

Award No. 1692
Name of Village
Nature of Acquisition
Scheme

Palam
Permanent
Establishment of an
Industrial Estate

.....

By virtue of notification No. F15(210)/61-LSG dated 3rd July 1962 u/s 4 of the Land Acquisition Act 1894 issued by the Chief Commissioner, Delhi 221 Bighas and 17 Biswas of Land situate in village Palam is under acquisition for a public purpose namely for the Establishment of an Industrial Estate. In accordance with the above mentioned notification objections u/s 5(a) of the said Act were heard and a report was submitted for the decision of the appropriate Governments. After having considered the objections and being satisfied that the land in question was ~~ordered~~^{needed} for a public purpose, the appropriate government issued a declaration to that effect u/s 6 of the said Act vide notification No. F.15(210)/61-LSG dated Dec. 21 1962 covering an area of 222 Bighas only comprising of the following fields Nos.

Rectangle No. 68, Kila Nos.	1/1, 1/2, 1/3, 2, 3, 4/2, 4/1, 7, 8, 9, 10, 13, 14/1, 14/2, 17/1, 17/2, 17/3
Rectangle No. 69 Kila Nos.	4, 5/1, 5/2, 6
Rectangle No. 88 Kila Nos.	25/1, 25/2, 25/3, 15/1, 15/2, 16/1, 16/2, 17
Rectangle No. 89 Kila Nos.	16, 17, 24, 25
Rectangle No. 90 Kila Nos	1, 2/1, 2/2, 3/1, 3/2, 4/1, 4/2, 7, 8/1, 8/2, 9/1, 9/2, 10, 11/1, 11/2, 12/1, 12/2, 13/1, 13/2, 14/1, 14/2, 17, 18/1, 18/2, 19/1, 19/2, 20, 21/1, 21/2, 21/3, 22/1, 22/2, 23/1, 23/2, 24, 25/1min.
Rectangle No. 91 kila Nos.	19, 20, 21/1, 21/2, 22, 23, 24

Notice u/s 9(1) of the Land Acquisition Act was given due publicity as required by law. Notices u/s 9(3) and 10(1) of the above mentioned Act were served upon all the known persons interested in this acquisition and their claims were duly considered and are discussed below under the heading "COMPENSATION, CLAIMS".

MEASUREMENT

The land under acquisition was got measured on the spot by the Land Acquisition Field Staff which was found to be 222 Bighas and it tallied with the area mentioned in the revenue record except that Kila No. 25/1 min of rectangle No. 90 has been given under 24/1/1

as shown in "Tattima" of this field.

A statement showing the details of Khasra Nos., ownership, area and classification of soil is as under:-

Sl.No.	Name of owner	Name of occupant	Khasra No.	Area and Nature of soil	Remarks
1.	Surajmal S/o Charan Singh, Mir Singh, Panna, Ram Krishan, Jot Ram Ss/o Nihalu all in equal shares Bhagwana, Ghanshyam Ss/o Chottey equal in half	Self cultivation	90/11/1 12/1 19/1 20	3.00 Rosli 1.08 " 2.15 " 5.00 "	
2.	Bhartu S/o Kalu 1/3 Roshan S/o Data Ram 1/3 Krishan , Om Parkash S/o Tek Chand 1/3	-do-	68/1/3 2 3 4/1 8 9 90/21/1 22/2	1.19 Chahi 4.16 " 4.16 " 2.00 Rosli 5-03 " 6-04 Chahi 2-02 " 1-19 "	
3.	Tara Chand S/o Chhota	-do-	89/17 16	4-16 " 4-16 Rosli	
4.	Sher Singh S/o Balla 1/2 Ram Singh, Sis Ram, Hoshiar Singh Ss/o Gokul in equal share 1/2	-do- Onkar Nath & Vishwa Nath Ss/o Des Raj (400 and 500 sq. yds. respectively	68/1/1 69/4 69/5/2	1-17 Chahi 5-4 " 1-16 "	
5.	Gokul S/o Jisulchx 2	Self cultivation	89/24 89/25 90/21/3	4-16 " 4-16 " 1-19 "	
6.	Duli Chand, Sakha Chand Ss/o Chikson in equal shares 1/2 Ratti Ram S/o Chandgi Ram 1/4 Mustt. Nathu widow of Kairy 1/4	-do-	90/1 91/21/1 90/18/2 90/19/2 90/22/1 90/23/1	4-16 Rosli 3-12 " 2-10 " 2-10 " 2-10 Chahi 3-12 Rosli	
7.	Uma Shankar S/o Shiv Dayal Singh	-do-	68/4/2 7 13 14/1 17/1 90/25/1/1	2-16 Chahi 4-12 " 5-00 " 2-06 " 1-03 " 0.15 "	
8.	Girja Dham S/o Ram Chander	-do-	68/14/2 17/3	2-10 " 2-05 "	
9.	Daya Nand S/o Gopal Singh	-do-	68/1/2 10 69/5/1 6	1-00 " 3-12 " 3-00 " 2-00 "	
10.	Sardar S/o Gokal Sukhbir (Minor) S/o Deegh Ram in equal shares ga h	-do-	90/14/1 17 min 18/1 13/1 Min 23/2 24	0-12 Rosli 2-16 " 2-06 " 0-08 " 1-04 " 4-05 "	
	Jug Lal S/o Ganga Das 1. Smt. Widya Wati D/o Devki Nand	(occupant)	90/17 min.	2-00 "	

Sl.No	Name of owner	Name of occupant	Khasra No.	Area and Nature of soil	Remarks
10.	W/o Jit Ram of Dabodha Kalan Distt., Rohtak 2. Madan Gopan S/o Gurdayal r/o V. Sohana Distt. Rohtak 1 & 2 in equal shares	(Occupant) (Occupant)	90/13/1 Min.	1-00 Rosli	
11.	Suraj Mal S/o Charan Singh, Mir Singh, Panna, Ram Kishan, Jotram Ss/o Shri Nihal equal shares in 8 shares	Self Cultivation Occupation	90/21/2	0-11 Ghair Mumkin Chah Pukhta	
(2)	Bhartu S/o Kalu 1/3 Roshan S/o Data Ram 1/3 Om Parkash S/o Tek Chand 1/3 in 12 shares	-do-			
(3)	Tara Chand S/o Chhota in 4 shares	-do-			
(4)	Mst. Patasho widow of Bhola 1 1/2 shares	-do-			
(5)	Sher Singh S/o Balla 1/2 Ram Singh, Sis Ram, Hoshiar Singh Ss/o Gokal equal in half of half. Gokal S/o Ji Sukh, remaining half in 12 1/2 shares	-do-			
(6)	Daya Nand S/o Gopal, 2 shares	-do-			
12.	Uma Shanker S/o Shiv Dayal Singh 1/2 Bishan Sarup S/o Ram Chander.....1/4 Girjadhar S/o Ram Chander1/4	Self possession	68/17/2	0-09 Ghair Mumkin Chah Pukhta	
13.	Moola S/o Molar	Self Cultivation	91/23 min. 91/23 Min. 24.	1-14 3-02 5-08	Rosli " "
14.	Molar S/o Sahi Ram, Mustt. Phulo D/o Mustt. Ghogri in equal shares	-do-	90/3/2/ 4/1 8/2	3-12 2-06 3-12	" Chahi Rosli
15.	Jai Lal, Lal S/o Gordhan in equal shares	-do-	90/2/2 3/1 8/1 9/2	3-12 1-04 1-04 3-12	" " " "
16.	Jit Ram S/o Mohan Singh	-do-	88/15/2 16/2 25/2 91/19 20 21/2 22	0-09 1-04 0-06 2-16 5-02 1-04 4-16	" " " " " " "
17.	Duli Chand S/o Sikson	-do-	90/2/1	1-04	"
	Duli Chand and others	Self cultivation	10 9/1	4-16 1-04	" "

Mushta

Sl.No.	Name of owner	Name of Occupant	Khasra No.	Area and Nature of soil	Remarks
18.	Custodian Deptt.	Daulat Ram Allottee	90/4/2	2-10 Chahi	
19.	Tek Chand S/o Jassoo Ram	Self	90/7	4-16 Rosli	
20.	Gaon Sabha	Self	88/15/1	0-19 Banjar Qaddim	
			16/1	3-12 Banjar Jadid	
			17	3-08 Banjar Qaddim	
			25/1	3-12 -do-	
			25/3	0-18 Banjar Jadid	
			90/11/2	1-16 Banjar Qaddim	
			12/2	3-08 -do-	
			13/2	3-08 Banjar Jadid	
			14/2	4-04 Banjar Qaddim	

Total under Acquisition : 222 Bighas

The measurement and classification of the land have been accepted by the land owners concerned in as much as no objections have been filed by them. No objection was received from the department either. The classification of the land on the basis of the entries of the latest Khasra Girdhawari as it stood on 3rd July 1962 is as under:

<u>Class of Land</u>	<u>Area</u>	
	<u>Bighas</u>	<u>Biswas</u>
Chahi	85	05
Rosli	110	10
Banjar Jaddid	7	18
Banjar Qaddim	17	07
Ghair Mumkin chahi	1	00
Total	222	00

NOTE - In the latest Khasra Girdawari certain portions have been shown as Ghair Mumkin plots but on site there are no carved out plots and as such those portions of land have been classified according to the original nature of soil.

CLAIMS FOR COMPENSATION

In response to the notices u/ s 9 and 10 of the Land Acquisition Act 1894, the following persons interested have filed the claims enumerated below:-

1. Smt. Shanti Devi Dogra Wd/o Shri Charanji Lal Dogra R/o 4490, Dal Mandi, Paharganj, New Delhi has come forward with the claim that she has purchased land measuring 300 sq yd out of scheme in question bearing Rectangle No. 68/8 for Rs. 1350/- in the area of Palam from Shri Bhartu S/o Kallu r/o Palam. She has filed a copy of the sale deed which goes to show that it was executed and registered on 31.8.62. She has stated that

Shri Bhartu is not entitled to receive the compensation in respect of the aforesaid land but mutation does not appear to have been sanctioned in her favour.

2. The second claimant Smt. Sudershan Kumari Chopra w/o Chaman Lal Chopra, C/o Shri Chaman Lal Chopra of the Divisional Accounts Officer, N. Railway, Lucknow, has stated that she has purchased Plot No. B-2 measuring 200 sq. yd for Rs. 800 bearing Rectangle No. 69, Killa No. 3/2, 4, 5/2 situate in the area of Palam and has urged that Shri Sher Singh S/o Shri Balla R/o Palam who was its previous owner is not entitled to receive the compensation in respect of the aforesaid land. She has filed a copy of the registered sale deed dated 13.4.1962 but no mutation has been made in her favour.

3. The third claimant Shri Vishva Nath Sharma S/o Pt. Des Raj Sharma R/o H.No. XV-916, Chandi Wali Gali, Paharganj, New Delhi has filed his claim along with a copy of a registered sale deed saying that he has purchased a plot measuring 500 sq- yd. out of the aforesaid Rectangle No. 69, Killa No. 3/2, 4, 5/2 situate in the area of Palam for Rs. 2000/- from the same owner Shri Sher Singh S/o Balla R/o Palam, Delhi. He has urged that he is entitled to receive its compensation. No mutation has, however, ^{been} sanctioned in his favour so far.

4. The other claim has been filed by Shri Onkar Nath Sharma S/o Pt. Des Raj Sharma r/o H.No. XV-916, Chandi wali Gali, Paharganj, Delhi saying that he has also purchased plot Nos. 12 and 13 measuring in all 400 sq. yds out of the same rectangle No. 69, Killa Nos. 3/2, 4, 5/2 from the said Shri Sher Singh and that he is now entitled to receive the compensation in respect of the aforesaid land. The copy of the sale deed filed by him goes to show that this land was purchased for Rs. 1450/- and the deed was registered on 28.6.62. No mutation appears to have been done in his favour so far.

5. The last joint claimant is Smt. Bimla Wali w/o Shri Chander Prakash Sharma r/o H.No. XV-916 Chandi Wali Gali, Paharganj, Delhi who has stated in her claim that she has purchased plot No. Bi measuring 200 sq. yds out of the aforesaid Rectangle No. 69, Killa No. 3/2, 4, 5/2 in village Palam from the said Shri Sher Singh S/o Balla r/o Palam for Rs. 800/-. In support of this, she has filed a copy of sale deed dated 30.4.62 but mutation in her name too has not been sanctioned.

6. Shri Tek Chand S/o Shri Jassu Ram R/o New Township Faridabad has filed his claim saying that Killa No. 90/7, situate in village Palam was allotted to him sometime back ~~out~~ which is now being acquired in the scheme. He has claimed compensation at the rate of Rs. 5/- per sq. yd on the ground that land in question is situated near the main road and Palam Railway Station where the prevailing market rate is in the range of Rs. 4/- to Rs. 10/- per sq. yd. In addition to this, he has stated that he should be paid Rs. 1000/- as severance charges in respect of a wall but he has not given any detail about the situation of the said wall. Moreover, the revenue ^{records} ~~maps~~ show that this land is Rosli and not Chahi. He has, however filed a copy of a mortgage deed attested by the claimant himself in respect of field No. 100/22, 18, 19 and 21 measuring 10 Bigha 10 Biswas which goes to show that it was mortgaged for Rs. 19,500/- on 21.1.1963. No other evidence has been adduced by him.

7. Shri Ratti Ram S/o Chandgi Ram and Smt. Nathoo Wd/o Shri Kheri r/o Palam have submitted their claims saying that they are the bhoomidars in possession of a land measuring 9 Bigha 15 Biswas of land i.e. half a share in land out of 19 Bigha 10 Biswas bearing Khasra Nos. 1(4 Bigha 16 Biswas) and 23/1 (3 bigha 10 biswas) out of rectangle No. 91 and that they are entitled to receive its compensation at the rate of Rs. 20/- per sq. yd plus ^{6%} ~~16%~~ interest from the date of dispossession till payment. They have further stressed that if some factories are going to be established on the land under acquisition, some plots for children of the petitioners be also reserved in the said industrial area. Their main contention is that the land is well developed and is on the close proximity of the back of Najafgarh Road, Nasirpur Road, Cantoment Road, Palam Vehicle Depot and Air Port and has definitely higher potential value.

8. Sarvshri Sardar S/o Gokal and Sukhbir S/o Dig Ram (Minor) through his mother Smt. Chuno as a natural guardian have claimed compensation in respect of land measuring 14 Bighas 11 biswas bearing Khasra No. 14/1 (0-12 biswas), ^{17/2} ~~17/2~~ (4 bigha-16 biswas) and ^{18/1} ~~18/1~~ (2 bigha -6 biswas), 13/1 (1 bigha-8 biswas), 23/2 (1 bigha - 4 biswas) and 24 (4 bigha-5 biswas) rectangle No. 90 situate in village Palam at the same rate and on the same ground, as mentioned in the claim filed by Shri Ratti Ram & Smt. Nathu in paragraph 7 above.

9. Sarvshri Boshan S/o Datta Ram, Bhartu S/o Kallu and Om Parkash s/o Tek Chand have filed their claims in respect of land measuring 29 bigha-10 biswas) bearing Khasra No. 1/3 (1 bigha-19 biswas), 2 (4 bigha-16 biswas), 3(4 bigha-16 biswas), 4/1 (2 bigha), 8 (5 bigha - 3 biswas), 9 (6 bigha-4 biswas) out of rectangle 68 and 21/1 (2 bigha - 2 biswas), 22/2 (1 bigha- 19 biswas) and 21/2 (0-11 biswas) out of rectangle No.90 situate in village Palam demanding the same rate of compensation and on the same grounds as mentioned in Paragraph 7 & 8. All these claimants have, however, not filed any documentary evidence in support of their claims.
10. One Flight Sargent, Kuldip Singh has come forward saying that he too has purchased a plot measuring 500 sq. yds out of Khasra No. 69, Killa No. 3/2, 4, 5/2 in village Palam from the aforesaid mentioned owner, Shri Sher Singh s/o Balla for Rs. 3000/-. He has claimed that he should be given compensation at the prevailing market rate of Rs. 20/- per sq. yd failing which his land may not be acquired as he is a member of the Armed Forces and has no other land to fall back upon. He has filed a copy of the sale deed dated 13.6.62 but mutation in his ^{favor} ~~farm~~ does not appear to have been sanctioned so far.
11. Shri Molar S/o ^{Sati Ram} ~~Sahay~~ and Smt. Gogery W/o Sher Singh have claimed compensation at the rate of Rs. 20,000/- per bigha in respect of land measuring 9 bigha 10 biswas bearing Khasra No. 3/2(3 bigha-12 biswas), 4/1 (2 bigha-6 biswas), 8/2 (3 bigha -12 biswas) of rectangle No. 90 but have filed no evidence in support of their claims. They have, however, stated that the land under acquisition has a great potential value because of its close proximity with various other colonies and the Railway Station Palam.
12. Shri Madan Gopal S/o Gurdial and Smt. Vidya Wati w/o Jit Ram and Bishan Saroop S/o Ram Chander have filed claims for compensation in respect of 1 bigha out of killa No. ⁹⁰ ~~29~~/13/(min.) in equal shares. They have stated to have purchased this land vide sale deed dated 16.2.61 and have claimed Rs. 20/- per sq. yd saying that the land is near Higher Secondary School and Hospital and has greater potential value. In addition to the above, Shri Bishan Saroop has claimed Rs. 5000/- for a well in killa No. 68/13/2. They have filed no documentary proof in support of their ~~1~~ claims.

13. Shri Vishan Dass, Sakuntala Devi, Smt. Chandra Kanta, Satya Pal and Hira Nand have filed a joint claim through one Parmatma Lal demanding compensation at the rate of Rs. 15/- per sq. yd. in respect of land purchased by them. The claim filed by them is absolutely vague in as much as neither the details of the property nor the amount for which has been purchased has been mentioned therein.

From a perusal of the sale deed and special power of attorney authenticated by notary public, it however appears that one Shri Om Parkash s/o Shri Tek Chand r/o Palam sold a plot of land bearing plot No. C/1 measuring 250 sq. yds in the Colony known as Sadhana Puri situated in village Palam and forming part of khasra No.8 to Shri Satpal Mehendro s/o Shri Kishan Chand r/o H-38, Rajouri Garden, New Delhi for a sum of Rs. 1000/- only. The other sale deed filed by Shrimati Sukantala Devi daughter of Shri Niranjana Dass and wife of Shri Parmatam Lal Prashar goes to show that she purchased plot No.5 measuring 250 sq. yds forming part of khasra No.8 in village Palam from the said Shri Om Parkash for Rs. 1000/-. The third claimant Smt. Chander Kanta wife of Shri Joyinder Lal, Prashar r/o 14-Road Khar Bombay has filed a copy of two sale deeds which go to show that she purchased plot No. 3 measuring 250 sq. yds and plot No. 4 measuring 250 sq. yds. In the same colony from the same owner namely Shri Om Parkash for Rs. 1000/- each. From a perusal of the remaining 3 sale deeds it appears that Sarvshri Vishan Dass, s/o Bhagat Ram, c/o Mehar Chand Sharma of House No. 3850, Prem Narian Road, Churi Walan, Delhi and Vishan Dass s/o Pt. ^{Ram} Agnihotry, r/o House No. 834/836, Gali No. 7 Haripur and Smt. Sobhag Rani wife of Shri Hira Nand Prashar and d/o Shri Sunder Dass Sharma r/o village Maili, Dist. Hoshiarpur have purchased plot No. 2 measuring 250 yds, plot No. B/9 measuring 200 sq. yds. and plot No.C/6-A measuring 250 sq. yds forming part of Khasra No. 8 and 9 for Rs. 1000/- each respectively, but mutations in respect of all the above claims have not been sanctioned so far.

14. Shri Mula s/o Moolar r/o village Palam has come forward with the claim that he is the Bhoomidar and in possession of land bearing Khasra No. 23 M.(1 bigha-14 biswas) and 24 (5 bighas-8 biswas). He has further alleged that his late father Molar has been held to be entitled to the Bhumidari rights in respect of land bearing Khasra

No.91/23 Min. measuring 3 bighas-2 biswas vide decree No.208/59 dated 26.5.59 and that mutation has been sanctioned by the revenue authorities. He has claimed compensation at the rate of Rs. 20/- per sq. yd plus interest at 6% per annum from the date of dispossession till payment on ground that the land under acquisition adjoins the abadi and is situated in the vicinity of Palam Railway Station, public hospital and on the close proximity of some important roads and newly formed residential ^{and} commercial colonies. In support of this claim he has filed an unattested copy of the plaint alongwith the copy of the decree dated 26th May 1959, as well as an uncertified copy of the sale deed dated 9.3.60 showing that one Ran Singh s/o Ramji Lal sold a piece of land measuring 1 bigha out of Khasra No. 54/14 situated in village Palam for Rs. 3000/-.

15. The counsel for Shri Daya Nand s/o Gopal Singh has filed the claim in respect of Khasra No. 68/1/2 (1 bigha) 68/10 (3 bigha-12 biswas), 69/5/1 (3 bighas), 69/6 (2 bighas) as well as in respect of Khasra No.90/21/2 (11 bighas) in which Shri Daya Nand is a share holder to the extent of 2 shares saying that he should be given compensation @ Rs. 25/- per sq. yd and Rs. 5000/- for the well situated in Khasra No. 90/21/2 on the same grounds as mentioned by other claimants. He has filed two copies of sale deeds Ex. P1 and Ex. P3 which go to show that an area of 300 sq yds situated in village Palam was sold to one Prabhu Dayal for Rs.6000/- and an area of 500 sq. yds was sold for Rs. 3000/- out of Kila No. 3/2,4,5/2 of Rectangle No. 69 to one Ft. Sargent Kuldip Singh. It however, appears that the former plot of land purchased by Prabhu Dayal is situated in village Abadi. He has further filed a sketch map Ex. P2 showing the portion of the land under acquisition. He has further urged that his client Shri Daya Nand receives Rs. 500/- per year as cost of crops of the garden situated in Rectangle No. 68 and 69. He is, therefore, entitled to get compensation of crops as well.

16. The Gaon Sabha Palam has filed its claim through Shri Desh Ram Pradhan claiming compensation @ Rs. 20/- per sq. yd in respect of Khasra No. 88, Kila Nos. 15/1, 16/1, 17, 25/1, 25/3 and 90, Kila No. 11/2, 12/2, 13/2 & 14/2 (measuring 25 bighas and 5 biswas). No

documentary evidence has been filed in support of this claim.

17. Shri Girjadhu Alias Girja Dhar s/o Pt. Ram Chander has claimed compensation @ Rs. 25/- per sq yd in respect of Khasra No. 68/14/2, 17/3 and 17/2 measuring (5 bighas-14 biswas). In addition to the above claim, he has also demanded a sum of Rs. 3000/- as value of fruit giving trees standing in Khasra No. 68/14/2 and 17/3, saying that he has got share in the said property. He has failed to file any documentary evidence in support of his claim.

18. Sarvshri Jai Lal s/o Goverdhan, Duli Chand, Sabha Chand ^{Sons of} Shikshan, Ram Singh, Hoshim Singh, Sis Ram ^{s/o} Singh, Sher Singh ^{s/o} Balla. Tara Chand s/o Chottey, Msmt. Pataso, w/o Bhola, Gokal s/o Jeesuk, Bhagwana & Ghansham Ss/o Chottey, Mir Singh, Panna Lal, Jot Ram, Ram Kishan Ss/o Nihal²u, Suraj Mal s/o Charan Singh have filed a joint claim saying that they should be paid compensation @ Rs. 20/- per sq. yd in respect of acquisition of Rectangle No. 90, Khasra No. 2/2, 3/1, 8/1, 9/2, 3/2, 4/2, 8/2, 1, 18/2, 19/2, 22/1, 23/1, 2/1, 10, 9/1, Rectangle No. 68, Khasra No. 1/1, Rectangle No. 69, Khasra No. 4, 5/2, Rectangle No. 89, Khasra No. 24, 25, Rectangle No. 90, Khasra No. 21/1, 21/2, Rectangle No. 89, Kila No. 16 & 17, Rectangle No. 90, Khasra No. 11/1, 12/1, 19/1, and 20. Apart from this they have also claimed Rs. 5000/- for a well situated in the said land. In support of their claims they have filed a copy of the sale deed dated 19.12.60 showing that land measuring 220 sq. yds situate in village Palam was sold for Rs. 2000/-.

Apart from the above mentioned documentary evidence filed by Jai Lal, they have also come forward with the claim that they should be paid Rs. 5000/- for a well situated in the land under acquisition and Rs. 500 as cost of fruits. The counsel for the claimant has referred to the documents Ex. P1 to Ex. P3 filed by him on behalf of the claimant Daya Nand and has requested that the same may be considered for the purpose of awarding compensation to these claimants as well. The claim of Jem. Jai Lal in respect of Khasra Nos. 90/3/2, 90/4/1, 90/8/2 cannot be considered because entries in Khasra No Giradawari of Rabi 62 in respect of these numbers do not show his possession over the said land.

19. Sharvshri Jit Ram s/o Mehar Singh and Jag Lal s/o Goverdhan have claimed compensation @ Rs. 20/- ²⁰ per sq. yd in respect of

Khasra Nos. 88/5/2, 16/2, 25/2, 91/19, 20, 21/2, ^{and 22} area (15 bighas and 17 biswas) as exclusive owners and as share holder to the extent of 1/2 in Khasra No. 90/2/2, 3/1, 8/1 and 9/2 area ⁴ (8 bighas-12 biswas) on the same grounds, as mentioned in the claim of his brother Jem. Jai Lal. No documentary evidence has been filed by him in respect of his claim.

20. The counsel for Shri Jag Lal s/o Ganga Dass has submitted the claim in respect of Khasra No. 90/17 (2 bighas) praying for ~~Rs.~~ compensation at the rate of Rs. 20/- per sq. yd on the ground that the land is situated near a higher Secondary School, Hospital, Aerodrome and is also on the main road. As regards documentary evidence, he has requested that the documents filed by him on behalf of Jai Lal may also be considered in this case.

21. Shri Uma Shanker s/o Pt. Shiv Dayal has filed his claim saying that he is the owner in occupation and possession of the land as Bhumidhar in respect of 18 bighas ^{12 bighas} (Khasra No. 68/4/2, 7, 13, 14/1, 17/1, 17/2, 90/25/1 and has demanded Rs. 4 lakhs as compensation. In addition to the above, he has claimed Rs. 10000/- as value of 60 ~~xx~~ trees standing in Khasra No. 13, 17/1 and 14/1 and Rs. 2500/- as 1/2 share in the well in Khasra No. 17/2. Over and above this, he has stated that he should be given severance charges in respect of Khasra No. 68/5/1 which has been left out of acquisition and will be useless for him as it cannot be brought under cultivation for want of irrigation facilities. In support of his claim, he has filed a copy of the sale deed dated 26.10.61 which goes to show that Sharvshri Nand Kishore and Sultan Singh s/o Manak Chand r/o Sadar Bazar, Cantonment, Delhi sold one piece of land known as H-5 measuring 300/- sq. yds in village Palam for Rs. 6000/-. From a perusal of the sale deed it appears that it is a case of transaction of resale of a plot of land situate in village Abadi. The two receipts dated 18.11.61 and 23.11.61 filed by him go to show that he sold the crops of the garden in the above mentioned years for Rs. 500/-.

22. One Shri Raghuvana Sharma s/o Late Shri Hargu Lal has requested that he should be given compensation to the tune of Rs. 3500/- in respect of land measuring 400 sq. yds situated in

Shri Jag Lal

Khasra No. 68/3 and 4/1 and that its previous owner Shri Om Parkash s/o Shri Tek Chand has no concern with its comeensation. In support of this, he has filed a copy of the sale seed from which it is evident^e that the said land was purchased by him for Rs. 2000/- only.

23. Shri Sher Singh s/o Shri Manda Ram has filed his claim saying that he should be paid Rs. 2000/- as compensation in respect of Khasra No. 68/3 and 4/1 measuring 200 sq yds on the strength of the sale deed dated 26.10.62. The said sale deed, however, goes to show that this land was purchased for Rs. 1000/- only.

24. Shri Ram Parkash Sharma s/o Shri Madan Lal Sharma has claimed compensation in respect of a piece of land measuring 200 sq yds situated in Khasra No. 68/3 and 4/1 for Rs. 1700/- and has requested that its compensation may not be paid to the previous owner Shri Om Parkash s/o Shri Tek Chand. On going through this sale deed, it appears that the said land was actually purchased for Rs. 1000/- only.

25. From a perusal of the claim filed by Shri Kishan Lal s/o Moti Lal it appears that he also purchased land measuring 200 sq. yds out of Khasra No. 68/3 and 4/1 from the same owner Shri Om Parkash s/o Shri Tek Chand for Rs. 1000/- but he has claimed compensation to the tune of Rs. 2000/-.

26. Sarvshri Jetha Nand and Nebraj Ss/o Jodha Ram have~~x~~ filed their claims stating that plot No. 19/4/2 was allotted to them sometime back but they have not yet received its ^{Sawad} ~~sanction~~ from the Custodian department. They have claimed that they should be given compensation @ 5/- per sq. yd in view of the fact that the prevailing market rate in the said locality ranges between Rs. 4 to Rs. 10 per sq. yd. No documentary evidence has, however, been filed by them.

I have gone through the various sale deeds and other proof led by various claimants in the case and gave my anxious consideration to the claims filed by them. I find that the demand of most of the claimants ranges between Rs. 50/- to Rs. 27/- per sq. yd mainly on the ground that the land under acquisition is situated near a Higher Secondary School, Public Hospital

Handwritten signature

Palam Aerodrome, Palam Railway Station and is on the close proximity of some important roads and newly formed colonies. One Moler s/o Sobey has claimed an exaggerated compensation like Rs.20,000/- per bigha while on the other hand, Sarvshri Jetha Mand and Neb Raj Ss/o Jodha Ram have claimed compensation @ Rs. 5/- per sq. yd. They have themselves admitted that the prevailing market rate in the locality ranges between Rs. 4/- to Rs. 10/- per sq. yd but have failed to substantiate it. It will thus be seen that the compensation claimed by the various claimants is fabulous, grossly ingenine and highly ~~exaggerated~~ exaggerated. The sale deeds produced relate to the sale of land in the shape of plots and as such these transactions cannot be made the basis for determining market value in the case. It goes without saying that in sale deeds prices are generally over stated and exaggerated by the vendees in collusion with the vendors with a view either to defeat pre-emption claims or for fetching more prices by way of resale. It has also been seen that prices are quoted more in the sale deeds involving small plots of lands in view of the fact that some of the land has to be left out by the vendors for giving certain facilities of access to the purchasers of such plots of land. In short the prices at which these small plots were sold cannot be considered as the only criterion for determining the market value of the land under acquisition. It is also needless to mention that no individual would come forward to buy such a large area of undeveloped land like the land under acquisition at the same price at which small plots are purchased.

FAIR & REASONABLE VALUE

In order to find out the market value of the land under acquisition as prevailing on the date of notification u/s 4 of the Land Acquisition Act namely dated ^{the 3rd July 1962} ~~1st March 1962~~ the N.T. (LA) has furnished the ~~yearwise~~ data regarding the award given in respect of land of village Nasirpur situated adjacent to village Palam, the year wise statement showing the average sale price of land in village Palam in the preceeding five years of notification u/s 4 of the Land Acquisition Act and the ^{data regarding} some of the transactions of sale of land in Palam.

It is reported that there has been no award in this village so far

The only award which has recently been announced is that of village Nasirpur which is contiguous to the village Palam. In this award my predecessor in office has assessed the price of Chahi, Rosli and Gairmumkin land at Rs. 1100/-, 1000/- and Rs. 400/- per Bigha respectively.

The year wise break up of sale transactions of land in village Palam is given below:

S.No.	Year	Area sold	Consideration	Average per Bigha
1.	1957-58	160 Bighas	Rs. 60,153/-	Rs.375.96 Np
2.	1958-59	24 Bigha-10 Bis	18,000/-	727.27 Np
3.	1959-60	30 Bighas	9,520/-	317.33 Np
4.	1960-61	28 Bighas-8 Bis	12,000/-	422.54 Np
5.	1961-62	14 Biswas	2700/-	3857.14 Np
Total 243 Bighas-17 Bis 102373/-				419.82 Np

According to the above table the average price per Bigha comes to Rs. 419.82 Np.

The sale transactions which took place during the year 1960-62 are as follows:-

S.No.	Mutation No.	Date of sale deed	K. No.	Area	Amount	Remarks
1.	2230	4.2.60	43/8/1 etc.	13-7	2000/-	
2.	2257	31.3.60	26/15/16, 25/1	12-00	4320/-	
3.	2280	19.2.60	26/3/1 etc.	3-12	1000/-	
4.	2225	6.9.60	27/16 etc.	14-15	3000/-	
5.	2226	5.9.60	27/16 etc.	7-8	3000/-	
6.	2234	26.12.61	69/20/4 etc.	3-3	3000/-	
7.	2254	39.3.61	54/13 etc.	1-15	1000/-	
8.	2261	16.12.60	60/3/1	1-7	2000/-	
9.	2268	31.3.62	63/5/2	4 Biswas	1000/-	
10.	2269	31.3.62	63/5/2	4 Biswas	700/-	
11.	2270	23.4.62	63/4	6 Biswas	1000/-	

I inspected the land under acquisition as well as the land pertaining to the above mentioned mutations. The transactions which took place under mutation Nos. 2230, 2257, 2280, 2225 and 2226 pertain to the land situated above two miles from the land under acquisition. Its average price comes to Rs. 336.87 Np per bigha. It would not be

^{take} fair to this average price into consideration while determining compensation in the instant case because that ~~land~~ land is situated two miles from the land under acquisition. So is the case relating to mutation No. 2254 in as much as this land is also one mile from the land under acquisition. As regards mutation Nos. 2268, 2270, it would not be proper to take ~~this~~ its average price into consideration because these transactions relateⁿ to small plot of land for which large number of purchasers are available. The sale of land under mutation No. 2234 and 2261 is to some extent relevant in this case as the land pertaining to the aforesaid transactions is about two furlongs from the land under acquisition. The average price per Bigha of the former comes to Rs. 953.40 Np while that of the latter comes to Rs. 1431.48 Np. These transactions also relate to the sale of comparatively smaller area of land. But as these transactions relate to the period near about notification issued u/s 4 of the Land Acquisition Act in this case, ^aits average price can be taken into consideration while awarding compensation in respect of the land under acquisition.

For the purpose of awarding compensation it would be proper if this land is divided into three blocks on the basis of its situation, level and potentiality which are summed up as under:-
BLOCK A - In this block land on the main road (From Palam Railway Station to the Najafgarh Road) has been included as potentialⁿ if it is greater being on the main road. Secondly, level of this land is much higher than any other portion of the land under acquisition. I have therefore, ⁿformed one compactⁿ area of the following Khasra Nos:-

<u>Rect. No.</u>	<u>Killa No.</u>
68	1/1, 1/2, 1/3, 2, 3, 4/1, 4/2, 7, 8, 9, 10, 13, 14/1, 14/2, 17/1, 17/2, 17/3
69	4, 5/1, 5/2, 6
89	16, 17, 24, 25
90	11/1, 12/1, 13/1, 14/1, 17, 18/1, 18/2, 19/1, 19/2, 20, 21/1, 21/2, 21/3, 22/1, 22/2, 23/1, 23/2, 24, 25/1/1

Total Area = 128-14

BLOCK B - Land in this block is situated on the back side of Block A separatedⁿ from the latter by a low lying area included in the third block namely C. The level of this block is a bit low than the level of Block A and being away from the main road carries

less potential value. This block would consists of the following Khasra Nos.:-

<u>Rect. No.</u>	<u>Killa No.</u>
88	15/2, 16/2, 25/2, 25/3
90	1, 2/1, 2/2, 3/1, 3/2, 4/1, 4/2, 7, 8/1, 8/2, 9/1, 9/2, 10
91	19, 20, 21/1, 22/2, 22, 23, 24

Total Area = 68-19

BLOCK C - It is a low lying land which requires earth work to bring the same at ^apar with other portions. As the cost of levelling is likely to involve heavy expenditure and some portions out of it, ~~some~~ carries less potential value, ^{all such Khasra No. 12} have been included in this block. This block would consists of the following Khasra Nos:-

<u>Rect. No.</u>	<u>Killa No.</u>
88	15/1, 16/1, 17, 25/1
90	11/2, 12/2, 13/2, 14/2

Total Area = 24-07

There is no denying the fact that the land under acquisition is situated on a main road near a ^eHigher Secondary School, Public Hospital and Palam Railway Station but the prices prevalent in the neighbouring locality cannot be taken as the true index of the market value of the land under acquisition as the colony which has spring up in the vicinity is an unauthorised one in which small plots of land have been purchased by different individuals for Abadi Purposes.

After giving full consideration to all the above mentioned factors namely the situation, the quality of land, the claims of the persons interested and evidence produced by them and the average sale price of comparatively higher area of land, I consider that the following rates would be most reasonable and fair in this case and therefore, award the same accordingly:-

Block A consist^{ing} of 128-14 Biswas at the rate of Rs. 1100/- per Big
Block B consist^{ing} of 68 Bighas-19 Biswas at the rate of Rs. 950/- per Bigha.
Block C consist^{ing} of 24 Bighas-07 Biswas at the rate of Rs. 400/- per Bigha.

SEVERANCE - There appears to be no justification for allowing any

compensation for damage due to severance because the land under acquisition is situated in a compact block.

STRUCTURES

There are two ordinary structures in the land under acquisition, the details of which are as under:-

(i) There is a Pacca Chubtra 16/16 ft. with a height of about 1/2 ft in Khasra No. 68/13. According to the estimate of N.T.(LA) 1300 bricks appeared to have been used in this Chubtra. It is cemented but at several places its plaster has given way. The N.T. has assessed its value at Rs. 35/-.

(ii) There is a Pacca Kotha measuring 14/12 in Khasra No. 68/17/3. It is reported that about 6100 bricks have been used and was constructed about 2 years back. There is no roof over it. Its value has been assessed at Rs. 163/-.

WELLS

There is an old pacca well in Khasra No. 90/21/2. It is in a delapidated condition and appears to have ^{not been} used for the last several years. At the time of consolidation its price was assessed @ Rs. 800/-

(ii) There is another well in Khasra No. 68/17/2 which does not appear to have been used since long. It is reported that its price was assessed by the consolidation staff at Rs. 3000/-. The N.T. has proposed its price at Rs. 1500/-.

In addition to the above mentioned structures and wells, there are some trees standing on the site. The trees found at the site and the amount of the compensation ^{is proposed} by the N.T. is as under:-

S. No.	Khas. No.	Name & make of trees	Aprox. wt. in Qnts.	Rate per Qnts.	Proposed Price
1.	68/7	Neem 8 Sheesam 1	26 1/2	4/- 4/-	104/- 2/-

2.

Sl. No.	Khasra No.	Name & Make of trees	Approx. wgt. in quintals	Rate per quintal	Proposed price
2.	4/2	Neem 7	18	4/-	72/-
3.	13	Neem 18 Lemons 6 Anar 1 Mangoe 1 Kikar 2 Pipal 1 Shesam 6	44 - - 20 2 12 11	4/- 5/- per plant 15/- -do- 4/- for wood 80/- for fruit 4/- 4/- 4/-	176/- 30/- 5/- 160/- 8/- 48/- 44/-
4.	14/1	Neem 3 Mangoes 3 Lehsua Jaman 1 Lemons 6	4 68 1/23 -	4/- 4/- for wood 8/- for fruit 4/- for wood 5/-	16/- 512/- 2/- 30/-
5.	17/1	Mangoe 1 Jaman 1 Neem 3	20 20 8	4/- for wood 8/- for fruit 4/- for wood 10/- for fruit 4/-	160/- 90/- 32/-
6.	90/25/1	Neem 2	6	4/-	24/-
7.	68/8	Neem 1	2	4/-	8/-
8.	68/14/2	Khirni 1 Imli 1 Neem 2	20 1 8	4/- for wood 50/- for fruit 4/- 4/-	130/- 4/- 32/-
9.	17/3	Neem 1	3	4/-	12/-
10.	16/1	Keekar 1	3	4/-	12/-
11.	88/15/2	Neem 1	3	4/-	12/-
12.	90/21/2	Pipal 1	6	4/-	24/-
13.	90/9/2	^{Ronj} Pipal 1	2	3/-	6/-
14.	68/17/2	Keekar 1	1/2	4/-	2/-
Total					1757/-

I have inspected the structures, wells and trees standing over it. The amount assessed by the N.T. appears to be quite reasonable and fair. I, therefore, see no reason to differ from it and award the same.

POSSESSION AND INTEREST

As possession of the land under acquisition has not so far

Bhushan Gajjar

been taken, the question of payment of interest does not arise. From my spot inspection I found that some of the land is under cultivation of the owners or tenants. In the circumstances, compensation of crops, if any, found at the time of taking over possession shall have to be paid u/s 16 of the Land Acquisition Act.

SOLATUM

Under sub-section 20 of section 23 of Land Acquisition, 1894, 15% will be added to the amount for compensation ~~in~~ land for its compulsory nature of acquisition.

APPORTIONMENT

The owners and the persons interested will be paid compensation according to the shares as entered in the Jamanbandi of the village except that compensation amount in respect of the following is held to be disputed:

1. Smt. Shanti Devi w/o Charanji Lal, Smt. Chander Kanta w/o Jvinder Lal, Smt. Sakuntala Devi w/o Naranjan Dass, Vashnu Dass w/o Pt. Ram Agnihotri and Shri Satya Pal s/o Krishan Chand have filed their claims saying that they have purchased land measuring 300 sq. yds two plots of 250 sq. yds each, 250 sq. yds, 200 sq. yds and 250 sq. yds respectively out of Khasra No. 68/8. It appears that Smt. Shanti Devi has purchased the plots from Shri Bhartu s/o Kalu r/o Palam while others have purchased the plots from Shri Om Parkash s/o Tek Chand, but no mutations has so far been effected in their names. The compensation to the extent of land purchased by different claimants is held to be disputed. Payment to the aforesaid claimants will be made only when they get their mutations attested in their favour.
2. Shri Vishan Dass s/o Bagat Ram Agnihotri, Sakuntala Devi w/o Shri Niranjan Dass, Satya Pal, s/o Krishan Chand have filed their claims saying that they have purchased plots measuring 250 sq. yds respectively out of Khasra No. 8 & 9, Rectangle No. 68. Apart from this, Smt. Chander Kanta w/o Shri Jovinder Lal has submitted her claim saying that she too has purchased two plots of ^{450 and} 250 sq. yds each out of the aforesaid Khasra No. As mutations in favour of all these claimants has not been sanctioned so far, compensation amount in respect of the land purchased by them shall not be made till

mutation in their favour are not effected in the Revenue Record.

3. Sharvshri Raghuvans Sharma s/o Hargoo Lal, Sher Singh s/o Mansa Ram, Ram Parkash Sharma, s/o Madan Lal Sharma, Kishan Lal s/o Moti Lal Sharma have submitted their claims saying that they have purchased plots measuring 400 sq. yds and 200 sq. yds each respectively from the previous owner Shri Om Parkash s/o Tek Chand out of Khasra No. 3 and 4/1, Rectangle No. 68 situated in village Palam but no mutation appear to have been made in their favour. In the circumstances compensation amount in respect of the above mentioned land will not be made till the revenue records are not corrected.

4. Smt. Sudershan Kumari Chopra w/o Chaman Lal Chopra, Vishwa Nath Sharma s/o Des Raj Sharma, Onkar Nath Sharma s/o Pt. Des Raj Sharma and Smt. Bimla Vati w/o Chander Parkash and Kuldip have claimed compensation in respect of the land measuring 200 sq. yds, 500 sq. yds, 400 sq. yds, 200 sq. yds and 500 sq. yds out of Khasra No. 3/2, 4, 5/2 of Rectangle No. 69 situated in village Palam, but mutations in their favour have not been sanctioned. The amount of compensation claimed by them is held to be disputed so long as amaldaramad is not made in the revenue records. Moreover, Khasra No. 3/2 is not under acquisition and as such question of payment of its compensation does not arise.

5. Compensation claimed by Shri Madan Gopal s/o Gurdial and Smt. Vidha Vati d/o Jit Ram in respect of Khasra No. 13/1 of Rectangle NO. 90 measuring 1 bigha will not be paid as long as amaldaramad of mutation sanctioned in their favour has not been done in the revenue records.

6. Shri Jug Lal s/o Ganga Dass appears to have purchased 2 bighas of land out of Khasra No. 90/17 from Shri Deegh Ram s/o Singh Ram but mutation has not been sanctioned in his favour. In view of this compensation in respect of the aforesaid Khasra No. will not be paid till the revenue records are corrected.

7. Sarvshri Jetha Nand and Neb Raj Sax/o Jodha Ram have claimed compensation in respect of Khasra No. 90/4/2 while the revenue records go to show that this Khasra No. was allotted to one Shri

Amulje

Daulat Ram by the Custodian department. It appears that this Khasra No. was transferred in the name of above mentioned claimants but no ~~claim~~^{Sarvad} has been issued in their favour. One Shri Jai Lal s/o Goverdhan has also submitted his claim in respect of this Khasra No. It appears that they filed his claim for Khasra No. 90/4/1 for which notices were also issued to him, ^{but} he has wrongly mentioned Khasra No. 90/4/2 in his claim, ~~but~~^{As} he has also submitted his claim for this Khasra No and the fact that Sarvshri Jetha Nand and Neb Raj have not been issued any ~~claim~~^{Sarvad} so far, the compensation amount in respect of the above Khasra Nos. is held to be disputed. The compensation will be paid to Sarvshri Jetha Nand and Neb Raj only when they would produce ~~sarvad~~^{sarvad} in their favour and Shri Jai Lal s/o Goverdhan would give in writing that they have no concern with this Khasra No.

8. In Naksha No.4, Khasra No. 90/9/1 (1 Bigha-4 Biswas) Shri Duli Chand s/o Shikson has been entered as Bhumidhar, but at the time of the preparation of Khasra Girdawari Shri Jai Lal and others s/o Shri Goverdhan have been shown as owners of the said Khasra No. Shri Jai Lal and others have however, filed no claim for compensation but in the face of the aforesaid entry, it appears necessary that compensation be ~~disbursed~~^{disbursed} to Shri Duli Chand after Shri Jai Lal and others have given their consent for the same.

9. The N.T. (LA) has reported in his chief data that one Duli Chand s/o Shikson has been entered as Bhumidhar of Khasra No.90/10 (4 Bighas-16 Biswas) while Sabha Chand s/o Shikson, Ratti ~~Ram~~^{Ram} s/o Chandgi have been entered as non-occupancy tenants. He has suggested that despite the fact the tenants have not filed any claim, compensation may be paid to the owners only when the tenants have no objection to it. There is no need to keep this amount as disputed because the area under acquisition is governed by the Delhi Land Reform Act 1954 and as such nothing is payable to the non-occupancy tenants.

10. Compensation of a well in Khasra No. 90/21/2 has been claimed by Sarvshri Bhagwana and Ghanshyam s/o Ghottey while according to Naksha No.4, Sarvshri Suraj Mal and others have been entered as owners and occupant of this well. In Khatauri Paimaish Sarvshri Bhagwana and Ghanshyam have not been shown as share holders. This

Km 6/2

matter will have to be referred to the Distt. Judge, Delhi.

11. In the latest Khasra Girdawari Khasra No. 1/1, 2,3, and 4/1 of Rectangle No. 68 have been shown as "Gair mumkin plots" whereas in other records no mention has been made about these plots holders nor they have claimed compensation for these numbers. In the circumstances amount will have to be sent to the Distt. Judge for payment to the rightful claimant.

12. A portion of land under acquisition is Maufi Land, the land revenue of which is Rs. 14.38 Np. 20² times of the above land revenue shall be paid to the owners of Maufi Land as compensation as prescribed in para 52-53 of the Financial Commissioner's standing order No. 28.

E Subject to the above, the award is summarised as under:-

S.No.	Kind of soil	Area Big. - Bis.	Rate	Amount of compensation
Block A		128- 14	@ Rs.1100/-	Rs. 1,41,570/-
Block B		68 19	@ Rs.950/-	Rs. 65,502.50
Block C		24 07	@ Rs. 400/-	Rs. 9,740/-
Total				Rs.2,16,812.50

Add 15% towards Compulsory Acquisition charges = 32,521.88

Add compensation for two wells = 2300.00

Add compensation for ~~sketches~~ trees = 1757.00

Add compensation for structures = 198.00

Add compensation for Maufi Land = 287.60

Grand Total Rs. 2,53,876.98

ABTEMENT OF LAND REVENUE

The land under acquisition is assessed to land revenue amounting to Rs.60.86 Np as Khalsa rent and Rs.14.38 Np Maufi. The sum of Rs. 60.86 will be deducted from the Khalsa rent roll and an amount of Rs. 14.38 Np will be deducted from the Maufi of Village Palam from the harvest season following the date of possession.

M. Mustafa 21/3/64
(M.MUSTAFA)
LAND ACQUISITION COLLECTOR:
DELHI

Forwarded to the Collector, Delhi (Collector of District) for favour of information please.

M. Mustafa 21/3/64
(M.MUSTAFA)
LAND ACQUISITION COLLECTOR:DELHI

Seen
As per memo
ADP Delhi
in the presence of Collector
21/3/64