

A W A R D NO. 29/80-81

NAME OF THE VILLAGE : Jharoda Kalan
 NATURE OF ACQUISITION : Permanent
 PURPOSE OF ACQUISITION : Construction of Police Training College

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land measuring 33 bigha s 8 biswas situated in Village Jharoda Kalan was notified u/s 4 of the Land Acquisition Act read with section 6 and 17 of the Land Acquisition Act vide notification No.F.7(51)/76-L&B/3 dated 24.3.77 for a public purpose namely for construction of Police Training College. 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 & Correct Area

Measurement were carried out by the Land Acquisition Field Staff and the area notified u/s 4 & 6 has been found at the spot is as under:-

<u>Rect. No.</u>	<u>Killa No.</u>	<u>Area</u>	<u>Kind of soil</u>
59	19	Big. Bis 4-16	Benjar
	20	4-16	-do-
60	16	4-16	Abpash
	17	4-16	-do-
	18/1	1-12	-do-
	18/2	3-4	-do-
	19/2	4-12	-do-
	20/1	2-4	-do-
	20/2	2-12	-do-
Total:-		<u>33-08</u>	

Classification of soil

Benjar 9-12
 Abpash 23-16
33-08

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CLAIMS & EVIDENCE

The following interested persons in response to notices u/s 9 & 10 have filed their claims for compensation:-

Sl.No.	Name of the claimant	Kh.No./Area Big. Bis	Compensation claimed
1.	Chiranji Lal, Rai Singh, Daya Chand, Bani Singh, Hawa Singh, Khazari, Chandan, Man Phool Singh, Santra wd/o Mahender Singh, Sabo wd/o Mahender Singh, Maha Singh, Deep Chand, Ranbir Singh alias Rattan Singh, Misri Lal, Hari Singh, Jot Ram, Sultan Singh, Ishwar.	33-08	Have claimed compensation @ Rs. 20,000/- per bigha for land and Rs. 3000/- each per tube- well for four Tube Wells.

Note:- No Tube Well was existing in the land under acquisition at the time of taking over possession and there is no entry in the khasra girdawari for the year 1976-77.

Awards

The following awards have been made in the Village:-

Sl.No.	Award No.	Date of notification u/s 4	Amount per bigha kham
1.	2187	11.7.68	A Block Rs. 750-00 B Block Rs. 650-00 C Block Rs. 400-00
2.	2198	3.5.66	A Block Rs. 600-00 B Block Rs. 400-00 C Block Rs. 100-00
3.	1/72-73	10-6-68	A Block Rs. 750-00 B Block Rs. 650-00
4.	2/72-73	15-7-70	A Block Rs. 850-00 B Block Rs. 720-00
5.	32/75-76	19-8-72	Rs. 550-00

Evidence

The claimants have produced the following documentary evidence:-

1. A copy of sale deed No. 449 dated 10.2.76
2. A copy of sale deed No. 3359 dated 28.2.74

MARKET VALUE

Land Reforms Act is applicable in this Village. In view of the restriction of section 22 and 23 of Delhi Land Reforms Act, the land

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in question could be used only for the purpose of agriculture, horticulture or Animal Husbandary etc. The market value of the land under acquisition is the value to the owner of the land in its actual condition at the time of publication of notification u/s 4 of the Land Acquisition Act and 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 affected about the time of notification either in respect of the land under acquisition or a portion thereof or sales of land precisely parallel in all circumstances to the land under acquisition.

The date of notification u/s 4 of the previous awards which have been made in this Village is 5 years to 11 years prior to the date of notification u/s 4 i.e. 24.3.77 of the land under acquisition. There is great increase in the market value at the time of notification u/s 4 of land under acquisition. These awards do not give full guidance to evaluate the correct market value of the land under acquisition. References u/s 18 have been filed by the persons interested in respect of above awards but none of them have been decided by the A.D.J., Delhi as yet.

The sale deeds available in this village are as under:-

Sl.No.	Regn.No.	Date of Regn.	Area Big-Hts	Consideration money	Average per bigha
1.	3359	28.2.74	0-06	Rs. 4800/-	Rs. 16,000/-
2.	1714	17.4.74	11-06	Rs. 10,000/-	Rs. 8,84 ⁹⁶
3.	449	10.2.76	6-00	Rs. 30,000/-	Rs. 5,000/-
4.	452	10.2.76	4-16	Rs. 20,000/-	Rs. 4166-66

The sale transaction at Sl.No. 2 relates to the agriculture land and it is far away about 3 to 4 Kms. from the land under acquisition. So, it is not helpful for assessing the market value of the land and not worthy of any consideration.

The persons interested filed sale deed Nos. 3359 and 449 dated 28.2.74 and 10.2.76 respectively. Sale deed No. 3359 was executed

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on 28.2.74 in respect of land measuring 6 biswas comprising of Kh.No. 71/21/1 prior to the date of notification u/s i.e. 24.3.77. It reveals from the scrutiny that this sale transaction is close to the abadi and abutting on the Najafgarh Bahadur Garh Road. It has been executed for a residential purpose which has been extended for future expansion of the abadi. The small chunk of land measuring 6 biswas was sold for a consideration of Rs. 4800/- which was paid in the presence of S.R. Delhi and the average incidence of price comes to Rs. 16,000/-. This sale transaction will not be helpful in assessing the correct market value of the land under acquisition. So, it is discarded. This sale deed has been mentioned at Sl.No. 1 of the table.

Sale deed No. 449 measuring 6 bighas comprising of Kh.No. 68/2 and 9 was executed on 10.2.76. This sale transaction which is at a distance of $2\frac{1}{2}$ furlongs from the land under acquisition was sold for a consideration amount of Rs. 30,000/- out of which a sum of Rs. 20,000/- was paid in the presence of S.R. Delhi and Rs. 10,000/- has been received in advance by the vendor from the vendee. This sale transaction is close to the abadi and behind the land than that of pertaining land in sale transaction mentioned at Sl.No. 452. So, it is not proper guide to assess the market value of the land under acquisition.

The land measuring 4 Bigha 16 Biswas comprising khasra No. 68/8 of sale transaction No. 452 which is more near to the land under acquisition was sold for a consideration amount of Rs. 20,000/-. Out of it a sum of Rs. 15,000/- was paid in the presence of S.R. Delhi and Rs. 5000/- has been received in advance by the vendor from the vendee. The amount which was paid before the S.R. Delhi, is the proper guidance to evaluate the market value of the land under acquisition. The land under acquisition was notified on 24.3.77 after about one year from the execution of sale transaction No. 452 dated 10.2.76 mentioned at Sr.No. 4. The land under acquisition consist of two types of land. Some portion of the land comprises of Banjar and Pits land. So, keeping in view the different condition of the land, the land under acquisition can be put

into two different blocks. Block -A comprises of land which is similar to the land sold under transaction No. 452 dated 10.2.76 and block B comprises of Banjar and Pits. Taking into consideration the value of the land in the sale transactions No. 452 and also considering the fact that the land under acquisition is similar to that land and also the time gap, the value of the land is fixed @ Rs. 3125 per bigha for the land put into Block -A and since the land falling in Category of Block-B is inferior to the land put in Block-A, the value of this land is given at Rs. 2700/- per bigha. Block-A comprises of Kila No. 16,17, 18/1, 18/2 and 20/2 of Rect.No. 60. Block -B consist of Kila No. 19,20 of Rect.No. 59 and Killa No. 19/2 and 20/1 of Rect.No.60.

WELLS /STRUCTURES

There is no Well, structure or religious institution on the land under acquisition.

TREES

There are some trees on the land under acquisition, the details of which is given as under:-

Kh.No.	No. & kind of tree	Weight in Qtl.	Rate per Qtl.	Amount
60/17	1 Shisham	1	Rs. 10/-	Rs. 10-00
	1 Siras	1	Rs. 8/-	Rs. 8-00
60/19/2	2 Ronju	4½	Rs. 10/-	Rs. 45-00
	1 Kikar	4	Rs. 10/-	Rs. 40-00
Total:-				Rs. 103-00

I agree with the above rate given by the N.T. and I assess Rs. 103-00 for the trees.

INTEREST

Physical possession has been handed over to the Police Department on 28.7.77 as required by the said department. So, 6 % interest will be permissible from the date of taking over possession i.e. 28.7.77 till the date of announcement of the award.

SOLATUM

15 % solatium will be paid according to the provisions of

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the Land Acquisition Act for the compulsory nature of acquisition.

APPORTIONMENT

Compensation will be paid according to the latest entries in the revenue record. Killa No.16, 17 of Rect. No. 60 will be kept in dispute on the basis of allotment to Ishwar s/o Neki and Ranbir s/o Chiranjil Lal.

LAND REVENUE

The land revenue is reported to be Rs. 6-59 Ps. It will be deducted from the Khalsa Rent Roll of the Village from the date of taking over possession of the land under acquisition.

SUMMARY

The award is summarised as under:-

1. Compensation for the land mg. 17 bighas @ Rs. 3125/- per bigha kham for block A.	Rs. 53125-00
2. Compensation for the land mg. 16 bighas 8 biswas @ Rs. 2700/- per bigha kham for block B.	Rs. 44280-00
3. Compensation for trees	Rs. 103-00
4. 15% solatium	Rs. 14626-20
5. Interest u/s 34 of the LA Act from 28.7.77 to 28.5.79 (1 year 305 days)	Rs. 12350-12
G. Total.	Rs. 1,24,484-32

(Rupees One Lakh twenty four thousand, four hundred eighty four & paise thirty two only).

(N AND GOPAL)
LAND ACQUISITION COLLECTOR(P)
DELHI

Announced in the presence of interested persons on 27/5/80.

(N AND GOPAL)
LAND ACQUISITION COLLECTOR(P)
DELHI

कार्यवाही कठजो ग्राम मंडोदा काल
 क्षेत्रफल 33 बीघे 8 बिरसे

आज दिनांक 28-7-77 को ग्राम अधिकारियों अधिकारी के
 आदेशानुसार हमरा भी रिश्ताल सिंह कानून गो, भी पूर्ण सिंह पटवारी
 व भी ओम प्रकाश पत्रवाहक भूमि अधिकारियों शाखा मौके पर
 पहुँचे। मौके पर पुलिस विभाग की ओर से भी हरपाल सिंह
 निरीक्षक भी उपस्थित मिले। भूमिद्वारा मालकान् में से भी
 मिनी लाल पुत्र भी मिशन लाल व भी ईशर सिंह पुत्र भी नेकी
 मौके पर उपस्थित हैं। मौके पर खसरा नं. 59, 60

60
 18/1, 18/2, 19/2, 20/1, 20/2
 1-12, 3-4, 4-12, 2-4, 2-12

19-20, 16, 17
 4-16 4-16 4-16 4-16

कुल क्षेत्रफल 33 बीघे 8 बिरसे की

कठजो कार्यवाही आरम्भ की गई। कठजो मालकान् से प्राप्त
 करके पुलिस विभाग के भी हरपाल सिंह निरीक्षक को खसरा
 उपरोक्त खसरा नम्बरों के चारों तरफ धुमा फिरा कर तथा
 निशानात् खसरा धीरे द्वारा नाम तोल करके कठजो कार्ड्स हवाले
 किया गया तथा फसल सोदित किया गया खसरा नं. 60
 17 व 20/2 में खसरा की फसल मौके पर पाई गई। पुलिस
 विभाग की ओर से भी हरपाल सिंह निरीक्षक द्वारा फसल खसरा
 काटे के लिए 2 मास की अनुमति दी गई। फसल खसरा काटने
 के बाद मालकान् का भूमि से कोई सम्बन्ध नहीं रहेगा।
 कठजो कार्यवाही के समय कोई किसी तरह की खतावट
 पैदा नहीं आई।

very fertile lands meant for agriculture purpose is against

(P.T.O)

(193)

श्री ओम प्रकाश चपड़ासी द्वारा मैके पर तथा गांव में
उंची आवाज के साथ मुनादी काई गई। पटवारी
हलका फिरी सरकारी कार्यवश मैके पर उपस्थित
नहीं है। अतः कब्जा कार्यवाही की एक प्रतिलिपि दस्तावेज
द्वारा पटवारी हलका को प्रजवा की जा रहा है।
कार्यवाही का पूरा हो चुकी है।

महेश्वरी लाल शर्मा पुरा सिंह
म.प.ट.स. N.T.W.A. पटवारी 28.7.77
28.7.77 22/6/66
New Delhi

महेश्वरी लाल शर्मा
28/7/77
28/7/77
28/7/77

28-7-77

28/7/77

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)
 DELHI ADMINISTRATION: DELHI
NOTIFICATION

24th March, 1977.

No.F.7(51)/76-L&B/(1):- Whereas it appears to the Lt. Governor Delhi, that land is likely to be required to be taken by Government at the public expense for a public purpose, namely construction of Police Training College, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section: 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lt. Governor is pleased to authorise the Officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

The Lt. Governor being of the opinion that provisions of sub-section (1) of section 17 of the said act are applicable to this land, is further pleased under sub-section 4 of the said section, to direct that the provisions of section 5-A shall not apply.

**** SPECIFICATION ****

Name of the Village.	Area. Bighas-Biswas.	Field Nos. or Boundaries.	
		Rect. No.	Khasra No.
JHARODA KALAN.	33 - 8.	59	1, 20.
		60.	16, 17, 18/1, 18/2, 19/2, 20/1, 20/2.

By Order,

(Dharam Dutt)
 Deputy Secretary (L&B)
 Delhi Administration: Delhi.

P. T. O.

माह तारीख सन् 19 माह तारीख
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(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)
DELHI ADMINISTRATION: DELHI
* NOTIFICATION *

24th March, 1977.

No.F.7(51)/76-L&B/(2):- Whereas the Lt. Governor, Delhi is satisfied that land is required to be taken by Government at the public expense for a public purpose, namely, for construction of Police Training College, it is hereby declared that the land described in the specification below is acquired for the above purpose.

This declaration is made under the provisions of section: 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said act, the Collector of Delhi is hereby directed to take order for the acquisition of the said land.

A Plan of the land may be inspected at the Office of the Collector of Delhi.

* SPECIFICATION *

Name of the Village.	Area. Bigha-Biswas.	Field Nos. or Boundaries.	
		Rect No.	Khasra Nos.
JHARODA KALAN.	33 - 8.	59.	19, 20.
		60.	16, 17, 18/1, 18/2, 19/2, 20/1, 20/2.

By Order,

(Dharam Dutt)
Deputy Secretary (L&B)
Delhi Administration: Delhi.

P. T. O.

19	माह	तारीख	सन् 19	माह	तारीख
19	मा	तारिख	19	मा	तारिख