumstances, the demand of the land owners concerned is fantastically high. The rates claimed by them cannot be made a basis for the calculation of the price of the land under acquisition specially when they have not produced overwhelming documentary evidence in support of their claims.

So far as the average sale price during the past five years prior to the date of notification under section 4 of the Act viz. November 13th, 1959 is concerned, it is as under:

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Sl.No.	Year	Area sold	Consideration.	Average per bigha.
1.	1954	Nil	Nil	Nil
2.	1955	0 - 04	Rs.2,000/-	Rs.10,000/-.
3.	1956	0 - 08	Rs.5,600/-	Rs.14,000/-.
4.	1957	0 - 15	Rs.9,450/-	Rs.12,613/-.
5.	1958	3 - 16	Rs.7,800/-	Rs.2,052/-
6.	1959 upto 13.11.1959	1 - 04	Rs.13800/-	Rs.11,500/-
Total		6 - 07	Rs.38,660/-	Rs.6,088.19 NP

Although the average sale price in this village comes to Rs.6088.19 Np yet these transactions cannot be taken as a criterion to assess the valuation of the land in general for two reasons. Firstly, these transactions relate to the sale of small prices of land ranging from 4 biswas to one bigha 4 biswas. During the year 1958 comparatively bigger plot of land measuring 3 bighas and 16 Biswas was sold for Rs.7800/-, the average price per bigha of which comes to Rs.2052/- only. Moreover, the quality and situation of land included in these transactions cannot be compared favourably with the land under acquisition. Secondly, it will be seen that only 12 mutations took place during long spell of five years. This is a proof positive that no body was interested in purchasing such type of land for which huge amount is required for its development.

There is also no previous award drawn in respect of village Shadipur during the past five years from the date of notification under section 4 of the Land Acquisition Act, 1894 i.e.13.11.1959 I have however, recently drawn an award of Village Khampur Raya. The land involved in that award is situated adjacent to the land under acquisition but that land is definitely more superior to the land under acquisition. A portion of the land under acquisition is contiguous to block B of the award of Khampur Raya for which the rate awarded is Rs.3250/- per bigha. However, keeping in view the rate allowed in that award and the drawbacks of the

land under acquisition, the material made available by the Naib Tehsildar, the claims of the persons interested, the evidence produced by them and my own observations of the spot, I consider a flat rate of Rs.3000/- per bigha in respect of 34 bigha and 16 biswas of land under acquisition as fair and reasonable and award accordingly. No compensation is assessed in respect of kh.Nos.55(0-09) as 394/80 (1-16) as it is a thorough fare and is being used as such by the public.

STRUCTURES, WELLS AND TREES:

There are some ordinary type of structures on Khasra Nos. 72/1, 73/1, 382/46/2, 384/113, 393/81, 62, 60/1 which have sprung up after the date of notification under section 4 of the Act. No compensation is assessed for the same as claimants are not legally entitled to get it. The owners of these structures are at liberty to remove the material.

TREES:

The following trees stand on the land under acquisition. The Naib Tehsildar (Land Acquisition) has assessed its value. The value proposed appear to be quite reasonable and I approve of it.

Kh.No.	Name of the Tree.	No.of trees.	Weight in Qn.	Value Proposed.
63	Kikar	1	3	Rs.12/-
323/64	Pipal	1	1	Rs.4/-
391/77	Kikar	1	1	Rs.4/-
79	Kikar	1	2	Rs.8/-
393/81	Kikar	1	1½	Rs.6/-
84	Piple	1	40	Rs.160/-.
	Sehshut.	1	½	Rs.2/-
				<u>Rs.196/-.</u>

WELLS:

There is a well (Gair Jari) in kh.No.84 constructed before the settle of 1908-9 and is made of stones and lime alongwith a Malkhand. It is 13 feet in diameter and about 19 feet deep. I assess its value @ Rs.800/- and award accordingly.

APPORTIONMENT:

Compensation will be paid on the basis of latest entries of ownership as recorded in the Jamabandi of the village. From the claims filed by different persons interested in the land under acquisition it appears that a number of claimants have purchased small plots of land from the owners of the land but mutations in their favour have not been sanctioned nor their names have been incorporated in the Revenue Records. In some cases mutation orders have been incorporated in the records after the preparation of the award file. In some cases the recorded owners have themselves admitted that they have sold some plots of land from the Khasra Numbers owned by them. All these cases are discussed in Col. 6 of the statement prepared under the head 'Claims Compensation'. Payment of compensation to all such persons whose ownership is not established beyond doubt will be withheld till they prove their title to the land otherwise the compensation amount of all such disputed Nos. or the khasra Nos. mentioned below will be forwarded to the Addl. Dist. Judge for payment to the rightful claimants.

A part from the cases discussed in Col. 6 of the statement
1. Accordingly to the claims filed by Shmt. Karba Dhawan,

Sarvshri Mohan Lal, Waryam Chand, Faquir Chand Kapoor, Jarnail Singh and Karnel Singh plots measuring 150, 150, 200, 220, and 350 sq. yds. respectively appear to have been purchased by them out of kh. Nos. 382/46 from the previous owners but the latter have not given full information about the transactions made by them. The compensation of the entire kh. Nos. is therefore, held to be disputed till the claimants substantiate their title to the land.

2. Shri Siri Chand has sold out land measuring 14 sq. yds. out of kh. No. 421/71 to Sarvshri Karan Singh and Dalip Singh. Amount of compensation upto this extent is held disputed and will be paid to the claimants only when they establish their title to the land.

3. Since Shri Nawal Singh has sold out 93 sq. yds. of land out of kh. No. 72 to Shri Karan Singh and Dalip Singh, its compensation will be paid to the present owners where their names are entered in the Revenue Record.

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4. From the claims filed by Sarvshri Karan Singh, Dalip Singh, Hukam Singh, Syam Sunder and others, Sarup Singh, Charan Lal, Shmt. Satya Devi, Shmt. Kishan Devi it appears that land measuring 139, 139, 350, 125, 170, 107½ and 100 sq.yds. respectively was purchased out of Kh. No.73. It is possible that their might be some other cases of this nature. The compensation of the entire field number is held to be disputed till the claimants establish their title to it and the previous owners prove that they have not sold out any other plot of land except the plots mentioned above.

5. Shri Saroop and Shmt. Shanti Devi have stated that they purchased plots measuring 300 sq.yds. and 400 sq.yds. out of Khasra No.325/74 from its previous owners and have requested for the compensation. Sarvshri Mohan Lal, Daya Ram es/c Bala owners of this No. according to the revenue records, have themselves stated that they have sold out certain plots out of this no. as well as from other Kh. Nos. belonging to them. The compensation of all such Khasra Nos. is held to be disputed till the parties acquire clear title to the land and the owners satisfy the Land Acquisition Collector that they have not sold out their land to any other persons except those mentioned above.

6. Shmt. Bimla Devi and Shmt. Rajkumari have filed their claims saying that they have purchased land measuring 4 biswas each out of khasra No.326/74 from Shri Ram Chander but mutations do not appear to have been sanctioned in their favour. Compensation upto this extent is held disputed till they show their title to it.

7. Shri Jai Gopal has purchased 8 biswas of land out of Kh. No.384/113 but mutation has not been made in his favour so far. Compensation to this extent is held disputed till the claimants show his title to the land.

8. Shri Amar Nath has purchased 300 sq.yds. of land out of Khasra No. 383/116 and 385/101 belonging to Sardar Singh and others. As mutation has not been sanctioned in favour of the purchasers, the amount of compensation is held to be disputed so long as Kh does not show title to the land.

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INTEREST AND SOLITIUM:

The possession of the land has not yet been taken. The owners are not, therefore, entitled to claim interest on the compensation. However, solatium @ 15% will, however, be paid as land drawn under section 23(2) of the Land Acquisition.

Subject to the above the award is summarised as under:

Compensation of 54 bighas and 16 biswas of land @ Rs.3000/- per bigha.	Rs.1,64,400.00 NP
Compensation for well.	Rs. 800.00 NP
Add 15% salatium	Rs. 24,780.00 NP
Compensation for trees.	Rs. 196.00 NP
G. Total	Rs.1,90,176.00 NP

LAND REVENUE DEDUCTION:

The land under acquisition is asessed to the land revenue amounting to Rs.19.28 Np. It will be deducted from the Khalsa Rent Roll of the village from the harvest of taking over possession of the land.

Sd/-

(M.MUSTAFA)

(M.MUSTAFA)

LAND ACQUISITION COLLECTOR: DELHI.
3.6.1964.

Forwarded to the Deputy Commissioner
(Collector of the District) for
information.

Sd/-

(M.MUSTAFA)

LAND ACQUISITION COLLECTOR: DELHI.
3.6.1964.

Seen

Sd/- H.S.Muntaz,

Addl. District Magistrate(LA)

with powers of collector.

dated:12.6.1964.

Attested

Muntaz

Land Acquisition Collector
Delhi.

Award No

1714