Award No. 2159 13

Name of the village . . . . Paprawat

Nature of Acquisition . . . . Permanent

Purpose of Acquisition . . . . Liftirrigation Scheme in Najafgarh Block.

18 Bighas 16 biswas ofland of village Paprawat alongwith the land of another village notified under section 4 of the [redacted] Land Acquisition Act 1894 vide notification No.F.15(29)/63-LSG dated 14th April, 1964 by the Chief Commissioner, Delhi for acquisition which is likely to be [redacted] acquired to be taken by the Government at the public expense for a public purpose, namely, for liftirrigation scheme in Najafgarh Block. Due publicity to the notification was given and interested persons were acquired to file their objections u/s 5-A(1) within 30 days from the date of the issue of notification u/s 4. After giving full opportunity to the interested persons, the land Acquisition Collector submitted his report u/s 5-A (2). There upon the Chief Commissioner, Delhi issued a declaration u/s 6 vide notification No.F.15(29)/64-LSG dated 1.7.65 and under the provision of section 7 directed the Collector of Delhi to take order for the acquisition of the above said land. In exercise of the powers conferred by sub section (1) of section 17 of the above said act, He vide notification No.F.15(29)/64-LSG (ii) dated 1.7.65 further directed the land Acquisition Collector to take possession of the land on the expiration of 15 days from the publication of notices under sub-section (1) of section 9 of the above said act. The notices u/s 9(1) (11) and 10(1) after due publicity of notificationwere served upon the interes persons who in response to these notices filed their claims, which will be discussed at the appropriate place.

<u>MEASUREMENT AND OWNERSHIP</u>

The field staff took up spot measurement of the area under acquisition. It has been noticed that drain does not pass through the khasra Nos.18min, 34min, 34/1min, 346min and 363min and thus these khasra numbers will have to be denotified. Khasra Nos.35/1, 36/1, 347/1/1, 362/1/1, 350/1/1, 22/1 and 8/1 fall within the alignment but have not been notified under notifications u/s 4 and 6 of the Land Acquisition Act 189

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Now the net area under acquisition by excluding and including khasra numbers mentioned above comes to 19 bighas 9 biswas. The statements of the owners of the said khasra Nos. have been taken and they have no objection for the acquisition of the said khasra Nos of which possession has been taken by the acquiring department on 9-5-67

OWNERSHIP

The ownership, tenancy, khasra numbers and the classification of the land is as under:-

S.No.	Name of Bhumidar	Occupant	Khasra No.	Area Big.	Area Bis.	Kind of soi
1.	2.	3.	4.	5.		6.
1.	Khushia, Ram Parshad ss/o Chuni in equal share	Self	26/1	0	15	Chahi
2.	Kundan, Net Ram and Depan ss/o Man Singh in equal share of 3/4 share Ram Kishan s/o Har Narain 1/4 share	Self	13/1	0	9	"
			25/1	0	16	"
				1	5	
3.	Ram Saran, Nihal Singh Sher Singh ss/o Het Ram in equal share	Self	36/1	0	13	"
4.	Bagro s/o Daulat Ram, Mst.Daryai, Mewa ds/o Daulat Ram in equal share 2/3 share Hira Lal, Sher Singh ss/o Ramji Lal in equal 1/6 share Sri Chand s/o Dhan Singh Suraj Mal s/o Nihal Singh in equal share 1/6.	Self	21/1	0	8	"
5.	Hazari s/o Bakhtawar	Self	22/1	0	1	"
6.	Gopal s/o Bihari 1/4 share Mani Ram, Lal Singh ss/o Jhunda in equal share 1/4 Kurhia, Shib Lal ss/o Udey Ram, in equal share 1/4 Moti s/o Ramjilal, Mam Chand s/o Man Singh Puran s/o Mathra in equal share of 1/4	Self	23/1	0	16	"
7.	Smt.Nangi Devi d/o Smt.Dhankaur wd/o Chuni	Self	19/1	1	00	"
8.	Jagat Singh s/o Ganga Bishan, Shera s/o Lachhman in equal share	Self	362/1/1	1	1	"
9.	Ramji Lal, Ram Parshad alias chhota ss/o Kanshi Ram in equal share of 1/4 Amar Singh, Munshi Singh ss/o Jiwan in equal share of 1/4 Shib Lal, Udmi ss/o Haria in equal share of 1/4 Sheo Singh, Makhan ss/o Ramjilal in equal share of 1/4	Self	350/1	0	01	G.M.Chah Gom

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1.	2.	3.	4.	5. Big.	Bis.	6.
10.	Sobha, Durga ss/o Ram Sahai in equal share of $\frac{2}{3}$, Banwari, Jai Lal and Kartar Singh ss/o Har Chand in equal share of $\frac{1}{3}$	Self	14/1	0	12	Chahi
11.	Tek Chand, Duli Chand ss/o Ram Dayal, in equal share of $\frac{1}{3}$, Har Narain s/o Debi Singh $\frac{1}{3}$ share Surat Singh, Suraj Mal, Nandu ss/o Hira Singh in equal share of $\frac{1}{3}$	Self	307,306/345/1	3	13	"
12.	Ramji Lal, Ram Parshad alias Chhota ss/o Kanshi Ram in equal share	Self	349/1	1	6	"
13.	Jai Lal, Piare Lal, Amar Nath ss/o Parsa in equal share of $\frac{1}{2}$, Rakha s/o Gordhan $\frac{1}{2}$ share	Self	7/1	1	13	"
14.	Shiblal, Udmi ss/o Haria in equal share	Self	359/1/1	1	17	"
15.	Duli Chand s/o Sukh Dev Sundu s/o Tuhi Ram in equal share $\frac{1}{2}$, Balbir Singh s/o Ran Singh $\frac{1}{2}$ share	Self	343/1	0	1	"
16.	Arjan s/o Sarjoo 2/9 share Juglal, Kundan s/o Sarjoo in equal shares 2/9 share Smt.Chalti d/o Sarjoo, 1/18 share, Smt.Kalawati wd/o Yad Ram, 1/144 share, Chhajoo, Omparkash ss/o Yad Ram in equal shares 1/24 share, Smt.Budhi Rosni in equal share 7 Angoori ds/o Yad Ram, 3/144 share, Chinta Ram, Smt. ~~Mauram~~ Maman ds/o Gindhori, in equal share 1/144, Ram Bhagat ~~Ram~~, Dharam Bir, Krishan, Smt.Lachhmi, Parsandi ss/o & ds/o Smt.Kasturi in equal shares, 1/144, Ram Gopal Kanhiya ss/o Jiwan in equal shares, 1/6, Sher Singh, Ganga Ram, Tek Ram ss/o Chhutan in equal shares 13/84, Smt.Basanti, chunia, Mamori, Mewa ds/o Chhutan in equal shares 2/21.	Self	347/1/1	0	13	"
17.	Sundoo s/o Dewak Ram	Self	6/1	0 -	7	"
18.	Roshan Lal, Chhatar Singh ss/o Bihari in equal shares	Self	350/1/1 350/2/1	0 2 2	4 2 6	" "
19.	Sundoo s/o Dewak Ram, $\frac{1}{2}$ Chiranji Lal, Ram Phal ss/o Muthra in equal share $\frac{1}{2}$	Self	786/5/1	less than one biswa		"

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1.	2.	3.	4.	5. Big.	Bis	6.
20.	Jai Lal, Piare Lal Amarnath ss/o Parsa in equal shares 3/8, Rakha s/o Gordhan, 3/8, Sundoo s/o Dewak Ram 1/12, Chiranji Lal, Ram Phal ss/o Muthra in equal shares 1/12, Smt. Radha wd/o Nathwa 1/12	Self	8/1	0	1	G.M.Rasta
21.	Gaon Sabha	Self	9/1	0	3	G.M.Marghat
			35/1	0	1	G.M. Rasta
			344/1	less than one biswa		"
			348/1	0	3	"
				0	7	
		in possession of Delhi Municipal Corporation.	11/1	0	2	G.M.Pucca Road
			11/3	0	1	G.M.Rasta
				0	3	
			Grand total:	0	10	

GRAND TOTAL: Bigha 19 - Biswa 09

	Bigha		Biswa
Chahi	18	-	17
G.M.	0	-	12
	19	-	09

Note 1. There is a G.M.Pucca road in khasra No.11/1 and the payment of the said khasra number will be made only after taking the necessary clarification from the Delhi Municipal corporation.

2. There is G.M. Marghat in khasra No.9/1 but none has raised any objection for the acquisition of it.

CLAIMS

In response of the notices issued u/s 9 & 10 of the Land Acquisition Act the following claimants have filed their claims.

S.No.	Name of claiment	Kh.No.claimed for.	Rate claimed	Any other ground
1.	2.	3.	4.	5.
1.	Duli Chand s/o Sukh Dev	343/1	Rs.4000/- per bigha.	No evidence has been filed.
2.	Roshan s/o Bihari	350/1 and 350/2	Rs.4000/- per bigha.	In support of this claim he has filed an attested copy of sale deed dated 23.3.57, duly recommanded by the B.D.O. Najafgarh.

Ram Saran

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1.	2.	3.	4.	5.
3.	Udmi s/o Haria	359/1/1	Rs.4000/- per bigha.	No proof has been filed.
4.	Jai Lal s/o Parasa	7/1	Rs.4000/- per bigha	No proof has been filed.
5.	Hazari s/o Bakhtawar	22/1	Rs.4000/- per bigha	No proof has been filed.
6.	Sundoo s/o Dewakram	67/1	Rs.4000/- per bigha	No proof has been filed.
7.	Deep Chand, Kundan etc through Sh.M.M.Rao Advocate,Delhi.	25/1 & 13/1	Rs.10000/- per bigha	No evidence filed.

MARKET VALUE

The actual area under acquisition in the present scheme is 19 bighas 9 biswas. Out of which 7 biswas are kacha rasta and 3 bis. Marghat Although 2 bishwa in khasra No.11/1 and 1 biswa in khasra No.11/3 out of 7 biswas fall under kacha rasta and in the possession of the Municipal Corporation of Delhi they have been acquired but no compensation has been assessed for them because rasta is a public thoroughfare.

The inhabitants of village Paprawat have raised no objection to acquisition of 3 biswa of Marghat land. This is ~~the~~ in a depression and dead bodies are not disposed of here but on a mound [redacted] in this very khasra number. The land being a public place no compensation is being assessed for it also. Being a rural vilage the Delhi Land Reform Act 1954 is applicable to it. The date of notification u/s 4 of the scheme is 14.4.64. Prior to it three sale transaction have taken place, two in 1961 and one in 1962. The sale transactions are as follows.

S.No.	Khasra No.	Date of registration.	Area big. bis.	Amount	Price per bigha
1.	334	21.11.61	0 - 13	Rs.400/-	Rs.615.38P
2.	505,409,752, 732	30.11.61	78 - 02	Rs,13,000/-	Rs.166.45P
3.	505,409,752, 732	17.11.62	39 - 01	Rs.12,000/-	Rs.307.30P

The sale transactions at serial No.1 of the above table relates to Gitwar. It fetched Rs.615.38P per bigha on 21.11.61, about 2½ years earlier to the preliminary notification u/s 4. The land is situated in the abadi and about 2 furlongs from the land under acquisition.

The khasra number at serial No.2 of the above table were sold in 1961 and again in 1962 and the price per bigha works out to Rs.166.45P in 1961 and Rs.307.30P in 1962. These khasra numbers are at a distance from the land under the scheme as well as from the abadi.

Of these three sale transactions the transaction at Serial No.1 of the above tableis closer to the land under acquisition although it is in the abadi. It, however provides help in evaluating the land under acquisition.

There has been only one award in this village. It is 1055. The Land Acquisition Collector awarded Rs.1,000/- per bigha kham. It is adjoining the abadi and on the kacha road leading to Dindarpur village. It was acquired for rehabiliting the Harijans.

A comparison of the rate allowed by the Land Acquisition Collector in award 1055 of which preliminary notification is 22.2.60 and the rate per bigha of transactions at serial No.1 of the table of sale transactions reveals that the price of land identically situated and having similar conditions has climbed down instead of soaring up in 1961. This is a strange phenomena.

No reference u/s 18 of the Land Acquisition Act has been filed against the rate awarded in award No.1055. The land under the present scheme is purely agricultural land. It can also be utilised for allied purposes such as horticulture, pisciculture etc. Under no circumstances can it be put to other uses without the permission of the competent authority.

The sale transactions at serial No.1 of the sale transactions table took place on 21.11.61 about 2½ years earlier to the preliminary notification of the present scheme and as such allowance will have to be made to cover the gap. I feel that a sum of Rs.100/- per bigha per year would be reasonable. After giving due consideration to the award the demands of the claimants (who have filed copy of sale deed relating to the khasra No.334 which has been shown in the table of sale transactions at S.No.1) and the situation I award Rs.800/- for chahi and Rs.500/- per bigha for G.Mumkin.

Gian Chand

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PREVIOUS AWARDS

In this village award No.1055 was made and the details are as under:-

Award No.	Date of Notification u/s 4 & 6.	Area Big. Bis.	Amount.
1055	F.15(25)/60-LSG dated 22.2.60	3 - 00	Rs.3450.00P

Compensation for structures, crops and trees etc.

There are no wells, structures and crops on the land under acquisition. However there are two banyan (Peepal) trees standing on the land under acquisition and the details of which are as under:-

Khasra No.	No. of trees	Kind of tree	Weight p.Qtl.	Rate per Qtl.	Compesation
347/1/1	2	Peepal	45	Rs.3/- per Qtl.	Rs.135/-

INTEREST

From the record on file the possession of the land under acquisition by the land acquiring Department was taken over on 9.5.67, including those khasra numbers which fall under the alignment of the drain but have not been notified u/s 4, 6 & 17 of the Land Acquisition Act. Hence compensation is admissible from 9.5.67 the date of taking over possession to 29-3-60 [redacted].

SOLATIUM

15% solatium will be given as per provision in the Land Acquisition Act.

APPORTIONMENT

The payment of the compensation will be made according to the latest entries in the Revenue Record and the compensation of these below mentioned khasra numbers will be kept disputed. The same will be given only when they produce clearance certificate from the Tehsildar Taccavi to the effect that the Government dues have been cleared by them.

S.No.	Name of Bhumidar	Khasra Nos.	other particulars
1.	2.	3.	4.
1.	Ram Saran, Nihal, Sher Singh ss/o Het Ram	36/1	Have taken Rs.1000/- as Taccavi Loan.
2.	Shib Lal, Udmi ss/o Haria	359/1/1	Have taken Rs.400/- as Taccavi Loan.

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1.	2.	3.	4.
3.	Jai Lal, Piare Lal, Amar Nath ss/o Parsa - 1/2 Rakha s/o Gordhan - 1/2	7/1	Have taken Rs.1300/- as Taccavi Loan.
4.	Sundoo s/o Dewak Ram, Chiranji Lal, Ram Phal ss/o Muthra	786/5/1 (less than one biswa)	Have taken Rs.1000/- as Taccavi Loan.

LAND REVENUE

The land in question is assessed to Rs.7.90P as land revenue and the same be deducted from the khalsa rent roll of thevillage from kharif 1967.

SUMMARY

The award is summarised as under:-

1.	Compensation for 18 bighas 17 biswas chahi @ Rs.800/- per bigha.	Rs.15,080.00P
2.	Compensation for 2 biswas G.M. @ Rs.500/- per bigha.	Rs. 50.00P
3.	Compensation for 7 biswas G.M. Rasta	No compensation
4.	Compensation for 3 biswas Marghat	No compensation
5.	Compensation for trees.	Rs. 135.00P
6.	15% solatium towards compulsory acquisition.	Rs. 2,289.75P
7.	Interest @ Rs.6% from 9.5.67 to 29.3.68 i.e.(325 days).	Rs. 937.86P
	Grand Total:-	Rs.18,492.61P

(Rupees Eighteen thousand ~~[illegible]~~ four hundred ~~[illegible]~~ ninety two and paisa ~~[illegible]~~ sixty one only).

(SHAM KARAN)
LAND ACQUISITION COLLECTOR (P)
DELHI.

Sri. O.P. Shahrawat A/T

Pl prepare and submit statement A and Halqa [illegible]. A award was be announced on 7-9-68

S.BHAN

N.S.D.
Pl. prepare the required statements.

Submitted, the required statements ready.