

Name of Village : KHIZRABAD

Nature of Acquisition : PERMANENT

Purpose of Acquisition : PLANNED DEVELOPMENT OF DELHI

This is an award u/s 11 of the Land Acquisition Act, 1894 for permanent acquisition of land in village Khizrabad. Land measuring 191 bigha 04 biswas was notified u/s 4 of the Act vide notification No.F9(27)/72-L&B dt. 5.7.73 and u/s 6 of the Act vide notification No.F9(2)/22-L&B dt. 31.1.76 for acquisition for a public purpose, namely, for Planned Development of Delhi. Notices u/s 9 & 10 of the Act were issued to the interested persons inviting their claims. Claims filed by them are discussed below in this award.

TRUE & CORRECT AREA

The land was measured on the spot, area available on the spot is as under :-

<u>Khasra No.</u>	<u>Area</u>	<u>Kind of soil</u>
216	4 x 06	XXXXXXXXXXXXXXXXXXXX
217	4 - 03	XXX
223	0 - 09	de G.M.
224	12 - 09	Sailab
225	3 - 19	-de-
226	7 - 03	-de-
227	0 - 08	-de-
380/236	3 - 00	-de-
381/236	5 - 13	-de-
237	0 - 19	-de-
238	1 - 04	-de-
239	0 - 18	-de-
240	0 - 17	-de-
241	0 - 12	-de-
242	0 - 13	-de-
243	0 - 13	-de-
244	2 - 10	-de-
245	1 - 05	-de-
249	3 - 01	-de-
250	0 - 11	-de-
251	4 - 08	-de-
252	1 - 17	-de-
253	2 - 03	-de-
254	1 - 05	-de-
255	0 - 15	-de-
256	0 - 14	-de-
257	0 - 19	-de-
258	4 - 02	-de-
259	4 - 06	-de-
260	4 - 08	-de-

<u>Khasra No.</u>	<u>Area</u>	<u>Kind of soil</u>
261	1 - 07	Sailab
262	2 - 16	-de-
263	2 - 08	-de-
264	1 - 05	-de-
265	0 - 12	-de-
266	2 - 06	-de-
267/1	0 - 13	Gair Mumkin Chardiwari
267/2	1 - 00	-de-
267/3	0 - 18	Gair Mumkin Chardiwari 0 - 10; Nala 0 - 08.
267/4	0 - 10	Gair Mumkin Chardiwari 0 - 05; Nala 0 - 05.
267/5	0 - 19	Nala
267/6	2 - 03	Gair Mumkin Chardiwari 1 - 14; Nala 0-09.
267/7	1 - 04	Chardiwari
267/8	1 - 19	-de-
267/9	0 - 16	Chardiwari 0-10; Sailab - 0-06.
267/10	0 - 13	Chardiwari 0 - 08; Rasta 0-05.
267/11	2 - 03	Chardiwari 1-03; Rasta 1 - 00.
267/12	0 - 18	Chardiwari 0 - 15; Rasta 0-03.
267/13	4 - 00	Chardiwari 3 - 10; Rasta 0-10.
270	18 - 11	Gair Mumkin Park
271	0 - 17	-de-
272/1	1 - 16	Gair Mumkin Chardiwari
272/2	1 - 04	Flet
272/3	1 - 03	Flet & House
272/4	2 - 08	Flet
272/5	1 - 04	Flet & House
273	2 - 17	Chardiwari 1-10; Zaraiab 1-07.
274	5 - 03	-de-
275	2 - 04	-de-
276	1 - 05	Sailab
277	4 - 04	-de-
278	1 - 03	-de-
279	1 - 03	Sailab 0-13; Zaraiab 0-10.
280	2 - 08	Sailab 1-18; Zaraiab 0-10.
281	1 - 10	Sailab 1-00; Zaraiab 0-10.
282	2 - 05	Sailab 1-15; Zaraiab 0-10.
283	2 - 02	Sailab
284	0 - 14	-de-
285	1 - 08	Rasta
286	8 - 02	Sailab
287	0 - 12	-de-
288	2 - 04	-de-
289	3 - 14	-de-

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<u>Khasra No.</u>	<u>Area</u>	<u>Kind of soil</u>
291	1-18	Sailab
292	9-02	-do-
306/6	1-04	-do-
306/7	2-08	-do-
306/8/1	0-08	-do-
	<u>184-12</u>	

The area under notification was 191 bigha, 04 biswas whereas in this award land measuring 184 bigha-12 biswa is being acquired. The difference is due to the fact that Khasra No. 199(1-08), 215(0-14), 268(2-01) total 4 bigha-3 biswa is Govt. land and left from the Award. Khasra No 216, 217(2-9), left from the award due to stay order from the High Court.

COMPENSATION CLAIMED

The following persons have filed their claims for compensation:-

<u>S.No.</u>	<u>Name of claimant</u>	<u>Khasra No.</u>	<u>Compensation claimed.</u>
1.	Sh. Mwasi s/o Jaipal	272/2-278 279, 261, 280, 267/9	Rs 30,000/- for trees; Rs 150/- per sq. yd. for land. Rs 5,00,000/- for super structure and electric fittings.
2.	Sh. Raghbir Dyal s/o Munshi, xxxxxxx Munshi Rax	----	Rs 2,000/- per sq. yd. for land.
3.	Sh. Rajpal s/o Munshi Ram	-- --	Rs 2,000/- per sq. yd. for land.
4.	Sh. Munshi s/o Jamna Dass	-----	Rs 2,000/- per sq. yd. for land.
5.	Sh. Ram Lal s/o Jamna Dass. Dhano w/o Lakhi.	267/4, 272/3 241 min ✓ 243 min ✓ 277, 251 min 251-277 min 241min 244-271 381-236-263.	Rs 2,000/- per sq. yd. for land.
6.	Sh. Ram Raj, Des Raj ss/o Ratch Chand.	267/5	Rs 1,000/- per sq. yd. for land.
7.	Sh. Attar Singh, Ved Ram ss/o Roomal.	267/2-251min 251min-277min 241min-243 277min, 244 263, 381/236-271	Rs 1,000/- per sq. yd. for land.
8.	Sh. Ram Phools/o Neta.	240-244-263 223-224-225.	Rs 1,000/- per sq. yd. for land.

Contd.....4/-

S. No.	Name of claimant	Khasra No.	Compensation claimed
9.	Net Ram s/o Budhi	245-281-265 264-282-283 284	Rs. 1000/- per sq. yd.
10.	Bhishan, Chandro Asharfi ss/o Shiv Lal Binnu Sumarta ss/o Roshan	240-244-225 min 223-224 min-225 min 263	-do-
11.	Rishan, Chandro Tek Ram s/o Harlal Naim Singh s/o Heta	267/3, 272/5 273, 237	-do-
12.	Smt. Kalawati d/o Phoo, Singh	267/3 -272/5 273, 237	-do-
13.	Mam Chand s/o Gaur Ram Om Parkash, Chet Ram ss/o Bhakta, Imrat, Sujan, Sher Singh ss/o Chutra	245-281 265-264 282-283-284	-do-
14.	Badly, Mawari ss/o Girdhari, Attar Singh Dharam pal ss/o Mam Raj	238-266/1 272/1-245 281-265 264-282-283- 284-267/10	-do-
15.	Giriraj Beg Raj Iem Raj ss/o Gyria	238-266/1	-do-
16.	Yad Ram, Mehar Chand ss/o Hari Singh	238-266/1-366/6	-do- ✓
17.	Mehar Chand s/o Hari Singh	381/236	-do-
18.	Shiv Raj-Om Parkash Vijay Lal, Ram Lal Ramu ss/o Hazari	260-267/8 267/12-287 240-244-263	-do-
19.	Friends Cooperative House Building Society	270	Rs. 2000/- per sq. yd.
20.	Taiza Begum x/x/x Najju Begum ss/o Imnamuddin Lakshaman s/o Nand Ram Hanif Ahmed s/o Bundu Khan Kallan s/o Hafeez Neer Mohammad s/o Kalekhan Jameel Ahmed s/o Mohd Yusuf	270 min	Rs. 1500/- per sq. yd for land; Rs. 230000/- for super structure.
21.	Hari Kishan s/o Nand Ram	267/9 222	Rs. 1500/- per sq. yd for land; Rs. 200000/- for super structure.
22.	Kasim Ali s/o Murad Ali	222-267/9	Rs. 15000/- per sq. yd for land; Rs. 50000/- for super structure.
23.	Bijender Singh s/o Raghubar Singh	270 min	Rs. 1500/- per sq. yd for land; Rs. 20000/- for boundary wall.
24.	Smt. Santosh Malhotra w/o S. R. Malhotra	267/13	Rs. 500/- per sq. yd for land along with all benefits including solatium and interest.

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S.No.	Name of claimant	Khasra No.	compensation claimed.
25.	Aman Goyal s/o Jai Parkash Goyal	267/1-267/2	Rs.500/-per sq yd for land along-with all benefits including solatium and interest.
26.	Rajinder Singh s/o Baljeet Singh	267/13	-de-
27.	Devinder Kumar viz s/o Alam	267/13	-de-
28.	Lalit Goyal s/o Satya Prakash Goyal	267/12	-de-
29.	Sanjay Kumar Kochhar s/o B.L. Kochhar	267/11	-de-
30.	Rakesh Dua s/o Babu Chand	-de-	-de-
31.	Qamarul Islam @ Chanda s/o Nathu	271	Rs.1500/-per sq.yd for land. Rs.200000/-for construction of rooms & wall including all other benefits.
32.	Het Ram s/o Tirkha	267/6-267/11 272/4/306/4 226-227-254-257 258-292-274	Rs.1000/-per sq. yd.
33.	Syria s/o Niader	239-276-306/6min-255 256-259-286-289	-de-
34.	Rajinder Singh Gopi Chand ss/o Chander	245-272-281-225min 223-224min-225min	-de-
35.	Nathu s/o Yadav Yadav s/o Khubi	267/7-267/13 255-256-259 286-289-239-276	-de-
36.	Sher Singh A.S. ss/o Chander Babu Mohinder ss/o Gehan Shekmal s/o Dola	245-264-265-281- 282-283-284	-de-
37.	Siri Ram, Teenday ss/o Kale	239, 276, 306/6min 255, 256, 259, 286-289	-de-
38.	Daroga s/o Raghbir	267/1, 262/2-274-254-257 258-227-292-226-306	-de-
39.	Munshi s/o Tirkha	267/6, 267/11, 272/4, 306/4 274-254-257-258-227-292-226.	-de-
40.	Budhan s/o Amira	288-291	-de-
41.	Ra kesh s/o Raghbir	267/1-266/2 306/8-226 227-254-257-258 292-274	Rs.100/-per sq.yd.
42.	Khem Chand s/o Chet Ram	278-279-261-242-275 280-240-244-216-217 263-380/236	Rs.1500/-per sq.yds for land including all other benefits.
43.	Mohd. Sibtain s/o Fayyaz Hussain Smt. Rafiqun w/o Saggar Ahmed smt. Sabra Begum w/o Refutullah Munchi Khan s/o Chhida	272/5	Rs.1500/-per sq.yd for land and Rs.247000/-for structure

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<u>S.No.</u>	<u>Name of claimant</u>	<u>Khasra No.</u>	<u>Compensation claimed</u>
	Mehd. Shahzad s/o Islamuddin Abdul Gaffar Akhtar Ali Nazar Ali Khurshid s/o Azimuddin Naseen Begum w/o Khadeer Ahmed Rahish Ahmed s/o Bundu Ahmed Munir Ahmed s/o Yad Ali		
44.	Mohammad Siddiq s/o Abdul Aziz Sikandar Ali s/o Peer Baksh Khan Sattar Khan s/o Iehlad Khan Smt. Faizre Begum w/o Habib Ahmed Sher Ali s/o Allahadin	272/3	Rs.1500/-per sq. yd for land and Rs.155000/-for structure.
45.	Smt. Shanaz Begum w/o Munavvar Ali	277	Rs.1500/-per sq.yd for land and Rs.20000/- for structure.
46.	Sharif Khan w/o Kalan Iqbal -Azimuddin w/o Ramzani Smt. Masumanw/o Rahimuddin Zafaruddin s/o Bundoo Khan - Smt.Sabir w/o Ali Hasan - Anupia w/o Mahesh Kumar - Kamruddin - Mehd Shafi s/o Rashid Ahmed	274	Rs.1500/-per sq.yd for land; Rs.260000/- for structure.
47.	Sadika Begum w/o Issar Ahmed	272/4	Rs.1500/-per sq.yd for land; Rs.20000/- for structure.
48.	Mahida Begum w/o Mehd. Umar Smt. Shakeela Begum w/o Abdul Subhan Abdual Gaffar s/o Subhe Khan Raisuddin s/o Bundu Khan Smt. Shahana Begum w/o Mehd. Waris	275	Rs.1500/-per sq. yd for land and Rs.140000/-for structure.
49.	Mehd. Asfaq s/o Mehd Saddiq Saghir Ahmad s/o Bundu Kaddin Ahmad s/o Bundu Aahis Ahmad s/o Bundu	274	Rs.1500/-per sq. yd for land; Rs.105000/-for structure

DOCUMENTARY EVIDENCE

No documentary evidence has been provided by the claimant in support of their claims.

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MARKET VALUE

In determining the market value of the land, many factors to be taken into consideration such as its size, situation, potential value and the uses to which it is put. The best evidence to prove the market value would be the evidence of genuine sales affected at the time of notification u/s 4. If the evidence of sales of similar land or the awards are available the market value can be fixed with reference to the prices mentioned in them.

In the instant case, the claimants have put forth exorbitant claims without any corroborative evidence whatsoever. Therefore, no reliance can be placed on their claims.

During the past five years, the following sale transactions were available :-

Sl.No.	Year	Mutation No.	Reg.No.	Date of Reg.	Area	Consideration Amount
1.	1969-70	615	1717	16-3-70	0-03	Rs.4000/-.
2.	1970-71	612	5492	3-9-70	0-02	Rs.5000/-.
3.	1970-71	628	133	7-1-71	0-01	Rs.2000/-.
4.	1970-71	626	511	29-1-72	0-02	Rs.6000/-.
5.	1971-72	618	5320	16-8-71	3-00	Rs.20000/-.
6.	1971-72	625	5827	7-9-71	0-02	Rs.4000/-.
7.	1971-72	622	3308	16-5-71	0-02	Rs.4000/-.

The land in the above transactions except at sl. No.5 was sold in the shape of plots. It is a matter of common knowledge that the smaller plots fetch higher prices than the big chunks of agricultural land. As such these prices are not applicable in the present case. According to the transaction mentioned at sl. No. 5, the land measuring 3 bigha was sold for Rs.20000/- on 16.8.71 i.e. @ Rs.6666/-per bigha. This land is situated in better condition than that in the present case and as such the same cannot be considered.

The field staff was directed to consult the revenue records and prepare list of awards which have been announced in this village. According to their report a number of awards have been announced in this village. However the latest award given in this village is No. 10/73-74 in which the date of notification is

u/s 4 as 23.8.72. The rate assessed in that award was Rs7,000/- per bigha. The date of notification in the present case is 5.7.73. There is time gap of one year between the notification u/s 4 of the award and that of the present case. In case the interest of 9% is added the amount so calculated comes to Rs7630/-. The average rate/per bigha of sale deed dt. 16.8.71 comes to Rs6666/- as on 16.8.71 i.e. two years before the date of notification u/s 4. Even if 9% is added in that sale deed the amount comes to Rs7864/-. Thus the rate mentioned in the above award as well as in the sale deed is almost the same. Since the award in this village has already been announced and no order regarding enhancement is available in this case I rely on the price assessed in the above award.

It appears from the record that land in the present case comprises of two categories; one is levelled land and the other is sailab. I thus divide the above land in two blocks. Block 'A' will consist of levelled land comprising of khasra Nos. ~~XXXXXX~~ 223, 2285 and Block 'B' will consist of Sailab land comprising of Khasra Nos. 224, 225, 226, 227, 380/236, 381/236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 269, 261, 262, 263, 264, 265, 266, 267/1, 267/2, 267/3, 267/4, 267/5, 267/6, 267/7, 267/8, 267/9, 267/10, 267/11, 267/12, 267/13, 270, 271, 272/1, 272/2, 272/3, 272/4, 272/5, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 291, 292, 306/6, 306/7, 306/8/1. As I have relied upon the award No. 10/73-74, it will be fair and just if a sum of Rs 8,000/- per bigha is assessed for the levelled land in Block 'A' and Rs6500/- per bigha is assessed for Block 'B' & I award the same accordingly.

COMPENSATION FOR WELLS, TUBEWELLS, STREETS etc.

There is no well, ~~xxx~~ tree on the land presently under acquisition & as such no compensation has been assessed for these.

COMPENSATION FOR STRUCTURES

Structures on the land were erected after the notification u/s 4. The ~~x~~ owners are at liberty to remove their malba. No compensation is awarded for the structures.

SOLATUM

30% solatium will be given on the market value of the land u/s 23(2) of the Land Acquisition (Amendment) Act, 1984.

ADDITIONAL AMOUNT u/s 23(1A)

As provided U/s 23(1A) of the Land Acquisition (Amendment) Act, 1984 additional amount @ 12% per annum on the market value of the land from 5.7.73 which is the date of notification u/s 4 to the date of announcement of the Award will also be given.

APPORTIONMENT

Payment of compensation will be made on the basis of the
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late entries available in the revenue record. In case of any
dis amount which cannot be amicably settled may be referred
to the Court of Additional District Judge u/s 30~~xx~~31 of the
Acquisition Act.

LAND REVENUE

The land under acquisition is assessed at Rs 45.83 as land revenue
which will be deducted from the Khatoni/Khalsa Rent Roll of the
village from the date of taking over possession of the land.

THE AWARD IS SUMMARISED AS UNDER

Block "A"- Land measuring 1 bigha- 17 biswa, @ Rs 8,000/- per bigha.	= Rs	14,800 0 .00
Block "B"- Land measuring 182 bigha- 15 biswa @ Rs 6,500/- per bigha.	= Rs	11,87,875.00
Solatium @ 30%	= Rs	3,60,802.50
Additional Amount. @ 12% w.e.f. 5/7/73 to 2x 19/9/86 i.e. 13yrs. and 77 days.	= Rs	19,06,618.80
Grand Total	= Rs	34,70,096-30

(Rs Thirty Four lacs, Seventy thousand, Ninty Six
and Thirty paise)

The Secretary (Revenue) is requested to approve the above award.

Jamil Murtaza
(JAMIL MURTAZA)
Land Acquisition Collector (ME),
DELHI.

SECRETARY (REVENUE)

*Award announced in the presence
of interested persons today.*

Jamil Murtaza
17/9/86
LAC (ME)