A W A R D No. 48/78-79

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NAME OF THE VILLAGE : DHIR PUR.

NATURE OF ACQUISITION: PERMANENT.

PURPOSE OF ACQUISITION: PLANNED DEVELOPMENT OF DELHI.

A W A R D :

These are proceedings for determination of compensation under section 11 of the Land Acquisition Act for land measuring 9 bigha 9 bis. in village Dhir Pur, Delhi. The land forms a part of land notified under section 4 of the Land Acquisition Act vide notification No. F.11(21)/71-L&B dated 21.12.1971 for 9 bigha 15 bis. for a public purpose namely for the planned development of Delhi. After considering objections under section 5-A, Delhi Administration issued declaration under section 6 of the Land Acquisition Act for an area measuring 9 bigha 15 bis. vide notification No.F11(21)/71-L&B dated 22nd July, 1972. This award is, at present, confined to area measuing 9 bigha 9 bis. only for implementation of a certain scheme. The remaining area will be acquired as & when required by the Government. In persuance of the above said notification notices under section 9 & 10 of the Land Acquisition Act were issued to the persons interested and claims filed by them are discussed hereafter under the heading 'COMPENSATION CLAIMS'.

TRUE AND CORRECT AREA:

The area under acquisition as given in the declaration under section 4 & 6 is 9 big. 15 bis., but at present only an area measuring 9. big. 9 bis. is being acquired. The measurement of the land was done at site by the Land Acquisition field staff and the area proposed to be acquired, at present, was found to be correct i.e. 9 Big. 9 bis. as per demarcation given by the Acquiring Department at site.

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CLASSIFICATION OF LAND:

The details of khasra Nos. in the form 7-A have been prepared and are as under:-

KHASRA NOS.	AREA	KIND OF LAND.
409/75	0-19	G. M. M.
410/76	0-19	G. M. Boundry Wall.
77	1-7	-do-
80/2	6-4	-do-
	9-9	

The interested persons have not raised any objection regarding the measurement and classification of land. Hence, there is no alternative left with me but to agree with the classification and measurement as proposed by the Land Acquisition Field Staff which is as under:-

Kind of land	Area
Gair Mumkin	9. Bigha 9 bis.

COMPENSATION CLAIMS:

The following perons have filed claims for compensation:-

S. NO.	NAME OF THE CLAIMANT.	COMPENSATION CLAIMED.
1.	Sh. Har Gopal Seth s/o Shri Roop Kishor.	Has claimed compensation @ Rs.2 50/-per Sq. yd. He has also claimed cost of buildings Rs. 1,00,000/- and Rs. 7,000/- for the fruit bearing trees and flower plants.
2.	Principal, Rosary Church School, Dhirpur.	Has claimed compensation without indication any specific amount.
3.	Sh. Khub Chand, ICS s/o Late Sh. Deep Chand, and Jagdish Chand Ajmani IFS s/o Late Sh. Deep Chand. and Sahdev S/. Late Bishan Das.	Have filed a joint claim for their land in Kh. Nos. 410/76, 77 and 80 @ Rs. 200/- per Sq. Yd. They have also claimed Rs. 50,000/- for structures, Rs. 12,000/- Boundry wall, Rs. 2000/- one main Iron Gate, Rs. 400/- four Iron Gates, Rs. 15,000/- for shifting of godowns & 15% interest.

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MARKET VALUE

The market value of the land under acquisition has to be determined with reference to the price prevailing as at the date of notification under section 4 of the Land Acquisition Act. The value to be ascertained is the price to be paid for the land with all its potentialities and uses made of it by the vendor.

The best evidence to arrive at market value is the sale transactions pertaining to the adjacent land nearest to the material date. From the perusal of the records of rights, following sale transactions have been found to have been executed nearest to material date:-

Sl.No.	Date of Regn.	Khasra Nos.	Area Sq.yds	Consideration money	Average p.sq.yd
1.	11.9.68	551/431/164	100	Rs. 2000/-	Rs. 20/-
2.	12.9.68	424/147	118	Rs. 1770/-	Rs. 15/-
3.	9.10.68	8	70	Rs. 3500/-	Rs. 50/-
4.	20.8.68	505/431	50	Rs. 1500/-	Rs. 30/-
5.	20.8.68	81	70	Rs. 1000/-	Rs.14.28
6.	30.4.69	22	216	Rs. 3000/-	Rs.14.00
7.	26.7.69	8	137	Rs. 2000/-	Rs.14.50
8.	9.9.70	551/431/164	75	Rs. 2000/-	Rs.26.66
9.	13.5.70	456/429/148	300	Rs. 7500/-	Rs.25-00
10.	4.11.71	8	65	Rs. 3500/-	Rs.53-82
11.	23.3.71	511/474/359	400	Rs. 2800/-	Rs.7-00
12.	7.12.71	450/219	50	Rs. 200/-	Rs.4-00
13.	2.12.71	8	75	Rs. 2000/-	Rs.26-66

The scrutiny of sale deed cited at S.No. 3,7,10 & 13 reveals that land transferred through these sale transactions is of Baldora i.e. Abadi Deh which cannot be taken into consideration for determination of fair market value of land under acquisition. Sale deeds cited at S.No.1,2,4,6,8,9,11 & 12 are also not relevant as khasra numbers executed under these sale transactions are situated far away from the land under acquisition. It can be said that situation of the land under acquisition is different from the land transferred through these sale deeds.

An area of 70 sq.yds of Kh.No. 81 was transferred through sale deed dated 20.8.68 cited at S.No. 5. The situation & quality of land under acquisition is similar in all circumstances to the land of Khasra No. 81. This plot is adjoining to the land under acquisition and ~~safely~~

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ely be taken for assessing the fair market value of
l under acquisition. There is time gap of 3 years
onths between the date of notification & executing
ed. Sale deed dated 20.8.68 was executed for an
easuring 20 sq.yds out of Khasra No. 81 for consideration
of Rs. 1,000/-. The price of land per sq.yds comes to
.28 P. Keeping in view of time gap of 3 years & 4 months
ural rise in price and sale deed dated 20.8.68 I deem
fair to allow Rs. ~~17240~~ 17240 per ~~xxxxx~~ bigha for land under acqui-
sition.

POSSESSION

The possession of the land under acquisition vide this award has not so far been taken by the Government.

DAMAGES FOR STANDING TREES/PLANTS ETC.

The following fruit trees/plants and flower plants are on the land acquired, the compensation of which is assessed as under:-

S.No.	Kh.No.	Name of trees/ plants.	No.of trees/ plants	Rate	Total
1.	75	Mango	4	Rs.20/-	Rs.~~20/-~~80/-
2.		Amrud	4	Rs.15/-	Rs.60/-
		Jammun	2	Rs.10/-	Rs.20/-
		Sahtut	4	Rs.10/-	Rs.40/-
		Khatta	3	Rs.10/-	Rs.30/-
		Nimboo	3	Rs.10/-	Rs.30/-
		Narangi	1	Rs.10/-	Rs.10/-
		Aaru	3	Rs.10/-	Rs.30/-
		Naspati	1	Rs.10/-	Rs.10/-
		Alucha	1	Rs.10/-	Rs.10/-
		Papita	12	Rs. 5/-	Rs.60/-
		Gulab	60	Paise 25/-	Rs.15/-
		Motia	16	" 25/-	Rs. 4/-
				Total:-	Rs.399/-

STRUCTURES

The existing structures in Khasra Nos. 409/75, 410/76, 77 & 80/2 have been got valued from the Assistant Engineer (Valuation), DDA, and he has furnished the estimates of the structures as shown below:-

1.	410/76, 77 & 80/2	Rs. 17,440/-
2.	409/75	Rs. 66,970/-
	Total:-	Rs. 84,410/-

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The revenue record does not indicate any Tin shed in the Kh.Nos.410/76,77 & 80/2 but as reported by the Asstt.Engineer (Valuation), DDA the above said Khasra Nos. do have the tin sheds which were contructed before the notification. In view of this fact, the valuation report of Asstt.Engineer is taken to be true for the summarisation of the award.

SOLATIUM

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

COMPENSATION

The compensation shall be paid according to the latest entries in the revenue record. In case of dispute, it shall be referred to the court of A.D.J., Delhi for adjudication under section 30/31 of the Land Acquisition Act.

LAND REVENUE DEDUCTION

Khalsa amount of deduction from the land revenue dues on account of land acquired works out to Rs.1.14P. There will be duduction of this amount from the Khalsa roll of the village concerned.

The awarded land shall vest in the Government absolutelyfree from all encumbrances w.e.f. the date of takingover the possession.

Subject to the above remarks the award is summarised as

Under:-

S.No.	AREA Big.Bis.	RATE PER BIGHA	AMOUNT OF COMPENSATION
1.	9-9	Rs.17,240/-	Rs.1,62,918.00
2. Cost of structures			Rs. 84,410.00
3. Cost of Trees, Plants etc.			Rs. 399.00
		TOTAL:-	Rs.2,47,727.00
4. 15% Solatium			Rs. 37,159.05
		G.Total:-	Rs.2,84,886.05

(Rupees Two Lac Eighty Four Thousand Eight Hundred Eighty Six & Paise Five Only.

(NATHU SINGH)
Land Acquisition Collector(N):Delhi.

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कार्यवाही कब्जा ग्राम [illegible] पुर अवार्ड नं० 48/79

आज दिनांक 22/5/79 आदेश L.A.C (N) मुताबिक ग्राम

में हमरा श्री [illegible] सिंह पटवारी L.A मौके पर पहुंचा मौके पर मुझे
तथा भवन निर्माण की ओर से श्री C.B. [illegible] तहसीलदार [illegible] श्री
उमराव सिंह Kgo L&B, D.D.A निर्माण की ओर से लखमी चन्द N.T
आजाद सिंह पटवारी व श्री नन्दराम नम्बरदार व श्री श्याम लाल चौकीदार
[illegible] D.D.A. मौके पर हाजिर मिले [illegible] की ओर से श्री
[illegible] सिंह पुत्र [illegible] मौके पर हाजिर आये इन की मौजूदगी में तख्मीना
खसरा $\frac{80}{2}$, 77, $\frac{410}{76}$, $\frac{409}{75}$ की मौके पर निशान दही हद बन्दी की
6-4 1-7 0-19 0-19
[illegible] हद नम्बर [illegible] पर [illegible] मुताबिक [illegible] परन्तु
मौके पर नम्बर खसरा 77 में $16\left(\frac{17+31}{2}\right) = 384$ वर्ग फुट खसरा नम्बर $410/76 = \frac{14 \times 16}{2} = 112$ वर्ग
फुट व $11\frac{1}{2}\left(\frac{13+20}{2}\right)$ 172 वर्ग फुट में पुख्ता मकान [illegible] मौके पर बना हुआ
है और खसरा नं $409/75$ मौके पर खाली है। अतः इस [illegible]
0-19
[illegible] खसरा $\frac{80}{2}$, 77, $\frac{410}{76}$ कुल तादाद
6-4 1-6 0-17
8-7 का कब्जा [illegible] मौके पर प्राप्त [illegible] श्री C.B. [illegible]
तहसीलदार L&B [illegible] गया और उन्होंने उसी समय [illegible] कुल
प्राप्त शुदा रकबा 8-7 का कब्जा [illegible] श्री लखमी चन्द N.T
D.D.A को किया गया। बाकी अब उपरोक्त तख्मीना खसरा का [illegible]
[illegible] कब्जा में [illegible] प्राप्त [illegible]
है। [illegible] कार्यवाही की [illegible] मौके पर [illegible]

[illegible]

प्रश्न क्षेत्र में कब्ज़ा कोई मजाहमत नहीं हुई / इस भाग की मुनादी [illegible]

मौका पर देहातों में जा आवाज़ लगाकर श्री श्याम लाल नायब [illegible] D.D.A

में इसकी जानकारी कराई गई है / पटवारी हलका जिसमें पटवारी [illegible]

[illegible] मौका पर हाज़िर नहीं है / इस लिए इस भाग का [illegible]

[illegible] तहसीलदार [illegible]

[illegible] उपरोक्त भाग का [illegible]

व [illegible] हवाले श्री C. Verma व उपरोक्त भाग का कब्जा [illegible]

[illegible] हवाले श्री लखमी चन्द N.T. D.D.A को हवाले किया गया

[illegible] हो चुका है [illegible] L.A.C

[illegible] आगे की कार्यवाही की जावे / - Lilak Ram 22/5/79 [illegible]

[illegible] N.T

Umrao Singh 22/5/79 Kgo. L&B.

Chattar Singh Patwari L.A 22/5/79

A Singh Pat 22/5/79

[illegible] पटवारी डी० डी० ए० 22-5-79

श्याम लाल [illegible]

[illegible signature] 22.5.79
(C. B. VERMA)
Tehsildar (L&B)

Possession of land the description of which had been represented earlier passed on to the N.T. Shri Lakhmi Chand of the Authority on the spot itself.

[illegible signature] 22.5.[illegible]
(C. B. VE[illegible])

[illegible]
N.T. D.D.A
22/5