

AWARD NO. 1940

Award No. \_\_\_\_\_ for the year 1966-67 by Shri  
Bishan Singh, Land Acquisition, Collector Delhi.

Case No. \_\_\_\_\_

Acquisition of land for the Planned Development  
of Delhi.

Village: KHANPUR DHANI

AWARD

Delhi Administration issued Notification No. F.  
15(245) 60-LSG/L&H, dated the 24th October, 1961 under section  
4 of the Land Acquisition Act, 1894, for acquiring about  
16000 acres area in many villages at the public expense for  
the public purposes namely for the Planned Development of  
Delhi and village Khanpur Dhani Tehsil and District Delhi is one  
of them. Separate notices under section 6 of the above  
mentioned Act are being issued by the Delhi Administration  
as and when any necessity arises for acquisition of land.  
Notification No. F. 4(19) 65-Land H(I) dated 1-8-1966 was  
issued under section 6 of the said Act for acquisition of  
land measuring 315 Bighas and 17 Biswas for the purposes  
mentioned above. Notices in pursuance of above mentioned  
notification under section 6 to the interested persons to  
submit their claims required under section 9 and 10 of the  
Land Acquisition Act, 1894, have also been issued. The claims  
submitted by all the interested persons will be dealt with  
under heading "CLAIMS".

MEASUREMENT

The area under acquisition as given in the notification  
and under section 6 is 315 Bighas and 17 Biswas which has  
been found correct even at present.

CLASSIFICATION OF LAND

The details of Khasra Nos. in form 7 A have been  
prepared under paragraph 55 of the Financial Commissioner's  
standing order No. 28 which are as under:-



| S.No. | Name of the owner  | Name of the tenant  | Khasra No.  | Area Big. Bis  | Kind of land   |
|-------|--|---|---|--|--|
| 1.    | Diwan singh S/o Rura.  | Self  | 3 min<br>26 min   | 2 - 8<br>2 - 10  | Rosli<br>Bhur Awal   |
| 2.    | Gopi Chand, Lachmi Chand, Hari Chand Babu Ss/o Het Ram in equal share. | Self  | 53 min<br>26 min<br>3 min   | 3 - 5 ✓<br>2 - 9<br>2 - 5  | Dakar<br>Bhur Awal<br>Rosli  |
| 3.    | Ram Sing etc.  | Self  | 53 min  | 3 - 10 ✓   | Dakar  |
| 4.    | Tan Sukh etc.  | Self  | 25  | 8 - 11   | Bhur Awal  |
| 5.    | Roop Chand S/o Ghasi.  | Self  | 44 min  | 2 - 8 ✓  | Rosli  |
| 6.    | Lekh Ram S/o Kalu  | Self  | 53 min<br>19<br>22<br>23<br>24  | 3 - 6<br>12 - 6 ✓<br>2 - 11 ✓<br>1 - 4<br>1 - 1  | Dakar<br>Rosli<br>Bhur Awal<br>"<br>"  |
| 7.    | Ram Lal S/o Kana Singh   | Self  | 53  | 3 - 6 ✓  | Dakar  |
| 8.    | Lekh Ram etc. Kalu etc.  | Self  | 31/2  | 7 - 6  | Bhur Awal  |
| 9.    | Rumal etc.   | Ram Karan etc. under Rumal equal share 1/2 and as it is 1/2 | 42  | 8 - 8  | Bhur Awal  |
| 10.   | S. t. Baldai W/o Chuni   | Self  | 37  | 4 - 7 ✓  | Bhur Awal  |
| 11.   | Thandi, Ghamandi, Misri, Sher Singh S/o Tofa .... in equal share       | Self  | 4<br>6 min<br>10<br>12 min<br>36 min<br>49/2<br>7 min<br>27 min<br>29 min<br>30 min<br>39 min<br>40 min<br>55/43 min<br>45 min<br>38 min<br><del>14 min</del><br>14 min | 4 - 1<br>11 - 00<br>1 - 10<br>2 - 10<br>2 - 00<br>2 - 19 ✓<br>4 - 00<br>1 - 00<br>2 - 00<br>2 - 16<br>0 - 19 ✓<br>2 - 11 ✓<br>4 - 15 ✓<br>4 - 00<br>1 - 10<br><del>xxxxx</del><br>1 - 11 ✓ | Rosli<br>"<br>Chahi<br>Rosli<br>Bhur Awal<br>Dakar<br>Rosli<br>Bhur Awal<br>"<br>"<br>"<br>"<br>Bhur Awal<br>1-8 G.M Chahal<br>2 Biswas<br>Rosli Riala |
| 12.   | Champa, Kundan Ss/o Ram Partap   | Self  | 27 min<br>51/2<br>54/43<br>6 min Asal<br>5<br>12 min Awal<br>36 min<br>7 min<br>9 min<br>29 min<br>39 min<br>30 min   | 00 - 18 ✓<br>3 - 4<br>10 - 9<br>11 - 7 ✓<br>3 - 15<br>2 - 12 ✓<br>1 - 12 ✓<br>3 - 18<br>2 - 4<br>2 - 00<br>0 - 19<br>3 - 00  | Bhur Awal<br>Dakar<br>Bhurawal<br>Chahi<br>Chahi<br>Rosli<br>Bhur Awal<br>Rosli<br>Rosli<br>Bhur Awal<br>"<br>"  |



|                                      |  |   |   |   |
|--------------------------------------|--|---|---|---|
| Champa, Kundan<br>Ss/o Ram Partap    | Self   | 45 min<br>38 min<br>55/43 min<br>14 min<br>40 min   | 3- 16<br>1- 12<br>4- 13<br>1- 7<br>2- 14  | Bhur Awal<br>"<br>"<br>Rosli Riala<br>Bhur Awal   |
| (Continued)                          |  |   |   |   |
| 13. Diwan Singh<br>Ss/o Rura         | Self   | 41 Asal min<br>4-00   |   | Bhur Awal   |
| 14. Gopi Chand<br>etc.               | Puran Ss/o<br>Yado<br>(1 Bigha)                                    | 21 min<br>41 min  | 1-16<br>3-16  | "<br>"  |
| 15. Ram Singh etc.                   | Self   | 15<br>18  | 4-19<br>3- 9  | Rosli Riala<br>Bhur Awal  |
| 16. Roop Chand Ss/o<br>Ghasi         | Self   | 15<br>16<br>17  | 1- 1<br>5- 5<br>4-19  | Rosli Riala<br>Bhur Awal<br>"   |
| 17. Lekh Ram S/o<br>Kalu             | Self   | 20  | 1- 7  | "   |
| 18. Ram Lal S/o<br>Nan Singh         | Self   | 13<br>8   | 3- 9<br>4- 1  | Rosli<br>Rosli Riala  |
| 19. Rumal etc. etc.                  | Ram<br>Karan etc.<br>under Rumal<br>and Harpal                     | 46  | 3-15  | Dakar   |
| 20. Champa,<br>Kundan Ss/o<br>Partap | Self   | 50<br>52/2<br>35x2<br>Asal  | 1-16<br>2-11<br>4- 8  | Dakar<br>Dakar<br>Bhur Awal   |
| 21. Thandi etc.                      | Self   | 35 min  | 4-00  | Bhur Awal   |
| 22. Thandi etc.                      | Champa, 34/2 min<br>Kundan etc,<br>in equal<br>share<br>1-6 Biswas |   | 3-18  | Bhur Awal   |
| 23. Nathua etc.                      | Self   | 28  | 3-12  | Bhur Awal   |
| 24. Champa etc.                      | Self   | 7 min<br>9 min<br>27 min<br>29 min<br>39 min<br>30 min<br>45 min<br>38 min<br>40 min<br>55/43 min<br>14 min     | 1-19<br>1- 2<br>0- 9<br>1-00<br>00-10<br>1-10<br>1-18<br>0-16<br>1-06<br>2-07<br>0-13   | Rosli<br>"<br>Bhur Awal<br>"<br>"<br>Bhur Awal<br>"<br>Bhur Awal<br>Bhur Awal<br>Bhur Awal<br>Rosli Riala                             |
| 25. Thandi etc.                      | Self   | 07 min<br>Asal<br>27 Asal<br>29 Asal<br>30 min<br>39 min<br>40 min<br>55/43 Asal<br>45 min<br>38 min<br>14 Asal | 2-00<br>2x00<br>00-10<br>1- 00<br>1- 08<br>0-09<br>1-05<br>2-08<br>2-00<br>0-15<br>0-16 | Rosli<br>Rosli<br>Bhur Awal<br>Bhur Awal<br>Bhur Awal<br>Bhur Awal<br>Bhur Awal<br>Bhur Awal<br>Bhur Awal<br>Bhur Awal<br>Rosli Riala |



|                   |                    |                |                        |                |
|-------------------|--------------------|----------------|------------------------|----------------|
| 26. Thandi etc.   | Self               | 2 min<br>1 min | 2-00<br>1-07           | Rosli<br>Rosli |
| 27. Champa etc.   | Self               | 2 min<br>1 min | 1-15<br>1-07           | Rosli<br>Rosli |
| 28. Ram Nath etc. | Prem Singh<br>etc. | 44/2           | 38-14                  | Bhur Awal      |
| 29. Gram Sabha    | Self               | 44/2 min       | 2-08                   | Bhur Awal      |
|                   |                    |                | <u>67-11</u><br>315-07 |                |

The measurement and classification of land has been done by the field staff. Neither the land owners nor the department has raised objection regarding measurement. In such circumstances no other way is left out with me except to agree with the measurement of land as proposed by the field staff. I, therefore, agree that the classification of land as proposed by the Naib Tehsil dar Land Acquisition on the basis of enteries of a Kh. No. 4 which is as under:-

| Kind of soil     | Area<br>Big. Bis. |
|------------------|-------------------|
| 1. Chahi         | 16-12             |
| 2. Rosli         | 64-11             |
| 3. Dakar         | 27-12             |
| 4. Bhur Awal (1) | 192-12            |
| 5. Rosli Riala   | 14-8              |
| 6. Gahar Mumkin  | 00-2              |

TOTAL 315-17

#### CLAIMS

In pursuance of notices issued under section 7 and 10 of the Land Acquisition Act 1894 the interested persons have submitted their claims which are mentioned as below.

#### 1. Ram Nath

| Claim  | Remarks   |
|--|---|
| Claims himself as Bhumidar of 1/3rd of Khasra No. 44/2 and demands compensation at the rate of 30/- Rs. per sq. yard on account of its location at high level as well as nearness to other abadis. | The claimant has given neither documentary nor oral evidence in support of his claim. The compensation shall be fixed on the basis of facts and figure collected from the revenue record. |

#### 2. Vidhya Bhushan

|   |  |
|---|--|
| Claims to have purchased 1300/- sq yard area from Shri Thandi out of Kh. No. 4 and demands compensation at the rate of Rs. 30/- per sq. yard. | Has produced no documentary evidence in support of his claim but has given his statement in support of his claim which can not be relied upon. On the other hand the comp- |
|---|--|



shall be paid at the rate fixed on the basis of data collected from the revenue record.

3. Ram Saran Pardhan

Claims compensation at the rate of Rs. 6000/- per Bigha of land out of Kh. No. 24/2 min on account of its location adjacent to the Ring Road.

The claimant has given neither documentary nor oral evidence in support of his claim. The compensation shall be fixed on the basis of facts and figure collected from the revenue record. Moreover his name does not stand in the revenue record.

4. Shri Mati Champa etc.

Along with 36 other claim compensation at the rate of Rs. 30 per sq. yard on account of potential value of the land due to its situation encircled by several Abadis and nearness to road and Industrial Area. Further demand Rs. 3000/- as compensation of wells.

The claimants have produced two uncertified copies of sale deeds which took place during the year 1966. As the value of the land is to be fixed at the time of publication of notification under section 4 i.e. 24-1-61. So the value of land prevalent at the time of execution of these sale deeds has no effect in this case. The market value shall be paid according to facts and figures collected from the revenue record.

5. Shri Abida.

Claim to have purchased 1/3rd share of Kh. No. 44/2 and demands compensation of this area.

The claimant has given neither documentary nor oral evidence in support of his claim. The compensation shall be fixed on the basis of facts and figure collected from the revenue record.

6. Kishan Dass

Claim to have purchase 2850 sq. yard out of Kh. No. 34/2 owned by Dhandi Ram etc. and wants compensation to be paid to him in that as mentioned above.

The claimant has given neither documentary nor oral evidence in support of his claim. The compensation shall be fixed on the basis of facts and figure collected from the revenue record. Moreover his name does not stand in the revenue record.

7. Shri Ganesh Kaul

Claim to have purchased 200 sq. yard out of Kh. No. 34 from Thandi Ram etc. and wants compensation for this area

The claimant has given neither documentary nor oral evidence in support of his claim. The compensation shall be fixed on the basis of facts and figure collected from the revenue record. Moreover his name does not stand in the revenue record.

8. Shri Prem Nath

Claims to have purchased 400 sq. yard out of Khasra No. 34 and wants compensation for this area.

The claimant has given neither documentary nor oral evidence in support of his claim. The compensation shall be fixed on the basis of facts and figure collected from the revenue record. Moreover his name does not stand in the revenue record.



(5)

MARKET VALUE:- According to the entries in the Revenue Record the land under acquisition has been classified and Naqsha (B) has been prepared and class of land which was entered in the revenue record at the time of publication of notification under section 4 is shown therein. According to it the classification of land is as under:-

| Kind of soil     | Area |      |                        |
|------------------|------|------|------------------------|
|                  | Big. | Bis. |                        |
| 1. Chahi         | 16   | - 12 |                        |
| 2. Rosli         | 64   | - 11 |                        |
| 3. Dakar         | 27   | - 12 |                        |
| 4. Bhur Awal (1) | 192  | - 12 | Total 315 Big. 17 Bis. |
| 5. Rosli Rehila  | 14   | - 08 |                        |
| 6. Gahar Mumkin  | 00   | - 02 |                        |

There is only 2 Biswas Gahar Mumkin land now under acquisition under wells. The area around these wells is 'Bhur Awal' Therefore this area can be considered as 'Bhur Awal' for purposes of fixing up market value. Similarly Chahi, Rosli and Dakar area is equally good for production. When the price of well has been assessed separately then the chahi area is quite proper to be put with Rosli and Dakar for dividing the area <sup>in</sup> with different blocks. Bhur Awal (1) Rosli Rehala are of the same quality as far as the productive <sup>capacity</sup> prior of the land is concerned.

Keeping all these facts in view, the above mentioned classification of land as reported by the Naib Tehsildar L.A. can be divided into two different blocks for the purpose of fixing up the market value and these blocks are as under:-

|   |       |                      |
|---|-------|----------------------|
| Block No. 1 Chahi, Rosli and Dakar  | Total | 108 Bighas 15 Biswas |
| Block No. 2 Bhur Awal, Rosli <sup>Rehala</sup> and chahi Rehala & G. Mumkin | Total | 207 Bighas 2 Biswas  |

Some of the area now under acquisition is adjacent to the National High Way which is running toward the northern side of Delhi. It is a fact that this National High Way has been constructed after the publication of notification and has resulted in improving the position of the land but it has no effect <sup>for</sup> fixing up the market value of the land now under acquisition. The remaining area is extending towards southern side from the National High Way and goes upto a considerable length.

In calculating the amount of compensation to be awarded, certain points as mentioned under section 23(1) of the Land Acquisition Act, are to be kept in view. In order to determine the market value, many other factors entered into reckoning which are also necessary

Contd.



for instance, the sale transactions of the village concerned that took place during first 5 years preceding to the date of publication of notification u/s 4 of the act, i.e. 24th Sept, 1961, nearness of the land under acquisition to any pucca road, the size and shape of the land now under acquisition, all the previous transactions, situation and use to which it can be put to, rise and fall in prices due to demand of the land in market and the land acquired previously in the villages concerned. It is a fact that exact market value is not likely to be fixed in any case, but it can not be denied that every possible effort should be made to fix up the correct market value prevailing on the date of notification. The claims of the right holders already discussed are also to be kept in view for fixing the market value.

In order to have the idea of the value per Bigha for the land already acquired in this village and in adjacent village namely Ziaudeen Pur, award already drawn under notification 4 issued on 24-10-61 or prior to it should be discussed and these awards are as under

| S.No. | Award No. | Name of village | Date of Notification under section 4 | Amount awarded per Bigha.   |
|-------|-----------|-----------------|--------------------------------------|---|
| 1.    | 1166      | Ziaudeen Pur    | 16-3-61                              | Chahi Nehri 370/-<br>Rosli Bakar 250/-<br>Bhur Awal<br>Gahar Mumkin 100/- |
| 2.    | 1167      | Khan Pur Dhani  | 16-3-61                              | 250/-   |

Both the above mentioned awards were drawn under notifications which were issued on the same date i.e. 16-3-61 and this date is definitely prior to the date on which the notification for the acquisition of land now under acquisition ~~is quite adjacent to this~~ was issued.

Award No. 1166 was drawn for the acquisition of land lying in village Ziaudeen pur for construction of National High Way. Some of the area now under acquisition is also adjacent to that area. The rate per Bigha for that area have already been mentioned in the above table. Vide Award No. 1167 area of this village was acquired for construction of the same National High Way and the area now under acquisition is quite adjacent to this area. The price of land per



fixed at that time was Rs. 250 Rs. per Bigha. "

The claimants were not satisfied with the amount awarded in both these above mentioned awards and put up the applications for making references to the Additional District Judge. In L.A.S. Case No. 377/1962 Nathi and others of village Ziauddin Pur (Award No. 1166) Vs. Union of India, the Additional District Judge vide his judgement dated 12 July 1963 enhanced the compensation amount of Chahi and Nehri from Rs. 370/- to Rs. 670/- and of Dakar and Bhur Awal from Rs. 250/- to Rs. 450 per Bigha respectively. The judgement in case No. 383 of 1962 Lukhi Ram etc. of village of Khan Pur Dhanni Versus Union of India (Award No. 1167) was also passed on the basis of the <sup>above</sup> mentioned judgement.

It can now safely be said that the enhanced amount in these cases can give a true picture to a great extent as far as the market value of the land now under acquisition is concerned.

It cannot also be ignored to have the idea of yearwise sales which took place during 5 years immediately preceding to the date of publication of notification under section 4 of the Land Acquisition Act i.e. 24-10-1961. The yearwise statement has been prepared which is as under.

| S.No. | Year    | Area<br>Big. Bis | Amount      | Average price per Bigha |
|-------|---------|------------------|-------------|-------------------------|
| 1.    | 1956-57 | -                | -           | -----                   |
| 2.    | 1957-58 |                  |             |                         |
| 3.    | 1958-59 |                  |             |                         |
| 4.    | 1959-60 |                  |             |                         |
| 5.    | 1960-61 | 21-00            | 6037-50     | 287-60                  |
|       |         | Total            | Rs. 6037-50 | 287-60                  |

The above table shows that the average price per Bigha according to it comes to Rs. ~~6037-50~~ <sup>4</sup> 287-60

1956-57 to 1959-60

During these years no sale took place in this village.

1960-61

During this year only one transaction involving area measuring 21 Bighas as mentioned above took place.

It would not be out of place to mention here that area mentioned above was acquired vide award No. 1166 and the average price



Worked out can not be taken into consideration because it has already been enhanced by the A.D.J. as mentioned above.

From the above discussion it can now safely be said that in this village no sale transaction took place during 5 years preceding to date of notification issued under section 4 of the Land Acquisition Act according to enteries of the revenue record. Had there been any sale just before the publication of notification under section 4 in this village that would have been of great help for fixing up the market value of the land now under acquisition.

Land was acquired vide award No. 1166 in village Zaiuddin Pur under the notification issued on 16-3-61 which means that that notification was issued about six months before the publication of notification under section 4 under which the area is now being acquired. It seems quite justified that some margin of rising trend in the prices of land should be given before fixing up the market value of land now under acquisition. Keeping the above mentioned discussion in view and the judgement passed by the Additional District Judge Delhi in case referred to above, reasonable and fair price seems to be as under:

|         |                         |                    |
|---------|-------------------------|--------------------|
| Block 1 | Chahi<br>Rosli<br>Dakar | Rs. 700/-per Bigha |
|---------|-------------------------|--------------------|

|         |   |                    |
|---------|---|--------------------|
| Block 2 | Bhur Awal (1)<br>Rosli Riala<br>Gahar Mumkin<br><i>do chahi Riala</i> | Rs. 470/-per Bigha |
|---------|---|--------------------|

I, therefore, assess the market value of this land as under:-

|          |                         |                    |
|----------|-------------------------|--------------------|
| Block 1. | Chahi<br>Rosli<br>Dakar | Rs. 700/-per Bigha |
|----------|-------------------------|--------------------|

|          |  |                     |
|----------|--|---------------------|
| Block 2. | Bhur Awal (1)<br>Rosli Riala<br>Gahar Mumkin | Rs. 470/- per Bigha |
|----------|--|---------------------|

Trees, Wells and other structures:-

Trees:- There are certain trees in the land under acquisition but there is every liklihood to remove these trees either before taking over possession of this land or after taking over possession. The only best way is that the right holders may be allowed to remove these trees themselves. Hence The claimants shall be at liberty to remove these trees within 15 days after taking over possession of the land now under acquisition.

Wells.:- There are two wells in Kh. No. 7. min and 38 min respectively.



Both these wells have been reported as of an old type. The Naib Tehsildar has assessed Rs. 800/- per well as fair price. I also have no reason to differ to the value proposed by the Naib Tehsildar and assess Rs. 800/- per well as value.

Other structures:- There is no structure.

Possession:- The possession of land ~~is to be paid~~ has not been taken as yet.

Apportionment:- The interested persons shall be paid compensation according to the latest enteries in the revenue record of the land now under acquisition. Champa, Kundan Ss/o Ram Partap in equal share have already bypothicated<sup>ed</sup> area measuring 34 Bighas 16 Biswas comprising in kh. No. 50 etc. mentioned in the revenue record for Rs. 1000/- in favour of Government. The compensation amount for this area shall be kept under dispute till a clerance certificate is produced by the claimants in this respect. Area measuring 38 Bighas 14 Biswas of K<sub>n</sub>. No. 44 min is under the unauthorised possession of various persons shown in the list attached with the award file. The compensation amount will also to be kept under dispute. Several persons other then entered in the revenue record have also put up their claims. The compensation amount of all such Khasra Nos. and other/<sup>such</sup> Khasra Nos. will be paid to the parties if they come to any amicable settlement and in case of their failure the matter shall be referred to the competent Court for judgement.

#### Maufi and Jagir

There is no Maufi and Jagir regarding the area now under acquisition.

Land Revenue Deduction :- Khalsa amount<sup>of</sup> reduction from the land revenue due on account of land acquired works out to Rs. 32-95. There will be a deduction of Rs. 32-95 from Khalsa Rent Role of the village with effect from the taking over possession.

The aforesaid land will vest absolutely in the Government free from all encumbrances from the date of taking over possession.

Subjects to above remarks, the award is summarized as under:-

1. Compensation for land measuring  
108 Bighas 15 Biswas of 1st Bloc  
@ Rs. 700/- per Bigha.

Rs. 76,125-00

Contd./



(11)

2. Compensation for land measuring  
207 Bighas 2 Biswas of second Block  
@ Rs. 470 per Bigha.

Rs. 97,337-00

3. Compensation for wells.

Rs. 1600-00

4. 15% for Compulsory Acquisition.

Rs. 26254.30

TOTAL

2,01,321-30

( BISHAN SINGH )  
LAND ACQUISITION COLLECTOR:  
NARELA CIRCLE : DELHI.

16/1/67

Forwarded to the Collector, Delhi, for information.

( BISHAN SINGH )  
LAND ACQUISITION COLLECTOR  
NARELA CIRCLE, DELHI.

16/1/67

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