

AWARD NO. : 113/81-87
NAME OF THE VILLAGE : KHAJURI KHAS
NATURE OF ACQUISITION: PERMANENT
PURPOSE OF ACQUISITION: PLANNED DEVP. OF DELHI.

Land measuring 453 big. 15 bis. in village Khajuri Khas was notified by Delhi Admn., u/s 4 of L.A. Act vide notification No. F.7(29)/65-L&H(III) dated 26.8.67 to be required to be taken at the public expense for a public purpose namely for the Planned Development of Delhi.

Declaration u/s 6 of the Act was issued vide notification No. F.7(29)/65-L&H dated 22nd Jan., 1968 for 453 bighas 10 biswas.

Notices u/s 9 & 10 of the L.A. Act were issued to the interested persons in the land claims received in response to the notices will be discussed under the appropriate heading 'Claims & Evidence'.

MEASUREMENT & TRUE AREA:

The field staff carried out necessary measurement of the land under acquisition at the spot and also scrutinized the record. The position is as below:-

1. Increase of 1 bis. due to totalling mistake which while preparing notification u/s 6.
2. An area measuring 7 bis. out of Kh. No. 271/110 is Govt. property and thus there is a decrease of 7 bis.
3. Kh. No. 282/110 does not form part of this scheme and lies on the eastern side of the Bandh. Hence its area 3 big. 1 bis. is also excluded and thereby there is a decrease in the area by 3 big. 1 bis.

Thus net decrease in the area under acquisition as compared to the area notified u/s 6 will be 3 big. 7 bis.

An increase of 9 bis. in field no. 276/110/1, 284/111-112/93/1 min has been noticed due to Titimas, therefore, no compensation will be paid for the same.

MEASUREMENT:

<u>KH. NO.</u>	<u>AREA</u>	<u>KIND OF SOIL</u>
40 min.	4-09	G. Abpash.
70/1	0-03	Parti Jadi
13	4-16	G. Abpash
29/111	1-14	-do-
90/2	1-00	G.M. Khudan
16	2-14	G. Abpash
29 min	2-10	-do-
30	2-09	-do-

75/2	3-06	parti Jadid
265/110	0-05	-do-
284/11-112	5-15	G. Abpash
290/111/112	7-04	-do-
6	1-14	-do-
76/1 <i>mm</i>	0-03	Parti Jadid
31	2-07	G. Abpash
	<u>29-07</u>	
3	2-10	
4	6-05	G. Abpash
27	3-01	-do-
26	2-04	-do-
82	3-16	-do-
93min	0-04	Parti Jadid
270/110/1	1-03	G. Abpash
272/110	2-03	G. Mumkin Khudan
247/1/2	0-11	G. Abpash
	<u>21-17</u>	-do-
43	3-13	
5	3-12	G. Abpash
52	1-10	-do-
54	4-17	-do-
239/55-56	8-17	-do-
57	5-03	-do-
273/110	8-11	-do-
71/1	0-05	-do-
	<u>36-08</u>	Parti Jadid
8 min	0-13	
17 min	1-14	G. Abpash
32 min	1-05	-do-
89/1	0-02	-do-
289/111-112	5-05	Parti Jadid
	<u>8-19</u>	G. Abpash
20	4-14	
255/87-110/2/2	16-03/	G. Abpash
	<u>20-17</u>	Parti Jadid
7	1-08	
8min	0-13	G. Abpash
32min	1-04	-do-
17min	1-14	-do-
29min	2-07	-do-
250/1	6-10	-do-
2/111		-do-
248/1	5-03	-do-
283/110/1	9-12	-do-
	<u>28-11</u>	
41	1-10	
91min	0-11	-do-
21min	1-19	Banjar Jadid
41min	2-12	G. Abpash
	<u>6-12</u>	-do-
271/110	0-10	
92min	0-16	Parti Jadid
43min	1-00	G. Abpash
	<u>2-06</u>	-do-

245/1	3-00	G. Abpash
9	0-17	-do-
10	0-17	-do-
244/11-12	1-18	-do-
292/111	5-03	-do-
45min	0-06	-do-
46min	0-05	-do-
47min	0-06	-do-
48min	0-14	-do-
53min	1-05	-do-
	<u>14-11</u>	
83/1	0-09	Parti Jadid
256/87-110	0-10	-do-
262/110/2	4-11	-do-
264/110	2-03	-do-
	<u>7-13</u>	
247/1	8-14	G. Abpash
302/22/23-24	8-01	-do-
35	3-05	-do-
285/111-112	10-19	-do-
	<u>30-19</u>	
37	2-18	-do-
38	6-05	-do-
	<u>9-03</u>	
296/112/1	5-04	-do-
15	17-15	-do-
29min	4-17	-do-
59/2	7-14	-do-
58	9-05	-do-
	<u>44-15</u>	
25	6-01	-do-
18	11-12	-do-
49min	4-09	-do-
298/111-112/1	8-03	Parti Jadid
	<u>24-04</u>	
33	5-05	G. Abpash
269/110/1	0-02	Parti Jadid
276/110/1	10-10	G. Abpash
	<u>15-17</u>	
19	1-06	G. Abpash
21 min	2-00	-do-
287/111	0-11	Parti Jadid
294/112	14-12	G. Abpash
	<u>18-09</u>	
39	2-11	G. Abpash
34	2-03	-do-
42 min	2-17	-do-
275/110	4-13	-do-
	<u>12-04</u>	
50	1-07	-do-
51	1-18	-do-
293/111-112	13-13	-do-
	<u>16-18</u>	

257/110/2
263/110
81/1

-4-

6-11
2-08
1-07

Parti Jadid
-do-
G. Abpash

44
274/110
~~42min~~

10-06

1-16
10-14
12-10

G. Abpash
-do-

43min

3-12

-do-

14
254/87/1
295/112/2
40

5-01
0-03
8-17
1-03
15-04

-do-
G. Mumkin Bandh
G. Abpash
G. Abpash

45min
47min
46min
48min
53min

0-05
0-05
0-06
0-15
1-04
2-15

G. Abpash
-do-
-do-
-do-
-do-

42min

2-16

-do-

88/2
252/87/1

3-02
0-12

Parti Jadid
G. Abpash

28
36

3-12
7-06
10-18

-do-
-do-

246/1-2
111-112

11-11

G. Abpash

249/1-2-111

6-10

-do-

286/11-112

3-13
21-14

-do-

Note : Classification of land as per notification u/s 4.

Gair Abpash	390-06
G.M. Khudan	2-03
M. Bandh	0-03
Banjar Jadid	0-11
Parti Jadid	57-00
	<u>450-03</u>

CLAIMS & EVIDENCE:

S.NO.	NAME OF THE CLAIMANT	KH. NO.	ARPA	COMPENSATION CLAIMED
1.	Sh. Tek Ram, Rampal s/o Kohan through Sh. Raghbir Singh, Singh, Chandumal Advocate	43 5 52 54 239/55-56 57 273/110 71/1	3-13 3-12 1-10 4-17 8-17 5-03 8-11 0-05	@ 10/- per sq. yd.
2.	Sh. Kadam Singh s/o Tej Ram Gajraj s/o Uday Singh, Indraj Singh, Paras Ram, Pershotam Jagraj minor s/o Uday Singh Paraswati minor d/o Uday Singh & Kishan Dei wd/o Uday Singh through Sh. Chandulal Raghbir Singh Advocate	90/2 16 29min 30 75/2 265/110 284/111- 112 290/111-112	1-00 2-14 2-10 2-09 3-06 0-05 5-13 7-0	-do-

76/1	-5- 76/1min 31 58 6	0-03 2-07 5-00 1-14		
3. Sh. Herchanda Behal through Sh. Chandu Lal Raghbir Singh Advct.	50 51 293/111-112	1-07 1-18 13-13	@ / Rs-10 per sq. yd.	
4. Sh. Harpal s/o Herjas through Sh. Chandu Lal, Raghbir Singh Advct.	28 36	3-12 7-06	-do-	Nil
5. Sh. Rattan, Ramkalan ss/o Hardev. Shyam Singh s/o Surja Smt. Jaswati m/o & Man Singh s/o Surja Smt. Phoolwati & Dharamwati wd/o Nathey s/o Rameya, Karamvir, Karandhir, minors ss/o & Suresh Bala, Kamlesh minors ds/o Rameya c/o Dharamwati through Sh. Chandu Lal Raghbir Singh Advct.	37 38	2-18 6-05	-do-	Nil
6. Smt. Deryai wd/o Jahangir through Sh. Chandulal, Raghbir Singh Advocate.	43min	3-12	-do-	Nil
7. Ramesh, Keshar Singh, Kesraj, ss/o Tekram Desraj minor s/o Tek- ram, Kishan d/o & Ramkali wd/o Tekram through Sh. Chandulal Raghbir Singh, Advct.	44 274/110	1-16 10-14	-do- -do-	Nil
8. Rajpal s/o Shadi c/o Sh. Chandu Lal Raghbir Singh, Advct.	271/110/1 92min 43min	0-17 0-16 1-00	-do-	Nil
9. Sh. Kishan Prabh Umrao c/o Chandu Lal, Raghb- bir Singh, Advct.	88/2 252/87/1	3-02 0-12	-do-	Nil
10. Sh. Ansha Parabh c/o Chandulal, Raghbir Singh Advocate.	296/112 15 29 59/2 58	11-04 17-15 4-17 7-14 9-05	-do-	Nil
11. Sh. Jgpal s/o Shibhan alias Shiv Lal, Dhanpal, Jaipal, Rampal Richpal, Dharampal, Karampal, ss/o & Budho wd/o Ram Chander s/o Shibhan alias Shiv Lal c/o Ch- andulal Raghbir Singh Advocate.	7 8 29 17 32 89/1 289/111-112 246/102-111-112 249/102-111 - 250/102-111 248/1 283/110/1	2-16 1-19 4-14 3-08 2-09 0-02 5-05 5-16 6-10 6-10 5-03 9-12	-do-	Nil

12. Sh. Ransingh Asa Ram, ss/o Herkesh c/o Sh. Chandulal Raghbir Singh Advocate.	49min 70/1 13 291/111	4-09 @Rs.10 per Nil 0-03 sq. yd. 4-16 } 1/2 share 1-14 }
13. Sh. Rimal s/o Jhuta, c/o Sh. Chandulal, Raghbir Singh, Advocate.	41 91 21 43min 14 254/87/1 295/112 40 42min 45min 47min 46min 48min 53min	1-10 0-11 -do- -do- 1-19 3-12 5-01 0-03 8-17 1-03) 2-16) 0-05) 0-05) 0-06) 1/2 share 0-15) 1-04)
14. Sh. Sri Ram, Gopi ss/o & Bhuli d/o Jhandu c/o Sh. S.S. Shukla & Sh. R.K. Shukla Advocate.	20 255/87-110/ 2	4-14 Rs.15 per 16-03 sq. yd. -do-
15. Sh. Nathu s/o Munshi c/o Sh. S.S. Shukla & Sh. R.K. Shukla Advocate.	39 34 42min 275/110	2-11 2-03 2-17 4-13 -do- -do-
16. Sh. Ghasi s/o Mehar Chand c/p Sh. S.S. Shukla & R.K. Shukla, Advocate.	25	6-02 -do- -do-
17. Sh. Surja c/o Amar Singh c/o Sh. S.S. Shukla & R.K. Shukla.	83/1 256/87-110 262/110/2 264/110	0-09 -do- -do- 0-10 4-11 2-03
18. Sh. Khiman, Ramdhan ss/o late Sshosing s/o Amar Singh c/o S/Sh. S.S. Shukla & R.K. Shukla Advcts.	246/1-2-11-112 247/1 302/22-23-24 35 285/111-112	2-14 -do- -do- 8-14 8-01 3-05 10-19
19. Smt. Muthri wd/o Budhan c/o Sh. S.S. Shukla & R.K. Shukla, Advocates	257/110/2 263/110 81/1	6-11 -do- -do- 2-08 -do- -do- 1-07 -do-
20. Sh. Himat s/o Kanwar Singh c/o S/Sh. S.S. Shukla & R.K. Shukla, Advocates.	33 269/110/1 276/110/1	5-05 -do- -do- 0-02 10-05
21. Sh. Jaggi, Rupchand, Munni, Duley, Zileram, Vedram, Ka- llu, Jagru, ss/o Tarif Singh; Smt. Simla, Vile- shri Kela d/o Tarif Singh Smt. Dhapo, Pehlado, wd/o Tarif Singh c/o S/Sh. S.S. Shukla & R.K. ShuklaAdvo- cates.	3 4 27 26 82 93 270/110/1 272/110/ 247/1/2	2-10 6-05 3-01 2-04 3-16 0-04 1-03 2-03 0-11
22. Sh. Niader s/o Jiwan c/o S/Sh. S.S. Shukla & R.K. Shukla Advocates.	19 21 287/111 294/112	2-06 -do- -do- 2-00 0-11 14-12

Note : The area of Khasra No. 19 according to Rev. Record is one bigha six biswas and not 2 bighas 06 biswas as claimed.

23.	Sh.Sulhixs/o Jahangir c/o S/Sh. S.S.Shukla & R.K. Shukla advocates.	246/1-2 -111-112 245/1 9 10 244/11-12 292/111 45min 46min 47min 48min 53min 42 min	3-01 3-00 0-17 0-17 1-18 5-03 0-06 0-05 0-06 0-14 1-05 2-16	-do- -do- -do- -do- 	-do- -do- -do- -do-
24.	Sh. Mangat s/o Gurshai c/o S/Sh. S.S. Shukla & R.K. Shukla Advocates	13 291/111 298/111-112 18 49min 288/111-112	4-16 1-14 3-13 11-12 4-09 8-03	-do- -do- 	-do- -do-

MARKET VALUE: The market value under the present case will be determined as prevailing at the date of preliminary notification i.e. 26.8.67. Many factors enter into Reconning for instance size and shape of the land, its situation, the tenure, the use to which it is put, its potentiality and rise and fall in the demand for the land. In arriving at the correct market value of the land the best evidence available, would be evidence of the sale effected about the time of the preliminary notification, either in respect of the land under acquisition or a part thereof, or the sales of the land parallel in circumstances to the land under acquisition.

The claimants in the present case have demanded exorbitant rate of compensation without any evidence whatsoever.

It would be necessary to also look into the awards made in the area in respect of the land acquired in the past. The details of the various awards are as below:-

S.NO.	NAME OF VILLAGE	AWARD NO.	NOTI.U/S 4	Rate awarded Per bigha	Kind of soil
1.	Khajuri Khas	861	F.15(2)/58-LSG 13.1.58	Rs. 250/- Rs. 225/- Rs. 201/-	Near abadi Beyond -do- Adjoining the Boundary of vill. Beharipur.
2.	-do-	938	F.24(139)/54-LSG (I) 1.4.59	Rs.210/- Rs. 135/- Rs. 66/-	Rosli Matiyar B. Quadim G. Mumkin
3.	-do-	912	F.15(6)/58-LSG 24.1.59	Rs.200/-	Rosli Matiyar
4.	-do-	912	F.15(6)/58-LSG 26.3.58	Rs. 200/-	-do-

contd...9/-

5. Khajuri Khas 1508 F.15(III)/59-LSG Rs.210 ----
13.11.59

It will appear from the above that the awards cited will not be of any help in the instant case because of the wide time gap between the issue of the preliminary notification in the present case and in the cases of the awards above.

As regards sale transactions, the following were available:

S.NO.	REGDNO. & DATE	KH. NO.	AREA SQ.YDS.	AMOUNT	AVERAGE PER BIGHA	VILLAGE
1.	7527 16.5.67	90/2/2	200	Rs.800/-	Rs. 4,000/-	Khajoori Khas
2.	9403 26.6.67	-do-	-do-	Rs.1000/-	Rs. 5,000/-	-do-
3.	9404 -do-	-do-	-do-	-do-	-do-	-do-
4.	9659 5.7.67	138	-do-	-do-	-do-	-do-
5.	10325 22.7.67	179	-do-	Rs. 700/-	Rs. 3,500/-	-do-
6.	10402 25.7.67	188	-do-	-do-	-do-	-do-
7.	10403 -do-	188	-do-	-do-	-do-	-do-
8.	16291 9.12.66	138	-do-	Rs.1000/-	Rs. 5,000/-	-do-

The above transactions reveal that these are sales in respect of small plots of land measuring 200 sq.yds. each well suited for residential purpose. Moreover, the land involved into all these transaction is located in a much advantageous position being on the eastern side of the 'Bandh'.

The land now being acquired lies on the river side. Considering the factors discussed above and keeping in view the fact that land used to be flooded at the time of notification, Lowering its quality thereby, the market value in the year 1967 should be Rs. 300/- per bigha and I assess the same.

TREES & WELLS:

There are no trees & wells on the land under acquisition and as such no compensation is awarded under this heading.

SOLATIUUM:

30% solatium is allowed on the market value of the land towards compulsory nature of acquisition.

STRUCTURES:

There are no structures or any religious property on the land under acquisition:

ADDL. AMOUNT U/S 23(1-A):

An amount @ Rs. 12% p.a. on the mkt. value w.e.f. 26.8.67 upto the date of award will be paid.

APPORTIONMENT:

Compensation will be paid according to the latest entries in the revenue record except as under :-

1. Where persons other than owners are recorded in possession.
2. Where persons other than owners/occupants have claimed compensation.

3. Some persons have claimed compensation for land recorded in the ownership of Gaon Sabha.
4. Sri Ram, Gopi (Sons) Bhuli (daughter) of Jhandu have claimed compensation in respect of Khasra Nos. 20,255/87-110/2 but there is another recorded share holder.

In case of dispute as above, the parties may come to an amicable settlement within a reasonable period failing which the disputed amount may be sent to the court of A.D.J. under section 30-31 of the Land Acquisition Act.

LAND REVENUE:

Land under acquisition is assessed to Rs. 180.99 as land revenue which may be deducted from the Rent roll of the village from the date of possession of the land.

The award is summarised as under :

1. Compensation for the land mg. 450 bighas 3 biswas @ Rs. 300/- per bigha	Rs. 1,35,045.00
2. 30% solatium	Rs. 40,513.50
3. 12% p.a. under section 23(1-A) w.e.f. 26.8.67 to 18.9.86 (19 yrs. 24 days)	Rs. 3,08,968.16
GRAND TOTAL	<u>Rs. 4,84,526.66</u>

(Rupees four lacs eighty four thousand five hundred twenty six and paise sixty six only).

V Singh

(VIJAY SINGH)
LAND ACQUISITION COLLECTOR (DS):
DELHI.

July
18/9

SECRET
18/9/86
REVENUE



Award announced in the open Court.
Notice u/s 12(2) be issued

V Singh
19/9/86