

AWARD NO. 849

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Village: Khampur Raya
 Nature of acquisition: Permanent.

In pursuance of the Chief Commissioner, Delhi's notification No.F.15(86)/55-LSG(ii), dated 3.1.1956 u/s 4 of the Land Acquisition Act, 1894, 20 bighas 11 biswas or 4.27 acres of land is under acquisition for a public purpose namely for the Delhi Transport Service Quarters at village Khampur Raya. A declaration was made about it by the same authority vide No.F.15(86)/55-LSG(i), dated 21.3.1956. Simultaneously notification No.F.15(86)/55-LSG(iii) was issued under section 17(i) of the Act by the same authority for the transfer of possession.

AREA:

The area as shown in the notification under sections 4 & 6 and as found by measurement at the spot is 20 bighas 11 biswas, the details of which are given in appendix 'A' while its classification is given below:-

<u>Kind of soil</u>	<u>Area</u>		2 bighas 5 biswas of land is government property in possession of District out of the under acqu
	Bigha	Biswa	
Banjar Qadim	11	7	
Ghairmumkin	9	4	
Total:	20	11	

COMPENSATION:i) CLAIMS

The following persons put forth their claims, the details which are given below:-

<u>Sl.No.</u>	<u>Name of the claimant</u>	<u>Amount claimed</u>
1.	Hari Ram etc.	Rs.34/- per sq. y
2.	Kabul Singh etc.	Rs.32/- -do-
3.	Jodh Singh s/o Ishar Singh	Rs.40/- -do-
4.	Shm. Malwa Devi	Rs.15/- -do- (Rs.5130/-)
5.	Vishan Dass	Rs.10,700/-
6.	Mahavir Furi	Rs. 6,000/-
<u>Pattedars</u>		
7.	Jodh Singh	Rs.20/- per sq. yard.
8.	Kashmiri Lal	Rs. 5/- -do- (Rs.2625/-)

All the claimants produced their copies of registered-deed in order to prove their genuineness.

ii) CHIEF DATA:

The same rates which were actually advanced by the plots-holders were ^{re-}commended by the Naib Tehsildar, Land Acquisition as given in ^{the} schedule of his report and the amount shown in column '5' of that schedule is the amount of compensation. Besides ^{he} he has recommended a flat rate of Rs.3528/- per bigha or Rs.3/8/- per square yard or Rs.6940/- per acre as the fair and reasonable value of the rest of the land.

iii) DEPARTMENTAL REPRESENTATION:

The Executive Engineer through his letter No.BE/L/10/487, dated 7.3.1956 described the land as Banjar and partly rocky and partly with heavy deep pits and uneven ground. This was pointed by him at site on 3.3.1956 to the then Land Acquisition Collector Shri Kehar Singh, Settlement Officer through his statement dated 8.6.1956 assessed the value of the land under acquisition @ Rs.7/- per square yard describing it as an undeveloped area containing pits upto 8 feet deep in about 10 bighas and Rs.3500/- as its total valuation.

I inspected the spot on 25.3.1957 and found an enclosure within which the land was levelled. I could not see the actual position in which it originally was before its acquisition. The Executive Engineer through his letter No.EEW1/Lands/10/1526, dated 10.11.1955 and No.EE/W/L/10/827, dated 8.5.1956 objected about area which he described as 480'X370' equivalent to 19 bighas. The satisfaction about the area was made by the Kanungo at the spot.

iv) FAIR AND REASONABLE PRICE:

The claims are exorbitant and the actual rates at which land out of the land under acquisition was purchased by the plots-holders ranged from Rs.-/14/3 to Rs.29/-/3. The rental value does not serve as a guide for its being too low as compared with the market prices. The awards which are available contained rates from Rs.-/5/- per square yard to Rs.5/- per square yard. The surroundings of the place indicated at the time of my inspection of the spot that it must have contained pits and the land would be uneven. This

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is situated in a less favourable position than 40 bighas 16 biswas of which the award has been written up. The rates in that award were adopted at the flat rate of Rs.5600/- per bigha. The requiring department deposited Rs.56,400/- at the rate of Rs.3,000/- per bigha towards the compensation of this land vide letter No.EE/L/10/576, dated the 23rd March, 1956 from the Executive Engineer to the address of the Land Acquisition Collector. It appears that they scrutinized the rates of the preliminary estimate saying that the rates were reduced to Rs.3,000/- per bigha from Rs.5600/- due to the fact that this land was banjar from which earth was taken out and the land uneven and irregular. The Naib Tehsildar, Land Acquisition recommended Rs.3528/- per bigha besides the land under the persons interested, chief data provided by the Naib Tehsildar the representation of the department vide letter No.EE/L/10/ dated the 10th March, 1958 and the transactions which took place during the five years preceding the date of the notification under section 4, I consider a flat rate of Rs.3500/- per bigha as reasonable and fair and award accordingly. Lease-holder are not entitled to any compensation.

SOLATIUUM:

15% will be added to the compensation towards compulsory acquisition costs.

INTEREST:

The interest at the rate of 6% per annum would be reckoned from the 9th July, 1956, the date of possession up to 8th April, 1958, the date by which it is hoped to pay the compensation to the persons interested.

APPORTIONMENT:

The details of the persons interested and the reasons of right for the apportionment of compensation is given in Appendix 'B' which is attached.

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The Award is summarized as below:-

1. Compensation of land measuring 20 bighas 11 biswas @ Rs.3500/- per bigha.

Rs.71,925.00

Add 15% towards compulsory acquisition costs.

Rs.10,788.75

Total:

Rs.82,713.75

Add interest @ 6% per annum w.e.f. 9.7.1956
8.4.1958.

Rs. 8,684.94

GRAND TOTAL:

Rs.91,398.69

LAND REVENUE REDUCTION:

An abatement of Rs.3/9/9 khalsa from the Rent Roll will take place from Kharif,1956 of village Khamur Paya.

M. Singh
(Murari Singh)
Land Acquisition Collector, Delhi
12/3/1958.

Submitted to the Deputy Commissioner (Collector of the District) for acceptance and early return.

M. Singh
(Murari Singh)
Land Acquisition Collector, Delhi
12/3/1958.

Seen for information.

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