

AWARD NO. 1755

Name of the village:-

Bar Sarai.

Nature of acquisition:-

Permanent.

Purpose of acquisition:-

Planned Development of
Delhi.

Land measuring 250 bighas 4 biswas situated in village Bar Sarai and more closely defined by field numbers as given below under a separate heading 'True and Correct Area' was notified for acquisition for the Planned Development of Delhi under-section 1 of the Land Acquisition Act, 1894 alongwith 34070 acres situated in other parts of the Union Territory of Delhi, vide Notification No. F.15(111)/59-LSG dated 13-11-1953, issued under the authority of the Chief Commissioner, Delhi. Due publicity was given to this Notification and objections under-section 5(A) were duly considered and rejected by the Delhi Administration, Delhi. After this a declaration under-section 6 was issued vide Notification No. F.15(111)/59-LSG dated 6-1-1954, in respect of the same area viz. 250 Bighas 4 biswas. Wide publicity was given to this notification and notices under-sections 9 and 10 of the said Act were issued to the persons interested in the land under acquisition inviting claims for compensation. The claims are discussed below under a separate heading 'Claims:-'

TRUE AND CORRECT AREA:

The land was measured on the spot by the Land Acquisition Field Staff in conjunction with a representative of the requiring department. The true and correct area found is 252 bighas 11 biswas as below:-

Field Nos.

Area

Kind of soil

205/9-10. ✓	7 - 02. ✓	Rosli. ✓
206/9-10/4. ✓	2 - 01. ✓	Ghatimukhin Acha. ✓
271/207/10/5. ✓	1 - 04. ✓	Rosli. ✓
272/207/10/5. ✓	3 - 09. ✓	Rosli. ✓
208/10/6. ✓	3 - 18. ✓	Rosli. ✓
269/11. ✓	4 - 02. ✓	Rosli. ✓
270/11. ✓	4 - 02. ✓	Rosli. ✓
12. ✓	2 - 08. ✓	Rosli. ✓
13. ✓	1 - 0. ✓	Rosli. ✓
14. ✓	5 - 06. ✓	Rosli. ✓
15. ✓	5 - 15. ✓	Rosli. ✓
16. ✓	10 - 17. ✓	Rosli. ✓
60p ✓	4 - 00. ✓	Rosli. ✓
61. ✓	6 - 10. ✓	Rosli. ✓
62/1. ✓	3 - 00. ✓	Rosli. ✓
67. ✓	6 - 10. ✓	Rosli. ✓
68. ✓	4 - 06. ✓	Rosli. ✓
69. ✓	12 - 11. ✓	Rosli. ✓
261/70. ✓	12 - 13. ✓	Rosli. ✓
262/70. ✓	7 - 07. ✓	Rosli. ✓
71/2. ✓	2 - 02. ✓	Rosli. ✓
75/2/2. ✓	3 - 13. ✓	Rosli. ✓
76/2. ✓	8 - 13. ✓	Rosli. ✓
77/2/2/2/2. ✓	1 - 09. ✓	Rosli. ✓
78/2. ✓	2 - 15. ✓	Rosli. ✓
79. ✓	1 - 01. ✓	Rosli (0-15) ✓ G.M. (0-6) ✓
80/2. ✓	4 - 12. ✓	Rosli. ✓
81. ✓	4 - 17. ✓	Rosli. ✓
82. ✓	0 - 18. ✓	Rosli. ✓

94.	0 - 15 ✓	Rosli.
95.	8 - 01 ✓	Rosli.
96/2.	1 - 04 ✓	Rosli.
97/2.	7 - 08 ✓	Rosli.
183/93/1. ✓	2 - 19 ✓	Capai.
194/93/2. ✓	0 - 14 ✓	Chah.
101/2.	6 - 05 ✓	Rosli.
102.	0 - 7 ✓	Ghairumakin.
103. ✓	3 - 03.	Rosli.
104.	1 - 11 ✓	Rosli.
105. ✓	10-03. ✓	Rosli.
106. ✓	3 - 02.	Rosli.
107. ✓	2 - 03 ✓	Rosli.
108. ✓	1 - 19 ✓	Rosli.
109/2. ✓	1 - 10 ✓	Rosli.
110/2.	1 - 03	Rosli.
111/2.	0 - 03	Rosli.
112/2.	3 - 11	Rosli.
113.	6 - 00	Rosli.
114. ✓	1 - 01	Rosli.
115.	2 - 03	Benjar adim.
116. ✓	7 - 02 ✓	Rosli(3-18) G.M (0 - 04)
117/2.	3 - 16 ✓	Rosli.
118. ✓	2 - 17 ✓	Rosli.
119. ✓	0 - 07 ✓	Rosli.
120. ✓	1 - 19 ✓	Rosli.
121. ✓	1 - 08 ✓	Rosli.
122/2. ✓	0 - 10 ✓	Rosli.
123/2. ✓	0 - 03 ✓	Rosli.
140/2/2/2. ✓	1 - 07 ✓	Ghairumakin.
141/2/2. ✓	1 - 03	Rosli.

251/173. ✓	0 - 10 ✓	Dejor: adim. ✓
252/173y/2 ✓	1 - 14 ✓	G. Hunkin. ✓
Total Area:-	252 - 11.	
<u>CLASSIFICATION AREA:</u>		
Chahi:-	3 - 13.	
Rosli:-	240 - 03.	
L. adim:-	2 - 13.	
G. Hunkin:-	5 - 13	
	252 - 11.	

The difference of 7 bighas 13 biswas is due to following reasons:-

- (1) Field Number 252/173pt(2-17) has already been acquired vide award No.1733 of village Bar Barai dated 31-8-1964.
- (2) Field numbers 253/203/9-10 and 204/9 were partitioned vide mutation Nos.119 and 123 and on account of 'Titama' a difference of 5 biswas have occurred.
- (3) In Khasra numbers 20/1, 62/2, 35/1 and 33 total measuring 3 bighas 5 biswas, there are structures and well of which valuation is to be assessed by the Valuation Officer. A supplementary award will be given of the same. The remaining difference of 1 bigha 5 biswas is on account of totalling the area of the field numbers after comparison with the field Book and Naqsha No. '4' Bhoomadari and Settlement Records. Thus the difference in area i.e. 7 bighas 13 biswas has been explained above.

COMPENSATION CLAIMS:

The following persons have put in claims for compensation:-

<u>Name of the claimant.</u>	<u>Compensation claimed.</u>	<u>Remarks.</u>
Mr Nurain, Tekka ss/o Jag Ram, Bodhe/s/o Sukha.	Rs. 20/-per sq.yd. Rs.15000/-for boundary wall.	The claim is exorbitant and fabulous.
Bhimu, Siri Chand, ss/o Bis Chand.	Rs.20/-per sq.yd.	-do-
Sera s/o Ramji Lal. Hijay Singh, Chandan Singh s/o Harjas, Rati Ram s/o. Lal Lal, Khema s/o Chhatin.	Rs.20/-per sq.yd.	-do-

son of ...	Rs.20/-per sq.yd.	The claim is exorbitant and fabulous.
... Singh ... ss/o ...	Rs.20,000/-per bigha.	-do--
... s/o Kati, ... ss/o ...	Rs.100/-per sq.yd.	-do-
... ss/o ...	Rs.100/-per sq.yd.	-do-
... Singh, Pradhan, ... Sabha.	Rs.50/-per sq.yd.	-do-
... s/o Budlu, ... s/o Bakhtwar, ... s/o Umrao, ... s/o Umrao. ... Chand, Fiteh Singh ... Bharti, Kamla wd/o ... Bharti, Bhagwati, Dharma, ... ds/o Bharti, Behala, Raja ... s/o Umi, Tulsi s/o Phulu, ... s/o Neki, Teju s/o Ramjas. ... s/o Ram Saran.	Rs.50/-per sq.yd.	-do-

All the claimants have put in exorbitant and fabulous claims for compensation which do not represent the market value on the date of Notification under-section 4. Shera etc. have produced a copy of the judgement passed by Shri Hans Raj, Additional District, Judge, Delhi in support of his claim; in which 3500/-per bigha was allowed by the said Court. This copy of judgement does not represent the market value of the land under acquisition as the court of the Additional District Judge, Delhi, has awarded ^{Rs. 3500/- per bigha} 3500/-bigha for the village Jia Sarai but not for the land under acquisition which is situated in village Ber Sarai. They have also produced a copy of award No.1248 of village Jai Sarai, given by Shri Rand Kishor Land Acquisition Collector, in support of their claim which is not applicable to this case as the land acquired vide award No.1248 was situated in village Jia Sarai and the land

land situated in village Mondpur Munirka, which was acquired under record No.1133. This is proof produced by the claimants is of no use as village Mondpur Munirka is situated away from the land under acquisition. One sale deed No.803 dated 2-11-1959 took place between Dulpat Singh etc. and Mr. Krishna Kumar and Smt. Raj Kumari in respect of land situated in village Mondpur Munirka which is not applicable to the land under acquisition as the land under acquisition is away from the village Mondpur Munirka. They have also produced one Registry No.2130 dated 19-3-1960, in respect of village Mondpur Munirka which is also not applicable to the present land.

The evidence produced by the claimants is not relevant in this case; the claimants are only entitled to the market value as determined by me in this case on the date of Notification under-section 4, namely, 13.11.1959.

MARKET VALUE:

I have to assess the market value of the land under acquisition as prevailing on the date of Notification under-section 4 of the Land Acquisition Act(I), 1894, i.e. 13-11-1959 in the present case. No sale has taken place in this village during the five years preceding the date of Notification under-section 4 of the Land Acquisition Act(I), 1894. However, the following sale took place in village Itaria Sarai, the lands of which are adjoining to the land under acquisition of village Dor Sarai:-

Sl. No.	Date of regn.	Area sold in H.No.	Consideration money.	Average price.
135	/24-9-59.	21/1, 1 Big.1 Bis.	Rs.2000/-	Rs.1904.7

Another sale by mutation No.896 quoted below is of village Haus Khas and is also a guide to assess the market value of the land under acquisition:-

Mutation No.	Date of regn.	Area sold	Consideration	Average price
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The following awards have been announced in this village; the date of Notifications under-section 4 is set against each:-

Sl. NO.	Award No.	Date of Notification.	Rate per bigha kham.
1.	947.	10-1-1959.	Chahi:- Rs. 1000/- Rosli:- Rs. 1100/- Banjar Jedia:- Rs. 350/- Shairmunkin:- Rs. 100/-
2.	1094.	18-3-1960.	Chahi:- Rs. 2000/- Rosli:- Rs. 1300/- Shairmunkin:- Rs. 300/-
3.	1123.	4-2-1961.	Rs. 1300/- at flat rate.
4.	1532.	13-11-1959.	Chahi:- Rs. 2000/- Rosli:- Rs. 1300/- Shairmunkin:- Rs. 300/-

Against award Nos. 947 and 1094 ^{done} many of the land owners ~~filed~~ filed reference petitions against the awards and the court of the Additional District Judge, Delhi have enhanced the compensation at the following rates:-

Sl. NO.	Award No.	Date of order.	Case No.	Rate per bigha.
1.	947.	13-9-62.	137/61.	Rs. 2000/- at flat rate.
2.	1094.	15-3-64.	423/64.	Rs. 2500/- per bigha kham.

I have inspected the land at site. Out of the total land measuring 252 bighas 11 biswas, balrani land total 240 bighas 5 biswas and the remaining few bighas is chahi, Banjar Jedia and Shairmunkin. Thus all the land under acquisition is practically of the same value. Giving consideration to the sale-transactions, awards announced in this village and the above quoted judgements of the Additional District Judge, Delhi, I am of the opinion that a flat rate of Rs. 2000/- per bigha kham should be reasonable and fair market value of the land in this village. I therefore

TREE WELLS AND OTHER STRUCTURES:

T R E E S: The trees within the land under cultivation are assessed as under:-

Kh.No.	Kind of trees.	No. of trees.	Approximate weight in quintal.	Value assessed
88/1.	Mango.	1.	(Fruit bearing)	Rs. 250/-
- - -	Kiker.	5.	5- quintal.	Rs. 30/-
194/98/2.	Mango.	1.	(Fruit bearing)	Rs. 100/-
-do-	Neem.	5.	12- quintal.	Rs. 90/-
-do-	Kiker.	1.	1- quintal.	Rs. 5/-
80.	Amrood.	18.	(Fruit bearing)	Rs. 102/-
-do-	Anar.	10.	(-do-)	Rs. 100/-
-do-	Mango.	2.	(-do-)	Rs. 30/-
-do-	Shashtoot.	1.	-do-	Rs. 20/-
76/2.	Kiker.	1.	1- quintal.	Rs. 5/-
-do-	Ronze.	1.	1- quintal.	Rs. 5/-
70.	Kiker.	3.	7- quintal.	Rs. 42/-
-do-	Ronze.	5.	7- quintal.	Rs. 35/-
69.	Kiker.	1.	4- quintal.	Rs. 24/-
-do-	Ronze.	1.	1- quintal.	Rs. 5/-
10pt.	Neem.	1.	7- quintal.	Rs. 35/-
-do-	Kiker.	3.	5- quintal.	Rs. 30/-
93.	Kiker.	5.	4- quintal.	Rs. 24/-
-do-	Neem.	1.	3- quintal.	Rs. 15/-
92/2.	Kiker.	4.	16- quintal.	Rs. 96/-
97/2.	Kiker.	5.	9- quintal.	Rs. 54/-
94.	Kiker.	1.	2- quintal.	Rs. 12/-
95.	Kiker.	1.	2- quintal.	Rs. 12/-
103.	Ronze.	1.	1- quintal.	Rs. 5/-
101/2.	Kiker.	1.	2- quintal.	Rs. 12/-
108.	Kiker.	1.	4- quintal.	Rs. 24/-
111/2.	Kiker.	3.	3- quintal.	Rs. 18/-
112/2.	Kiker.			

comes to Rs. 11,026/-.

The total price of all the structures mentioned above

and assess accordingly.

Value of these structures at Rs. 3271/- with which I agree

(Valuation), C.P.V.D. Vikas Lakshmi, New Delhi has assessed the

Ishtar son of Purn and Ram Prasad. The list is enclosed

and part of boundary wall of ancestral land, known as

two main rooms, two small rooms and part of boundary wall

and half boundary wall, one room and half boundary wall etc.

In Khata No. 88/1, there are two rooms and veranda

the valuation assessed by the Land Acquisition Kalyan-Prasad

I have seen these boundary walls at site and I agree with

these boundary walls at Rs. 1055/- and Rs. 700/- respectively.

Section 4. The half-registered has settled the value of

boundary walls erected before the date of notification and

In Khata numbers 87 and 88, there are two rooms

STRUCTURES:

has estimated its value at Rs. 1500/- with which I agree.

condition is satisfactory. The 150/- is added to the value

There is one old well in Khata number 79. Its

WELLS:

117/2.	Nikar.	1.	1-2 ft. 1.	Rs. 3/-
3/1.	Nikar.	1.	10-12 ft. 1.	Rs. 50/-
-do-	Nikar.	1.	7-8 ft. 1.	Rs. 35/-
-do-	Samon.	3.	(fruit bearing)	Rs. 150/-
-do-	/roo.	3.	-do-	Rs. 100/-
-do-	Amur.	2.	-do-	Rs. 50/-
-do-	Amrood.	1.	-do-	Rs. 100/-
-do-	Kango.	1.	-do-	Rs. 50/-
-do-	Plum.	2x.	20-25 ft. 1.	Rs. 120/-
-do-	Room.	1.	3-4 ft. 1.	Rs. 40/-
				Rs. 1021/-

entire in the revenue record and per record statement
from the revenue records. This village is governed by the
Delhi Land Reforms Act, 1954, so the compensation of fields
numbers 89/2, 272/207/10/5, 13pt, 103pt, 121pt and 31pt total
measuring 7 bighas 5 biswas will be paid to the Phocmidar.
The non-occupancy tenants of the above mentioned field
numbers have no right to obtain the compensation.

(II) There is a boundary wall on khasra numbers 110 and 111
which is built up after the date of notification under-section
4 of the Land Acquisition. No compensation for the same is
allowed. The owners of the same are at liberty to remove the
'walva'.

(III) There are some jhaunparies in khasra number 110/2,
which is un-authorized construction and are after the date
of notification under-section 4 of the Land Acquisition
Act(I), 1894. No compensation for these jhaunparies is allowed
and the owners of the same are at liberty to remove the
'walva'.

15% FOR COMPULSORY ACQUISITION: As required by section 23
of the Land Acquisition Act(I), 1894, 15% shall be paid on
account of compulsory acquisition.

SUMMARY OF THE AWARD:

Sl. NO.	Area	Rate per bigha	Amount of compensation
1.	252 - 11.	Rs. 2000/-	Rs. 5,05,100.00P
2.	Add price of structures:-		Rs. 11,025.00P
3.	Add price of well:-		Rs. 1,500.00P
		Total:-	Rs. 5,17,625.00P
4.	Add 15% solatium:-		Rs. 77,643.90P
5.	Add price of trees:-		Rs. 1,921.00P
		G.Total:-	Rs. 5,97,190.90P

LAND REVENUE REDUCTION:

The land under acquisition is assessed at Rs. 59.32
as land revenue which will be deducted from the Khalsa
roll of the village v.c.f. Abi, 1965.

(Ram Parshad)
Land Acquisition Collector, Delhi.

Submitted to the Collector, Delhi for information.

(Ram Parshad)
Land Acquisition Collector, Delhi.