

AWARD No. 1745

Award No. 1745 for the year 1964-65 by Shri Ram Parshad
P.C.S., Land Acquisition Collector (III), Delhi.

Case No. 7

Acquisition of land for the Re-housing the slum
evictees and to provide necessary amenities in the
Karol Bagh Area.

Village : KHAMPUR RAYA.

AWARD:

In pursuance of Delhi Administration Notification under
section 4, No.F.15(60)/56-LSG dated the 26th July, 1956 made
under the provisions of the Land Acquisition Act of 1894 and
declared vide notification No.F.15(60)/56-LSG(i) dated the
27th March, 1958 under section 6 of the Land Acquisition Act.
The Delhi Administration acquired 45.5 acres of land approxi-
mately in village Khampur Raya, Tehsil and District Delhi at public
expense for a public purpose, namely to re-house the slum
evictees and to provide amenities in the Karol Bagh Area, New
Delhi.

MEASUREMENT:

In the notification under section 4, an area of 45.5 ac-
res was likely to be acquired but later on at the time of declarat-
ion of notification under section 6 an area measuring 12 bighas was
excluded from the notification. Thereafter vide notification No
F.16(60)/56/LSG(i) dated the 20th Oct. 1961, 24 bighas 1 biswa
of land was denotified by the Delhi Administration from the
notification under section 4 of 26.7.1956. In the notification
under section 4 & 6 of the Act, the area of 45.5 acres is given
approximately and specific boundaries of the land under acquisition
are mentioned. According to these boundaries and site plan in
Revenue Record the measurement of the land comes to

By excluding 24 bighas 10 biswas of land out of the total area, the land to be acquired comes to 237 bighas and 9 biswas and for the same area, the acquisition file has been prepared. The land under acquisition lies in 17 field Nos. in village Khampur Raya as detailed in form 7 L.A. as prepared under paragraph 55 of the Financial Commissioner's standing order No.28.

The details of khasra Nos. and ownership is as under :

| S.No. | Name of the owner | Name of the tenants | Kh. No. | Area | Kind of |
|-------|---|---|----------------------|---------------|------------|
| 1. | Mamchand, Naresh Kr. ss/o Ram Dass equal share in 1/20. | --- | 739/732 to 737/597/2 | Big.Bis. 0-06 | G.M. Pahar |
| | Bhanwar Singh s/o Yadu 1/180 share. | Muna Lal for himself 1/90 and on behalf of other co-shares non-occupancy tenants 89/90 share. | 666/596 | 9-15 ✓ | " |
| | Pritam Singh Duni Chand ss/o Yadu equal share 43 share, Muna Lal s/o Mul Raj 2477 share into 1/90. | --- | --- | --- | --- |
| | Beg Ram s/o Bharta 1/60 share. | --- | --- | --- | --- |
| | Shmt. Niadari wd/o Jhunda 1/60. | -do- | 729/665/ 596/2 | 102-02 | " |
| | Shanker s/o Khushia, Piare s/o Sultan in equal share 43, Muna Lal s/o Mul Raj 2477. | 97 bighas 12 Bis. Nand Lal s/o Hari Chand tenants 4 bighas 10 biswas. 1/30. | --- | --- | --- |
| | Ram Kishan s/o Raghunath 43 share, Muna Lal s/o Mul Raj 2477 share. | Muna Lal as above 41 big. 4 biswas. Dalip Singh co- share through Kunda Lal, Charanji Lal, Khem Chand ss/o Dalip Singh, Rachhpal Singh, s/o Sunder Lal- tenants 2 bighas 10 biswas. | 738/690, 43-14 | --- | " |
| | Harkesh s/o Gisa, Jhanju s/o Shiba in equal share 1/20. | --- | --- | --- | --- |
| | Raja Ram s/o Surja 1/2, Pyare & Shmt. Chani wd/o Chhaju in equal share 1/2. | 1/40 | --- | --- | --- |
| | Dalip s/o Badlu 1/40, Bikhani s/o Kishan Sahai 1/2, Chander Man s/o Dhani Ram 1 share, Sultan Singh s/o Pyare Lal 1 share, Jai Dev s/o Jaju Singh 1 share into 1/2. | 1/10. | --- | --- | --- |
| | Ram Kishan, Chandagi Ram, Bhagwan Dass s/o Datta Ram equal share 43, Muna Lal s/o Mul Raj 2477. | 1/40 | --- | --- | --- |
| | Harkesh, Surat Singh ss/o Nathu equal share 1/2, Chhaju s/o Badam 1/2. | 3/80 | --- | --- | --- |
| | Ramji Lal, Dalip ss/o Hardev equal share 3/80. | 1/16. | --- | --- | --- |
| | Shmt. Sukh Dai wd/o Bale, Phool Singh s/o Khushal equal share 43, Muna Lal s/o Mul Raj 2477. | --- | --- | --- | --- |
| | | Mam Chand, Naresh Kumar co-shares, vendors, Dewan Chand s/o Sohan Lal vendee | 731/690 | 2-01 | " |
| | | Mam Chand etc. exchanger, Nurudin s/o Mohd. Umar- exchangee evacuee through custodian. | 730/690 | 0-10 | " |

| S.No. | Name of Owners. | Name of Tenants, | Khasra No. | Area | Kind of La |
|-------|---|---|------------|-----------|------------|
| | | | | Big. Bis. | |
| | Ragunath S/o Sisi Ram 1/48 | Mam Chand Etc. Vendors | 724/665 | 10.0. | G.M. Phar. |
| | Lachhami Widow of Nathu 43 share | Chhamijan W/o Mohd. Shafi 1/32 Vandee. | | | |
| | Muna Lal S/o Mul Raj 2477 share | Bharwar Singh | 739/732 | 33--5 | " " |
| | Kabul S/o Niadar 17/128 | 1 Big. 11 Bis. to 737/ 690/597/ | | | |
| | Nihal S/o Jagram 42 share | Bagarm Ram 4 Big. 4 Bis. | 1/1 | | |
| | Muna Lal S/o Mul Raj 2477 | Harkesh, Jhanju in equal share 12 Big. 17 Bis. | 13/384 | | |
| | Khima, Nand Ram, Sada Ram and Sita Ram Ss/o Shera. in equal share 1/2 | Bhikan 3 share Chanderman 1 share. 17 Big. 4 Bis. | 1/48 | | |
| | Lalji S/o Khiali 1/2 | Ramji Lal, Dalip 9 Big. 11 Bis. | | | |
| | Datta Ram S/o Kura 1/2 | Harkesh, Khazan Singh, Kirhan Singh 8 Big. 4 Bis. Vendors. | 1/16 | | |
| | Siri Ram Sita Ram, Kala Ram, Hari Ram Ss/o Tilak Ram, Partap Singh S/o Tara Chand in equal share 43. | Radha Swami Satsang. Vendee. | | | |
| | Muna Lal S/o Mul Raj 2477 share | Raja Ram Co-sharer Vendee. | 664/596 | 3--3 | " " |
| | Ghisa S/o Jhagi 43 share | Nasir S/o Ghanfar Ali Vendee. Evacuee. | 1/32 | | |
| | Muna Lal S/o Mul Raj 2477 | Piara 1 Big. 12 Bis. Nathu 4 Big. 17 Bis. | 723/665 | 11--15 | ✓ " " |
| | Rajinder, Rohtah Ss/o Ram Chander in equal share 1/2 | Munshi, Balu, Jitu Chhatar Singh, Pool Singh in equal share 5 Big. 6 Bis. Co-sharer Vendors. Muna Lal S/o Mul Raj Vendee. | 1/96 | | |
| | Sukhbir S/o Bega 43 shares. | Chani Co-sharer Vendor R.K. S/o Ram Parshad and Krishana Kumari D/o Ram Lal Vendee. | | | |
| | Muna Lal S/o Mul Raj 2477 | Chhaju S/o Badam Co-sharer Vendor Mumtaz-ul-Arakin S/o Shamsul-arakin Vendee. | 725/665 | 3--0 | " " |
| | Munshim Balu, Jitu, Chater Singh, Pool Singh Ss/ Shadi. in equal share 1/48 Gori Shanker S/o Brij Lal 1/96 | Chhaju S/o Badam Co-sharer Vendor Mumtaz-ul-Arakin S/o Shamsul-arakin Vendee. | 726/665 | 1--16 | " " |
| | Raja Ram S/o Jhagu 5 Big. 1 Bis. | Saliag Ram Talwar S/o Ghani Shaim Das Talwar and | | | |
| | Abdulstar, Abdul Jabar, S/o Sohbatullah Salim Din S/o Ahamad Din in equal share 3 Big. 1 Bis. | | 1/32 | | |
| | Harkash, Khazan Singh Kishan Singh Ss/p Raja Ram in equal share 1/32 | | | | |

S.No. Name of Owners Name of Tenants. Khasra No. Area Kind of Land
Big. Bis.

Santokh Singh S/o
Mathura Singh
Vendees.

Raja Ram S/o Chhaju 727/665 5--1 G.M.Phar.
Co-sharer Vendor

Khalil-ul-rahman
S/o Nabi Bakhash
Vendee. Evacuee.

Note:- Shri Muna Lal Co-sharer has mortgaged the share with possession details of which is as under:-

| Sl-No. | Mutation No. | Date of Registration. | Name of Mortgagees. | Amount | Rate of Interest. |
|--------|--------------|-----------------------|--|--------------|----------------------------|
| 1. | 728 | 29.5.57 | Gisa S/o Jhagi, Nihala S/o Jag Ram, Datta S/o Kure equal share 3/4. Shri Ram, Sita Ram, Kala Ram, Hari Ram Ss/o Tilak Ram and Partap Singh Ss/o Tara Ram equal share 1/4 | 70,000 | /12/- % P ³ |
| 2. | 749 | 25.9.57 | Datta Ram adopted son of Jaman. | 23095/50NO | -/12/ P ³ M |
| 3. | 750 | 27.9.57 | Smt. Sukh Dai Widow of Bala, Phool Singh S/o Khushial equal share. | Rs.56244/- | -/12/- P ³ M |
| 4. | 751 | 26.9.57 | Ram Kishan S/o Bagunath | Rs. 30,000/- | -/12/ P. |
| 5. | 752 | 5.9.57 | Shankar S/o Kushia, Piare S/o Sultan equal share. | Rs. 56230/- | -/12/ P |
| 6. | 753 | 25.9.57 | Smt. Lachhmani widow of Nathu | Rs. 27500/- | -12/ P |

Sl.No. Name of Owners Name of Tenants. Khasra No. Area Kind of Land
Big. Bis.

| | | | | | |
|----|-------------|---|------------------|---------|--|
| 2. | Shamlat-Beh | Ghisa, Nihal, Datta Ram in equal share 3/4 Sri Ram, Sita Ram Kala Ram, Hari Ram Partap Singh in equal share 1/4 Co-sharer Vendors Handa Bros. through Bank Chand S/o Lila Ram 1/2, Mahavir Parshad S/o Parma and 1/2 Vendees. | 720/669/575 2--1 | G.M.Kha | Note:- 1/2 share of Mahavir Parshad is under mortgage without possession with Gori Shanker S/o Banarsi against Rs. 2500/- with interest @ -/12/- % P.M. with effect from 5.11.51 |
|----|-------------|---|------------------|---------|--|

Sl.No. Name of Owners. Name of Tenants. Khasra No. Area Kind of Land
Big. Bis.

Ghisa, Nihal, Datta Ram 721/669/ 5--9 G.M.Kha
and others as above 575
Vendors. Rashida Bagam
W/o Mohd. Adris. Vendee
Evacuee.

Gisa and other Vendors 670/575 2--1 " "
as above Kub Chand
Khushal Chand and
Lal Ram Ss/o Telu Ram
Vendees.

The measurement and the classification of the land has been accepted by the land owners. No objection was received from the department either. I, therefore, agree with the classification of the land as proposed by the Naib Tehsildar (LA) on the basis of the entries of Khasra Girdhawari, as it stood on 26th July, 1956.

| KIND OF LAND | AREA Big. Bis. |
|--------------|-------------------|
| G.M.Pahar. | 227---18 |
| G.M.Khad | 9---11 |
| TOTAL | 237----9 |

POSSESSION

The possession of the land has not been taken over so far.

MARKET VALUE

Some of the owners and the 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 the compensation.

1. SHRI SULTAN SINGH S/O PIARYA LAL

He filed 3 claims one on 30.5.64 in which he requested compensation @ Rs. 25/- per Sq. Yd. In the second on 4.6.64 he requested @ Rs. 35/- per Sq. Yd. as damages and also on 4.6.64 he claimed Rs. 100/- per Sq. Yd. He produced a copy of order dated 27th Feb. 1962 passed by the High Court Punjab in which learned court enhanced compensation to Rs. 5/- per Sq. Yd. He also produced copy of order dated 12.3.64 of Shri D.R.Pahwa

President of Improvement Trust, in which he also enhanced compensation to Rs. 5/- per Sq. Yd.

2. SHRI CHANDER MAN S/O DHANI RAM: BHIKAN S/O KISHAN SAHAI

Requested compensation @ of Rs. 100/- per Sq. Yd.

but did not produce any proof in support of his claim.

3. NADARI WIDOW OF BHANDA :- Requested compensation @ Rs. 10 per Sq. Yd. but did not produce any proof in support of her claim.

4. SHRI SURINDER DEV & SHASHANK DEV. :

Requested compensation @ Rs. 50/- per Sq. Yd for land and Rs. 15/- per Sq. Yd. for damages, but they did not produce any proof in support of their claim. In the Revenue Record the land still stands in the name of their father, Compensation will remain in dispute till the claimants get the Mutation attested in their favour and produces copy of i

5. SMT. DROPADI DEVI WIDOW OF SHRI R.K.GUPTA THROUGH GANASHI

LAL ATTORNEY : requested compensation @ Rs. 30/- per Sq. Y

But did not produce any proof in support of her claim. In the Revenue Record land still stands in the name of her husband Shri R.K.Gupta. Compensation will be paid to her as and when she produces the copy of Mutation.

6. SHRI GORI SHANKAR MATHUR : Requested compensation @ Rs. 10 per Sq. Yd. including damages. But did not produce any proof in support of his claim.

7. SHRI RAGUNATH S/O SIS RAM : Requested compensation @ Rs. 1 per Sq. Yd. ~~including damages~~. But did not produce any proof in support of his claim.

8. SHRI GANGA RAM SEHGAL : He has requested that he has made an agreement to purchase a plot from Seth Muna Lal and he paid Rs. 2700/- as earnest money. Since the land was acquired ~~and the agreement was therefore~~, could not be fulfilled. He requested that Rs. 2700/- with interest be paid to him out of the compensation due to Seth Muna Lal. In view of this compensation due to Seth Muna Lal will remain in dispute and be paid, when the parties come to compromise.

9. LACHHAMI WIDOW OF WATHU
10. RAM KISHAN: CHANGI RAM: BHAWAN DAS Ss/O DATTA RAM.
11. RAM KISHAN S/O RAGHUNATH.
12. GHISA S/O JANGI: DATTA RAM s/o KURAE: NIHAL S/O JAG RAM: SITA RAM: SIRI RAM: HARI RAM: KALA RAM Ss/O TILAK RAM PARTAP SINGH s/o TARA CHAND.
13. SHANKER S/O KHUSHI RAM: PIARE S/O SULTAN
14. SUKH DAI Wd/O BALLE: PHOOL SINGH S/O KHUSHAL SINGH

All these claimants from S.No. 9 to 14 have requested that Shri Muna Lal had mortgaged his land, without possession, with them at a interest of 12 Annas % per Month. They requested that out of compensation due to Muna Lal, mortgage money with interest be paid to them. The detail of mortgage amount stated as under:-

| S.No.of Claim | Mortgage Amount. | Date of Mortgage. |
|---------------|------------------|-------------------|
| 10. | Rs. 27500/- | 24.9.57 |
| 11. | Rs. 23095-8A | 24.9.57 |
| 12. | Rs. 30,000/- | 24.9.57 |
| 13. | Rs. 70,000/- | 18.5.57 |
| 14. | Rs. 56230/- | 3.9.57 |
| 15. | Rs. 56244/- | 24.9.57 |

They produced copies of mortgage deeds in support of their claims. In view of the above the compensation due to Seth Muna Lal will remain indispute for the present till such time the parties come to a compromise.

15. DALIP S/O BADLU THROUGH HARBANS SINGH TYAGI ADVOCATE

Requested compensation @ Rs. 60/- per Sq. Yd. for land including damages, But ~~he~~ did not produce any proof in support of his claim-

16. QABUL S/O NIADAR THROUGH SHRI HARBANS SINGH TYAGI ADVOC

Requested compensation @ Rs. 60/- per Sq. Yd. with damages. He produced 3 copies of Judgements of Addition District Judge and one copy of deed as under:-

1. Copy of Judgement dated 9.4.63 relating to Award No. 84 against Notification dated 4.1.56 under section 4 of the 1. Acquisition Act. In this Judgement the learned District Ju

Contd...8

enhanced the compensation from Rs. 3600/- per Bigha to Rs. 1 and 10,600/- per Bigha.

2. Copy of Judgement dated 10.2.61 relating to Award No. 8 in respect of Notification under section 4 dated 14.7.57. In this case the learned Judge enhanced the compensation from Rs. 3-50 per Sq. Yd to 11250/- per Bigha.

3. Copy of Judgement dated 21.8.61 relating to Award No. 943 against Notification under section 4 dated 29.6.59. In this case the learned Judge enhanced the compensation from Rs. 3.70 per Sq. Yd to Rs. 21/- per Sq. Yd.

4. Copy of sale deed dated 13.3.57 for a plot situated at Patel Road No. 34, measuring 1200 Sq. Yds. against Rs. 27600/- Documents at S.No. 1 to 3 related to lands situated adjacent to Patel Road and levelled area while land under acquisition is Pahar and un even. Document at S.No. 4 also relates to a Plot and not to land, thus these documents do not help him.

17. MST. CHHAMI JAN W/O MOHD. SHAFI.: requested compensation @ Rs. 50/- per Sq. Yd. in respect of field No. 724/665. She produced an agreement, dated 21.7.56 made by her with Shri Muna Lal to sell the land @ Rs. 42/- per Sq. Yd. Since the agreement is old one and it has not been fulfilled, thus it appears a bogus one.

18 SHRI SUNDER SINGH ALIAS SUNDER LAL: CHARANJI LAL: KHEM CHAND Ss/O DALIP SINGH: RACHHPAL SINGH S/O SUNDER SINGH THROUGH HARBANS SINGH TYAGI ADVOCATE.

They stated that they are occupants of 2500 Sq. Yd out of field No. 738/690 and crushers have been fixed there for about 11 years back. They have requested for compensation Rs. 15000/- for structures, Rs. 80,000/- for loss in business due to change of office. But they did not produce any proof in support of their claim. From the Revenue Record it appears that Crushers were started after the Notification under section 4 and therefore they are not entitled for any compensation.

19. SAIDA KHATUN W/O MOHD. SHAID. THROUGH HER HUSBAND.: Requested compensation @ Rs. 50/- per Sq. Yd. in respect of land in Khazra No. 720/690 being inheritance of her father Nurul Din. In the Revenue record, land stands in the name of Nurul Din.

Who is an evacuee. Since She has ~~not~~ produced any proof to show that she has got any title to the Land. Thus her claim is not maintainable.

THROUGH

20. SHRI MUNA & SONS TO MUNA LAL:

He has stated that he had purchased all the land of Khewat No.74 from the owners to develop the same into a colony namely Radaha Krishna Park. Sales of some land were executed in his favour while for the remaining, agreements were made but due acquisition notification, the sales were not completed. He claimed Rs.60/- per sq.yd. to Rs.300/- per sq.yd, According to his layout plan of the colony, His total claim is of Rs. 2,24,62,379/- including development charges and other expenses. He has produced a copy of the layout plan of the colony and some sales deeds in respect of the plots of approved colony of Patel Nagar. He has also produced some witnesses in support of his claim and their statements have been recorded.

I have inspected all the land ^{at} and site. Most of the land is deep depressions and ditches, and there is no development worth the name ^{done} then by the claimant. As there are many squatters on the land, The Delhi Municipal Corporation, however, has provided some facilities like Street Water Taps, Street Light, Community Latrines and ^{a few} ~~two~~ narrow roads paved with bricks. In addition to this most of the land was purchased by the claimant in the year 1957 i.e. after the section 4 notification, except 14 bighas 10 bis. which was purchased in June, and July 1956, The section 4 notification in this case is 26.7.1956. The claimant, therefore, ^{Could not possibly make} ~~did not stop~~ developments a day after purchasing the land. All this goes to prove that no development was done by the claimant, and even if for argument sake it may be accepted that some was done, it was done after the section 4 notification. Consequently, ^{the claimant} cannot be allowed any compensation on account of development charges. The claimant has produced some sale deeds of developed plots in the Rehabilitation Colony of Patel Nagar. This colony is a well developed colony and the sales there cannot be taken as

guide for fixing the Market Value of the land of the claimant which is all hilly and rocky and pits, except a small strip of land adjoining the Old Pusa Road, (the road~~ing~~ leading from Dev Nagar to Pusa Institute). In view of the claims and agreements made by the claimant with the other land owners, the amount of compensation of Khewat No.74 will remain in dispute till the claimant gets the land mutated in his favour and produce proof of the same or the parties come to an amicable settlement. In case of no settlement, the amount of compensation will be referred to the court.

21. SHRI SALIG RAM S/O SHRI GANSHYAM DASS TALWAR & SANTOKH SINGH S/O MUTHRA SINGH THROUGH SHRI KEDAR NATH HIS ATTORNEY.

Requested compensation @ Rs.100/- per sq.yd. in respect of field No.726/665 and Rs.6,000/- for rising prices in Delhi from the date of notification under section 4. They have also requested for compensation of interest and damages. They did not produce any proof in support of their claim.

22. SHRI RADHA SWAMI SATSANG THROUGH SHRI DES RAJ MALHOTRA ADVO.

Requested compensation @ Rs.100/- per sq.yd. and Rs.75,000/- of rising prices in Delhi after notification under section 4 and also claimed for damages and interest, but did not produce any proof in support of claim.

23. SHMT. SAIDA BAGUM WD/O NURAHMID: SHAMIM AHMED: AKHLAS AHMED & AKHTAR SONS, SURYA BAGUM & SHAGUFFA BAGUM DTS. OF ABDUL JABAR THROUGH MOTHER.

24. SHRI ABDUL STAR S/O SIBGHATULLAH:

In both the claims at Sl.No.23 & 24 the claimants requested compensation @ Rs.60/- per sq.yd. in respect of 1/3rd share of land out of field number 723/665 but they did not produce any proof in support of their claims. It appears from the record that Seth Muna Lal is the purchaser of this field No., however, Shri Abdul Jabar & Abdul Sitar are co-sharers in ^{Khewat} field No.74 shamlat.

25. SARVSHRI NAND LAL, KASTURI LAL, BHAGWAN DASS, FAQIR CHAND & MANOHAR LAL:-

They stated that they are lessees of four bighas of land comprising in field No.729/665 ^{and} in running business of ~~sone~~ crushing. They requested for compensation Rs.20,000/- for

structures, Rs.80,000/- for machinery, Rs.20,000/- for damages, Rs.20,000/- for incidental to change of place and Rs.40,920/- out of compensation of land. They did not produce any proof in support of their claim.

From the Revenue Record it appears that the Stone Crushers were fixed after the notification under section 4, therefore, No compensation is assessed for the same. The claimant^{are at} for their liberty to remove the machinery and material.

The Department was not represented.

The demand of the land owners and the interested persons vary from Rs.25/- per sq.yd. to Rs.300/- per sq.yd. The rate claimed by them cannot be made the basis for the calculation of the price of the land under acquisition, especially when they have not produced any satisfactory evidence or documentary proof in support of their claim~~except~~ except some sale deed, in respect of plots of approved colony and copies of judgement of the Addl. District Judges. The judgements relate to the land which is on the main Patel ~~marking~~ road and away from the land under acquisition. These relate to levelled land while the land under acquisition is hilly, rocky and uneven and therefore these rates cannot be made applicable to the land under acquisition.

The year wise statement of average sale price for the quinquennium immediately proceeding the date of notification under section 4 of the Land Acquisition Act has been worked out as under :

| S.No. | YEAR | AREA Big. Bis. | AMOUNT | AVERAGE PER BIGHA. |
|-------|---------|-------------------|--------------|--------------------|
| 1. | 1951-52 | 2 - 06 | Rs.10601/- | Rs.4609.13 NP |
| 2. | 1952-53 | 6 - 12 | Rs.38969/- | Rs.5959.46 NP |
| 3. | 1953-54 | 2 - 18 | Rs.28900/- | Rs.9965.52 NP |
| 4. | 1954-55 | 19- 08 | Rs.118033-87 | Rs.6084.22 NP |
| 5. | 1955-56 | 71- 10 | Rs.332923.12 | Rs.4656.27 NP |

The average sale price for the 5 years comes to Rs.5157.60 NP while for the year 1955-56 it comes to Rs.4656.27 NP. Out of the land under acquisition some transactions have taken place, details of which is as under:-

| S.No. | Mutation No. | Field No. | Area | Date of Registration. | Amount. | Average per big. |
|-------|--------------|--|-----------|-----------------------|-------------|------------------|
| | | | big. bis. | | | |
| 1. | 462 | 720/669 | 1 - 00 | 22.8.1951 | Rs.5401/- | Rs.5401/- |
| 2. | 587 | 720/669 | 1 - 01 | 4.10.1951 | Rs.2500/- | Rs.2380.95 |
| 3. | 564 | 723/665 | 11 - 15 | 12.7.1955 | Rs.41291.25 | Rs.3414.1 |
| 4. | 566 | 739/732/737 | 53 - 10 | 21.10.1955 | Rs.193811/- | Rs.3529.1 |
| 5. | 741 | 723/665 | 11 - 15 | 25.7.1956 | Rs.76376.12 | Rs.6494. |
| 6. | 738 | 2477/226800 share out of khewat No.74. | 2 - 15 | 2.6.1956 | Rs.13875/- | Rs.5045.4 |

No land has been acquired near the area under acquisition in the year 1955-56 or before, except the land acquired for Patel Nagar by the Ministry of Rehabilitation in 1948-49. The following awards were announced in this village with regard to area at some distance against notification No.4 of the Land Acquisition written against each.

| S.No. | Award No. | Date of notification under section 4. | Rate per bigha. |
|-------|-----------|---------------------------------------|------------------------------------|
| 1. | 848 | 1.1.1956 | Rs.5600/- |
| 2. | 849 | 3.1.56 | Rs.3500/- |
| 3. | 1606 | 13.11.1959 | Rs.5200/- Rs.3500/- Rs.800/- |
| 4. | 1660 | 13.11.1959 | Rs.4000/- Rs.2500/- |

In the north of this land there is land of village Sadhora Khurd, to the south is Nazul Land, to the east, Nazul Land and West Extension area, to the west East Patel Nagar and Military Wiring ~~fencing~~. The land under acquisition is in Urban Area and it would be fair to assess the Market Value of the land according to the quality and situation of the land. I have inspected the land at site. It is all hilly, rocky and undeveloped land with deep pits in most of the land. There are many squatters on the land who have erected many unauthorized Zoparis and other structures (Kachha and pucca) and it will not be possible either for the land owners or for the Government to remove these unauthorized squatters unless some alternative ^{Accommodation} land is provided to them.

After giving full considerations to the demand of the land owners and interested persons the situation and quality of the

land average, sale transactions, for the five years before the date of notification under section 4 and the previous awards in this village & all other factors, I am of the opinion that a flat rate of Rs.4000/- per bigha would be reasonable and fair market price in this case.

TREES: WELLS AND OTHER STRUCTURES:

TREES: There is a pipal tree in field No.721/669/575 weighing 4 Qts. I assess Rs.20/- @ Rs.5/- per Qt. for the same.

WELLS: There is no well in the land under acquisition and therefore no compensation for this item is assessed.

OTHER STRUCTURES: There are many Jhuggis, Jhopries, Kacha & pucca Kothas. All are temporary structures made by unauthorized occupants after the notification under section 4. They have no locus Standi to claim compensation for the land or structures. As regards alternative accommodation it will be considered by the Municipal Corporation on merits. No compensation is, therefore assessed for these structures.

By applying the rates mentioned above the price of the land works out to Rs.9,49,800/-.

COMPULSORY ACQUISITION CHARGES:

The owners and the interested persons will be entitled to 15% in consideration of the compulsory nature of acquisition on the market value of the land which comes to Rs.1,42,470/-.

INTEREST:

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

MODE OF PAYMENT.

The owners and the interested persons will be paid compensation according to the shares as entered in the Jamabandi of the village. Regarding Non-occupancy tenants protection against eviction by the land lords has been secured under Delhi (Urban Area) Tenants Relief Act, 1961. Since these tenants cannot be ejected unless they violate any of the conditions enumerated in the clauses A to D of the Act, they would be entitled to a substantial amount of compensation i.e. 81 NP in a rupee for the land acquired.

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which is under their possession at the moment. Hissadari ~~Kata~~ ^{Kash} is not maintainable.

2. In case of land mortgaged without possession, mortgage money with interest out of the compensation will be paid to the mortgagees and remaining money to ~~the~~ owners. But for the present, amount will remain in dispute. Since Shri Muna Lal, the owner claims for his occupation and thus the compensation of whole land will remain in dispute and will be paid to the parties when they come to amicable settlement.

3. Rs.168158.40 NP are recoverable from Seth Muna Lal as per D.C.O's letter No.F.7622/ST. dated 1.8.1964. This amount will also remain in dispute till the party produces clearance certificate, otherwise the amount will be sent to the District Collection Officer. Shri Muna Lal ^{has} also applied that he made ~~an~~ agreements with all the co-sharers of Khewat No.74 to purchase their land and has paid some amount as earnest money to the owners and requested that the amount to the owner may not be paid. In view of this, the amount of all the co-sharers of khewat No.74 will remain in dispute till they come to an amicable settlement.

LAND REVENUE DEDUCTION:

Khalsa amount of reduction from the land revenue due on account of land acquired works out to be Rs.2.82 NP. There will be a reduction of Rs.2.82 NP from the khalsa Rent Roll with effect from taking over possession.


The land aforesaid will vest absolutely in the Government from all encumbrances from the date of possession.

SUBJECT TO THE ABOVE, THE AWARD STANDS AS FOLLOWS:

- | | | |
|----|---|-------------------|
| 1. | Price of the land. | Rs.9,49,800.00 NP |
| 2. | Compulsory purchase acquisition charges. | Rs.1,42,470.00 NP |
| 3. | Compensation for trees. | Rs. 20.00 NP |

Grand Total .. Rs.10,92,290.00 NP

Forwarded to the Collector, Delhi for information
and filing.


(RAM PARSHAD)
Land Acquisition Collector (III)
DELHI.

19/8/64

*Seen -
no hindrance
Collector
(under the Land Acquisition Act 1894)
3-X-1964
COLLECTOR, DELHI.*

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