NATURE OF ACQUISITION

PURPOSE OF ACQUISITION

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Delhi Admn. issued notif[illegible] No.F.15(III)/59-LSG dated 13th No[illegible] u/s 4 of the Land Acquisition Act,18[illegible] to acquire land in village Babarpur a[illegible] public expense for public purpose name[illegible] for the Planned Development of Delhi. Thereafter declaration u/s 6 of the Ac[illegible] was issued to acquire 68 big. 10 bis. [illegible] land vide notification No.F.4(19)/[illegible] dated 2nd Sept,66. In pursuance [illegible] notification u/s 6, notices u[illegible] the Act were issued to the in[illegible] persons, who filed their cla[illegible] be discussed under the approp[illegible] 'Claims & Evidence'.

MEASUREMENT & CORRECT AREA

Necessary measurement [illegible] was carried out by the fiel[illegible] the spot and the area noti[illegible] i.e 68 big. 10 bis. was fo[illegible] There is a pucca nala passi[illegible] following Kh.Nos. and cover[illegible] 1 big. 15 bis. is to be exc[illegible] present from these acquisit[illegible] Hence the net area comes to[illegible]

Kh.No.	Area Big.Bis	Kh.N[illegible]
339/1	0-07	49[illegible]
493/340/1	0-11	
342/1/1	0-[illegible]	

OWNERSHIP & OCCUPANCY :

S.No.	Name of the owner.	Name of the occupant.	Kh.No.	Area Big.Bis.
1.	Sh.Kadam Singh s/o Baldev Singh.	Self	361/2 min.	6-05
	S/Sh.Nathi, Hoti, Mohinder ss/o Budhu in equal share Malhu s/o Kale.			
2.	Mam Raj s/o Chet Ram.	-do-	353 354/1	2-08 0-06 2-14
3.	Yad Ram s/o Ran Mal.	-do-	376/1	0-03
4.	Asgar Ali s/o Qabir Ali.	-do-	352	3-15
5.	Gul Sher, Shera, Sherddin ss/o Shamsher in equal share in ⅓ share, Hussain Bakhsh s/o Risal, Smt.Diloo wd/o Buhdu in equsl share in ⅔ share.	-do-	351/1	1-16
6.	Sis Ram s/o Hardev	-do-	456/363 362 453/363 454/363 455/363 364 365	0-1[illegible] 2-1[illegible] 0-[illegible] 0-[illegible] 0-[illegible] 1-[illegible] 1-[illegible] 7-[illegible]
7.	Chet Ram s/o Kalu	-do-	332/2 337 338 339/2	0[illegible] 0[illegible] [illegible] 0-14 2-13
8.	Sh.Kadem Singh s/o Baldev Singh.	-do-	334 333/1 341 342/1/2	[illegible] 0-[illegible]2 2-1[illegible] 1-1[illegible] 6-1[illegible]

Cont[illegible]

9.	Sh. Rewti s/o Khem Chand.	Self	345	2-02
		Khem Chand alias Telu s/o Ram Parshad.	490/336	0-05
			494/340	0-18
			493/340	0-02
				3-07
10.	Mehar Singh Jhuman ss/o Nathu in equal shares.	Self	335	0-15
11.	Chhaju Singh s/o Nathu Singh.	-do-	510/367/3	0-12
			511/368	1-13
			377	3-00
			378	2-17
			558/379	2-08
			366	2-02
			508/367/1	1-10
			512/368/1	1-19
			509/367/2	3-09
			512/368	1-02
			440/381	0-12
			559/379	0-03
			380	2-08
			441/381	1-01
				24-16
12.	Pat Ram s/o Gopal	Fateh Singh s/o Pat Ram occupant (son)-	346	3-[illegible]
			501/321/2	0-05
			320/2	0-06
				3-19
		Hukam Singh s/o Pat Ram occupant (son)	495/344	0-17
			496/344	0-07
				1-04
		G. Total		5-[illegible]
13.	Safiquddin s/o Haider Bakhsh.	Murli Das s/o Aya Ram (Allottee)	491-492/ 336	[illegible]-01

Grand Total 66 big. [illegible]5 bis.

Contd.........4

CLAIMS & EVIDENCE :-

S.No.	Name of the claiment.	Kh.No.	Rate claimed.
1.	Sh.Khadag Ram s/o Jawhar Mal through Sh.Yoginder Nath Advocate.	368 (100 sq yds)	Rs 2870-30 Ps i.e Rs 40/- per sq yd. for land & structures.
2.	Sh.Bhagat ram s/o Jawahar Mal through Sh. Yoginder Nath Advocate.	368 (100 sq yds)	Rs 40/- per sq yd. for land & structures Total claim Rs 4380-75 Ps.
3.	Sh.Chander Bhan Singh s/o Shanker Lal. through Sh.Yoginder Nath Advocate.	368 (100 sq yds)	Rs 5890-37 Ps i.e Rs 40/- per sq yd. for land & structures.
4.	Sh.Amar Nath s/o Nihan Ram through Sh-Yoginder Nath Advocate.	368 (100 sq yds)	Rs 4697-85 Ps. i.e Rs 40/- per sq yd. for land & structures.
	Smt. Raj Sharma w/o Balwant Singh Sharma through Sh.Yoginder Nath Advocate.	378 (250 sq yds)	Rs 12940-30 Ps. i.e Rs 40/-per sq. yd. for land & structures.
6.	Sh. Jai Parkash Sharma s/o Panna Lal through Sh. Yoginder Nath Advocate.	378 (200 sq yds)	Rs 11140/- i.e Rs 40/- per sq yd. for land & structures.
7.	Smt. Sudarshana Kumari w/o Sh.Rattan Lal through Sh.Yoginder Nath Advocate.	368 (100 sqyds)	Rs 5473-35 Ps. i.e Rs 40/- per sq yd. for the land & structures.
8.	Smt. Narvada Devi w/o Sh.Mawasi Ram through Sh.Yoginder Nath Advocate.	377 (200 [illegible]	Rs 9134-53 Ps i.e Rs40/- per sq yd. for land & structures.
9.	Smt. Shakuntala Devi w/o Jai Parkash Sharma through Sh-Yoginder Nath Advocate.	377 (200 sq yds)	Rs 9856-62 [illegible] Rs 40/- pe[illegible] for lan[illegible] struct[illegible]
10.	Smt. Sukhbiri Devi w/o Vidya Sagar through Sh. Yoginder Nath Advocate.	377-378 (200 sqyds).	Rs 8997-10 [illegible] Rs 40/- per [illegible] for land [illegible] structure[illegible]
11.	Sh. Sunder Lal s/o Haveli Ram through Sh. Yoginder Nath Advocate.	368 (100 sq yds).	Rs 4772.45 Ps. Rs 40/- per [illegible] yd. for lan[illegible] structure[illegible]

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12.	[illegible]Parwati Devi w/o Luxmi Chand through Sh.Yoginder Nath Advocate.	377 (150 sq yds).	Rs 6268-37 Ps. i.e Rs 40/- per sq yd. for land & structures.	
13.	Smt. Kalawati w/o Harish Chander through Yoginder Nath Advocate.	313/368 (200 sq yds).	Rs 13565/- i.e Rs 40/- per sq yd for land & structures.	
14.	Sh.Raj Kumar Lakhi s/o Chuni Lal through Sh.Yoginder Nath Advocate.	377 (100 sqyds).	Rs 5732-62 Ps. i.e.Rs 40/- per sq yd.for land & structures.	
15.	Sh.Mangal Dass s/o Ram Das through Sh.Yoginder Nath Advocate.	(100 sq yds)	Rs 5632-35 Ps. i.e Rs 40/- per sq yd. for land & structures.	-do-
16.	Sh.Tej Pal s/o Sukha Ram through Sh.Yoginder Nath Advocate.	378 (50 sq yds).	Rs 3044-45 Ps. i.e Rs 40/- per sqyds. for land & structures.	-d[illegible]
17.	Sh.Ramji Upadhaya s/o Ram Nagina Upadhaya through Sh.Yoginder Nath Advocate.	377 (100 sqyds)	Rs 6421-85 Ps. i.e Rs 40/- per sq yd. for land & structures.	-do
18.	Smt. Mata Gandai Chandel w/o Saran Dass Chandel through Sh.Yoginder Nath Advocate.	377 (100 sq yds)	Rs 5730-70 Ps. i.e Rs 40/- per sq yd. for land & structures.	
19-	Sh.Charanjeet Lal s/o Karam Chand through Yoginder Nath Advocate.	313/368 (200 sq yds)	Rs 12721/- i.e Rs 40/- per sq yd. for land & structures.	-do-
20.	Smt. Madhu Rani w/o Hari Babu Garg through Yoginder Nath Advocate.	313/368 (100 sqyds)	Rs 6224-00 i.e Rs 40/- per sq yd. for land & structures.	
21.	Sh.Ved Parkash s/o Ram Singh through Sh.Yoginder Nath Advocate.	378 (200 sqyds)	Rs 5215-17 [illegible] i.e Rs 40/- per sq yd. for land& structures.	
22.	Sh.Atam Chand Dewan s/o Dayal Dass through Sh.Yoginder Nath Advocate.	378 (156 sqyds)	Rs 8360/- i.e Rs 40/- per s[illegible] yd. for land & structures.	
23.	Sh.Parkash s/o Neki Ram through Sh. Yoginder Nath Advocate.	368 (100 sq yds)	Rs 5625-30 Ps,[illegible] Rs 40/- per sqyd. for l[illegible] structure[illegible]	

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24.	Smt. Janak Dulari w/o Moti Ramji through Yoginder Nath Advocate.	379 (100 sq yds)	Rs 5899-50 Ps i.e Rs 40/- per sq yd. for land & structures.	Ni
25.	Sh. Bohar Singh s/o Munshi Ram through Yoginder Nath Advocate.	368 (100 sqyds)	Rs 5650-50 Ps. i.e Rs 40/- per sq yd. for land & structures.	-d
26.	Smt. Anguri Devi w/o Bharam Singh through Sh. Yoginder Nath Advocate.	377 (114 sq yds)	Rs 6531-50 Ps, i.e Rs 40/- per sq yd. for land & structures.	-
27.	Sh. Kundan Lal s/o Maya Dass through Sh. Yoginder Nath Advocate.	440/381 441/381 380 (1156 sq yds)	Rs 35000/- i.e Rs 40/- per sq yd. for land & structures.	-
28.	Sh. Satyapal Singh Rathi s/o Ram Sarup through Yoginder Nath Advocate.	313/368 (100 sq yds)	Rs 6119-00 i.e Rs 40/- per sq yd. for the land & structures.	-do-
29.	Sh. Amar Singh s/o Sh. Haveli Ram through Yoginder Nath Advocate.	368 (100 sq yds)	Rs 6109-67 Ps. i.e Rs 40/- per sq yd. for land & structures.	-do-
30.	Sh. Mauji Ram s/o Babu Ram S-harma through Yoginder Nath Advocate.	368 (100 sq yds)	Rs 5413-21 Ps. i.e Rs 40/- per sq yd. for land & structures.	-
31.	Sh. Arjan Kumar Bhardwaj & Lakshmi Chand s/o Lal Man through Sh. Yoginder Nath Advocate.	377 (200 sq yds)	Rs 13359-30 Ps. i.e Rs 40/- per sq yd. for land & structures.	-do-
32.	Sh. Ram Pal s/o Sahib Dayal through Sh. Yoginder Nath Advocate.	313/368 (220 sq yds)	Rs 14317-55 Ps. i.e Rs 40/- per sq yd for land & str[illegible]	
33.	Smt. Indra Wati w/o Harbans Lal through Yoginder Nath Advocate.	313/368 (100 sq yds)	Rs 5782-1[illegible] i.e Rs 40/- per sq.y[illegible] for land & structures.	
34.	Sh. Kewal Krishan s/o Ram Rakha through Sh. Yoginder Nath Advocate.	368 (100 sq yds)	Rs 6277-19 Ps. i. Rs 40/- per sq yd for land & structures.	
35.	Sh. Mam Raj s/o Chet Ram through Devinder Kumar Goel Advocate.	353(2-08) 354/1(0-06)	Rs 25/- per sqyd.	

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36.	Smt. Gurdip Kaur d/o Attar Singh w/o Tej Baksh Singh.	440/381 441/381 380 (357 sq yds.)	Rs 40/- per sq yd. for land. Rs 15000/- for structures & trees.	Ni
37.	Sh.Kundan Lal s/o Maya Shankar	440/381 441/381 380 380 min. -	Rs 35000/- for land.	-do
38.	Sh. Malhu s/o Kale	361/2	Rs 100/- per sqyd. for land.	-do
39.	Sh.Asgar Ali s/o Kabir Ali.	352 (3-15)	to Rs 35/- Rs 30/- per sq yd. for land.	-do
40.	Sh.Mohar Singh s/o Nathu for self & on behalf of Jhumman Brother.	335	Rs 30/- per sq yd. for the land.	-do
41.	Sh. Shera s/o Shamsher for self and on behalf of Sh.Gulsher Sherddin ss/o Shamsher.	351 min. (1-16) 351 min. (0-19)	Rs 30/- per sqyd. for land.	Atteste of judg dt.21.7. R.A.Delh case No.
4.	Sh.Hussain Baksh s/o Risal.	351/1 (1-16) ½ share. 351/1 (1-19)	-	-
43.	Sh.Kartar Singh s/o Hukam Singh for self & on behalf of Smt.Mala Devi w/o Chhaju Singh, Chhattar Singh s/o Jamna Das, Abdul Salam s/o Abdulla, Mohd.Ibrahim s/o Tunda, Ram Pal s/o Kesho	351/1 (1-16) 351/1 (1-19)	Rs 100/- per sq yd for land.	Nil
44.	S/Sh.Hoti, Nathi, Mohinder Rajpal ss/o Budh Singh.	361/2	Rs 100/- per sq yd. for land.	-
45.	S/Sh.Hukam Singh Fatey s/o Pat Ram. Pat Ram s/o Gopal through Sh.Bhal Singh Advocate.	-	Rs 15000/ [illegible] for land [illegible]0/- for severance.	
46.	Sh.Yad Ram s/o Ram Mal through Sh.Bahal Singh Advocate.	-	Rs 15000/- per big. for land & Rs 5000/- for severance.	
47.	Sh.Sis Ram s/o Hardev through Sh.Bahal Singh Advocate.	-	-do-	

Co

48. Sh. Chhaju Singh s/o Bahtu Singh through Sh. Bahal Singh Advocate.	-	Rs 15000/- per big. for land & Rs 5000/- for severance.	As
49. S/Sh. Revti, Ram Saroop ss/o Khem Chand through Sh. Bahal Singh Advocate.	-	-do-	-do-
50. Sh. Chet Ram s/o Kallu through Sh. Bahal Singh Advocate.	-	-do-	-do
51. Sh. Kadam Singh s/o Baldev Singh through Sh. Bahal Singh Advocate.	-	-do-	-do

Note:- On behalf of the claiments from 45 to 51 [illegible] copies of documents have been produced in [illegible] of claims:-

1. Attested copy of sale deed dt. 29.6.66 [illegible] plot measuring 127 sq yd out of Kh.No.517 village Babarpur for Rs 1000/-
2. Attested copy of Award No.1396 Village Ma[illegible]
3. Unattested copy of sale deed dt. 18.[illegible] No.8 block K Measuring 200 sq yds. in V[illegible]
4. Attested copy of sale deed dt.3.2.67 fo[illegible] measuring 155 sq yds. out of Kh.No.457/[illegible] 458/263 for Rs 1900/- village Babarpur;
5. Attested copy of sale deed dt.23.8.57 No.23 measuring 172 sq yds. G[illegible]dhari Na[illegible] village Babarpur for Rs 688/-
6. Copy of sale deed registered [illegible] 7.2.5[illegible] measuring 150 sq yds. out of [illegible] 283,286.421/238 & 506/287 V. Babarp[illegible] Rs 1162-50 Ps. i.e @ Rs 7.75 Ps. per s[illegible]

52. Smt. Laxmi Devi wd/o Sh. Ganesh Dass through General Attorney Sh. Prushotam Lal Kalra.	510/367 (200 sq yds).	1. Rs 8000/- for land @ Rs40/- per sq yd. ii. Rs 4000/- for 100 sq yds. la[illegible] as his share. [illegible] portion of la[illegible] utilized for roads. iii. Rs 3000/- for [illegible] iv. Rs 1000/- for [illegible] on land.	

MARKET VALUE :-

The market value is to be determined in the present case as on the date of priliminar notification, which ~~in the present case~~ is 13.11.1959. The entire area under acquisition is an agricultural land being recorded as 'Nahr in kind. A few houses have come up in some of the Kh.Nos. which have been built up after the date of priliminary notification. To determine the market value of the entire land it is to be treated as 'Nahri' in quality and to be reckoned as One unit.

The land acquisition field staff has coll the details of the sale transactions recorded i R/Record a few years preceeding the date of notification u/s 4. The consolidated position year-wise is as below:-

S.No.	Year	Area Big. Bis.	Amount of consideration. Rs Ps	Aver per Rs
1.	1954-55	13-03	15,866-62	881
2.	1955-56	nil	nil	
3.	1956-57	nil		
4.	1957-58	0-05	1,400-00	5
5.	1958-59	3-13	1,429-00	
		22-03	18,695-62	840-

A perusal of the above sale transactions go to show that they are not one single transa as above, but numerous transactions of lan are involved into the same, which took pla within a particular period. During the yea 1954-55, 18 big. of land was sold in 39 tr in between the period 20.11.54 to 22.9.55 of these sale transactions there are onl transactions which comprise of sizable l

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4 big. 18 bis. and 5 big. 5 bis., while the
the transactions are confined mostly to 3 bi
4 bis. of lands purchased in the shape of pl
The land in transaction for 4 big. 18 bis. w
sold for Rs 300/- only on 20.11.54 while land
5 big. 5 bis. was sold for Rs 500/- only on
22.1.55. The average price per bigha into bo
these transactions works out to less than Rs
per bigha. In the small transactions duri
this period the average price per biswa comes
Rs 100/- or say Rs 2000/- per big. The plot-wise
sale into these small transactions could not
guide us in arriving at a fair market value
of the land under acquisition.

The sales involved during the year 1957-5
in respect of 5 bis. of land ~~& 2 bis.~~ are only two sepa
transactions of 3 bis. & 2 bis. of land. The
of land was sold for Rs 1000/- while in the othe
transactions the 2 bis. of land was sold for Rs
on 30.11.57 and 6.1.58 respectively. Again,
both these pieces of land are very small units
and further being close to the road are in an
advantageous position. Therefore, these t
transactions could not form the true basis to
determine the market value of the land in
the present case.

The land 3 big. 18 bis. during the yea
1958-59 was sold for Rs 1429/- in which th
have been two sale transactions covering o
3 big. 15 bis. land and the other for 3 bi
The former transaction is dated 29.4.59 and
sale price is Rs 1000/- while in the latter
the sale price is Rs 429/- on 13.11.59

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The average sale price in both transactions works out to Rs 366-40 Ps. per big. The land in the transaction for 3 bis. lies on the pucca road and is close to the market and therefore is better circumstanced. The land in the other transaction for 3 big. 15 bis. is also located on the border of the villge area and is rather in an advantageous position. In view of the same these two transactions also cannot form the basis of assessment in the present case.

The claiments in the present case have claimed compensation at very high rates ranging from Rs 15/- per sq yd. approx. to Rs 100/- per sq yd. approx. No substantial piece of evidence has been filed to support such rates of claim . In addition to the copy of award No.1396 of village Mandauli, some 5 copies of the sale deeds have also been produced by some of the claiments. Award No.1396 could not be a guide in the present case as the land involved into the same is far away from the land under acquisition.

Out of the 5 sale deeds the sale deeds dated 29.6.66, 18.8.60 & 3.2.67 could not be relevant here as they materially differ to the period of the date of priliminary notification in the present case which is 13.11.59. The sale deed dated 23.8.57 for plot No.23 measuring 172 sq yds. for Rs 68

Contd......

and the sale deed dated 7.2.53 for 150 sq yds of land sold for Rs 1162-50 Ps relate to the transaction for land in Girdhari Nagar village Babarpur. These two transactions although, took place prior to the date of notification in the present case but as already explained the area involved is small pieces of land and cannot form the correct basis to determine the market value in the present case. The location of the land in these two transactions is in an inhabited area.

There has been no Award in respect of acquisition of land in this village which could give us some guidance in arriving at a fair market value. However, land ~~has been under acquisition,~~ has been acquired just close to the land under acquisition, through Award No. 2053 village Jhafra Bad. The relevent date in the said award is also 13.11.1959 as in the present case and so also the nature of land under acquisition is practically similar to the land acquired therein. The Land Acquisition Collector had assessed the market value of the land in the said award at Rs 1500/- per bigha. The reasons for arriving at the above said rate have been given in detail. Some interested persons have preferred ref.u/s 18 Land Acquisi against the rate awarded by the Land Acquisit Collector but no decision of the Court is ye available. It would therefore be quite reas and proper to assess the market value of th under acquisition at the same rate at which adjoining land has been assessed. I accord award the rate of Rs 1500/- per big. as mar value of the land under acquisition, which consider to be reasonable,

TREES & WELLS :

There is no well falling under the land under acquisition and as such no compensation is awarded on this account.

There are however some trees over the land under acquisition. The N.T(LA) has assessed the compensation for these trees which I consider to be reasonable and award the same accordingly. The details are as below:-

S.No.	Kh.No.	Description of tree .	Wt. in Qt.	Rate
1	2	3	4	5 Rs
1.	334	1 Lasuda	-	-
2. ✓	335	1 Neem	4	5/-
		1 Seesam	6	10/-
3. ✓	345	1 Neem	6	5/-
4. ✓	330 441/381	30 Neems (small plants)	2	5/-
		30 Seesam (small plants)	2	10/-
		1 Keekar	2	8/-
		1 Peepal	1	4/-
		1 Khajoor	2	3/-

STRUCTURES :-

There are ~~the following~~ Some structres on th[e land] under acquisition for which the owners have not furnished any proof that these structures came up before the date of notification u/s 4 i.e 13.11.59. Inappearance also these structu[res] look to have been constructed after the date of priliminary notification. Therefore, no compensation can be awarded in respect of th[ese] structures . The owners would be at liberty

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to remove the 'Malba' from the la[illegible] under acquisition, within a period of 15 [illegible] from [illegible] date of the announcement of the Awa[illegible]

RELIGIOUS PROPERTY :-

There is no temple mosque, grave[illegible] or any other religious premises on the land under acquisition.

INTEREST :- The case falls within the purview of the Land Acquisition(Validation & Amendment)Act, . The date of prilimiminary notification is 13.11.1959, while the declara[illegible] u/s 6 was made by notification No. F.4(19)/65-[illegible] dt. 2.9.1966. Interest would therefore be paya[illegible] at 6% per annum 3 years after the date of notification u/s 4 i.e w.e.f 13.11.1962 to th[illegible] date of the announcement of the Award.

SOLITIUM :-

15% solitium would also be payable over and above the market value of the land as provid[illegible] under the Law.

APPORTIONMENT :-

1. Compensation for the land under a[illegible] would be payable on the basis of the latest entries in the R/Record.

2. The compensation will be held dispu[illegible] in cases where there are persons in possess-ion other than the recorded owners .

3. Kh.Nos. 320, 495/344, 496/344 & 346 a[illegible] hypotheticated in favour of the Govt. compensa[illegible] of these Kh.Nos. will be kept disputed till a certificate from Tehsildar Taccavi is produce[illegible]

Cont[illegible]

4. Kh.Nos. 353, 354/1, 368, 313/368, 378, 379, 3
440/381, 441/381, 351 have been sold in the
of plots and the name of the transferees do
appear in the R/Record. Compensation in respe
of this land will also be kept disputed.

In cases where dispute is not settled within a reasonable period the amount may be sent to the Court u/s 30-31 L.A.Act.

LAND REVENUE :-

The land under acquisition is assessed t Rs 53-95 Ps. as land revenue which will be redu from the Khalsa Rent Roll of the village fr next harvest after the possession of the land takenover.

SUMMARY :-

		Rs Ps	
1.	Compensation for land measuring 66 big. 15 bis. @ Rs 1500/- per big.	100,125-00	
2.	Compensation for trees	186-0	-do-
		100,311- 0	
3.	15% compulsory Acquisition	15,046-	
4.	Interest @ 6% per annum w.e.f 13.11.62 to 12.10.69 i.e (6yrs 11 months) only on market value of the land	[illegible]629-07	
	G. Total.	[illegible]-72	

Rupees One Lakh Fifty six thous[illegible] eighty six and paise seve[illegible]

(V.K.B[illegible]
LAND ACQUISITION CO[illegible]

Award Announced today on 24/11/
Filed [illegible]

24/11/69