

AWARD NO. 18/78-79.

NAME OF VILLAGE : JIWAN PUR ALIAS JOHRI PUR
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION: STORM WATER DRAINAGE SCHEME
SHAHNARA.

INTRODUCTION

This is ^{award} ~~the date~~ of the scheme relating to acquisition of land situated in village Jiwanpur alias Johripur which is required by the Govt. at the public expense for a public purpose namely for Storm Water Drainage Scheme. The Delhi Admn. Delhi issued these three separate notifications bearing No.F.7(35)/74-L&B(i) dt.22.7.77, F.7(35)/74-L&B(ii) dt.22.7.77 and F.7(35)/74-(iii) ^{L&B} dt.22.7.77 under section 4, 6 and 17 of the Land Acquisition Act, 1894 for acquisition of land in this village. Since section 17(i) was applicable, no objection u/s 5A were invited or heard. The notice u/s 9(1) of the L.A. Act were issued and served upon the known interested persons. Most of whom have filed their claims which will be discussed under the separate heading 'Claims & Evidence'.

MEASUREMENT

According to the notification u/s 4 & 6 of the L.A. Act, the total area to be acquired was 111 bighas 14 biswas but according to survey measurement made by the field staff u/s 8 of the L.A. Act the true and correct area comes to 108 bighas 11 biswas. None of the recorded owners have challenged the above measurement in their claim. The true and correct area under acquisition is 108 bighas 11 biswas. The details of Kh. Nos. area to be acquired out of each kh. no. with the kind of land is given below:-

<u>Kh.No.</u>	<u>Area</u> <u>Big.Bis.</u>	<u>Kind of soil</u>
<u>1/17/1</u>	0-03	Ghair Abpash
24/1	1-14	G.Abpash Abpash 0-18 0-16

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25/1	1-11	Abpash.
<u>4/3/1</u>	0-01	-do-
4/1/1	1-13	-do-
4/2/1	1-12	-do-
5/1	0-02	-do-
7/1	1-14	-do-
<i>Q</i> 4/8/1/1	0-18	-do-
8/2/1	0-17	-do-
4/12/1	0-01	-do-
13/1/1	1-13	-do-
13/2/1	1-11	-do-
<i>X</i> 14/1	0-03	Ghair Abpash
18/1	1-14	Abpash.
19/1	1-16	-do-
<u>22/1/1</u>	1-14	-do-
<u>22/2/1</u>	1-09	-do-
23/1	0-05	Ghair Abpash.
<u>7/1/1</u>	1-16	-do-
2/1/1	1-05	-do-
2/2/1	0-04	Abpash.
2/3/1	0-05	-do-
9/3/1	0-09	-do-
10/1/1	1-05	-do-
10/2/1/1	0-18	-do-
10/2/2/1	0-10	-do-
11/1	0-07	-do-
11/2/2/1		
11/2/1/1	1-06	-do-
11/2/2/1	0-08	-do-
20/1	0-14	-do-
<u>6/6/2/1</u>	0-05	-do-
6/15/2/1	1-06	-do-
16/1/1	0-18	-do-

16/2/1	1-13	Ghair Abpash.
24/2/1	1-18	-do-
24/1/1	Less than Biswa.	Abpash.
25/1	1-14	-do-
<u>11/3/1</u>	1-04	Ghair Abpash.
4/2/1	1-13	Abpash.
4/1/1	0-18	-do-
5/1/1	0-03	-do-
7/2/1	0-11	-do-
8/1/1	0-15	-do-
8/2	0-18	-do-
8/3/1	0-12	-do-
9/1/1	0-03	-do-
9/2/1	1-07	-do-
12/1	4-09	-do-
13/1	0-08	-do-
19/1	0-18	-do-
20/1	1-07	-do-
<u>12/25/1</u>	0-02	Ghair Abpash.
<u>13/5/1</u>	2-00	Abpash.
6/2	4-02	-do-
13/15/1/1	0-11	Ghair Abpash.
15/2/1	1-05	Abpash.
15/3/1	0-06	-do-
16/1	0-03	-do-
<u>14/10/1</u>	0-14	-do-
11/1	3-01	-do-
20/2/1(pits 3' deep)	2-00	Ghair Abpash.
20/1/1 -do-	2-13	-do-
21/1	3-05	-do-
19/7/1	0-07	-do-

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22/1/1	1-09	Ghair Abpash.
22/2/1	0-05	Abpash.
<u>18/1/1</u>	2-07	-do-
2/1	3-00	-do-
9/1/1	2-01	-do-
9/2 (salam)	1-03	Ghair Abpash.
10/1	1-05	Abpash.
11/1	0-07	-do-
12 (Salam)	4-16	-do-
13/1	1-04	-do-
17/1	0-14 ¹⁹	-do-
18/1 (salam)	2-04	-do-
18/2 -do-	0-09	-do-
19/1	1-12	-do-
<u>116/1</u>	0-04	Ghair Abpash.
<u>26/1</u>	0-12	-do-
<u>119/1</u>	0-04	-do-
<u>22/1</u>	11-03	-do-
Total Area	<u>108-11</u>	

Abpash - 75-13 Ghair Abpash - 32-18

Note: Under the scheme and on the spot Kh.No.14/19/7/1 comes in purview while notification is in respect of Kh.No.14/19/2min which may be ignored.

CLAIMS AND EVIDENCE

S.No.	Name	Kh.No.	Rate of compensation
1.	Sh.Harkesh s/o Nannan r/o vill. Gokalpur, Delhi.	11/19/1(0-17) 11/8/2(0-18)	Rs.30/-per sq.yd. 15% solatium.
	He says land is quite potential and yield is Rs.1000/- per bigha.		
2.	Lotus s/o Ishar s/o Johri Pur.	14/22/2/1 18/1/1,2/1	Rs.30,000/- per bigha.
3.	Kishan Lal s/o Ghasi	6/24/1/1, 18/9/1/1	-do-
4.	Ram Chand s/o Ghasi	-do-	-do-

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5. Chanda s/o Mullah ~~xxx~~ 1/25/1, 4/4/2/1 Rs.30,000/- per bigha.
4/5/1
6. ~~Chanda s/o~~ ~~xxxxx~~ 6/15/24/1, 7/11/1 Rs.40/- per sq.yd. for land.
~~xxxxx~~ 11/3/1, 4/1/1, Rs.5000/- for well Rs.2000/-
Sanwalla, Sarwan 8/3/1, 9/1/1 & for Rahat, Rs.500/- for trees
& Hansa S/o Gangu 18/13/1 Total Rs.2,50,000/-
7. He says that land is ^{er} fertile and irrigated and is near
abadi and yields Rs.12000/- to Rs.14000/- annually.
7. Ram Gopal Thakra, 14/11/1 Rs.50,000/- per bigha.
Ram Phall, Mohan Lal
Sohan Lal SS/o & Smt.
Prabhati, Kishan Devi
-d/o Sujan
8. Bheda s/o Roora --- Rs.30,000/- per bigha.
9. Fattan s/o Chhajju --- -do-
10. Nand Ram, Dunger & 14/19/7/1 -do-
Hari Singh SS/o Chhuttan
11. Harbans, Pusan S/o 11/4/2/1, 7/2/1 -do-
Bhagwani W/o Smt. 8/1/1
Amarti & Misro DS/o
Bhikan
12. Tej Ram s/o Chhajju 4/8/2, 7/9/3, 7/10/1 -do-
13. Mangat s/o 14/21/1, 6/6/2/1 Rs.30/- per sq.yd.
Hargyan 7/10/2/2/1
14. Gordhan s/o Hardya 18/11/1, 18/12, 18/19/1 -do-
15. Jia Lal s/o 1/17/1, 1/24/1 Rs.40/- per sq.yd.
Ghasi 4/3/1, 4/4/1/1
4/8/1/1 & 4/9/2,
4/11, 4/12 & 4/13

Note: Kh.No.4/9/2 and 4/11 not acquired in this award.

16. Baleshwar s/o 14/10/1, 7/10/2/1/17 Rs.30/- per sq.yd.
Lekh Ram 12/25/1
17. Kateru through 7/1/1 -do-
Om Parkash.
18. Nihal s/o Kale 7/2/2/1, 2/3/1 -do-
19. Baleshwar s/o 13/5, 13/6, -do-
Lekh Ram 13/15/1
He has claimed area of 2-14, 4-16 and 0-16 out of above
Kh.No. but spot inspection and measurement made by the field
staff reveal that actual area under acquisition out of these
kh.nos. is 2-00, 4-02, 0.11 respectively.
20. Thandi s/o Khubi 4/13/1/1, 4/12/1 Rs.30,000/- per bigha.
21. Kanayha s/o Chhajju 14/22/1/1 -do-
22. Thandi s/o Mauji 4/12, 4/12 Rs.20/- per sq.yd.
23. Bhartu s/o Harpat 1/17/1, 24/1, Rs.10,000/- per bigha.
r/o Gokalpur 4/3/1, 4/1/1, 8/1/1
24. Bishambar s/o Dayala 13/16/1, 15/2, 15/3 -do-
r/o Gokalpur
25. Girwar s/o Bakhtawar 6/25/1, 11/5/1 -do-

MARKET VALUE

The market value of the land under present acquisition on the material date of notification u/s 4 i.e. 22.7.77 is to be determined taking into account the situation and potentiality of the land. So far no land has been acquired in the village Jiwanpur alias Johri pur. So no awards were announced in this village. The market value is to be ~~xxx~~ assessed on the basis of sales transactions in this village prior to the date of notification. The details of the sale transactions are as follows:-

<u>Sl. No.</u>	<u>Registration No.</u>	<u>Date of Registration.</u>	<u>Kh.No. sold</u>	<u>Area</u>	<u>Total Amount.</u>
1	1192	10-10-72	14/12min	1-00	Rs.8000/-
2	1030	19/7/72	14/12min	1-00	Rs.14000/-
3	1628	4.11.71	6/25(3-17) 7/21/1(3-08) 11/5/1(3-04)	10-09	Rs.17765/-
4	314	17/2/73	15/19/2	0-05	Rs.12000/-

The sales transaction placed at serial No.4 pertains to only 5 biswas and possibly this cannot be utilized for agricultural purpose and Delhi Land Reforms Act is also applicable in this village. So the rate of Rs.12,000/- in this transaction is exaggerated/speculative value. So it cannot be considered to assess the market value of the land under present acquisition. The transaction at serial No.1 and 2 pertains to 1 bigha only so on the same reasoning these are also discarded. The sales transaction having registration No.1628 dated 4.11.71 pertains to land measuring 10 bighas 9 biswas. The total consideration money for the sale is Rs.17765/-, the average comes to Rs.1700/- per bigha. It pertains to kh.No.625, 7/21/1 and 11/5/1. These khasra numbers are very close to the land under present acquisition. Considering this transaction I fix the market value of the land under present acquisition in the year 1971 at Rs.1700/-. However, the date of notification for the present land is 22.7.77. Considering the appreciation in the

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market value of the land from 71 to 77 I give increment by 30% to the market value in 1971 and hence I assess Rs.2200/- per bigha being the reasonable and fair market value and hence I award the same. Out of the total land measuring 108 bighas 11 biswas which is being acquired under this award, land measuring 12 bighas 3 biswas comprising of Kh.Nos.116/1,(0-04) 26/1(0-12), 119/1(0-04), 22/1(11-03) is either Gair mumkin rasta or Nala as recorded in khasra girdawari. This area of 12 bighas 3 biswas is being used by the public and therefore no compensation is assessed for the same.

DAMAGE CHARGE

There are standing crops over an area of 66 bighas 4 biswas 02 biswas out of which 65 bighas/under wheat crop and 18biswas under fodder. Considering the investment of the farmers the land average per bigha which is calculated as under:-

5 to 6 kilo wheat seeds	Rs.10/-
Fertilizers 10 kg.	Rs.20/-
Ploughing by 8 times by tractor	Rs.40/-
Watering average 3 times p.b.	Rs.30/-
Total	Rs.100/-

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So there is investment of Rs.100/- on an average per bigha. So I consider to give this value as compensation for the standing crops and hence I award the same. The land measuring 66 bighas 2 biswas under standing crops is listed in Annexure 'A'.

OTHER COMPENSATION

There is no well, structure or tree over the land in dispute. Therefore nothing ~~xxxxx~~ is assessed on this account. However, there are standing crops over an area of 66 bighas 2 biswas out of which there is wheat crop in 65 bighas 4 biswas and fodder of Barseem in 18 biswas. The owners are entitled to compensation which is assessed in damage charge.

INTEREST

As the possession of land measuring 108 bighas 11 biswas

has been taken and given to the Flood Deptt. of the Delhi Admn. on 21.1.78 the owners are entitled to interest @ 6% from the date of dispossession.

APPORTIONMENT

The payment of compensation will be made to the owner of land according to the latest entries in the revenue record. In case of dispute the matter will be referred to the A.D.J. U/s 30-31 of the L.A. Act.

LAND REVENUE

The land under acquisition is assessed to Rs.27.65 which will be deducted after taking over possession from the rent roll of this village.

SUMMARY

The award is summarised as under :-

Compensation for land measuring 96 bighas 8 biswas @ Rs.2200/- per bigha.	Rs.212080-00
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15% solatium	Rs. 31812-00
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Total: Rs.243892-00

Interest u/s 34 from taking over possession i.e. from 21.1.78 to 7.6.78(136 days).	Rs. 5452-49.
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Damages u/s 23(i) clause secondly.	Rs. 6610-00
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Grand Total: Rs.2,55,954-49 P.

Announced & filed today.
P.C. MISRA
8/6/78.

P.C. MISRA
8/6/78
(P.C. MISRA)
LAND ACQUISITION COLLECTOR (DS)
DELHI.

ANNEXURE " A "

DETAILS OF CROPS OVER LAND UNDER ACQUISITION

Kh.No.	Area Big.Bis.	Kind of crops.	Kh.No.	Area Big.Bis.	Kind of crops.
1/25/1	1-11	Wheat	4/4/2/1	1-12	Wheat
5/1	0-2	Wheat	22/1/1	1-14	Wheat
7/2/1/1	1-5	Wheat	2/2/1/	0-4	Wheat
2/3/1	0-5	Wheat	10/1/1	1-5	Wheat
16/15/2/1	1-6	Wheat	16/1/1	0-18	Wheat
25/1	1-11	Wheat	11/5/1/1	0-3	Wheat
7/2/1	0-11	Wheat	8/1/1	0-15	Wheat
8/2	0-18	Birsim	9/2/1	1-7	Wheat
12/1	4-9	Wheat	13/1	0-8	"
19/1	0-18	"	11/20/1	1-7	"
12/25/1	0-2	"	13/5/1	2-0	"
6/2	4-2	"	15/2/1	1-5	"
15/1/1	0-11	"	15/3/1	0-6	"
16/1	0-3	"	14/10/1	0-14	"
11/1	3-1	"	20/1/1	2-13	"
20/2/1	2-0	"	19/7/1	0-7	"
21/1	3-5	"	22/1/1	1-9	"
22/2/1	0-5	"	18/1/1	2-7	"
2/1	3-0	"	9/1/1	2-1	"
9/2	1-3	"	10/1/1	1-5	"
11/1	0-7	"	12	4-16	"
13/1	1-4	"	17/1	0-19	"
18/1	2-4	"	18/2	0-9	"
19/1	1-12	"			

Total area under cultivation = 66 Big. 2 Bis.

Wheat = 65 Big. 4 Bis. Birsim = 0-18 Bis.

Bar 8/6/28.