

AWARD No. 1978

Name of the Village:

Dhirpur.

Nature of Acquisition:

Permanent.

This is a case for the acquisition of land required by the Government at the public expense for a public purpose, namely, for the Planned Development of Delhi. A declaration under section 4 of the Land Acquisition Act was made vide Notification No.F.7(25)/61-L&H(1) dated 23.7.62. The substance of the notification was given due publicity in and around the area to be acquired and objections were invited from the interested persons. No objections, were however, received. A notification under section 6 of the Land Acquisition Act was made vide Notification of even number dated 13.9.62. Notice under section 9(1) of the Land Acquisition Act was given due publicity and notices under section 9(3) and 10(1) of the Land Acquisition Act were issued to known interested persons.

MEASUREMENT & OWNERSHIP.

According to the notification under section 6 of the Act, the total area to be acquired was 163 Bighas.

Further measurement made on the spot this area was 163 Bighas.

The area is, therefore, held to be correct.

The ownership of the whole land according to the records vests in Shri Harbans Lal s/o Khushi Ram.

Shri Harbans Lal got a plan of the land prepared and he divided this land into plots. In his claim

Shri Harbans Lal has stated that he has sold plots to different persons.

Most of these persons reside in Nairobi in East Africa.

Notices under section 9(3) were sent to these persons.

Some of them have filed their claims. The list of persons

whom the plots have been sold is as given below:-

0/-
50/-
100/-
400/-
2800/-
Rs. 1750/-
Rs. 1400/-
Rs. 1400/-
Rs. 1400/-
Rs. 1400/-
Rs. 5600/-

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Sl.No.	Name of the Purchaser	Area in sq.yds.	Plot No. Block.	Price.	Claims
1.	Sh. Hukan Chand Bouri	350	133/A	Rs. 1750/-	---
2.	Sh. Balwant Rai.	350	5/C	Rs. 1650/-	---
3.	Sh. Khairati Lal.	700	131 & 132/A	Rs. 3500/-	---
4.	Sh. Chanan Ram.	350	123/A	Rs. 1750/-	---
5.	Sh. Bhushan Singh.	350	126/A	Rs. 1750/-	---
6.	Sh. Teja Singh.	350	112/A	Rs. 1400/-	---
7.	Sh. Vidya Parkash Sud	350	2/A	Rs. 1750/-	---
8.	Smt. Nirmal Vohra.	350	119/A	Rs. 200/-	---
9.	Sh. Pritam Singh.	350	30/F	Rs. 1400/-	---
10.	Sh. Karan Singh.	400	83/84	Rs. 1600/-	---
11.	Sh. K.L. Gupta.	350	48/D	Rs. 1400/-	Reasonable compensa
12.	Sh. Amar Nath.	350	2/B	Rs. 1750/-	Rs. 70/- per
13.	Sh. Madho Singh s/o Sh. Kishan Singh.	350	125/A	Rs. 1750/-	Rs. 80/-
14.	Sh. Ranji Dass, Shri Bachan Chand Sharma.	350	11/B	Rs. 1750/-	---
15.	Bachitter Singh.	350	10/B	Rs. 1750/-	---
16.	Harnek Singh.	350	16/B	Rs. 1400/-	---
17.	Dr. Amar Nath Bouri.	700	92 & 93/B	Rs. 3500/-	---
18.	Sh. Labh Singh.	350	115/A	Rs. 1750/-	---
19.	Sh. S. Bachan Singh.	350	30/A	Rs. 1400/-	---
20.	Ujagar Singh.	350	110/A	Rs. 1400/-	---
21.	Sh. Natha Singh.	700	114/A & 116/A	Rs. 2800/-	---
22.	Smt. Parkash Wati w/o Sh. Mangal Ram.	350	12/C	Rs. 1750/-	---
23.	Sh. Daljit Singh.	350	2/C	Rs. 1400/-	---
24.	Sh. Ranji Dass.	350	17/F	Rs. 1400/-	Reasonable compensati
25.	Sh. Baa Singh.	350	31/A	Rs. 1400/-	---
26.	Sh. Lakha Singh.	350	86/A	Rs. 1400/-	---
27.	Sh. Thakur Singh.	1400	25, 26, 27 and 28/B	Rs. 5600/-	---

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28.	Sh. Atma Singh & Mohan Singh.	700	55,56/D	Rs. 3500/-	-----
29.	Sh. Furan Singh.	350	9/B	Rs. 1750/-	-----
30.	Sh. Tara Chand Sud.	350	21/B	Rs. 1400/-	-----
31.	Sh. Ajit Singh.	350	7/B	Rs. 1750/-	-----
32.	Sh. Jagdish Rai.	350	4/B	Rs. 1750/-	-----
33.	Sh. Ram Singh.	350	15/B	Rs. 1400/-	-----
34.	Sh. Karam Chand Bhakoo	350	107/A	Rs. 1750/-	-----
35.	Sh. Chanan Singh.	350	31/F	Rs. 1400/-	-----
36.	Sh. Piayare Lal Mohindra	350	20/B	Rs. 1400/-	Reasonable compensation
37.	Smt. Saraswati Devi.	350	3/C	Rs. 1750/-	-----
38.	Miss B.D. Pural D/O Munshi Munna Lal.	400 400	52 69 & 70A	Rs. 1600/-	-----
39.	Smt. Parkash Wati w/o Shri Dina Nath.	200	53/D	Rs. 1000/-	Rs. 70/- per sq yd.
40.	Sh. Ladha Ram Khanna	311	95/A	Rs. 1244/-	Reasonable compensation
41.	Sh. Madho Singh.	400	16/17C	2100/-	-----
42.	Sh. Rajinder Nath.	350	22/B	Rs. 1400/-	Claimed Rs. 2765/-
43.	S. Chanan Singh.	700	7,8/C.	Rs. 3700/-	-----
44.	Sh. S.K. Kapur & Sh. K.K. Kapur.	250	40/B	Rs. 1375/-	-----
45.	Smt. Ishwar Kaur w/o Sh. Badha Singh.	350	34/C	Rs. 1400/-	Smt. Ishwar Kaur has died & Sh. Sudh Singh has clai med compensati on
46.	Sh. Joginder Singh.	350	18/D	Rs. 1750/-	-----
47.	Smt. Sharla Devi w/o Sh. Gobind Singh Beni.	200	39/C	Rs. 800/-	-----
48.	S. Bahora Singh.	350	5/B	Rs. 1750/-	-----
49.	S. Mohinder Singh.	400	58,59/A	Rs. 1600/-	-----
50.	Smt. Parbati Devi w/o Sh. Jagdish Chander.	200	52/B	Rs. 1000/-	Rs. 70/- per sq. yd.
51.	Sh. Pokar Singh	350	34/B	Rs. 1750/-	-----
52.	Sh. Jasodha Lal Thakur	200	64/B	Rs. 1100/-	Reasonable compensation.

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53.	Sh. Asa Singh.	350	35/G	Rs.1400/-	-----
54.	Sh. Ram Chand.	350	14/G	Rs.1400/-	-----
55.	Sh. Shamsunder Lal.	350	6B/B	Rs.1400/-	Reasonable compensation.
56.	Sh. Balag Ram.	500	71,72/A	Rs.1600/-	-----
57.	Sh. Shanker Lal Mayor.	350	122/A	Rs.1750/-	-----
58.	S. Kartar Singh.	350	131/A	Rs.1750/-	-----
59.	Nauratam Singh.	350	15/A	Rs.1400/-	-----
60.	Sh. Babu Ram.	350	8/B	Rs.1750/-	He states that his Plot No. is B/1 instead of 8/B and he claims Rs.70/- per sq.yd.
61.	Ba. Ranjit Singh.	350	102/A	Rs.1400/-	-----
62.	Sh. Pura Singh.	350	104/A	Rs.1400/-	-----
63.	Smt. Gian Devi Kapur, Sh. Jairamdas Kapur.	350	127/A	Rs.1750/-	-----
64.	Sh. Amrit Sarinmal Marwaha.	350	15/F.	Rs.1400/-	-----
65.	Sh. Hari Singh.	700	24,25/F.	Rs.2800/-	Reasonable compensation.
66.	Shri Raj Kumar.	200	50/B	Rs.1000/-	Rs.70/-
67.	Sh. Lal Singh.	350	130/A	Rs.1750/-	-----
68.	Ba. Hari Chand s/o Sh. Devi Dayal Kapur.	200	51/B	Rs.1000/-	Rs.60/-per sq.yd.
69.	Smt. Mohan Devi w/o Sh. Mool Raj Duggal.	200	62/B	Rs.1000/-	-----
70.	Sh. Gurdian Singh.	400	23,24/A	Rs.1600/-	-----
71.	Sh. Roshan Lal Kohli	350	92/A	Rs.1400/-	Reasonable compensation.
72.	Dr. Tej Ram.	6150	32 to 36/B 41 to 45/B 73 to 76/B 90/B, 17 to 19/B 96 to 98/B 100 to 106/B	Rs.13000/-	Sh. Tej Ram has died & his wife Smt. Ravail Devi has claimed compensation.
73.	Sh. Charan Singh.	350	71/B	Rs.1400/-	-----
74.	Sh. Jagdish Chander Lakhi.	350	12/G	Rs.1400/-	-----
75.	Sh. Harnam Singh.	700	15,16/D	Rs.2800/-	Claimed Rs.3000/-.

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76.	Sh. Piya Lal.	350	19/D	Rs. 2400/-	-----
77.	Sh. Om Parkash.	350	29/A	Rs. 2000/-	-----
78.	Sh. Partap Singh.	350	99/A	Rs. 2500/-	-----
79.	Sh. Dhian Singh.	250	26/C	Rs. 1375/-	Reasonable compensation.
80.	Sh. Jagat Singh.	350	108/A	Rs. 1400/-	-----
81.	Sh. Phakar Singh.	700	78, 79/E	Rs. 2800/-	Reasonable compensation.
82.	S. Gurbiz Singh.	350	32/F	Rs. 1400/-	-----
83.	Sh. Parlok Nath Thapan.	350	91/A	Rs. 1400/-	-----
84.	Sh. Lakh Singh.	700	13, 14/B	Rs. 3500/-	-----
85.	Sh. Sudh Singh.	350	105/A	Rs. 1750/-	-----
86.	Sh. Hans Raj s/o Sh. Anant Ram.	200	49/B	Rs. 1000/-	Rs. 50/- per sq. yd.
87.	Sh. Sunder Singh.	350	129/A	Rs. 1750/-	-----
88.	Sh. Sri Ram Sarup.	200	63/E	Rs. 1000/-	Reasonable compensation.
89.	Sh. Sadhu Singh.	350	123/A	Rs. 1750/-	-----
90.	Sh. Kharaiti Lal s/o Sh. Nathuram.	200	48/B	Rs. 1000/-	Rs. 40/- per sq. yd.
91.	Sh. Kanwar Phani.	200		Rs. 800/-	Rs. 50/- -do-
92.	Sh. Darbari Lal Phasin	200		Rs. 800/-	-----
93.	S. Amrit Lal Kapur.	600		Rs. 2400/-	Rs. 50/- per sq. yd.
94.	Smt. Krishana Devi w/o Sh. Tilak Raj Wahi.	300		Rs. 1200/-	-----
95.	Sh. S.D. Pari.	500		Rs. 2000/-	Rs. 50/- per sq. yd.
96.	Sh. Gopal Dass.	200		Rs. 800/-	-do-
97.	Sh. Hira Lal Kapur.	700	87, 88/A.	Rs. 2800/-	-----
98.	Sh. Kidar Nath.	350	23/B	Rs. 1400/-	-----
99.	Sh. Ram Dev.	350	16/F.	Rs. 1400/-	-----
100.	Sh. Gurbaksh Singh & Kapur Singh.	350	36/C	Rs. 1400/-	-----
101.	Sh. Harbans Rai.	350	94/B	Rs. 1750/-	-----
102.	Sh. Hari Kishan Lal.	350	86/E	Rs. 2000/-	Reasonable compensation.
103.	Sh. Ratan Singh.	700	23/F, 85/F.	Rs. 2800/-	-----
104.	Sh. Karam Singh.	200	29/C	Rs. 1375/-	-----
105.	Sh. Jagdish Rai Thapan	350	90/A	Rs. 1400/-	-----

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106.	Sh. Jagan Nath.	350	102/B	Rs.1750/-	-----
107.	Sh. Kartar Singh.	350	70/B	Rs.2000/-	-----
108.	Sh. Jodh Singh.	400	56,57/A	Rs.1600/-	-----
109.	Sh. Ram Singh.	250	34/F	Rs.1375/-	-----
110.	Sh. Gopal Singh.	200	35/D	Rs.1000/-	-----
111.	Midar Singh.	350	46/B	Rs.1750/-	-----
112.	Sh. Salig Ram.	200	66/F	Rs.1100/-	Rs. 50/-per sq.yd.
113.	Sh. Deula Singh.	350	84/E	Rs.2000/-	-----
114.	Sh. Jawala Dass.	200	70/F	Rs.1100/-	Rs. 50/-per -do-
115.	Shmt. Kishan Kaur w/o Sh. Kuskal Singh Thapan	250	27/C	Rs.1375/-	-----
116.	Sh. Des Raj.	350	38/C	Rs.1400/-	-----
117.	Sh. Sohan Singh & Sh. Mohan Singh.	200	85/F	Rs.1100/-	-----
118.	Sh. Mala Singh	450	92,93/E	Rs.2500/-	-----
119.	Sh. Des Raj.	200	69/E	Rs.1100/-	Rs. 50/- per sq.yd. & Rs.2000/- for development.
120.	Sh. Sansari Lal Mudgal	350	120/A	Rs.1750/-	Rs. 50/-per sq.yd.
121.	Sh. Atma Ram.	350	13/C	Rs.1400/-	-----
122.	Sh. S.P. Talwar	200	57/F	Rs.1100/-	Reasonable compensation.
123.	Sh. Arjan Dass Jhinga	200	68/F	Rs.1100/-	-----
124.	Sh. Gopal Singh.	350	50/D	Rs.1750/-	-----
125.	Sh. Piyara Singh.	200	82/A	Rs.1100/-	Reasonable Compensation.
126.	Sh. Lakh Singh. Feik.	350	19/F	Rs.1750/-	Rs.2000/-
127.	Sh. Amar Nath.	350	87/E	Rs.2000/-	Reasonable compensation.
128.	Sh. Mehar Singh.	350	47/E	Rs.1750/-	-----
129.	Sh. Mulraj Varma.	200	51/C	Rs.1100/-	-----
130.	Sh. Lachhmandas.	350	89/A	Rs.1400/-	-----
131.	Sh. Chanan Singh Bansal	350	21/F	Rs.2000/-	Claimed 2000/-
132.	Sh. Balwant Singh.	350	20/F	Rs.2000/-	Claimed 2000/-
133.	Sh. Dwarka Dass, Kapal.	200	52/C	Rs. 800/-	-----
134.	Sh. Mohinder Singh Pardeshi.	350	22/F	Rs.2000/-	Reasonable compensation.

135.	Sh. Ujagar Singh.	350	83/E	Rs. 1750/-	
136.	Sh. Harbans Lal. ✓	350	45/D	Rs. 2000/-	
137.	Sh. Ratan Singh s/o S. Uttam Singh.	400	76, 77/F.	Rs. 2100/-	
138.	Sh. Kundan Lal.	350	103/D	Rs. 1750/-	Rs. 50/- per sq
139.	Sh. Maharaj Kishan Bhandari.	200	45/A	Rs. 1000/-	He has stated that he does not know Urdu so He should be sent notice again in Hindi
140.	Sh. Heru Ram.	350	28/A	Rs. 2000/-	
141.	Sh. Jawahar Lal Walhotra	200	85/B	Rs. 1000/-	
142.	Sh. Hari Singh.	250	28/G	Rs. 1375/-	
143.	Sh. Rajinder Singh.	350	37/G	Rs. 2000/-	
144.	Sh. Amar Nath Bury.	500	43,44/A	Rs. 2650/-	Rs. 50/- per sq.
145.	Sh. Durgadass.	400	64,65/F	Rs. 1600/-	
146.	Sh. Dogar Singh.	200	55/A	Rs. 1100/-	
147.	Sh. Raj Bahadur Bhandari	200	46/A	Rs. 1000/-	
148.	Sh. Pritam Singh.	350	6/B	Rs. 1750/-	
149.	Sh. Ram Sarup Mohindra	350	12/B	Rs. 1750/-	Alternative accommodation.
150.	Sh. Harbans Lal Ahlu- walia.	350	124/A	Rs. 1750/-	
151.	Sh. Chanan Singh.	350	95/B	Rs. 1750/-	
152.	Sh. Chaman Singh s/o Sh. Daulet Ram.	400	42,43/D	Rs. 1500/-	
153.	Sh. Chhajju Ram Paul.	400	64,55/E	Rs. 2100/-	
154.	Sh. Joginder Singh.	250	35/F.	Rs. 1375/-	
155.	Sh. Atma Singh.	700		Rs. 3500/-	
156.	Sh. Darshan Singh.	350	69/B	Rs. 2000/-	
157.	Sh. Dalip Singh.	250	56/B	Rs. 1375/-	Reasonable Compensation.
158.	Shri Vijay Kumar and Shri Ajit Kumar Agnesh s/o Shri M. G. Angrish.	700		Rs. 4000/-	Rs. 100/- per sq. yd.
159.	Shri Dharam Vir.	350	18/F.	Rs. 2000/-	
160.	Shri Phuman Singh.	350	Rs. 1750/-	Rs. 1750/-	
161.	Sh. Prem Singh.	350	58/D	Rs. 2200/-	

In addition to these persons M/S Moti Lal Theaters Private Ltd; have filed a claim stating that they have decreed a Court against Shri Harbans Lal for a sum of Rs.66,500/-. Calculating the interest at 9% from 31.5.55 they should get Rs.1,10,489.75 nP. He has further stated that he has realised Rs.27,551.50 nP and he should get Rs.82,928.25 nP more. Shri Harbans Lal contests the claim of this amount. A sum of Rs.85,000/-, therefore, be sent to the District Judge for disbursement.

CLAIMS & EVIDENCE.

Shri Harbans Lal has claimed compensation @ Rs.8/- per sq.yd. The claims made by various plot-holders have been shown against their names in the above list. Shri Harbans Lal has produced 3 sale-deeds pertaining to Model Town in which small plots were sold at very high rates. Model Town is a developed colony providing all facilities and the Market Value of the land under acquisition cannot be calculated on the basis of these sale-transactions.

MARKET VALUE.

The land under acquisition is situated in a very low lying area on the Northern side of the Model Town. Prince Road leads upto the boundary of the land under acquisition. On the Eastern side of the land under acquisition, there is a Radio Transmitting Station which is totally barren. On the other 2 sides of the land under acquisition, there is agricultural land. The owner prepared a lay-out plan for this area in the year 1950-51. From his own statement it is seen that all these plots were sold in the year 1951-52. Only 4 plots were sold in the year 1956-57. No plots have been sold for the last 17 years. The owner was always ready to sell the plots but there were no purchasers. From this it is clear that it is not suitable for developing the colony. There is not even Kacha

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road or marking of the plots on the land under acquisition. It is totally barren land and is not being used for any purpose. The market value of this land is, therefore, very low. A part of the land was acquired vide Award No.979 date 8.3.60. In that award, the rate given by the Land Acquisition Collector was Rs. 1000/- per bigha. He went before the Addl District Judge in reference and the rate was enhanced to Rs.2500/- per bigha for the level land and Rs.1000/- per bigha for the Gairmunkin Nala. The following sale-transactions of similar land have taken place in the estate of Dhirpur during the last 5 years.

Mutation Number.	Date of registration.	Khasra No.	Area Bigha-Biswa	Total sale value.	AVG
391	28.3.58	168 Min	9 - 4	22500/-	2500/-
392	19.4.58	154 Min	1 - 18	3880/-	2000/-
329	19.4.58	154 Min	1 - 18	3880/-	2000/-
370	31.8.59	497/434	1 - 16	2000/-	1100/-

No sale-transaction of comparable land have taken place during the year 1960-61. There are transactions of agricultural land at very low price approximately amounting to Rs.200/- per bigha. These are for the agricultural land and not a true indication of the Market Value of the land under acquisition. As I have already discussed there have been no sales of plots in the land under acquisition from the year 1957 onwards and therefore there is no indication of the increase in prices of the land under acquisition from the year 1957 onwards. The material date in Award No.979

is 8.3.60. The rate given by the Land Acquisition Collector was Rs.1000/- per bigha and by the District Judge it is Rs.2500/- per bigha. An appeal has been filed against the judgement of the Additional District Judge by Hari Harbans Lal. I am of the view that a rate of Rs.2500/- per bigha will be reasonable for the level land. As regards Nala it is

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still in possession of the Government and Shri Harbans Lal has got nominal right in this Nala. I think a rate of Rs.1000/- per bigha will be very reasonable to satisfy the rights of Shri Harbans Lal in this Nala. These rates are supported by the judgment of the Additional District Judge and also by the sale-transactions of comparable land.

OTHER COMPENSATION.

There is neither any tree nor any well nor any structure on the land under acquisition. No compensation is, therefore, allowed on these grounds. The land owners will get 15% as solatium for compulsory nature of acquisition.

APPORTIONMENT.

From the statement submitted by Shri Harbans Lal himself it is found that out of the total area of 206 Bighas 11 Biswas, Nala consisted of 7 Bighas 10 Biswas. The area left for common purposes was 40 Bighas. In this way, the plotted area amounted to 159 Bighas 1 Biswa. It means that the compensation for 47 Bighas 10 Biswas is to be divided on the plotted area. The total compensation for 47 Bighas 10 Biswas is worked out as below:-

Compensation for 40 Bighas of land @ Rs.2500/- per bigha.	Rs.1,00,000.00
Compensation for 7 Bighas 10 Biswas of land @ Rs.1000/- per bigha.	Rs. 7,500.00
	Rs.1,07,500.00

Dividing this money at 159 Bighas 1 Biswa, the average per bigha works out to Rs.675/- per bigha. The rate for the plotted area, therefore, works out at Rs.3175/-. Dividing it by 1008 sq. yds. the rate works out to Rs.3.15 per sq. yard. The compensation to the plot-holders will, therefore, be paid @ Rs.3.15 per sq.yd. plus 15% as solatium for compulsory nature of acquisition. The remaining compensation will be paid to the land owners Shri Harbans Lal. It may here be mentioned that there were plot-holders also in the land which has already been acquired for the Radio Transmmitting Station & they do not appear to be

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paid anything. If further statement should be taken from Shri. Narain Lal as to what the plot-holders have already been paid. If there is a dispute, the compensation for these plots should be sent to the Additional District Judge, for disbursement.

THE LAND IS SURVEYED AS BEING.

Compensation for 12 Aghas	Rs. 2,39,625.00
17 Aghas @ Rs. 2500/- per Agha.	Rs. 7,500.00
Compensation for 7 Aghas 10	Rs. 3,97,125.00
Masas @ Rs. 1000/- per Agha.	Rs. 59,568.75
154 on the above as solution.	Rs. 4,56,653.75
Total.....	

The land is assessed to wt land revenue, therefore, there is no necessity of any deduction from the Revenue Roll.

(Land Revenue)
Land Acquisition Collector I,
28.1.1963.

Submitted to the Collector of District for information and filing.

(HMD KASHMIR)
DND 1357 DND 1357
28.1.1963.

Seen
S. S. S. S.
ADMLA
23/1/63
COLLECTOR, DELHI.

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