

AWARD No. 10/81- 82

Name of the village Jharoda Kalan
 Purpose of Acquisition Construction of Bupnia Chhudani out-fall Drain.
 Nature of Acquisition Permanent

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land measuring 288 Bighas 18 Biswas situated in village Jharoda Kalan was notified u/s 4 of the Land Acquisition Act read with section 6 & 17 of the Land Acquisition Act vide notification No. F.7(22)/80-L&B(1)(2)(3) dated 26.9.80 for a public purpose namely Construction of Bupnia Chhudani Out-fall Drain. Notices u/s 9 & 10 of the Land Acquisition Act were issued to the persons interested requiring them to file their claims. The claims and evidence will be discussed under the heading "Compensation Claims".

TRUE AND CORRECT AREA :-

Measurement were carried out by the Land Acquisition Field Staff and also revenue record was consulted. The area found to be correct 288 Bighas 18 Biswas. Details of which is as under :-

<u>Khasra No.</u>	<u>Area</u>	<u>Kind of soil</u>
19/25	2-03	Abpash Chahi
20/4 min	2-08	-do-
5	4-16	-do-
6 min	2-08	-do-
7	4-16	-do-
8 min	2-08	-do-
12 min	2-08	-do-
13	4-16	-do-
20/14 min	2-08	-do-
18 min	2-08	-do-
19	4-16	-do-
20 min	2-08	-do-
21	4-16	-do-
28 min	2-08	-do-
21/1 min	2-08	-do-
22/4 min	2-08	-do-
5	4-16	-do-
6 min	2-08	-do-
7	4-16	-do-
8 min	2-08	-do-
12 min	2-08	-do-
13	4-16	-do-
14/4 min	2-03	-do-
86/	0-03	-do-
19		

19	4-16	Abbas Chahi
20 min	2-05	-do-
21	2-14	-do-
22 min	2-02	-do-
76/4 min	2-08	-do-
5	4-16	-do-
6 min	2-08	-do-
7	4-16	-do-
8 min	2-08	-do-
12 min	2-08	-do-
13/1	0-07	-do-
13/2	4-09	-do-
76/14 min	2-08	-do-
18 min	2-08	-do-
19 min	4-16	-do-
20 min	2-08	-do-
21/1	2-01	-do-
21/2	2-03	-do-
22 min	2-08	-do-
75/1 min	2-08	-do-
77/25 min	2-08	-do-
78/4 min	2-08	-do-
5 min	4-16	-do-
6 min	2-08	-do-
7	4-16	-do-
8 min	2-08	-do-
12 min	2-08	-do-
13	4-16	-do-
14 min	2-08	-do-
18/2 min	2-03	-do-
19	4-16	-do-
20 min	2-08	-do-
21/1	3-18	-do-
21/2	2-08	-do-
22 min	2-05	-do-
79/1/1 min	0-03	-do-
1/2 min	2-08	-do-
85/1 min	2-08	-do-
86/4 min	4-16	-Banyar W
5 min	2-08	-do-
6 min	3-18	-Banyar W
7	2-02	-Banyar W
8 min	2-08	-do-
12 min	3-07	-Abbas Afarm
13 min	0-14	-Banyar W
14 min	1-18	-Abbas W
86/18 min		-Abbas W
19		

20/2 min	2-04	Abbas Chahi
21	4-16	-do-
22 min	2-08	-do-
87/25/2 min	0-04	-do-
25/3 min	2-01	-do-
91/25 min	2-08	-do-
92/4/1 min	0-13	-do-
4/2 min	1-15	-do-
5/2	4-14	-do-
6 min	2-06	-do-
7/1	2-08	-do-
7/2	2-08	-do-
8/1	0-13	-do-
8/2	1-16	-do-
12 min	2-00	-do-
13	4-16	-do-
14 min	2-08	-do-
18 min	2-06	-do-
19	2-03	-do-
20/1	0-02	-do-
20/2	2-06	-do-
21/1	2-14	-do-
21/2	2-02	-do-
22 min	1-16	-do-
23	0-03	-do-
96/21	3-02	-do-
22 min	2-03	-do-
97/25/1 min	0-07	-do-
25/2 min	1-15	-do-
93/1 min	2-08	-do-
179 min	1-04	-Gan. Rasta
175 min	1-02	-do-
177 min	1-04	-do-
156 min	5-08	-do-
65/1 min	2-08	-do-
Total	288-18	

CLAIMS AND EVIDENCE :-

Sl.No.	Name of the claimant	Khasra No.	Area	Rate Claimed
1.	Sh. Manphool Singh Sh. Bari Singh " Hawa Singh & Daya Caand	97/25/1/2	0-07	1. Rs.10,000/- per bigha for land
2.	Sh. Sultan Singh S/o Shri Sis Ram	22/6 7/2	2-08 3-04 5-12	-
3.	Smt. Chandro D/o Ram Sarup, Sh. Satpal J ginder Singh S/o Jit Ram, Sh. Chander Bhan S/o Ram Sarup, Smt. Satti Wd/o Sh. Sher Singh, Smt. Bisalo D/o Sher Sh. Bharam	78/21/2	3-18	-do-

4.	Sh. Shri Ram S/o Ram Sarup 76/14 ✓ " Jog Raj Singh S/o -do-	2-08	Rs.10,000/- per bigha for land.
5.	Sh. Dalip Singh S/o Shri 92/21/2 Kishan Lal, through 91/25 Sh. Chander Bhan Advocate	2-02 4-16	1. Rs.25/- per sq. yd. for land. 2. Rs.25000/- for the loss of crop. 3. Rs.12000/- for tubewell 4. Rs.6000/- for Development. 5. Rs.5000/- for trees. 6. 15 % solatium 7. Interest u/s 28 & 4 (3)
6.	Jiley Singh, Lilu Ram 20/21 Ram Phal Ss/o Subh Ram Dig Ram, Jai Singh Ss/o Harkey Ram, through Chander Bhan Advocate	4-16	1. Rs.25/- per sq. yd for land. 2. Rs.25000/- for the loss of crops. 3. 15 % solatium 4. Interest u/s 28 & 4 (3)
7.	Sh. Kalu S/o Arjun 22/18 Sh. Nand Ram S/o Rati Ram 19 Sh. Jug Lal S/o -do- 20 Sh. Chatter S/o -do- 21 Sh. Hukam Chand S/o Shri Sukhdev Sh. D.R.Sherma S/o Maya Ram Sh. Dunga Singh S/o -do-	2-08 4-16 2-05 2-15	1. Rs.25/- per sq.yd. for land. 2. 15 % solatium 3. Interest from the date of possession till payment. 4. Rs.1000/- p.b. for crops. 5. Rs.50,000/- for change of Residence. 6. Rs.1000/- for per tree.
	Sh. Jiya Ram, Daya Ram 76/12 Ss/o Khema, Suraj Singh 76/19 Smt. Man Kaur W/o Khema 76/22 " Phoowati D/o -do- Sh. Tej Ram, Prithi Singh Ss/o RamKalan, Nathu Ram, Mange Ram Ss/o Sobha Ram	2-08 4-16 2-08	1. Rs.25/- per sq.yd. for land. 2. Rs.75000/- for loss of crops. 3. Rs.12000/- for tube-well 4. Rs.6000/- for develop-ment. 5. 15 % solatium 6. Interest u/s 28,4(3)
	Sh. Hoshiar Singh S/o Ram 75/5 Ram Ji Lal 75/6 75/1/1 86/12 20/2 21 87/25/3 25/3	4-16 2-08 2-05 2-08 2-04 4-16 2-01 0-04	Rs.25/- per sq.yd. for land. 2. Rs.1,00,000/- for loss of crops. 3. 15 % solatium 4. Interest u/s 28 & 4(3)
	Ram + Sarup S/o Dhani Ram- " Daryoo Singh S/o Jug Lal Smt. Chhotoo Wd/o -do-	-	1. Rs.25/- per sq.yd. for land. 2. Rs.1,00,000/- for loss of crops. 3. Rs.80,000/- for two tubewell 4. Rs.3000/- for trees 5. 15 % solatium 6. Interest u/s 28 & 4(3)
	Sh. Chander Bhan 78/5 S/o Sh. Ram Ji Lal, 6 Manjit Singh S/o Siri 79/1/1 Lal 86/12 20/2	4-16 2-08 2-05 2-08 2-04	1. Rs.25/- per sq.yd. for land. 2. Rs.30,000/- for loss of crops. 3. Rs.10,000/- for cost

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12. Sh. Raghbir Singh 76/8 -
 " Hari Singh S/o Shri 13/1 -
 Sh. Sehaj Ram 13/2 -
 21/2 -
1. Rs.10,000/- per bigha for land.
13. Sh. Bal Kishan S/o Neki 78/7 4-16
 Sri Kishan S/o -do- 78/8 2-08
 Jai Kishan S/o -do- 12 2-05
 Smt. Hardai D/o -do- 13 4-16
 " Rajo D/o -do- 14 4-16
 " Savitri D/o -do-
 " Kalawati D/o -do-
1. Rs.20/- per sq.yd. for land
 2. Rs.50,000/- for loss of crop
 3. Rs.2000/- for trees.
 4. 15 % solatium
 5. Interest 28 & 4(3)
14. Prithi S/o Bharam 92/4/7 0-13
- Rs.10,000/- ~~per bigha~~ for land
15. Sh. Sardare S/o Khura 75/1 2-08
 "Smt. Sarupi D/o -do- 76/4 2-08
 Sh. Surat Singh S/o Ram 5 4-16
 Nath, Ved Barkash S/o 6 2-08
 Jai Lal, Lachmi Ram S/o 7 4.16
 Jai Lal
1. Rs.20/- per sq.yd. for land
 2. Rs.50,000/- for loss of crop
 3. Rs.15000/- for tubewell & Water channel
 4. Rs.25000/- for pucca tubewell.
 5. Rs.500/- for trees.
 6. 15 % solatium
 7. Interest u/s 28 & 4(3)
16. Sh. Sudhan, Jhumna, 92/4/2 1-15
 Parbhu, Rubha, Raghu 5/2 4-14
 Nath S/o Lal Chand 6 2-06
 Zile S/o Molor 93/1 2-08
 Narain Singh S/o -do- 96/2/1-2 0-14
 Balwan Singh S/o -do-
- Rs.10,000/- per bigha for ~~land~~
17. Bhagwana, Siri Chand 22/12 2-02
 & Sabha Chand S/o
 Chhattur
1. Rs.50/- per sq.yd. for land.
 2. Rs.10,000/- for severance
 3. Rs.10,000/- for change of profession.
 4. Rs.1000/- per bigha for crops.
 5. Interest & Solatium.
8. Sh. Rati Ram & 13/25 2-08
 Rameshwar etc. 20/5 4-16
 20/6 2-08
 20/7 4-16
 8 2-08
 13 4-16
 14 2-08
 40/20/2 2-06
 12 1-16
- do-
- Sh. Daya Chand, 96/22/2 2-03
 Hukam Chand & others
1. Same.
 2. Rs.10,000/- for severance.
 and Rs.10,000/- for tamoto crops.
 3, 4 & 5 same.
 Same as item No. 17
- Sh. Hoshier Singh S/o 76/20 2-08
 Ram Mehar 27/2 2-01
- Sh. Nathu S/o Gheesa 19/25 2-03
 Richpal S/o Bhandu 20/12 2-08
 20/18 2-08
- do-
- Sh. Raghunath S/o 65/1 2-08
 Bhola And three others.
- do-

23.	Smt. Anguri W/o Lehana Singh & Lehama Singh.	78/18/2 2-03	As at Sl. No. 22
24.	Sh. Ram Kishan, Om Parkash Ss/o Subha Chand, Siri Chand S/o Kheema, Lal Chand, Suraj.	22/4/2 1-12 5/2 2-17	-do-
25.	Sh. Chandgi Ram, Ram Mehar Ss/o Raja Ram	8/14 0-14	-do-
26.	Sh. Singh Ram S/o Ram Singh, Mange S/o Harphool	86/18 1-18	-do-
27.	Sh. Raghbir deceased S/o Ram Sarup, Misri, Jage Surjan Ss/o Ram + Sarup Silak Ram S/o Sis Ram	20/21 4-16	-do-
28.	Deep Chand S/o Amin Lal & Thirteen others	21/1 2-08 22/7/1 1-12	-do-
29.	Sri Chand, Chandan Ss/o Molar, Azad, Dharam Dharam Singh Ss/o Sobha	-	-do-
30.	Risal Singh, Satte Ss/o Sh. Kheema Chand Nathu Ram,	77/25 2-08 78/20 2-08 21/1 0-18	-do-
31.	Jit Ram, Sardar Singh Ss/o Chotu	2/4/1 0-16 5/1 1-09	-do-
32.	Parey Ram., Lakhi Ram Kala Ss/o Nihal Smt. Har Kaur W/o Risal	78/4 2-08	1. Rs. 20/- per sq. yd. for land. 2. Rs. 10,000/- for severance 3. Rs. 10,000/- for well 4. Rs. 600/- for trees 5. Rs. 10,000/- for change of profession. 6. Rs. 1000/- for crops. 7. Interest & solatium.
33.	Smt. Chandro D/o Ram Sh. Satpal, Joginder Singh Ss/o Jit Ram, Chander Bhama S/o Ram Sarup Smt. Sarti W/o Sher Singh " Risalo D/o -do- " Dharam Pal S/o -do-	78/21/2 3-18	1. Rs. 50/- per sq. ud. for land. 2. Rs. 10,000/- for severance. 3. Rs. 10,000/- for change of profession. 4. Rs. 1000/- for crops. 5. Interest & solatium
34.	Sh. Sultan, Gopi Ram Ss/o Sis Ram, Sh. Nathwa Kali Ram Ss/o Budh	22/6 2-08 7/2 3-04	-do-
35.	Rati Ram S/o Jug Lal	20/12 2-08 18 2-08	-do-
36.	Rattan Singh S/o Jia	22/8 2-08 22/12 2-08 13 4-16 14/1 2-03	-do-
	Surte S/o Jumna Dass Sri Ram S/o -do- Jit Ram S/o -do-	74/14/2 0-05	-do-
38.	Maha Singh S/o		

Lal, Gopi, Dharam Singh and Raje	8/2	1-16	
39. Sh. Zile Singh	92/4/2	1-15	1.Rs.25/- per sq.yd. for land.
Narain Singh Ss/o Molar	5/2	4-14	
Sh. Balwan Singh	6	2-16	3.Rs.6000/- for well
	23/1	2-08	2.Rs.30,000/-for loss of crops.
	96/2/2	2-14	4. Rs.1200/- for tree
			5. 15 % solatium
			6. Interest u/s 28&4(3)

Note :- Some of the claimants have claimed compensation for tubewell, well etc. The same is not under present Acquisition.

DOCUMENTARY EVIDENCE :-

Shri Manphool etc. Claimant No. 1 have filed a phtostat copy of registered sale deed No. 3754 dated 10.9.80 in which Shri Baljit Singh S/o Shri Chirangi Lal R/o Village Jharoda Kalan was sold his 1/8th share measuring 4 Bighas 4 Biswas out of khasra No. 56/3/1, (0-05 Biswas) 3/2, (4-11), 6(4-16), 7(4-16), 8(4-16), 13(4-16), 14(4-16), 15(4-16) total measuring 33 Bighas 12 Biswas for consideration of a sum of Rs. 36,640/-.

MARKET VALUE :-

The Market value of the land under acquisition has to be determined with reference to the price prevailing at the date of notification u/s 4 of the Land Acquisition Act, with all its advantages and with all its potentialities. The best evidence available to arrive at the correct market value of the land would be the evidence of genuine sales executed about the times of notification either in respect of the land under acquisition or the portion thereof or sales of land precisely parallel in all circumstances to the land under acquisition. There are

39 claimants who have filed their claims and objections and has asked for the compensation @ Rs.10,000/- to 50,000/- per bigha besides compensation for damages to the standing crop and have also requested for solatium and cost of tubewell and well. In support of their claims, one sale deed No. 3754 dated 10.9.80 for a sum of Rs.36,640/- in respect of land measuring 4 Bighas 04 Biswas (in khasra No. 56/3/1(0-05), 3/2(4-11), 6(4-16), 7(4-16), 8(4-16), 13(4-16), 14(4-16), 15(4-16) Total measuring 33 Bighas 12 Biswas. has been produced. To get further possible evidence the Tehsil Register C-4 was also consulted by the Naib Tehsildar. There are two other sales noticed by him, one in respect of land measuring 6 Bighas in khasra No. 68/2 & 9 for a sum of Rs.30,000/- and other for land measuring 4 Bighas 16 Biswas in khasra No. 68/8 for

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on the basis of notification u/s 4 dated 24.3.77 @Rs.3125/- for Block 'A' and Rs.2700/- for Block 'B'. I have considered all the facts available on record and found that the sales covered by the sale deeds referred to above are near the village Abadi and of the police Centre. The value of the land in this vicinity is on a higher site and therefore this is not considered fit to determine the fair market value. Alternatively I have considered the award which was given by the L.A.C. vide award No.29/80-81 announced on 27.5.80. The land under acquisition is basically of two type and thus it is for the purpose of award demarcated in Block A&B and the land bearing Khasra No.92/4/1(0-13), 4/2 (1-15), 5/2(4-14), 6 min(2-06), 7/1(2-08), 7/2(2-08), 8/1(0-13), 8/2(1-16), 12 min(2-00), 13(4-16), 14Min (2-08), 18 Min(2-06), 19(2-03), 23(0-03), 96/21 min(3-02), 22 min(2-03) , 97/25/1(0-07), 10/2(1-15) and 93/1 min(2-08) Total measuring 40Bighas 04 Biswas is covered by the sweet water and its give better agriculture produce whereas rest of the land is slightly of a inferior as the water is not good as in the other portion. Therefore, it is less productive land than the land covered by Block 'A'. Very portion of Block 'A' will cover the area from Mangashpur Drain to Najafgarh Bahadur Garh Road in Block 'A' and Khasra No.86/4(2-08), 6Min(2-08) 7(3-18), 13(3-07), 65/1Min,(2-08), 156/1Min(5-08), 175Min(1-02), 177Min(1-04), 179Min(1-04), Total measuring 25Bigha 9Biswa which is banjar e.ct. falls in Block 'C' and the rest of land measuring 228 Bighas 13 Biswas in Block 'B'. After considering all the aspects, vicinity and the potentialities attached to the land, I considered Rs.3750/- per bigha in Block 'A', Rs.3200/-per bigha in Block 'B' and Rs.1800/-per bigha in Block 'C' as fair market value of the land under acquisition and accordingly awarded the same. Compensation for structures, well and Tubewell, if any, will be given separately.

WELLS & STRUCTURES:- No well and structures is under the present acquisition.

TREES:- No compensation is assessed for the trees because owners are instructed to cut their trees.

INTEREST:- The possession of land measuring 288 Bighas 18 Biswas which was under acquisition has been taken over on 30.10.80 under the provisions of the Land Acquisition Act, 1894. Hence interest is payable from the date of taking over possession of land upto the date of commencement of the award.

REVENUE:- The land under acquisition is assessed to a sum of Rs.102-6-66 as land revenue. The same will be deducted from the present roll of the village w.e.f. Kharif, 1980.

COMPENSATION:- Compensation will be paid according to the

Contd.....1/3

latest entries in the revenue record except where persons other than owners claimed compensation or found any other kind of dispute.

SUMMARY

The award is summarised as under :-

1. Market value of land measuring 40 Bighas 04 Biswas pertaining to Block "A" @ Rs. 3750/- per bigha. Rs. 1,50,750-00
2. Market value of land measuring 223 Bighas 05 Biswas pertaining to Block "B" @ Rs. 3200/- per bigha Rs. 7,14,400-00
3. Market value of land measuring 25 Bighas 09 Biswas pertaining to Block "C" @ Rs. 1800/- per bigha Rs. 45,810-00
4. 15% solatium Rs. 1,36,644-00
5. Interest u/s 34 of the L.A. Act w.e.f. 30.10.80 to 5.8.81 (280 days only). Rs. 48,218.48

Grand Total

Rs. 10,95,822.48

(Rupees Ten lacs ninety-five thousand ~~ten~~ Eight hundred twenty-two and paise forty-eight only).

Sd/-
(S. C. GUPTA)
LAND ACQUISITION COLLECTOR(P): DELHI.

*for forward in the open court
by in presence of the interested
persons.*

Sd/-

6-88.