

AWARD NO. 15/83-84

Name of Village: Beharipur.

Nature of acquisition: permanent.

Purpose of acquisition: Planned Development of De

These are proceedings for the determination of compensation under section 11 of the Land Acquisition Act, 1894. The land under acquisition situated in village Beharipur was notified under section 4 of the Land Acquisition Act vide notification No. F-7(29)/65-L&H(i) dated 26.8.1967 for a public purpose namely for the planned Development of Delhi. Delhi Administration, after considering report under section 5-A issued a declaration under section 6 of the Land Acquisition Act for the acquisition of an area measuring 1487 Bighas 15 biswas vide notification No. F-7(29)/65-L&H, dated 28.5.1969. In pursuance of the aforesaid notification notices under section 9 and 10 of the Land Acquisition Act were issued to all the persons interested in the land and claims filed by them are discussed hereafter under the heading "compensation claims".

TRUE AND CORRECT AREA.

Field No.	Area	Classification Land
<u>619-620-621</u> ✓ 207-208 min	68-10	Gair Abpash
<u>623</u> ✓ 210-211	12-17	-do-
<u>626</u> ✓ 211	3-18	-do-
<u>627</u> ✓ 211	4-09	-d
<u>628</u> ✓	12-08	



Field No.	Area	Classification of Land.
694/620/211 ✓	0-02	Gair Abpash
629/211 ✓	1-06	-do-
630/211 ✓	2-07	-do-
212 ✓	18.06	-do-
213 ✓	6-15	-do-
214 min ✓	49-13	-do-
217 min ✓	3-09	-do-
218 min ✓	3-10	-do-
219 min ✓	4-07	-do-
243 min ✓	6-15	-do-
244 min ✓	12-11	-do-
245 min ✓	8-08	-do-
246 min ✓	3-09	-do-
247 min ✓	5-00	-do-
248 ✓	7-10	-do-
249 ✓	0-18	-do-
250 ✓	0-18	-do-
251 ✓	5-11	-do-
252 ✓	1-01	-do-
253 ✓	10-01	-do-
254	10-04	-do-
255	7-10	-do-
256	7-07	-do-
257	5-08	-do-
258	5-02	-do-
259	7-19	-do-
260	4-14	-do-
261	4-15	-do-
262	4-16	-do-
263	4-07	-do-
264	0-18	-do-
265	4-07	-do-

contd....



Filed No.	Area	Classification of Land.
266	2-14	Gair Abpash
267	0-18	-do-
268	1-19	-do-
269	3-06	-do-
270	3-10	-do-
271	3-08	-do-
272	3-09	-do-
273	5-06	-do-
274	7-08	-do-
275	5-03	-do-
276	3-12	-do-
277	5-17	-do-
278	2-17	-do-
279	2-02	-do-
280	1-01	-do-
281	1-07	-do-
282	1-01	-do-
283	1-01	-do-
284	5-11	-do-
285	5-02	-do-
286	1-10	-do-
287	2-08	-do-
288	2-08	-do-
289	5-07	-do-
290	4-08	-do-
291	4-18	-do-
292	4-11	-do-
293	4-03	-do-
294	5-03	-do-
295	3-05	-do-
296	3-14	-do-
297	4-10	-do-
298	19-00	-do-



FieldNo.	Area	Classification of Land.
299	12-04	-Gair Abpash
300	3-19	-do-
301	0-06	-do-
302	2-11	-do-
303	9-06	-do-
304	8-01	-do-
305	5-14	-do-
306	5-15	-do-
307	4-19	-do-
308	8-19	-do-
309	1-07	-do-
310	0-14	-do-
311	13-07	-do-
312	11-08	-do-
313	13-03	-do-
314	9-15	-do-
315	10-09	-do-
316	38-17	-do-
317	5-10	-do-
318	6-10	-do-
319	7-18	-do-
320	4-19	-do-
321	3-12	-do-
322	9-00	-do-
323	9-12	-do-
324	7-19	-do-
325	5-14	-do-
326	3-09	-do-
327	2-11	-do-
328	6-13	-do-
329	4-13	-do-
330	7-04	-do-
331	4-19-	-do-
332	1-07	-do-

contd...



Field No.	Area	Classification of Land.
333	1-13	Gair Abpash
334	3-00	-do-
335	1-13	-do-
336	4-19	-do-
337	3-09	-do-
338	3-09	-do-
339	3-09	-do-
340	2-11	-do-
341	2-14	-do-
342	1-18	-do-
343	8-05	-do-
344	7-04	-do-
345	2-08	-do-
346	5-05	-do-
347	5-02	-do-
348	7-07	-do-
349	4-04	-do-
350	2-14	-do-
351	0-02	Gair Mumkin Chah
352	2-16	Gair Abpash
353	9-11	-do-
354	9-00	-do-
355	2-18	-do-
356	2-10	-do-
357	5-02	-do-
358	4-19	-do-
359	7-04	-do-
360	6-15	-do-
361	5-11	-do-
362	1-08	-do-
363	12-05	-do-
364	1-15	-do-
365	4-16	-do-
366	5-11	-do-

82  
contd...



Field No.	Area	Classification of Land.
367	7-16	Gair Abpash
368	4-12	-do-
369	4-16	-do-
370	5-14	-do-
371	0-15	-do-
372	11-05	-do-
373	6-18	-do-
374	2-01	-do-
375	2-01	-do-
376	0-16	-do-
377	3-13	-do-
378	6-12	-do-
379/2	2-13	-do-
380/1	0-15	-do-
382/1	2-01	-do-
383/2	5-12	-do-
384	3-12	-do-
385	3-11	-do-
386	7-00	-do-
387/2	7-17	-do-
388/3	1-14	Gair Mumkin Gadhey
389/1	0-02	-do-
497/2	9-08	Gair Abpash
498/1	0-08	-do-
499/1	0-12	Gair Mumkin Gadhey
500/1	4-10	Gair Abpash
501	2-10	-do-
502	4-19	-do-
503	3-01	-do-
504	5-06	-do-
505/3	20-17	Bangar
506	6-09	Gair Abpash
507	6-00	-do-
508	29-11	Bangar



Field No.	Area	Classification of Land.
509	3-06	Bangar
510	13-05	Gair Abpash
511	5-01	-do-
512	0-01	Gair Mumkin Chah
513	2-16	Gair Abpash
514	19-10	-do-
515	6-06	-do-
516	6-09	-do-
517	8-11	-do-
518	15-11	-do-
519	10-04	-do-
520	16-19	-do-
521/2	13-19	-do-
522/2	0-02	-do-
523/2/2	5-03	-do-
524/2/2	3-08	-do-
526/2/1	0-19	-do-
528/2	4-10	-do-
529	2-19	-do-
530	1-04	-do-
531	1-16	-do-
532	3-18	-do-
533	5-17	-do-
534	1-16	-do-
535	3-01	-do-
536	2-11	-do-
537	7-04	-do-
538	2-03	-do-
539	8-13	-do-
540	9-18	-do-
541	9-06	-do-
542	8-08	-do-
543	9-18	-do-
544	4-03	-do-



Field No.	Area	Classification of Land.
545	2-16	Gair Abpash
546	8-08	-do-
547	3-15	-do-
548	15-09	-do-
549	6-03	-do-
550	4-06	-do-
551	0-16	-do-
552	1-00	-do-
553	7-01	-do-
554	7-17	-do-
555	4-10	-do-
556/1	2-18	-do-
557	3-19	-do-
558	0-15	-do-
671/559	8-15	-do-
672/559	2-11	-do-
673/560	1-00	-do-
674/560	8-08	-do-
675/560	2-18	-do-
676/560	9-02	-do-
677/560	3-16	-do-
678/560/1-2	5-15	-do-
679/560	6-01	-do-
680/560/1	3-06	-do-
681/560	0-09	-do-
682/560	2-10	-do-
683/561	6-15	-do-
684/561	0-18	-do-
685/561	17-03	-do-
686/561	0-13	-do-
687/562	2-02	-do-
688/562	0-07	-do-
689/562	14-17	-do-
690/563	0-05	-do-



Field No.	Area	Classification of Land.
691/563/1-2	11-09	Gair Abpash
692/563	1-09	-do-
693/563	10-11	-do-
564	4-19	-do-
565	9-00	-do-
566	5-16	-do-
567	9-07	Gair Mumkin Gadhey
568/1	1-00	Gair Abpash
569/2	1-16	-do-
570/1	1-00	-do-
	<u>1486-07</u>	
	Gair Abpash	1420-14
	Banger	53-14
	Gair Mumkin Gadhey	11-16
	Chaha	0-03

[ There is a difference of 1 bighas and 8 biswas area of land in between declaration under section 6 and area available at the spot on account of wrong calculation of area under declaration under section 6. Hence total area measuring 1486 bighas and 07 biswas is being acquired through award.

COMPENSATION CLAIMS:

The following persons have filed their claims which are discussed as under:-

S.No.	Name of claimant	Claims.
1.	Shri Nepal s/o Ho Ram	Claimed Rs. 15,000/- per bigha for land, Rs. 5,000/- for well and Rs. 10,000/- for pumping set.
2.	Sh. Jalaheri s/o Munshi Ram	-do-
3.	Sh. Ram Kishan, Ram persad, Prem Raj, Parmal Singh, Dharam pal & Dharambir sons of Raja Ram.	-do-
4.	Sh. Attar Singh s/o Munshi Ram.	-do-
5.	Sh. Rattan Singh s/o Munshi Ram.	-do-



S.No.	Name of claimant	Claims.
6.	Sh.Gian Chand s/o Bharta	Claimed Rs.50,000/-per bigha for land,solatum, interest and Rs.5000/- for boring.
7.	Sh.Badle alias Ramji Lal s/o Janna Dass	-do-
8.	S/Shri Hari Kishan,Jai Ram, Gian Chand ss/o Gariba	Claimed Rs.50,000/- per bigha for land.Solatum interest and Rs.5,000/- for each Boring.
9.	S/Sh. Mansa,Hansa,Mahipal Jai Singh,Bhim Chandsons of Ram Lal	Same as stated at Serial No.6.
10.	Sh.Hardan s/o Mandwa	Same as stated at Serial No.8.
11.	Sh.Ratti Ram s/o Lakhi Ram	Claimed Rs.50,000/- per bigha for land besides statutory interest and solatum.
12.	Sh.Wazir son ofRoop Ram	Same as stated at S.No.6
13.	Sh.Charta s/o Ghasi	Same as stated at S.No.8.
14.	Sh.Rumar s/o Roop Ram	Same as stated at S.No.11.
15.	S/Sh.Bir Singh, Ram Niwas, Ram Kumar,Raj Kumar,Deep-Chand (Minor) sons of Shri Babu Lal	Same as stated at serial No. 11.
16.	Gyanender and Bhojender (Minor)sons of Sumarti	Same as stated at Serial No. 11.
17.	Sh. Ram Bal s/o Rajan and Shri Dhan pal s/o Birbal	Same as stated at serial No.11.
18.	Sh.Ram Karan,Dev Karan, Kartar Singh,Prem Chand sons of Jhangir	Same as stated at serial No.6.
19.	Sh.Ram Pal,Ghamandi,Sita Ram, <del>Kartar Singh,Prem Chand</del> <del>sons of Bhikhan.</del> and Hari Chand sons of Bhikhan.	<del>xxxxxxx</del> Claimed Rs.50,000/- per bigha for land, Rs. 10,000/-for two boring and Rs. 1,000/- for trees solatum and interest.
20.	Shri Mam Chand s/o Ram Chand	Same as stated at serial No. 11.
21.	S/Shri Babu Ram,Sohan Lal, Om Parkash,Raj Pal Singh, Leela Ram,&Sardar Singh sons of Lakhi.	Same as stated at serial No.8.
22.	Mansa s/o Sukh Ram	Same as stated atS.No.11.
23.	Bhule s/o Mannu	Claimed Rs. 500/- per sq. yards for the land.
24.	Sh.Shiv Ram son of Kachenu	Claimed Rs.500/-per sq.yd for land and Rs.10,000/- for tube-well.



Sl.No.	Name of claimant	Claims.
25.	Sh.Sis Ram s/o Kacheru	Claimed Rs.500/-per sq. yds for land &Rs.10,000/-for Tubewell.
26.	Sh.Zile Singh s/o Ganga Sarup	-do-
27.	Sh.Mohan Lal s/o Raghbir	-do-
28.	Sh.Mohan Lal & Sobha Ram sons of Raghbir	-do-
29.	Sh. Ram Dhan s/o Bhura	Same as stated at S.No.24.
30.	Sh.Kanwar Singh s/o Bhura	-do-
31.	Sh.Harbans Singh s/o Shri Ganga Sahai	-do-
32.	Sh. Mangat s/o Ganga Sahai	-do-
33.	Sh. Ganga Ram s/o Chuttan	Claimed Rs.50,000/- per bigha for land, solatium, interest and Rs.10,000/- per Boring.
34.	Sh.Tek Chand, Samey Ram, Ram Rikh sons of Bhagwat, Ganga Ram son of Chhuttan, Ram Chander, Ram Lal sons of Het Ram, Tek Chand, Khem Chand, Rati Ram son of Roop Ram, Babu Ram son of Ram Singh, Hardan son of Marwah Cherta son of Ghasi, Badle Ram Saran, Kirpa sons of Bhole, Sis Ram, Siria sons of Khacheru.	Claimed Rs. 50,000/- per bigha for land interest and solatium.
35.	Smt.Sharbati wife of Yad Ram	-do-
36.	Sh.Sardha Nand s/o Bharta	Claimed Rs.50,000/- per bigha for land, interest, solatium and Rs.5000/- per boring.
37.	Sh.Brahm Singh, Tilak Ram, alias Leelu sons of Ram Saran and Badley	Claimed Rs.50,000/-per bigha for land, interest and solatium.
38.	Sh.Mauzi sons of Dhan Singh, Faqira son of Duli Ram, Jagmal son of Khem Chand.	Claimed Rs.50,000/-per bigha for land, interest, solatium and Rs.500/-for Kikar Trees.
39.	Shro Gopi Chand sons of Jhandu Joti Ram, Vidya Ram sons of Harbal.	Claimed Rs.50,000/-per bigha for land Rs.20,000/- for borings, Rs.10,000/- for well as Rs.500/- for trees interest and solatium.
40.	Kanwal son of Jhangir	Claimed Rs.50,000/- per bigha for land, Rs.20,000/-for trees and Rs.19,000/- for boring interest and solatium.
41.	Shri Tek Chand and Samey Ram sons of Bhagwat	Claimed Rs.50,000/-per bigha for land.
42.	Sh.Babu Ram, Sohan Lal, Om Parkash, Rajpal Singh, Leela Ram and Sardar Singh sons of Lakhi.	-do-



S.No.	Name of the claimant	Claims.
43.	Sh.Badle,Kirpa,Ram Saran sons of Bhola	Claimed Rs.50,000/-per bigha for land,Rs.10,000/- for boring and Rs.10,000/- for well interest and solatium.
44.	Sh.Har Kishan son of Badla Sarda Ram son of Bharta, Vidya Ram,Jati Ram sons of Harbal,Copi Chand son of Jhandu,Tek Ram,Tej Ram and Bhule son of Hari Ram.	Claimed Rs.50,000/- per bigha for land,interest and solatium.
45.	Sh.Duli Chand son of Chhaju	Claimed Rs.500/-per sq. yards for land.
46.	Sh.Baley Ram son of Shri Ganga Sarup	-do-
47.	Hansa,Ramji Lal sons of Shri Ganga	Claimed Rs.50,000/-per bigha for land,interest,solatium and Rs.10,000/- for boring.
48.	S/Shri Raj Kishore, Ram Autar, Sham Sunder,Brij Kishore son of Gordhan-Dass.	Claimed Rs.50/-per square yards for land,solatium and interest.
//49.	Shri Rattan Lal son of Shri Jawala Nath	-do-
50.	S/Shri Bhanwar Singh,Kanwar Singh sons of Chottey Lal, Smt.Daya, Shankari,Urmila, Mangla Devi, Leela Wati daughter of Chhotey Lal.	Claimed Rs.50,000/- per bigha for land, interest, solatium and Rs.10,000/- for two boring.
51.	Shri Birbal son of Shri Chunni	Claimed Rs. 50/- per square yard.
52.	Shri Tej Ram, Tek Ram and Bhuley Ram son of Shri Hari Ram.	Claimed Rs. 50/- per square yard for land and Rs.5000/- for tube-well.
53.	Sh. Ho Ram and Sheo Ram sons of Jagata.	Claimed Rs.50,000/- per bigha for land,solatium and interest.
54.	S/Shri Prem Singh,Dharamvir Singh,Dharam Pal,Chatar Singh Rajbir,parmod sons of Tek Ram.	Claimed Rs.50,000/- per bigha for land,solatium and interest Rs.5000/- for boring and Rs.1000/- for trees.
55.	Sh.Sohan Lal son of Shri Bhagwan Sahai	Claimed Rs.40,000/- per bigha for land.
56.	Shri Baley Ram son of Shri Sohan Lal.	Claimed Rs.40,000/- per bigha for land and Rs. 5000/- for boring.
57.	Shri Sohan Lal son of Shri Bhagwan Sahai.	Same as stated at S.No.55.

contd...



DOCUMENTARY EVIDENCE:

Nil.

MARKET VALUE:

The market value of the land has to be determined with reference to the price prevailing as at the date of preliminary notification under section 4. The market value means the price that would be paid by a willing purchaser to a willing seller where both are actuated by business principles prevalent at the time in one locality. The price, therefore, paid for comparable properties in the neighbour hood are the usual evidence as to the market value.

The land under acquisition is a big chunk of land surrounded in east by Left Marginal Bundh and land of village Karawal Nagar, in the west by the land of village Sadatpur, in the North by the remaining land of village under acquisition and toward the land of village Sabha Pur Gujran, and in the South by the land of village Khajuri Khas. As a fact, this big chunk of land is situated in between left forward Bundh and left Marginal Bundh raised to protect the nearly residential colonies from Yamuna river.

Infact, this belt of land was a part of the left embankment of river Yamuna. Even in the year 1978, the entire area under acquisition was submerged under six to ten feet deep. On account of this reason, the land under acquisition can not have potentiality of building activities except of agriculture. But being within ambit of flood, the productivity of the land under acquisition is quite good, having two to three crops in a year. Besides this, the land under acquisition is quite nearer to the city and could be of great potentiality if the flood feature could be avoided.

82  
contd...



No sale transaction are available in the revenue records. No award in this village has been announced, near to the date of notification under section 4. To arrive at fair and correct market value of the land we have to take guidance from the sale transaction taken place in nearby village Karawal Nagar and Khajoori Khas. But in village Karawal Nagar the situation as regards to sale transaction is the same.

In the absence of the sale of similar land, recourse has to be taken to the method of capitalization in arriving at the market value. Enquiries were made locally to ascertain the gross annual income of crops in the year. The land under acquisition is very fertile and its production find a "readymade market in Delhi. The crops include wheat, Jawar, Chari, vegetables etc. Keeping this fact in view alongwith the informations gathered from local enquiries with particular reference to the yield of the land per bigha in a year.

Name of Crops	Total gross income per Bigha.
Wheat	Rs. 250/-
Vegetables	Rs. 250/-
Chari Chara	Rs. 250/-
	<u>Rs. 750/-</u>
<u>Out going.</u>	
1. Land revenue	Rs. 0-35
2. Labour charges	Rs. 320.00
3. Water Manuring charges, Ploughing Charges.	<u>Rs. 80.00</u>
	<u>Rs. 400.35</u>

The net income as calculated below 20 capitalised at 10 year purchase to arrive at the correct value of the yielding ~~ing~~ of land. The valuation thus arrived

82-  
contd..



is inclusive of the value of the land to the method capitalisation. ~~xxxxxxx~~

1.	Gross Income of the yield of the land per bigha.	Rs.750/-
2.	Out goings per bigha	Rs.400/-
3.	Net Income per bigha	<u>Rs.350/-</u>
4.	Capitalised value per bigha	Rs.350x10 years * Rs.3500/-per bigha

Besides, above, it is stated that land measuring 97 bighas 14 biswas - The details of which is given below, is low lying on account of earth extracted by the flood control department vide offer No.132/80-81.

Khasra No.	Area	Khasra No.	Area.
372/1 min	0-06	378 min	2-09
379/2 min	2-08	380/1 min	0-15
382/1 min	2-01	382/2 min	4-18
384 min	0-14	386/1 min	0-05
387/2 min	7-07	388/3 min	0-18
389/1	0-01	497/2/1	5-16
498/1	0-05	500/1 min	3-14
501/1 min	0-17	502/1 min	0-02
506/2	5-09	507/1 min	0-04
508/1 min	0-18	505/3 min	16-06
520/1 min	1-11	521/2/1	7-06
523/2	5-03	524/2 min	2-08
528/2	4-10	529/1	0-11
530/1	1-01	540/1	3-11
541/1 min	1-05	565/1	0-09
566/1	2-05	567/1/1	8-09
568/1/2	0-16	569/2 min	1-16
570/1	1-00	Total 97 bighas 14 biswas.	

In view of the above discussion, I am of the opinion that Rs. 3500/-per bigha for the entire land except land measuring 97 bighas 14 biswas is fair and

contd....



and reasonable market value of the land and award the same accordingly. ~~As~~ As regard to land measuring 97 bighas 14 biswas, The market value of this land can be assessed only after deducting the compensation offered to land owner in the said offer No.132/80-81. In view of this, I assess the market value of the land measuring 97 bighas and 14 biswas at the rate of Rs.3230/- per bigha and award the same accordingly.

W E L L.

There are four well before the date of notification under section 4 i.e. 26.8.1967 in Khasra No.312, 319, 351 and 510 which are not being used for irrigation purpose. In view of this, Rs.800/- per well is assessed.

B O R I N G.

There are 38 boring at present in Khasra No. 619/207, 626/211, 628/211, 214, 245, 253, 273, 299, 306, 315, 216, 218, 351, 348min, 363, 365, 366min, 373, 501, 502, 507, 509, 510, 514, 515, 518, 520, 543, 544, 553, 556, 671/559, 693/563 and 564. No compensation is assessed for these Boring. As such, Rs.50/- per boring is allowed as removal charges to interested person. The land owner may remove these Borings immediately after the announcement of award.

T R E E S.

There are trees on the land under acquisition the details of which is as under:-

82  
contd....



Khasra No.	Name of Tree	No. of trees	Weight in Quintal	Rate per Quintal	Total
------------	--------------	--------------	-------------------	------------------	-------

312	Surehta	1	3	10/-	30/-
351	Shisham	2	20	15/-	300/-
352	Peepal	1	22	10/-	220/-
363	Leshwa	1	8	10/-	80/-
502	Kikar	1	3	10/-	30/-
497/2	Jamun	19	Fruit bearing trees		800/-
	Khatta	6			
	Beri	3			
	Amrud	2			
	Kikar	1			

Small trees of  
Shitood, Neem,  
Peepal, Beri,  
Kikar etc.

Total 1460/-

Other structure

Nil.

15% Solatium.

15% solatium is payable over and above the market value of the land so assessed.

APPORTIONMENT.

Compensation will be paid on the basis of the latest entries in the revenue record. If there is a dispute regarding the apportionment and the parties concerned do not come to a compromise within a reasonable period, the dispute will be referred to Additional District Judge under section 30/31 of the Land Acquisition Act.

contd...



LAND REVENUE DEDUCTION.

The land under acquisition assessed at Rs. 513.43 p as land revenue which will be deducted from the Khatauni of the village from the date of taking over possession of the land.

The aforesaid land will vest absolutely in the Government free from all encumbrance.

SUMMARY OF AWARD.

Compensation of land measuring 1388 bighas 13 biswas @ Rs. 3500/- per bigha.	48,60,275.00 ✓
Compensation of land measuring 97 bighas 14 biswas @ Rs. 3230/- per bigha	3,15,571.00 ✓
Costs of Wells.	3,200.00
15% Solatium	7,76,856.90 ✓
Damage as removal charges	1,900.00
Trees	1,460.00
Grand Total	59,59,262.90

(Rupees fifty <sup>nine</sup> ~~one~~ lakhs, fifty nine thousand two hundred <sup>82</sup> sixty two and paise ninety only).

*Shiv Raj Tyagi*  
(SHIV RAJ TYAGI)  
LAND ACQUISITION COLLECTOR: DS.  
DELHI.

*Ann I announced  
in the presence of  
the under mentioned interested  
persons & filed.*

*Shiv Raj Tyagi*  
30.6.83