

... A W-A R-D No. 49/72

Name of the village: HIRANKI

Nature of acquisition: PERMANENT

Purpose of acquisition: CONSTRUCTION OF ROAD

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act. The land situate in village Hiranki measuring 65 bighas 4 biswas was notified u/s 4 of the Land Acquisition Act vide notification No.F.15(190)/55-L&H (iii) dated 30.5.69 for a public purpose namely, for construction of Road. Provisions of sub-section (1) of section 17 were also made applicable to this area and hence the interested persons were not given any opportunity to file their objections u/s 5-A. The Delhi Administration issued a declaration u/s 6 of the said Act vide notification No.F.15(190)/55-L&H (iv) dated 30.5.69. In pursuance of above declaration u/s 6, notices u/s 9 & 10 of the said Act were issued to all the persons interested in the land now under acquisition. The claims filed by the claimants are discussed hereafter under the heading 'CLAIMS'.

MEASUREMENT

The area under acquisition as given in the declaration u/s 6 is 65 bighas 4 biswas but it has been found as 66 bighas 2 biswas at the time of measurement made by the field staff. The increase of 18 biswas is due to measurement on the spot. Hence area measuring 66 bighas 2 biswas is being acquired at present.

CLASSIFICATION OF LAND

The details of khasra Nos. in form 7-A have been prepared under para 55 of the Financial Commissioner's Order No.28 which are as under:-

S.No.	Khasra No.	Area Big. Bis.	Kind of land
1.	55/1	1 - 03	Abpash
2.	56/1	2 - 05	G.M. Johar
3.	105/1	1 - 03	Abpash
4.	106/1	1 - 02	-30-
5.	107/1	1 - 02	-30-

6.	108/1	1 - 02	Abpash
7.	168/1	1 - 00	-do-
8.	169/1	0 - 03	G.M. Rasta
9.	170/1	1 - 03	Abpash
10.	171/1	1 - 02	-do-
11.	172/1	1 - 02	-do-
12.	222/1	1 - 02	-do-
13.	223/1	1 - 04	-do-
14.	282/1	1 - 02	-do-
15.	283/1	1 - 02	-do-
16.	284/1	1 - 02	-do-
17.	285/1	0 - 13	-do-
18.	388/1	0 - 03	G.M. Rasta
19.	389/1	0 - 13	Abpash
20.	390/1	0 - 07	G.M. Chah
21.	391/1	1 - 09	Abpash
22.	396/1	1 - 02	-do-
23.	397/1	1 - 02	-do-
24.	403/1	1 - 02	-do-
25.	404/1	1 - 02	-do-
26.	410/1	1 - 02	G. Abpash
27.	411/1	1 - 02	Abpash
28.	416/1	1 - 02	-do-
29.	441/1	1 - 17	G. Abpash
30.	442/1	1 - 02	-do-
31.	443/1	1 - 02	-do-
32.	444/1	33 - 03	G.M. Sarak Kham
		55 - 02	

The land owners have not raised any objection regarding the measurement and classification of land. At present there is no other alternative left with me except to agree with the classification and measurement as proposed by the Naib Tehsildar (IA) on the basis of the entries of khasra girdawari and other relevant record. At the time of publication of notification u/s 4 the classification of land is as under:-

Kind of land	Area Big. Bis.
Abpash	24 - 18
Ghair Abpash	5 - 03
G.M. Chah	0 - 07
G.M. Johar	2 - 05
G.M. Rasta	0 - 06
G.M. Sarak	33 - 03
Total:	66 - 02

POSSESSION

The possession of the land now under acquisition has already been taken on 9.12.69.

CLAIMS

CLAIM

REMARKS

1. Sh. Om Parkash etc.

Demands compensation @
Rs.50/- per square yard and
Rs.50,000/- for change of
residence and business

Failed to produce any evidence
in support of his claim. Hence the
compensation shall be fixed
according to the facts & figures
collected from the revenue record.

2. Sh. Maman Singh s/o Risal Singh :

Claims compensation @ Rs.35/-
per sq. yd.

-do-

3. Sh. Bir Singh etc.

4. Claim compensation @
Rs.5000/- per bigha.

-do-

4. Sh. Ranjit Singh

As at serial No.3

-do-

5. Sh. Khacheru s/o Khima:

As at s.No.3

-do-

6. Sh. Har Lal s/o Sh. Ramji Lal:

Demands compensation @
Rs.10/- per sq. yd.

-do-

MARKET VALUE

The land of this village is governed under the Delhi Land Reforms Act, 1954, and cannot be used for purposes other than agriculture without the prior sanction of the prescribed authority.

The area now under acquisition is lying in a narrow strip from the southern boundary to northern boundary of this village. Cultivated area is either Abpash or Ghair Abpash but the quality of the land is the same. Uncultivated area is either under path, road or pond and is of low level of inferior quality as compared with the adjacent area. Khasra No. 56/1 measuring 2 bighas 5 biswas is pond and remains under water during most of the period of the year. In order to assess the accurate price of land to the full satisfaction of the interested persons it seems necessary to divide this area into following different blocks as under:-

BLOCK NO. I:- Abpash, Ghair Abpash area of the same quality as well as G.M. Chah lying within this area is included in this block comprising of the following khasra Nos:

55/1, 105/1, 106/1, 107/1, 108/1, 109/1, 169/1, 170/1, 171/1, 172/1, 222/1, 223/1, 262/1, 263/1, 264/1, 265/1, 339/1, 390/1, 391/1, 396/1, 397/1, 403/1, 404/1, 410/1, 411/1, 416/1, 441/1, 442/1 & 443/1.

Total Area: 30 Bighas 8 Biswas.

BLOCK NO. II: Pond area which remains under water for most of the period of the year comprising khasra No. 56/1 measuring 2 bighas 5 biswas is included in this block.

Area measuring 33 bighas 9 biswas of khasra Nos. 169/1, 398/1 (0-3) (r-3) & 444/1 is under path and is being used as a thorough fare.

(33-3)
Hence no compensation shall be fixed for this area and it has not been included in any of the above mentioned blocks.

In calculating the amount of compensation, certain points as mentioned u/s 23(1) of the L.A. Act are to be kept in view. In order to determine the market value, many other factors enter into reckoning which are also necessary, for instance, the sale transactions of village concerned, nearness of the land to any pucca road, rise and fall in prices due to demand of it in the market and the market value of the land acquired previously in the village concerned.

No land has so far been acquired in this village. Hence the market value of the land in question can only be based on

contd...5/-

the basis of sale-deeds which took place during five years preceding the date of notification u/s 4 which are discussed as under:-

Area measuring 4 bighas 8 biswas & 10 bighas was sold for Rs.8000/- & Rs.5000/- vide registered deed dated 13.2.65 & 16.4.65 and the average price per bigha comes to Rs.631.92 & Rs.500/- respectively. This area is situated at a distance of about four killas from a portion of land now under acquisition. Area measuring 36 bighas 9 biswas was sold for Rs.29,000/- vide registered deed dated 26.4.66 and the average price per bigha comes to Rs.795.61. This area is situated at different places and is at a distance of more than five killas from the land in question. Area of several khasraNos. measuring 12 bighas 16 biswas ~~and the average~~ was sold for Rs.10,000/- vide registered deed dated 29.7.66 and the average price per bigha comes to Rs.731.25. This area is situated at a distance of about four killas from a portion of land now under acquisition. This is the latest sale in this village. No sale took place during the subsequent years till the date of publication of notification u/s 4. No doubt the notification u/s 4 was issued after a period of about three years from the date on which this sale took place but there is no other alternative to find out the prevailing price in the village. It is a fact that the prices of agricultural products have rising trend to some extent and after giving a margin for the period mentioned above the market value of land now under acquisition and placed in block No.I can easily be fixed. The price of land placed in block No.II should be about 1/2 of the price likely to be fixed for the land placed in block No.I as this area generally remains under water throughout the year.

Keeping the above discussion in view I think that Rs.900/- & Rs.450/- per bigha is the fair and reasonable price for the land now placed in blocks No. I & II respectively. I assess the same.

contd...6/-

TREES: WELLS & OTHER STRUCTURES:

TREES:- There are some trees over the land now under acquisition which can only be used as fuel wood. The tendency of the persons is to remove the trees even after fixation of price. In order to safeguard the public interest and not to keep the owners in any doubt it is quite reasonable that they should be given opportunity either to remove these trees or to receive compensation. The Naib Tehsildar(LA) has given every detail of these trees in his chief data and on the basis of information given by the Naib Tehsildar(LA) I assess the market value of these trees as under:-

Kh.No.	No. and Kind of trees.	Weight in quintal	Rate per quintal	Total price
171/1	Kikar 1	3	5/-	15/-
	Khajur 1	1	5/-	5/-
222/1	Kikar 1	1	5/-	5/-
Total:				25/-

In case the interested persons will desire to have the compensation then they will have to apply in writing to this effect that no tree has so far been removed from the site and the compensation shall be paid after verification from the Naib Tehsildar(LA) concerned failing which they will be at liberty to remove these trees within 90 days from the announcement of the award and nothing shall be paid to them.

WELLS:- There is a well situated in khasra No.390/1 over the land now under acquisition. The Naib Tehsildar(LA) has proposed Rs.800/- as its price. I have also no reason to differ with the proposed value of the Naib Tehsildar(LA). Hence I also assess Rs.800/- for the well situated in khasra No.390/1.

OTHER STRUCTURES:- There is no structure over the land now under acquisition.

MAUFI AND JAGIR:- There is no Maufi and Jagir over the land now under acquisition.

APPORTIONMENT:- The interested persons shall be paid compensation according to the latest entries in the revenue record of the land now under acquisition. In case of any dispute the payment shall be made after any amicable settlement between the parties concerned failing which the matter shall be referred to the competent court for adjudication.

contd...7/-

LAND REVENUE DEDUCTION: - Khalsa amount of redation from the land revenue dues on account of land acquired works out to Rs. 5.69. There will be deduction of this amount from the Khalsa Rent Roll of the village concerned w.e.f. taking over the possession.

INTEREST: - As the possession of the land has already been taken by the department concerned on 19.12.69 and the payment of compensation is likely to be made on ^{5.6.70} ~~19.12.70~~. Hence the interested persons will be paid interest @ 6% per annum for the period mentioned above i.e. 19.12.69 to 1.6.1970.

The aforesaid land will vest absolutely in the Govt. free from all encumbrances from taking over the possession.

Subject to above remarks, the award is summarised as under:-

1. Compensation for land measuring 30 bighas 8 biswas of block No. I @ Rs. 900/- per bigha.	Rs. 27,360-00
2. Compensation for land measuring 2 bighas 5 biswas of block No. II @ Rs. 450/- per bigha.	Rs. 1,012-50
3. Compensation for area measuring 33 bighas 9 biswas used for common purposes.	- H I L -
4. Compensation for Trees.	Rs. 25-00
5. Compensation for Wells.	Rs. 800-00
6. 15% for compulsory acquisition.	Rs. 4,379-62
7. Interest @ 6% per annum w.e.f. 19.12.69 to 1.6.70.	Rs. 910-72
Total:	Rs. 34,437-84

(K.N. Joshi)
(KISHAN SINGH)

Land Acquisition Collector:(N):Delhi.

Forwarded to the Collector, Delhi, for information.

(K.N. Joshi)
Land Acquisition Collector:(N):Delhi.

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\frac{1}{20} = \frac{1}{5561780343040}, \quad \frac{1}{5561780343040} - \frac{1}{21} = \frac{1}{116797437203840}, \quad \frac{1}{116797437203840} - \frac{1}{22} = \frac{1}{2569443618484480}, \quad \frac{1}{2569443618484480} - \frac{1}{23} = \frac{1}{59097242225143040}, \quad \frac{1}{59097242225143040} - \frac{1}{24} = \frac{1}{141833381340343360}, \quad \frac{1}{141833381340343360} - \frac{1}{25} = \frac{1}{354583453350858400}, \quad \frac{1}{354583453350858400} - \frac{1}{26} = \frac{1}{9219169786122318400}, \quad \frac{1}{9219169786122318400} - \frac{1}{27} = \frac{1}{24880341393917937600}, \quad \frac{1}{24880341393917937600} - \frac{1}{28} = \frac{1}{69684955892810124800}, \quad \frac{1}{69684955892810124800} - \frac{1}{29} = \frac{1}{2010863720891493625600}, \quad \frac{1}{2010863720891493625600} - \frac{1}{30} = \frac{1}{6032591162674480876800}, \quad \frac{1}{6032591162674480876800} - \frac{1}{31} = \frac{1}{186820326042908907174400}, \quad \frac{1}{186820326042908907174400} - 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\frac{1}{61} = \frac{1}{9876628638112130766186240000000000000000000}, \quad \frac{1}{9876628638112130766186240000000000000000000} - \frac{1}{$$
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واقعہ موضعہ، آئل ایٹو اکر شدہ، داخل حاصل کرے واقعی ہر جیات قائم لگو اکر حاضر ان شری K.L. سکو جو سویر
لینڈ ایٹو، سیٹ، شری جن کل متہ گم دور لینڈ ایٹو، سیٹ، شری S.C. سنٹل S.O.M.C. دل کو
دیا گیا آرائش موقعہ پر فصل کاشت ہے۔ قبضہ مکہ فصل دیا گیا۔ فصل تیرا کا معاوضہ الوارڈ میں لعا دیا جاوے گا
موقعہ پر ہر وقت قبضہ کاروائی کوئی مزاحمت پیش نہیں آئی۔ موقعہ پر ۴ دیتہ امیں بنزیر شری ادم لیر کاش بیدار
منادی و شتیری بہادر بلند لہرائی گئی۔ کیواری مال موقعہ پر حاضر نہیں ملا۔ اس کے ایک نقل کیواری مال سے پاس
لہرائے کرنے عمل در آمد اخذات بھی گئی ہے۔ - تحریک ۱۹/۱۲/۶۹

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