

A W A R D NO:

132/80-81

Name of the village: Behari Pur  
Nature of acquisition: Temporary  
Purpose of acquisition: Remodelling & Strengthening of  
Shahdara Marginal Bund.

INTRODUCTION:

Land measuring 99 bighas 11 biswas situated in village Beharipur Shahdara is required for the temporary occupation and use for a public purpose i.e. for the remodelling & strengthening of Shahdara Marginal Bund vide notification No.F.7(14)/79-12.B dt.7.4.79 u/s 35(1) of the L.A.Act, 1894 for a period of one year from the date of physical occupation.

Notices as required were issued to the persons interested in the land to file their claims which are discussed hereinafter under the heading 'Claims & Evidence.'

MEASUREMENT & OWNERSHIP:

According to the notification u/s 35(1) of the L.A.Act the total area required for temporary occupation was 105 bighas 13 biswas. But according to the revenue record there is a deficiency of 6 bighas 2 biswas area in the following way.

The area of Kh.No.380 was 5 bighas 14 biswas, but out of this are 4 bighas 19 biswas land had already been covered in the bund. The remaining area of Kh.No.380 min measuring 0-15 falls in this alignment of scheme. Similarly the area of Kh.No.382 was 6 bighas 18 biswas, but out of this area land measuring 4 bighas 17 biswas had already been covered in the bund. The remaining area of Kh.No.382 min measuring 2 bighas 1 biswas falls in the present scheme. The land bearing Kh.No.499/1(0-11), 526/2min (2-08), 527/1(1-1 2) do not fall in this scheme. The area of Kh.No.528/2 min according to revenue record is 4 bighas 16 biswas instead of 5 bighas 13 biswas (as mentioned in the notification) Out of this area of Kh.No.528/2 min measuring 0-6 biswas had already been covered in the bund. Now the remaining area of Kh.No.528/2 min measuring 4 bighas 10 biswas falls in this scheme. The area of Kh.No.569 is 3 bighas 18 biswas. Out of this area land measuring 2 bighas 2 biswas had already been covered in the bund.

.....2/-



Now the remaining area of Kh.No.569 min measuring 1 bigha 16 biswas falls in this scheme. Similarly the area of Kh.No.570 is 8 bighas 16 biswas but out of this area land measuring 7 bighas 16 biswas ~~had~~ ~~in this scheme~~ already been covered in the bund. Now the remaining area 1 bigha of Kh.No.570 falls in this scheme. The area of Kh.No.574 is 3 bighas. Out of this area 2 bighas 12 biswas land had already been covered in the bund. Now the remaining area of Kh.No.574 min 0-8 falls in this scheme. Similarly the area of Kh.No.568 is 21 bighas 6 biswas. Out of this area land measuring 20 bighas 6 biswas had already been covered in the bund, and the remaining land 0-16 biswas falls in this scheme. The comparative statement of the Kh No in which the area was found less against mentioned in the notification u/s 35(1) of the L.A.Act is as under:-

According to the notification.		Discrepancy.		According to the spot measurement.	
Kh.No.	Area	Area		Kh.No.	Area.
372/1min	0-06			372/1min	0-06
378m in	2-09			378min	2-09
379/2min	2-08			379/2min	2-08
380/1min	0-16	0-1		380/1min	0-15
382/1min	2-03	0-2		382/1min	2-01
383/ 2min	4-18			383/2min	4-18
384min	0-14	384		384min	0-14
386/1min	0-05	386	6	386/1min	0-05
387/2min	7-07			387/2min	7-07
388/3min	0-18			388/3min	0-18
389/1min	0-01			389/1	0-01
497/2m in	5-16			497/2/1	5-16
498/1	0-05			498/1	0-05
499/1	0-11	0-11		does not fall in this scheme	
500/1min	0-17			500/1min	3-14
502/2min	0-02			501/1min	0-17
506min	5-09			502/1min	0-02
507/2min	0-04			503/2	5-09
508/1min	0-18			507/1min	0-04
				508/1	0-18

.....3/-



S.No.	Name of the claimants.	Clai - med.
4.	Sh. Sohan Lal, Sardar Singh, Babu Ram, On Perakash, Rajpal, Leelu Ram (Minor) Ss/o. Lihhi Ram	Rs. 15000/- for land, Rs. 1500/- for severance, Rs. 600/- for standing crops.
5.	Sh. Ram Karan, Sh. Kartar Ss/o. Sh. Jaggir.	-do-
6.	Rathi S/o Lihhi Ram, Tek Ram S/o. Kheemla	Rs. 15000/- for land, Rs. 15000/- for severance, Rs. 600/- Rs. 500/- for trees.
7.	Sh. Shimbhu, Lihhi Ram Ss/o. Sh. Manshi	Rs. 15000/- for land, Rs. 15000/- for severance, Rs. 600/- for standing crops.
8.	Sh. Bhule S/o. Sh. Manu.	Rs. 15000/- for land, Rs. 15000/- for severance, Rs. 600/- for standing crops.
9.	Sh. Gariba S/o. Jamuna Dass Ramji Lal @ Bodle S/o. Jamuna Dass Gian Chand S/o. Bharta	Rs. 15000/- for land, Rs. 15000/- for severance, Rs. 2000/- for tube well, Rs. 600/- for standing crops.
10.	Sh. Mansa Ram, Hansa, Mahipal, Jai Singh, Ami Chand Ss/o. Sh. Ram Lal.	Rs. 15000/- for land, Rs. 15000/- for severance, Rs. 600/- for standing crops.
11.	Sh. Sis Ram, Siri Ram Ss/o. Khechem	Rs. 15000/- for land, Rs. 15000/- for severance, Rs. 600/- for standing crops, Rs. 2000/- for boring.

MARKET VALUE:

The market value of the land is to be determined as on 7.4.79. The land regarding this village and Karawal Nagar village was notified on same date i.e. 7.4.79. The village Karawal Nagar is just adjoining this village. The purpose of acquisition was also same i.e. for remodeling and strengthening the Shahdara Marginal Bund. No award regarding acquisition of land of village Beharipur have since been announced so far. Award No. 29/78-79 & 42/79-80 may provide guidelines for determining the market value of the land which are discussed below:-

S.No.	Award No.	Notification u/s 4 & date	Rate per bigha.
1.	29/78-79	F.7(35)/74-L&B(i) dt. 22.7.77	Rs. 6250/-
2.	42/79-80	F.7(14)/79-L&B/10967 dt. 7.4.79 u/s 35(1)	Rs. 270/-



In award No.29/78-79 of village Karawal Nagar, the land was acquired for storm water drainage scheme. The market value of the land involved in this award was assessed to Rs.6250/-per bigha. The land in that award was of good quality and out of range of Jamuna Flood, while the land under present scheme is completely in the bank of river Jamuna and does not enjoy advantages position in comparison to the land involved under the award. And award No.29/78-79 is not helpful in determining the market value. The land of village Beharipur is adjoining to village Karawal Nagar. The land was also acquired u/s 35(1) of the L.A.Act, in village Karawal Nagar for the same scheme bearing same notification as under acquisition. The land under acquisition is similar in all circumstances to the land acquired through award No.42/79-80. In award No. 42/79-80 the L.A.C. had assessed the compensation @ Rs.270/- per bigha, as annual rent. The award No.42/79-80 of village Karawal Nagar is very helpful in determining the market value of the land under acquisition, because land under acquisition similar in all circumstances to it. Keeping in view of above discussion of award No.42/79-80, I am of the opinion that annual rent of the land under acquisition may be fixed @ Rs.270/- per bigha and I award the same accordingly.

CROP COMPENSATION:

The possession was taken and handed over to the department on 1.5.79. The following crops were standing at the time of taking over possession.

Kh.No.	Area. Bis-Bis.	Kind of crops.
501/1min	0-17	Rizka
502/2min	0-02	-do-
497/2min	5-16	-do-
521/2min	0-06	Bargim
500/1min	3-14	-do-
508/1min	0-18	-do-
378min	2-09	-do-
379/2min	2-08	-do-

.....6/-



SUMMARY OF THE AWARD:

Compensation for rent of land measuring 99 bighas 11 biswas @ Rs. 270/-per bigha.

Rs. 26,878-50

Damages charges @ Rs. 675/-per bigha for the land measuring 99 bighas 11 biswas.

Rs. 67,196-25

Compensation for damages of crops.

Rs. 2,630-00

Total:

Rs. 96,704-75

( RUPEES NI NETY SIX THOUSAND SEVEN HUNDRED FOUR AND PAISE SEVENTY FIVE ONLY.)

Amount in the open court in the presence of the following person, today. Shiv Raj 24.3.87.

( SHIV RAJ TYAGI )  
LAND ACQUISITION COLLECTOR(DS)  
DELHI.

1. Baba Ram s/o Likhra 21/2/87
2. Sarda Nand s/o Bharta 21/2/87
3. Siskar s/o Khachon 21/2/87
4. Shik Chera s/o Padayari
5. Shimbhu s/o Munshi
6. Bishhal s/o Chuni
7. Gian Chand s/o Bharta
8. Bhule s/o Mannu
9. Sheo Ram s/o Khachon

L.T.I. Sunkar

L.T.T. Sunkar

L.T.T. Bahl

L.T.I. Bhule

L.T.I. Sheoka

10. Ramji Lal s/o Khachon s/o Ganga
11. Han Chand s/o Hanu 21/2/87
12. Ram Raj s/o Khachon s/o Sankar
13. Kamaljit s/o Singar 21/2/87
14. Har Chera s/o Sankar
15. Kartar s/o Singar 21/2/87

L.T.I. Har Chera



