

AWARD NO. 29/78-79

NAME OF VILLAGE : KAIRAWAL NAGAR

NATURE OF ACQUISITION : PERMANENT

PURPOSE OF ACQUISITION: STORM WATER DRAINAGE SCHEME
SHAHDARA.

1293

INTRODUCTION

R

This is the award of the scheme relating to acquisition of land situated in village Kairawal Nagar 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) dated 22.7.77, F.7(35)/74-L&B(ii) dt.22.7.77 and F.7(35)/74(iii) dt. 22.7.77 under section 4,6 and 17 of the Land Acquisition Act 1894 for acquisition^{*} 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 149 bighas 8 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 145 big. 10 biswas. None of the recorded owners have challenged the above measurement in their claim. The true and correct area under acquisition is 145 bighas 10 biswas. The details of Kh.Nos. area to be acquired out of each Kh.No. with the kind of land is given below :-

Plot No.	Kh.No.	Area	Kind of soil
		Big. Bis.	
2	16/2	1-06	Gair Abpash
2	24/1	0-14	Abpash
"	25/1	2-14	-do-

6	4/1	2-03	Abpash	1295
	5/1/1	0-5	-do-	
	5/2/1	0-15	-do-	
	6/2/1	0-1	Gair Abpash	
	7/1/1	0-17	-do-	
	7/2/1	1-12	-do-	
	13/1	0-10	Jadid	
	14/1/1	0-15	Gair Abpash	
	14/2/1	0-18	-do-	
	14/3/1	0-05	-do-	
	17/1/1	0-19	-do-	
	17/2/1	0-05	-do-	
	18/1	2-05	-do-	
	23/2	3-04	-do-	
	24/1	0-01	-do-	
13	2/1/1	0-01	-do-	
	2/2/1	0-03	-do-	
	3/1/2	2-17	-do-	
	3/2/1	0-08	Jadid	
	8/2/1	2-12	Banjer Qadim	
	9/1/1	0-12	Gair Abpash	
	9/2/1	0-06	Jadid	
	12/2	1-14	-do-	
	13/1	1-12	Qadim	
	18/1/1	0-16	Gair mumkin plot.	
	18/2/1	1-01	Qadim	
	19/1/1	0-09	Jadid	
	19/2/2	1-17	Qadim	
	22/1/1	0-04	Banjar	
	22/2/1	0-16	Jadid	
	23/1	1-09	Banjer	
	24/1	1-02	-do-	
20	20/1	1-02	Gair Abpash	
	21/2	2-19	-do-	
21	3/1/1	0-05	Qadim	

Reax

21	4/1/1	0-11	Gair Abpash	(297)
	4/2/2	2-15	Banjer	
	6/1/1	Less than bis.	Qadim	
	6/2/1	1-06	Gair Abpash	
	7/1	2-0	Qadim	
	14/2/1	0-02	Gair Abpash	
	15/1/1	1-18	-do-	
	15/2/1	1-09	-do-	
	16/1/1	2-07	-do-	
	25/2/1	0-06	Banjer	
31	1/1	2-07	-do-	
	2/1	1-02	Gair Abpash	
	9/2	2-19	-do-	
	10/1	0-06	-do-	
	12/1/1	1-02	-do-	
	12/2/1	1-11	-do-	
	13/1	0-12	-do-	
	18/1/2	2-06	-do-	
	18/2/2	0-18	-do-	
	1 9/1/1	0-08	-do-	
	19/2/1	0-02	-do-	
	23/2	,2-18	-do-	
	24/1/1	0-12	Gair mumkin Khudan	
37	20/1	0-15	Qadim	
	21/2	2-15	-do-	
38	3/2	0-13	Gair Abpash	
	4/1/1	1-09	Khudan	
	4/2/1	0-14	-do-	
	6/1	0-15	-do-	
	7/1	2-15	Gair Abpash	
	8/1/1	0-01	Khudan	

Contd.

	14/1	0-12	Gair Abpash
	15/2	3-12	Khudan
	16/2	3-04	-do-
	25/1	0-13	Jadid
49	1/1	2-03	Banjer
	2/1/1	0-09	Gair Abpash
	2/2/1	0-10	Banjer
	9/1/1	2-0	-do-
	9/2/2	0-17	-do-
	10/1	0-08	-do-
	12/1	2-3	-do-
	13/1/1	0-01	Qadim
	13/2/1	1-01	-do-
	18/1/1	1-01	-do-
	18/2/1	1-05	Gair Abpash
	19/1/2	0-05	Plot.
	23/2/1	2-15	Khudan
	24/1	0-04	-do-
51	10/1	0-02	Qadim
	11/1	1-07	-do-
	20/1	2-19	Plot
52	4/1	1-12	Khudan
	7/1	1-09	Qadim
	8/1	0-19	-do-
	9/1/1	0-07	Khudan
	9/2/1	0-07	-do-
	11/1	0-07	Banjer
	12/1	0-07	Jadid
	14/1	2-05	-do-
	15/1	0-01	-do-
	16/1/1	0-14	Plot
	17/2	3-03	Jadid
	19/1	0-09	Abpash
	20/1	0-14	-do-
	21/1	0-9	-do-
	24/1	1-6	-do-
	25/1	2-16	-do-

1299

53	25/1	0-04	Qadim
56	5/1/1	0-08	-do-
	5/2/1	0-04	Abpash
57	1/1	0-02	Abpash
	4/1	2-0	-do-
	5	2-04	-do-
	63/1	0-16	Sarak
	64/1	0-17	Rasta
	65/1	5-19	Badro
	65/3	1-03	-do-
	93/2	2-10	Sarak
	93/4	0-17	-do-
	200/1	0-14	Rasta
	342/2	0-03	-do-
	342/	0-11	-do-
	345/2	0-03	Rasta
	359/1	0-01	Rasta

ABXAS

145-10

Abpash	17-05	Gair Abpash	47-13
Jadid	10-12	Qadim	19-09
Banjer	16-11	Plot	4-14
Gair mum- kin Khudan	15-12	Sarak	4-03
Rasta	2-09	Badro	7-02

No compensation will be assessed on 13 bighas 14 biswas due to Rasta, Road or Nala. Compensation will be on 131 bighas 16 biswas.

CLAIMS AND EVIDENCE

S.No.	Name	Kh.No.	Rate of compensation
1.	Mohan Singh s/o Rattan Singh, Attar Singh s/o Hira Lal, r/o Shahdara.	21/3/1/1 0-05 21/4/1/1 0-11	Rs.25/- per sq.yd.
2.	Amar Nath s/o Mela Ram r/o 16-18 Raj Block Navin Shahdara	31/19/2/1 0-02 31/23/2 2-18 38/3/2	Rs.30/- per sq.yd.

- | | | | |
|--|--|--|------|
| 3. Smt.Surender Kaur w/o
Harnam Singh, r/o
16-18 Raj Block Navin
Shahdara, Delhi. | 31/19/2/1
0-02
31/23/2
2-18
38/3/2
0-13 | Rs.30/- per sq.yd. | 1703 |
| 4. Jaswant Singh s/o
Gela Ram r/o 16-18
Navin Shahdara, Delhi. | -do- | -do- | |
| 5. Bhagmal, r/o Dallu
r/o Kairawal Nagar
c/o Bhagmal. | 49/19/1
0-05
18/2/1
1-05
13/2/1 | Has claimed that he has
purchased land from Brija
Rupan etc. | |
| 6. Budha Ram s/o Ram Lal
r/o Kairawal Nagar. | -do- | Rs.30,000/- per bigha. | |
| 7. Nader s/o Thakra r/o
village Ganoli Distt.Niazyabad | -do- | -do- | |
| 8. Maluhi r/o Thakra r/o
Vil.Ganoli, Distt. Niazyabad | -do- | -do- | |
| 9. Udmi s/o Nanhu r/o Kairawala Nagar. | -do- | -do- | |
| 10.Babu s/o Nanuwa r/o Kairawal Nagar. | -do- | -do- | |
| 11.Rampal s/o Nanuwa r/o Kairawal Nagar | -do- | -do- | |
| 12.Smt.Savitri wd/o Giani r/o
Kairawal Nagar. Delhi. | -do- | -do- | |
| 13.Jaipal s/o Nanuwa r/o
Kairawal Nagar, Delhi. | -do- | -do- | |
| 14.Ram Chander s/o Hari Singh
r/o Kairawal Nagar, Delhi. | -do- | -do- | |
| 15.Brij Lal s/o Rura r/o vill.
Ganoli, Distt.Ghaziabad. | -do- | -do- | |
| 16.Chhote s/o Amrit r/o village
Ganoli, Distt.Ghaziabad. | -do- | -do- | |
| 17.Basanta s/o Rura, r/o vill.Ganoli
Distt.Ghaziabad. | -do- | -do- | |
| 18.Net Ram s/o Lakhpatt r/o
Kairawal Nagar, Delhi. | -do- | -do- | |
| 19.Khacheru s/o Lakhpatt r/o
Kairawal Nagar, Delhi. | -do- | -do- | |
| 20.Salek Ram, Partap, Mastav ss/o
Bharat Ram Singh r/o Kairawal Nagar. | -do- | -do- | |
| 21.Raghuvir r/o Ram Lal r/o
Kairawal Nagar, Delhi. | -do- | -do- | |
| 22.Chandro wd/o Badle, r/o
Kairawal Nagar, Delhi. | -do- | -do- | |
| 23.Ram Kala, Hari Chand, Ram Kumer,
Tej Pal s/o Lachhman r/o Kairawal Nagar. | -do- | -do- | |
| 24.Manshi Ram s/o Ram Lal r/o
Kairawal Nagar. | -do- | -do- | |

25. Harbans s/o Ram Lal r/o Rs.30,000/- per bigha.
26. Kairawal Nagar, Delhi.
27. Phool Singh s/o Ganga Ram -do-
r/o Kairwaal Nagar, Delhi.
28. Ho Ram s/o Phool Singh s/o -do-
Ganoli, Distt.Ghaziabad.
29. Yashpal s/o Net Ram s/o vill. -do-
Ganoli, Distt.Ghaziabad.
30. Surrender s/o Net Ram s/o Vill. -do-
Ganoli, Distt.Ghaziabad.
31. Smt. Raj Wanti wd/o Net Ram s/o -do-
Vill.Ganoli, Distt.Ghaziabad.
32. Chaman Lal s/o Nanuwa r/o Rs.30/- per sq.yd.
Kairawal Nagar, Delhi.
33. Banwari s/o Bishan Lal r/o -do-
Kairawal Nagar, Delhi.
34. Sewa r/o Khacheru r/o -do -
Kairawal Nagar, Delhi.
35. Santu s/o Khacheru r/o -do-
Kairawal Nagar, Delhi.
36. Mahender s/o Kishan Lal s/o -do-
Kairawal Nagar, Delhi.
37. Rattan Lal s/o Mohan Lal r/o -do-
Kairawal Na gar, Delhi.
38. Rohtas s/o Valle r/o Kairawal -do-
Nagar, Delhi.
39. Brij Mohan s/o Des Raj r/o -do-
Kairawal Nagar, Delhi.
40. Des Raj s/o Raja Ram r/o -do-
41. Brij Lal s/o Thanrya(Bhagrath) -do-
~~xxxx~~ Harijan.
42. Tara s/o Valle Brahman r/o -do-
43. Om Parkash s/o Ballu r/o Rs.30,000/- per bigha.
Vill.Ganoli, Distt.Ghaziabad.
44. Ram Phal s/o Sankarir/o Vill. -do-
89. Ganoli, Distt.Ghaziabad.
45. Mange Ram s/o Kalu Ram r/o Rs.30/- per sq.yd.
46. Phitru s/o Tota r/o Rs.30,000/- per bigha-
47. Jug Lal s/o Nathu r/o Vill. -do-
Ganoli, Distt.Ghaziabad.
48. Amira s/o Jaswant r/o Vill. -do-
Ganoli, Distt.Ghaziabad.
49. Smt.Jhangiri wd/o Badle r/o Vill.-do-
Ganoli, Distt.Ghaziabad.
50. Roop Ram s/o Shibba r/o -do-
51. Jhando wd/o Chander r/o vill -do-
Ganoli, Distt.Ghaziabad.

52. Assa s/o ~~Ram~~Chander r/o Vill Rs.30000/- per bigha.
Ganoli Distt. Ghaziabad.
53. Shri Ram s/p Chander r/o vill -do-
Ganoli, Distt. Ghaziabad. 1307
54. Nathu s/o Hardan r/o vill -do-
Ganoli, Distt. Ghaziabad.
55. Roomal r/o Mulki r/o vill -do-
Ganoli, Distt. Ghaziabad.
56. Makhan s/o Mulki r/o vill -do-
Ganoli, Distt. Ghaziabad.
57. Bhoora s/o Mulki r/o vill. -do-
Ganoli, Distt. Ghaziabad.
58. Babu Ram s/o Umrao Singh Rs.30/- per sq.yd.
Harijan village resident
59. Duliya s/o Himmat Harijan -do-
60. Umrao Singh s/o Baldeva Brahman -do-
61. Janak s/o Himmat Harijan -do-
62. Pritam Singh s/o Chhidda, Brahman -do-and alternative plot
in Lal dora.
63. Bidha s/o Dalu, Harijan Alternative plot.in Lal dora.
64. Ram Kishan s/o Jodha Ram, Harijan Rs.30/- per sq.yd. & alterna
tive plot in Lal dora.
65. Nihali s/o Kalia, Harijan -do-
66. Bed Ram s/o Harlal r/o vill Rs.30000/- per bigha.
67. Ganoli, Distt. Ghaziabad.
68. Rattan Singh s/o Badam r/o vill -do-
Ganoli, Distt. Ghaziabad.
69. Jagmal s/o Dharam Singh r/o vill -do-
Ganoli, Distt. Ghaziabad.
70. Risal s/o Dharam Singh r/o vill. -do-
Ganoli, Distt. Ghaziabad.
71. Budhan s/o Dharam Singh r/o vill -do-
Ganoli, Distt. Ghaziabad.
72. Pawan s/o Dharam Singh r/o vill. -do-
Ganoli, Distt. Ghaziabad.
73. Narayan Singh s/o Kale r/o vill. -do-
Ganoli, Distt. Ghaziabad.
74. Bodla s/o Bighu c/o Narayansingh -do-
r/o vill. Ganoli, Distt. Ghaziabad.
75. Hoshyari Wd/o Chhote s/o Bighu r/o -do-
village Ganoli, Distt. Ghaziabad.
76. Surjan s/o Ghasita r/o vill. Ganoli -do-
Distt. Ghaziabad for Fareram s/o Surjan.
77. Burfi devi through Jagmal Singh r/o -do-
vill. Ganoli, Distt. Ghaziabad.
78. Indraj s/o Birbal r/o vill. Ganoli -do-
distt. Ghaziabad.

80. Lakhmi Chand s/o Phool Singh r/o Rs.30000/- per bigha.
vill.Ganoli, Distt.Ghaziabad.
81. Hari Chand s/o Phool Singh r/o -~~xxx~~ -do-
85. vill.Ganoli, Distt.Ghaziabad. 1309
82. Smt.Kallo Wd/o Bikhali r/o vill -do-
Ganoli, Distt.Ghaziabad.
83. Smt.Kallo Wd/o Phool Singh r/o vill -do-
Ganoli, Distt.Ghaziabad.
84. Lakhmi Chand s/o Birbal r/o vill -do-
Ganoli, Distt.Ghaziabad.
86. Mehu r/o Birbal r/o vill -do-
Ganoli, Distt.Ghaziabad.
87. Mehru s/o Phool Singh r/o vill -do-
Ganoli, Distt.Ghaziabad.
88. Mehru Chand s/o Chunni r/o vill -do-
Ganoli, Distt.Ghaziabad.
89. Claim No.44.
90. Mohan s/o Bhagmal -do-
91. Chinti s/o Chhutan s/o Kairawal -do-
Nagar, Delhi.
92. Mangat Singh s/o Bhoja Ram s/o Rs.50/- per sq.yd.
Seelampur c/o Sh.Balraj Singh Adv.Delhi.
93. Jagat Singh s/o Bhoja r/o Seemalpur -do-
94. Balraj s/o Nain Singh s/o Seelampur -do-
95. Manohar Singh s/o Nain Singh r/o -do-
Seelampur, Delhi.
96. Chander Mal s/o Lal Singh r/o -do-
Seelampur.
97. Bal Kishan s/o Bhoja r/o Seelampur -do-
98. Jagmal Singh s/o Hukam Singh r/o Rs.30000/- per bigha.
Kairawal Nagar, Delhi.
99. Jhutar Singh s/o Hukam Singh -do-
r/o Kairawal Nagar.
100. Horem s/o Ram Prasad r/o vill -do-
Ganoli, Distt.Ghaziabad.
101. Kanwar Singh s/o Kale c/o Balraj advocate.-do-
102. Jora, Mir Singh s/o Ami Chand s/o -do-
Jafrabad, Ganoli, Distt.Ghaziabad.
103. Ganga Ram s/o Ropar. -do-
104. Dev Raj s/o Govind Ram 8574/4 Rs.50/- per sq.yd.
Basti Ara Kasan Road, Ram Nagar Rs.5000/- for standing cro
Pahar Ganj, Delhi. Rs.20000/- severe charge.
105. Govind Ram s/o Mool Chand r/o -do-
8574 Basti Ara Kasan Road, Ram
Nagar, Pahar Ganj, Delhi.

106. Daya Ram @ Zaad Ram s/o Munna Ram Inter College. Rs.30000/- per bigha.
107. Mani Ram, Rati Ram Ss/o Khacheru r/o Kairawal Nagar. -do-
108. Ashok Kumar s/o Surender Pal Rs.35/- per sq.yd. r/o Lal Bagh, G.T.Road, Shahdra. (131)

MARKET VALUE

The market value of the land under present acquisition in village Kairawal Nagar on the material date of notification u/s 4 i.e. 22.7.77 is to be determined taking into account the situation and quality of the land and other uses and also future potentialities. Market value is general assessed considering the awards announced in the village prior to the date of notification and sales transactions of similar nature having similar situation in the same year or having date closer to the year of notification. The awards announced in the village Kairawal Nagar the details of which are as below:-

S.No.	Award No.	Notification No. u/s 4 and date
1.	859	F.15(99)/56-LSG dt.8.7.57.
2.	860	F.15(24)/58-LSG Dt.14.2.58.
3.	937	F.24(139)/54-LSG dt.1.4.59.
4.	1150	F.15(213)/60-LSG dt.7.12.60

In the above awards the date of notification u/s 4 is very very long back to the date of present notification and hence these awards lose their value for considering the market value of the land under present acquisition. Scrutiny of the sales transactions further shows that there are no transactions in the year 1977. The following sales transactions took place in the year 1976 the details of which are given as follows:-

S.No.	Reg.No. & Date.	Party	Kh.No.	Area	Amount
1.	66 dt. 2.2.76	Pehlad Singhetc. Ve. Luxmi Land and Corporation.	48/22	4-16	Rs.30000/-
2.	84 12.2.76	-do-	48/21	4-16	Rs.30000/-
					9-12 Rs.60000/-

In these two transactions the land bearing Kh.No.48/22 and 48/21 is situated within 2 furlongs from the land under acquisition and having the same quality of the land for agricultural

purpose. The total consideration in each case for 4 bighas 16 biswas of Rs.30000/- per bigha. There are other sales transactions in this village but they are in the nature of small plots and specially sold for residential purpose carrying high rate of value and hence these are neglected in determining the market value of the agricultural land in this village in the year 1977. It is to be noted that small plots always bring high value. Keeping the potentiality of the land and future utility I assess the market value of the land under acquisition to be Rs.6250/- per bigha being fair and reasonable and hence I award the same. ✓

X DAMAGE CHARGE

There are standing crops of wheat etc. on the land in time of taking possession i.e. 21.1.78. The land measuring 23 bighas 2 biswas under standing crops is listed as Annexure 'A'. Considering the investment of the farmers in the land average per bigha which is calculated as follows:-

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

So there is investment of Rs.100/- on an average per bigha.

So I consider to give this value as compensation for all the standing crops and hence I award the same.

OTHER COMPENSATION

There is no well, structure or tree over the land in dispute. Therefore, nothing is assessed on this account. However, there are standing crops over an area of 23 bighas 2 biswas out of which there is wheat crop, fodder etc. The owners are entitled compensation which is assessed in damage charge.

List of crops Rabi- 78

1315

Rect. No.	Kh. No.	Area	Kind of crops.
		Big. Bis.	
2	16/2	1-06	Gundam
	24/1	0-14	-do-
	25/1	2-14	-do-
6	4/1	2-03	-do-
	5/1/1	0-05	-do- Mater
	5/2/1	0-15	Mater
	6/2/1	0-01	Gundam
	7/1/1	0-17	-do-
	7/2/1	2-12	-do-
	23/2	3-04	Joo Mater
13	3/1/2	2-17	Gundam
	9/1/1	0-12	-do-
21	14/2/1	0-02	-do.
52	24/1	2-16	-do-
57	4/1	2-0	-do-
	5	2-4	-do-

Grand total

23-02

=====

1317

INTEREST

As the possession of land measuring 131 bighas 16 biswas has been taken and given to the Flood Deptt. of the Delhi Admn. on 21.1.1978. Interest u/s. 34 from taking over possession i.e. from 21.1.78 to 12.4.78 has been paid. The owners are entitled to interest at the rate of 6% from the date of dispossession and in this connection another supplementary award will be announced.

APPORTIONMENT.

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

LAND REVENUE.

The land under acquisition is assessed to Rs. 21.86 which will be deducted after taking over possession from the rent roll of this village.

SUMMARY.

The award is summarised as under:-

1. Compensation for land measuring 131 Bighas 16 biswas @ Rs. 6250/- per Bigha.	Rs. 823750-00.
2. 15% solatium.	Rs. 123562-50.
Total:	Rs. 947312-50.
3. Interest u/s. 34 from taking over possession i.e. from 21.1.78 to 12.4.78 for 82 days.	Rs. 12769.25.
4. Damages for crops for 23 bighas 2 biswas @ Rs. 100/- per bigha.	Rs. 2310-00

GRAND TOTAL: Rs. 962391.75.

(RUPEES NINE LAKHS SIXTY TWO THOUSAND THREE HUNDRED NINETY ONE AND PAISE SEVENTY FIVE ONLY).

Announced today

20/11/78

20/11/78
(NATHU SINGH)
LAND ACQUISITION COLLECTOR(DS)
DELHI.