

AWARD NO 364

Name of the village:	Bahapur.
Purpose of acquisition:	Construction of Gravity Duct.
Nature of acquisition:	Permanent.

Land measuring 171 bighas 8 biswas situated in village Bahapur and more clearly defined by the field numbers given below was notified for acquisition under section 4 of the Land Acquisition Act I of 1894 vide notification No. F.15(80)/55-LSG, dated the 3rd May, 1955. Due publicity was given to this notification as required by law and objections received under section 5A were considered by the Local Government and after that a notification under section 6 of the ibid Act was issued vide notification No. F.15(80)/55-LSG, dated the 17th February, 1956. Notices under sections 9 and 10 of the Land Acquisition Act I of 1894 were issued to all the persons interested in the land under acquisition inviting claims for compensation from them. These claims are separately discussed under this award.

TRUE AREA:

The land was measured on the spot by the Land Acquisition Field Staff in conjunction with a representative of the Requiring Department. On measurement the true and correct area was found as follows:-

<u>Field Nos.</u>	<u>Area</u>	<u>Kind of soil.</u>
	Big. Bis.	
1727/310/3 Pt.	0 2	Rosli
1727/311/0	7 12	Ghaixmunkin (6 bis. Rosli (1 big. 12
1733/309/1 Pt.	1 19	Rosli
1735/312/2 Pt.	1 10	Rosli
1204/317/1 Pt.	less than one biswa	
1737/1205/2 Pt.	0 14	Rosli

1208/318 Pt.	0	3	Rosli
1209/318 Pt.	0	6	"
1210/318/1 Pt.	0	13	"
1219/1 Pt.	1	5	"
1220/2 Pt.	0	12	Rosli
1745/321/2 Pt.	0	9	Rosli
1219/2 Pt.	0	3	Rosli
1747/322/3 Pt.	1	19	"
1743/579/2/2	2	10	Rosli { 2 - 5) GMA { 5 biswas)
1743/579/1/2 Pt.	0	07	Ghairmunkin
1750/323/1/2	1	4	Rosli
1750/323/2/2	1	12	"
1508/326/1	0	3	"
1754/325 Pt.	0	9	Ghairmunkin
1752/1560/2 Pt.	0	17	Banjar Jadid
1755/1433/2	1	12	Banjar Jadid
1434/1124/2 Pt.	2	1	Banjar Jadid
1758/1471 Pt.	0	11	"
1760/1472	0	3	Ghairmunkin
1762/334/3 Pt.	4	3	Ghairmunkin
1764/1651/2 Pt.	0	15	Rosli
1772/1523/2 Pt.	1	8	Ghairmunkin (13 biswas) Rosli { 15 biswas)
1766/1524/2	1	8	Rosli
1768/1525/2 Pt.	6	1	Rosli
1770/1526/1 Pt.	4	3	"
1347/2 Pt.	1	15	Ghairmunkin
1126/360/2 Pt.	1	17	Banjar Qadim
1363/2 Pt.	5	8	Rosli
1127/360/1 Pt.	1	3	Ghairmunkin
1537/362/1	0	10	Rosli
1727/1538	0	1	"

154/368/2	1	14	Rosli	
155/1	0	6	"	
1550/3	0	5	Rosli	
1550/2 Pt.	6	0	"	
1605/548 Pt.	0	13	"	
1603/548/2 Pt.	1	2	Rosli	
1604/548/2 Pt.	0	15	Rosli	
1606/548/1	0	3	"	
1547/2 Pt.	0	15	Banjar Jadid	
1533/3 Pt.	3	1	Rosli	
1532/1	2	18	"	
1556/420/1/1	0	3	"	
1557/420/2	1	9	"	
1421/1 Pt.	1	12	"	Pt.
1434/1	1	16	Rosli	
1433/1 Pt.	1	3	"	
1561/431/1 Pt.	1	11	"	
1562/431/1 Pt.	2	8	"	3 Py
1429/1,2/2	4	18	Rosli	
1437/1 Pt.	0	15	Banjar Qadin	
1438/1 Pt.	5	17	"	
1558/428/2	2	13	Rosli	
1568/1138	1	7	Banjar Qadin	
1567/1138/2	0	14	"	
1566/1138/1	0	1	"	
1214/1137	0	14	"	1 Pt.
1213/1137/2	2	11	Banjar Qadin	
1570/441/1 Pt.	0	15	Banjar Qadin	
1569/441/1			less than one biswa	is very
1571/441/1 Pt.	5	15	Banjar Qadin	from
1451/2 Pt.	4	5	"	ly

447/2/1/1	0	13	Rosli
1188/1130/2 Pts	1	11	Rosli
1187/1130/2 Pts	2	1	Rosli
400/1 Pts	1	18	
1233/399/2	0	1	
447/2/1/1	0	8	Ghairmunkin
Total:	146	13	

CLASSIFICATION OF THE LAND.

Rosli	96 bighas	8 biswas
Banjar Jadid	11 bighas	11 biswas
Banjar Qadim	23 bighas	8 biswas
Ghairmunkin	15 bighas	5 biswas
	146 bighas	13 biswas

The difference is due to the fact that field Nos: 1727/310/2 Pts., 1733/309/1 Pts., 1735/312 Pts., 1737/1205/2 Pts., 1739/1206/2, 1741/1207/2 Pts., 319/1 Pts., 320/2 Pts., 1745/321/2 Pts., 219/2 Pts., 1747/322/3 Pts., 1743/579/2/2 Pts., 1743/579/1/2 Pts., 1750/323/2/2 Pts., 1754/325 Pts., 1752/1507/2 Pts., 1434/1124/2 Pts., 1758/1471 Pts., 1762/334/3 Pts., 1764/1651/2 Pts., 1772/1523/2 Pts., 1746/1524/2 Pts., 1768/1525/2, 1770/1526/1 Pts., 347/2 Pts., 1126/360/2 Pts., 363/2 Pts., 552/1 Pts., 1539/364 Pts., 551/2 Pts., 550/2 Pts., 1605/548 Pts., 1603/548/2 Pts., 1604/548/2 Pts., 547/2 Pts., 540/2 Pts., 533/3 Pts., 532/1 Pts., 366/2 Pts., 1557/420/2 Pts., 421/1 Pts., 438/1 Pts., 1561/431/1 Pts., 1562/431/1 Pts., 429/1, 2/2 Pts., 437/1 Pts., 438/1 Pts., 1570/441/1 Pts., 1569/441/1, 1571/451/1 Pts., 451/2 Pts., 450/2 Pts., 442/1 Pts., 442/1 Pts., 444/2 Pts., 1188/1130/2 Pts., 1187/1130/2 Pts., 400/1 Pts., 447/2/1/1 Pts., total measuring 22 bighas 8 biswas have already been acquired under award No:472 for this very scheme. Hence these field numbers will be deleted from the notifications under sections 4 and 6 respectively.

Field Nos: 540/2, 1 bigha, 366/2, 1 bigha 1 biswas

6. Net Ram s/o Marchu, Bhima s/o Khacheru Rs.40/- per sq. yard
7. Rati Ram, Thipar Chand, Roop Chand, Smt. Shibo wd/o Rizak Ram -
8. Bhola Ram s/o Dalu Ram Claims compensation for his tenancy-rights but not illegible under the rules.
9. Sher Singh, Ajita & Janta ss/o Mohan Singh -
10. Chamani wd/o Ram Sarup for herself and on behalf of Hari Kishan etc. -
11. Rati Ram, Thapar Chand Lal Chand, Smt. Shibo Rs.35/- per sq. yard
12. Kailash Narain s/o Deep Chand -
13. Chiranjilal s/o Jawhar Lal Rs.12000/- per bigha
14. Sarvhitkari Coop. House Bldg. Society. Claims compensation for 10 bighas 12 biswas out of field No. 310.
15. Lila Ram s/o Gumani Ram. Rs.50/- per sq. yard.
16. Kalu alias Dewan Rs.50/- per sq. yard
17. Nathu, Mangtu ss/o Ram Sarup, Sohan Lal s/o Sohan. Rs.25/- per sq. yard
18. Debi Ram s/o Lal Singh, Suneheri s/o Barshadi etc. Rs.25/- per sq. yard
19. Phool Chand, Sham Lal, Mool Chand ss/o Panna Lal -
20. Gaiinda s/o Kharaiti Rs.30/- per sq. yard.
21. Jaga Ram, Bhage Ram ss/o Lachhman etc. Rs.25/- per sq. yard.
22. Durga s/o Data Ram Rs.25/- per sq. yard.
23. Sat Parkash s/o Pt. Sunder Lal Rs.10/- per sq. yard.
24. to Ram Nath, Sat Parkash ss/o Daulat Ram, etc. -
27. Makhan, Hari Singh ss/o Mohan, Mat Jagan

29.	Dhanu Ram s/o Kishan Chand	Rs 20/- per sq. yard	-
30.	Gauri Shanker s/o Madho Ram	Rs 50/- per sq. yard	-
31.	Moti Lal, Genl Attorney of Mukham Lal s/o Jai Chand	Rs 30/- per sq. yard.	
32. & 33.	Ambar Nath, Chirenji Lal	Rs 20/- per sq. yard.	
34.	Dwarka Nath, Raj Nath s/o Ram Gopal	Rs 20/- per sq. yard.	
35.	Chain Sukh s/o Ramji Lal	Rs 40/- to 50/- per sq. yard	-
36.	President, Delhi Simla Catholic Archdiocese	Rs 8/- per sq. yard	-
37.	Shmt. Parkash Dhawan d/o R. S. Lal Chand	Rs 20/- per sq. yard.	
38.	Girwar s/o Chuni, Bharta s/o Asa etc.	Rs 40/- to 50/- per sq. yard	-
39.	Mohan Bros. Coop. House Bldg. Society.	Rs 15/- per sq. yard	-
40.	Shiv Lal, Rachhpal s/o Ram Sarup	Rs -	-
41.	R. S. Sohan Lal	Rs 17000/- per bigha	-
42.	Aje Narain, Vijay Narain s/o Narain, etc.	Rs 20/- per sq. yard.	
43.	Reghbir Singh s/o Lachman.	Rs 45/- per sq. yard.	
44 & 45.	Shmt. Bimla Wati wd/o Devi Chand etc.	Rs 45/- per sq. yard.	-
46.	Onkar Nath s/o Roop Kishan	Rs 45/- per sq. yard	-
47.	Shankar Dass s/o Banarsi Dass	Rs 45/- per sq. yard	-
48.	Mansa Ram s/o Shukh Dayal	Rs 30/- per sq. yard.	-
49.	Piara Lal s/o Devi Pershad	Rs 30/- per sq. yard	-
50.	Gaja Dhar s/o Kirpa Ram	Rs 20/- per sq. yard	
51.	Shmt. Vidya Wati d/o Bal Kishan Dass	Rs 30/- per sq. yard	-
52.	Bal Kishan Dass s/o Har Narain	Rs 30/- per sq. yard	-
53.	Secretary, Sarvhitkari Coop. House Bldg. Society	As at S. No. 14 above.	

55.	Janna Dass s/o Ram Sahai Mal	Rs. 10/- per sq. yard.
56.	Mrs. Banasri Dass & Deya Shankar	Rs. 30/- per sq. yard
57.	Sh. Kishan Khanna s/o Ram Kishan Khanna	Rs. 30/- per sq. yard
58.	Madan Gopal, Har Gopal, Brij Gopal s/o Bans Gopal	Rs. 30/- per sq. yard
59.	Inder Narain Seth s/o Ramu Mal	Rs. 30/- per sq. yard.
60.	Amar Nath, Chiranjil Lal	-
61.	Amar Nath s/o Damo- dar Dass	Rs. 30/- per sq. yard.
62.	Mahinder Parshad s/o Pt. Kanshi Parshad	Rs. 30/- per sq. yard

Generally all the claimants have put in exorbitant and fabulous claims for compensation without basing the claim on any reason or instance of sale whatever. Since no evidence was produced in support of the claims, hence the claimant cannot be accepted in full. The claimants are only entitled to the market value as determined by me in this award.

MARKET VALUE:

A large number of sales took place during the last 5 years preceding the date of notification under section 4. These sales will be discussed later. Their average works out as under:-

S.No.	Year	Area sold Big. - Bis.	Consideration money - - -	Average per big. - - -
1.	1950-51	453 15	Rs. 3,47,585/-	Rs. 766/-
2.	1951-52	938 12	Rs. 1051212.25	Rs. 1120/-
3.	1952-53	317 6	Rs. 5,02,861/-	Rs. 1585/-
4.	1953-54	218 15	Rs. 314191.19	Rs. 1436/-
5.	1954-55	168 16	Rs. 1,78,067.75	Rs. 1055/-

The following transactions of sales took place near the date of notification under section 4 and within the area very close to the land under acquisition. The land involved in

are listed below:-

S.No.	Mutation No.	Date of Regn.	Area sold		Consideration money.	Average per bigha
			Big.	Bis.		
1.	1589	24.1.52	0	10	Rs 700/-	Rs. 1400/-
2.	1588	9.10.52	1	1	Rs 1400/-	Rs. 1333/-
3.	1616	10.3.52	3	0	Rs 4500/-	Rs. 1500/-
4.	1584	13.10.52	0	10	Rs. 700/-	Rs. 1400/-
5.	1535	16.4.52	1	15	Rs 3000/-	Rs. 1714/-
6.	2382	21.1.55	1	10	Rs 1875/-	Rs. 1250/-

I have inspected the land very closely and have compared it with the land involved in a large number of transactions quoted above and have also compared it with the land involved in award No.1148 of village Bahapur. In award No.1148 the price was assessed as prevailing on 3.9.1957 while in this case the price is to be assessed as prevailing on ¹⁹⁵⁵ ~~3.5.1959~~ i.e. the date of notification under section 4. The land is useless as agricultural land but due to its close vicinity to the town it has somewhat future potential value as building sites, although the land is very deep and at some places uneven. The land under acquisition is similar to that acquired by award No.1148 of this village. The above sales show that prices ^{were} generally the same in 1955 as in 1957. Hence considering its future potential value as building sites I am of the firm view that Rs.1500/- per bigha kham at flat rate is the correct market value for the land under acquisition.

TREES: WELLS & OTHER STRUCTURES:

Nil.

INTEREST:

The Requiring Department did not take over possession of the land under acquisition through the Land Acquisition Collector. Inspite of best efforts the Department has not sent any reply, as to how and when the possession was taken. Since the possession was not taken through the Land Acquisition Collector and section 17 of the Land Acquisition Act, 1894

was also not applied to this case, hence no interest is allowed in this case.

APPORTIONMENT:

The compensation will be paid on the basis of entries as exist in the revenue record. The ratio of compensation between the landlords and occupancy-tenants will be 4 : 12 i.e. 4 annas in the rupee to the landlords and 12 annas to the occupancy-tenants.

MAUFI:

There is one Maufidar namely Delhi Simla Catholic Archdiocese. The maufi is only Rs.0.87 nP. Its capitalised value comes to Rs.17.40 nP which will be paid to the Maufidar.

15% FOR COMPULSORY ACQUISITION:

As required by section 23, sub-section 2 of the Land Acquisition Act I of 1894, 15% on account of compulsory acquisition will be paid.

THE AWARD IS SUMMARISED AS UNDER:

S.No.	Area	Rate per bigha	Amount of compensation.
	Big.	Bis.	
1.	146 - 13	Rs.1500/-	Rs.2,19,975.00
2.	Add 15% for compulsory acquisition.		Rs. 32,996.25
	TOTAL:		Rs.2,52,971.25
3.	Add Maufi -		Rs. 17.40
	GRAND TOTAL:		Rs.2,52,988.65

LAND REVENUE DEDUCTION:

The land under acquisition is assessed to Rs.27.82 nP as land revenue. Delhi Municipal Corporation will pay it.

(Mahinder Singh)
Land Acquisition Collector, Delhi.
23.7.1962

Submitted to the Collector, Delhi for information.