

(12)

AWARD NO. 39/84-85.

NAME OF THE VILLAGE BIJWASAN
NATURE OF ACQUISITION PERMANENT
PURPOSE OF ACQUISITION CONSTRUCTION OF NEW
TRANSMITTING STATION
FOR DELHI AIRPORT.

These are the proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land measuring 426 Bighas 13 Biswas was notified u/s 4, 6 & 17(1) of the Land Acquisition Act vide notification No. F.7(51)/91-L&B(1)(ii) dated 18.6.1984 of village Bijwasan. The land was required to be taken by the Govt. at the public expense for a public purpose namely for Construction of New Transmitting station for Delhi Airport. The present acquisition proceedings is confined to an area measuring 426 Bighas 13 Biswas.

MEASUREMENT AND TRUE AREA :-

Necessary measurement was carried out by the field staff at spot and revenue record was also consulted. The area found correct is as under :-

<u>Khasra No.</u>	<u>Area</u>	<u>Kind of soil</u>
89/7/2	1-10	Chahi
8min	3-18 ✓	-de-
12min	3-18 ✓	-de-
13	4-16 ✓	-de-
14	5-04	-de-
16	3-15 ✓	-de-
17	4-16	-de-
18	4-16 ✓	-de-
19	4-16 ✓	-de-
20	4-16 ✓	-de-
21	2-13 ✓	-de-
22	4-16 ✓	-de-
23	4-16 ✓	-de-
24	4-16 ✓	-de-
25	4-16 ✓	-de-
90/13min	4-16 ✓	-de-
14min	0-14 ✓	-de-
16	1-07	-de-
17	2-13 ✓	-de-
18	4-08	-de-
23 ✓	2-13 ✓	-de-
24	3-16 ✓	-de-
25	4-13	-de-
103/3	4-16 ✓	-de-
4	5-01	-de-
5	4-13	-de-
6	4-16 ✓	-de-
7	4-16 ✓	-de-
8	4-16 ✓	-de-

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9/1min	1-05	Chahi
12/2min	2-01	-de-
13	4-16 ✓	-de-
14	4-16	-de-
15	4-16 ✓	-de-
16	4-16 ✓	-de-
17	4-16 ✓	-de-
18	4-16 ✓	-de-
19	4-14 ✓	-de-
22min	2-17	-de-
24	3-01	-de-
25	3-02 ✓	-de-
104/1	4-13	-de-
2	4-14 ✓	-de-
3	4-14 ✓	-de-
4	4-16	-de-
5	4-12 ✓	-de-
6	4-16 ✓	-de-
7	4-16 ✓	-de-
8	4-16	-de-
9	4-16 ✓	-de-
10	4-16 ✓	-de-
11	4-16 ✓	-de-
12	4-16 ✓	-de-
13	4-12	-de-
14	4-16 ✓	-de-
15	4-16 ✓	-de-
16	4-16 ✓	-de-
17	4-16 ✓	-de-
18min	4-16 ✓	-de-
19	4-14 ✓	-de-
20	4-16 ✓	-de-
21	4-16 ✓	-de-
22	4-16 ✓	-de-
23	4-15 ✓	-de-
24	4-16 ✓	-de-
25	4-16 ✓	-de-
117/1	4-16 ✓	-de-
2	4-16 ✓	-de-
3	4-13 ✓	-de-
4	4-16 ✓	-de-
5	4-16	-de-
6	4-12 ✓	-de-
7	4-16 ✓	-de-
8	4-14 ✓	-de-
10	4-16	-de-
11	4-16 ✓	-de-
12	4-16 ✓	-de-
13	4-16 ✓	-de-
14	4-16 ✓	-de-
15	4-16 ✓	-de-
	4-16 ✓	-de-

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118/12min	2-04	Chahi
2	4-08	-de-
3	2-18✓	-de-
5	4-16✓	-de-
6	4-16✓	-de-
7	4-16	-de-
8	4-16✓	-de-
9	4-16✓	-de-
10	4-08	-de-
11	4-16✓	-de-
12	4-16✓	-de-
13	4-16✓	-de-
14	4-16✓	-de-
15	4-16	-de-
119/15/2	1-11✓	-de-
152	8-03	Johar
Total	426-13	

COMPENSATION CLAIM :- 71-12

Notices u/s 9 & 10 of L.A. Act, 1894 were issued to the interested persons, inviting them to claim, if any. The following persons have filed their claims.

S.No.	NAME OF THE CLAIMANT	KH.NO.	AREA	RATE CLAIMED.
1.	Sh. Narain Singh S/o Sh. Reep Chand	104/9/2 104/10/20 104/12	0-12 20-12 4-12	Rs. 150/- per sq. yd. for land. 2. Rs. 40,000/- for tubewell
2.	Meer Singh, KXXXXX Krishan Dutt K. rtar Singh Ss/o Shri Kanwar Lal	90/13min 14min 17min 90/23min 90/18min 24min 90/23min 103/3 103/4/1	2-00 3-06 3-13 1-06 2-18 4-12 3-00 5-01 1-11	Rs. 100,000/- per bigha for land. Rs. 1,00,000/- for change of residence. Rs. 30,000/- for tubewell Rs. 50,000/- for the crop. Rs. 1,00,000/- for severance 30% statutory allowance 12% interest Alternative plot.
3.	Ishwar Singh S/o Sh. Shish Ram	117/4/2 5 6 7/1	2-00 4-16 4-16 4-02	Rs. 3,50,000/- per acre for land. Rs. 15,000/- for crops. Rs. 10,000/- for livelihood 25% solatium &
4.	Bhima S/o Lala	113/3 8 12 13	2-18 4-12 1-16 4-16	1,00,000/- P.B. for land Rs. 1,00,000/- for change of residence. Rs. 30,000/- for tubewell Rs. 50,000/- for crops. Rs. 1,00,000/- for severance P/4-

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118
231-13
71-12
421-5
4-16
426-1

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					30% statutory allowance 12% interest Alternative plot.
5	Jug Lal S/o Pirbhu	104/16	4-16		Rs.1,00,000/-P.B.for land
		17	4-16		Rs.1,00,000/-for change of
		18	1-16		residence.
		22	4-11		Rs.30,000/-for tubewell
		25	4-16		Rs.50,000/-for crops.
		117/14	2-08		Rs.1,00,000/-for seve ance
		15	2-08		30% statutory allowance. 12% interest Alternative plot.
6	Sunder Singh Rana S/o Late Sh. Charan Singh	90/25min	2-16		Rs.2,00,000/-P.B.for land 30% solatium 18% interest Alternative plot Service to a member of the family Litigation charges Loss of profession Rs.1,00,000/- xxxxxx/xxxx
7	Jai Parkash Rana S/o Late Shri Cha an Singh	90/25min	2-16		-de-
8	Hoshier Singh S/o Sh. Nathu	48/10	4-08		-de-
		11	4-16		
		119/15/2	1-11		
9	Jage Ram S/o Siri Chand	103/12/2	1-01		-de-
		17/2	2-08		Rs.900/- per tree
		18	4-14		Rs.50,000/- for tubewell
		19	2-17		
10	Mahipat S/o Sh Kirpa Ram	103/7	4-16		Rs.2,00,000/-per bigha for land.
		12/2	1-16		30% solatium
		13	4-16		18% interest
		14	4-16		Alternative plot Service to a member of family litigation charges Loss in profession Rs.1,00,000/- Rs.50,000/- for tubewell Rs.900/- per tree.

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|----|---|--|--|
| 11 | Suraj BhanS/o Sh.
Siri Chand | 90/25min 1-00
103/5/1min3-14
103/6/2min0-19 | As at Sl.No.10 |
| 12 | Smt. Chander Devi
W/o Sh. Hoshier Singh | 103/6/3 2-18 | Claim S.No.1 to 7
as above. |
| 13 | Kali Ram alias Samurlya
S/o Pokhar | 89/21min2-16
90/25min 0-18
25min 1-15 | As above |
| 14 | Matee Ram S/o Sh.
Chander Singh | 89/12 4-11
19 4-16
20 2-18
21/2min 0-12
21/1min 1-16 | As above |
| 15 | Raj Singh S/o Sh.
Kirpa Ram | 90/16min 2-03 | As above |
| 16 | Chhattar Singh S/o
Rattan Singh | 89/23/2 4-08
104/8 4-16
3 4-16
4 4-12
6 4-16
7 4-16
14/1 2-04
15/1 2-04
112/6 4-16
7 4-16
14 4-16
15 4-16 | R.5 lacs per acre for
land
2. R.50,000/-for bearing
& well
3. R.40,000/-for tubewell
4. Alternative plot
5. Service to a family
member
6. Loss in profession
R.50,000/-
7 30% solatium |
| 17 | Giani Ram S/o Sh.
Ude | 117/1 4-16
2 4-13
3 4-16
7/2 0-14
117/8 4-16
9 4-16
10/1 2-00
104/21 4-16
22 4-15
23 4-16 | 1. R.50,000/-for tubewell
2. R.20,000/-for pipeline
3. R.10,000/-for Room
R.2000/-
4. R.3lacs per acre
6. 15% solatium
7. 6% interest |
| 18 | D. lip Singh, Sube Singh
Ss/o Ram Ji Lal | 117/1 4-16
2 4-13
3 4-16
7/2 0-14
8 4-16
9 4-16
10/1 2-00
104/21 4-16
22 4-15
23 4-16 | As above |

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19	Baljit Singh, Jagjit Singh Ss/o Lakhi Ram, Smt. Nanki Devi W/o Lakhi Ram	As at Sl.No.18	As at Sl.No.18	
20	P arma Nand S/o Dhani Ram	118/9 103/27	4-16 0-01	1. Rs. 60,000/- per tubewell 1/3 share Rs. 20,000/- 2. Rs. 3 lacs per acre for land.
21	Devender S/o Kartar Singh	103/22 118/2 103/27	2-14 2-03 0-01	As above
22	Ishwar Singh S/o Dhani Ram	118/2 8 103/27	2-04 2-14 0-01	As above
23	Jai Narain S/o Sh. Sultan Ganga Ram alias Gokal S/o Het Ram Ashaini	89/21 22 23 89/18 104/1	2-18 0-08 3-18 1-07	1. Rs. 3 lacs per acre for land from which 85 paise per rupees. 2. 15% sol tium 3. 6% interest
24	Zile Singh S/o Ghisa	117/14 15	4-16 4-16	1. Rs. 3 lacs per acre for land.
25	Kanwal Singh S/o Indraj	117/11 12 13	4-16 4-16 4-16	As above
26	Matu Ram, Ram Chander Ss/o Meer Singh, Halwan Singh S/o Meer Singh, Smt. Maha Kaur, Patase, Channo D/o Nauhasi	103/3 8 4/2 9/1	5-01 4-16 3-01 1-05	1. Rs. 50,000/- for well 2. Rs. 5000/- for electric motor 3. Rs. 10,000 for room of tubewell 4. Rs. 5000/- for tree each 5. Rs. 3 lacs for land per acre.
27	Smt. Parkash Wati W/o Rajinder Singh Kamlesh W/o Bijender Singh, Balbir Singh	89/7/2 8 13 18 23/1 103/5/2 6/1 104/1 2 9/1 10/1	1-10 5-04 4-16 4-16 0-08 0-19 0-19 4-14 4-14 4-04 4-04	Rs. 50,000/- for tubewell 2. Rs. 40,000/- for bearing & well 3. Rs. 5,00,000/- per acre for land. 4. Solatium & interest
28	Prem Singh, Gijender Singh, Narender Singh & Smt. Sarej Ss/o Raghunath	103/16 17/1 24 25 118/5	4-16 2-08 3-02 4-13 4-16	1. Rs. 25,000/- for tubewell 2. Rs. 3 lacs for land & Rs. per acre

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29	M/s Ajay Enterprises Ltd. through Director	117/14 15	4-16 4-16	Rs.2,50,000/-per acre for land. 15% solatium
30	-do-	117/4/2 5 7/1 26	2-00 4-16 3-17 0-04	As above
31	-do-	104/14/2 15/2 16 17 18/1 24 25	2-03 2-03 4-16 4-16 1-16 4-16 4-16	As above

DOCUMENTARY EVIDENCE :-

Claimants No. 1,2,3,5,8,9,10,11 and others produced under mentioned Photostat copies of Registries in support of their claims :-

S.No.	Sale deed No. & date	Area	Amount	Name of the parties
1.	4282 dt. 29.6.83	5-00	Rs.302000/-	M/s J.K. Jain to Ah. Atma Ram.
2	4754 dt.4.9.81	2-17	Rs.4	M/s. Sarta to Jagbir Singh
3.	3462 dt.24.5.83	9-12	Rs.4,00,000/-	M/s Deepshikha Estate to Jagbir Singh
4	3531 dt.25.7.80	17-11	Rs.3,85,625/-	M/s Maha Ram to Delhi Towers & Estate
5	3926 dt.29.6.82	2-03	Rs.49,500/-	Ram Singh to G.S.Kashyap
6	1019 dt.7.3.81	17-18	Rs.3,98,000/-	Nihal Singh to Radhey Shyam
7	3925 dt.29.6.82	1-03	Rs.25,000/-	Ran Singh to G.S.Kashyap
8	2264 dt.24.11.81	1-00	Rs.40,000/-	Sultan Singh to Mrs. Chand Jain
9	4758 dt.4.9.81	1-15	Rs.40,000/-	Smt. Sarti to Vinod Kumar
10	3346 dt.20.5.83	2-03	Rs.1,00,000/-	M/s M.S.Green Park Theaters to Jagbir Singh
11	251 dt.23.1.80	2-03	Rs.38,400/-	Mrs Krishana to M/s Singal Holidays
12	1983 dt.23.4.81	1-16	Rs.31,896/-	Tek Chand to Smt. Kanwaljit Singh Seed.
13	1986 dt.23/6/81	1-16	Rs.31,896/-	Tek Chand to Raksha Ranihi Seed.
14	4700 dt.4.9.81	1-15	Rs.40,000/-	Smt. Sarti to Smt. Kunkum Khanna

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15	7337 dt. 28.11.81	1-11	24000/- By Mohinder Singh to Smt. Chander Prabha.
16	3251 dt. 20.5.83	4-16	180000/- By Green Park theatre to Suresh Kumar.
17	3345 dt. 20.5.83	12-00	550000/- J.J. Consultant Ltd.
18	1456 dt. 15.3.83	13-18	488335/- By Devi Singh to Smt. Raj Balal Bisola.
19	3663 dt. 2.3.83	2-08	48000/- By Smt. Parkash Wati to Kamlesh Kumari.

MARKET VALUE :-

The market value of the land in question is to be assessed after keeping into consideration the advantages and potentialities attached to the land on the date of notification or on a nearby date. The best evidence to arrive at a fair market value is the genuine sale deeds in respect of the land under acquisition or the land parallel in all circumstances in the same vicinity. In the present case village Bijwasan where the land situated has a special feature and in this village the prices of land are somewhat higher than the adjoining village, being this village is famously known as village of Farm Houses. The table given above speak itself about the variance of the sale deeds executed in this village during 1983-84. The sale deed mentioned at Sl.No. 19 in khasra No. 89/21, 22 pertains to the same track of land which is under acquisition. The registration prices for this land constitutes sale prices of Rs.48000/- the area being (2-08). Thus if I accept it is as genuine sale deed the price of the land under acquisition comes to Rs.20,000/- per bigha on the date of notification u/s 4 i.e. 18.6.84. The basic fact remains that the land covered by the registration deed is nearer to the Phirni and is contained in a small piece of land. Therefore, the purchaser might have paid higher price in acquisition of this small piece of land than the actual prevailing price. The land under acquisition is a big chunk measuring 426 Bighas 13 Biswas as such its price should be less by 15% taking into consideration the situation and the potentialities as revealed from the inspection which I made. Accordingly I assess the market value of the land @ Rs.17000/- per bigha for agriculture land measuring 418 Bighas 10 Biswas and remaining land measuring 8 Bighas 03 Biswas is G.M.Johar, therefore I assess the value as one third of the agriculture land i.e. Rs.5500/- per bigha and accordingly awarded the same.

OTHER COMPENSATION :-

Most of the claimants have claimed compensation for well and tubewell which are not under the present scheme except one tubewell which is in khasra No. 118/15. All the wells and tubewell ~~xxxxxxxxxxxx~~ will be acquired through separate award. The value of tubewell in khasra No.118/15 is assessed Rs.2000/- . There is one underground water channel and two small tank in khasra No. 117/2,3, the channel is 450' long value of water channel and two small tank is also assessed Rs.2000/- Both the claimants have applied for compensation and they have no objection about the acquisition of tubewell

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and water channel in the present scheme as they have stated in their statements.

CROPS AND TREES :-

Crops and trees will be entertained separately by fresh award.

INTEREST :-

The possession of the land under acquisition was taken over on 29.8.84 u/s 17(i) of the L.A. Act, 1894, therefore, interest u/s 24 of the L.A. Act will be payable to the interested persons w.e.f. 29.8.84 to the date of announcement of the award.

LAND REVENUE :-

The land is assessed to the land revenue of Rs. which will be deducted from the rent roll of the village from the date of taking over possession of the land.

SOLATIUUM

30% solatium will be payable on the market value of the land on account of compulsory nature of acquisition.

APPROPRIATION

The compensation will be paid according to the latest entries in the revenue record.

SUMMARY :-

The award is summarised as under :-

- | | | |
|----|---|------------------|
| 1 | Compensation of land measuring 418 Bighas 10 Bistwas @ Rs. 17000/- per biha. | Rs. 71,14,500-00 |
| 2 | Compensation of land measuring 8 Bighas 03 Bistwas @ Rs. 5500/- per biha. | Rs. 44,825-00 |
| 3. | 30% solatium | Rs. 71,59,325-00 |
| | | Rs. 21,47,797-50 |
| 4. | Interest @ 9% p.a. w.e.f. 29.8.84 to 7.3.1985 (190 days only) on Rs. 93,07,122-50 paise. | Rs. 93,07,122-50 |
| | | Rs. 4,36,032-31 |
| 5. | Interest payable u/s 23(a) of the L.A. Act, 1894 (Amended in 1984) @ 12% p.a. w.e.f. 19.6.84 to 28.8.84 (71 days only) on Rs. 71,59,325/- | Rs. 1,67,116-30 |
| 6. | Compensation for structures & tubewell and water channel @ 2000/- each. | Rs. 4,000-00 |

Grand Total

Rs. 99,14,271-11

(Rupees Ninety nine lacs fourteen thousand two hundred seventy ~~One~~ and paise eleven only).

Announced in the open court on 8.3.85 and filed.

S. A. G. GHANI
(S. A. G. GHANI)
LAND ACQUISITION COLLECTOR (P): DELHI.
8.3.85

Announced in the open court

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काय वाई कठोर आग विजवाशन रकबा ७/5
4, 6, 12

दिनांक
29-8-84

आज ले हुकम जगाव गुन आधुनिक सो आधुनिकारी
सकल पालन में (रामधने नो तहसीलवाह) आपन
संस्था श्री तंज राग का 27 गो व श्री सुरत सिंह परचक
के साथ नोक पर पहुँचा मौक पर मुताबिक योग्य
महकमा आधुनिकी जागिर से श्री एस. पी. जैन
पुष्ट रेखा का आधुनिकारी, श्री एस. के. सरस्वती
उप निदेशक व श्री कांशा राग सहायक
आग यन्त्रा C. P. W. D. हाउस मिल इन के
आदित्य श्री धर सिंह, चण्डी राग श्री
नारायण सिंह आदि गुण दारान गो हाउस
है मौक पर गुण श्रेष्ठ को निशान दे दी दे
कर निगम लिखत खसरा नम्बरान को कठोर
वाकई दिया गया | 89

7-8 mi - 12-13-14
1-10 3-18 3-18 4-16 5-1

89
16-17-18-19-20-21-22-23-24-25
3-15 4-16 4-16 4-16 2-18 4-16 4-16 4-16 4-16 4-16

90

13 mi - 14 mi - 16-17-18-23-24-25
0-14 1-7 2-13 4-8 2-18 3-16 4-13 4-16 3-4
5-1 4-13

103

5-6-7-8-9 mi - 12 mi - 13-14-15-16-17
4-16 4-16 4-16 4-16 1-5 2-1 4-16 4-16 4-16 4-16 4-16

103

104

18-19-22 mi - 24-25
4-4 2-17 3-1 3-2 4-13
1-2-3-4-
4-14 4-14 4-16 4-17

104

8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25

104

18-19-20-21-22-23-24-25
4-4 4-16 4-16 4-16 4-15 4-16 4-16 4-16

117

1-2-3-4-5-6-7-8-9-10
4-16 4-13 4-16 4-16 4-12 4-16 4-16 4-16 4-16 4-16

117

12-13-14-15
4-16 4-16 4-16 4-16

118

$\frac{1}{2}$ in-2-3-5-6-
2-4 4-8 2-8 4-16 4-16

118

9-10-11-12-13-14-15
4-16 4-8 4-16 4-16 4-16 4-16 4-16

119

$\frac{15}{2}$ 152
1-11 8-3

been taken over from the same
in Dept on 29/8/84 for information for

मौज पर 127 नवरात खसरा न फसल पाई
उन का साथ आला सवनाई गई है जिस
एवा ड के साथ लगाया जा कर दिया जाय गा
वाई कंडा पूरी की गई गांव का मलवाप कार
क काररा हंडर नही आया है उस का
का पोट बरात करत आमल कागजाल 17

possession has
to the Agency

जाय गा रक पोट न हकरने आया
कहा काशिवर की पुगावा रोशन ला
गो है गई राम पते नोट
29/8/84

Malikam
29-8-84

109611
29/8/86

29/8/84

29/8/84
(S.P. JAIN)

29-8-84

29/8/84
Karnel RANA