

Award no.

1590

666

Name of the village:

Garhi Piran.

Nature of Acquisition:

Permanent.

Scheme:

Planned Development of Delhi.

In pursuance of Delhi Administration Notification No.F.P5(III)/59-LSG dated 13-11-1959 made under section 4 of the Land Acquisition Act of 1894, 34070 acres of land in various villages was notified to be needed for a public purpose i.e. for Planned Development of Delhi. The land measuring 455 Bighas and 4 Biswas in village Garhi Piran which is the subject matter of this Award was included in the aforesaid notification. Objections were received U/S. 5(A) of the said Act and the same were submitted with a report for the decision of Appropriate Govt. The Appropriate Govt. after considering the report made u/s. 5(A) sub-section 2 being satisfied that the land in question was needed for a public purpose issued a declaration to that effect vide notification No.F.1(18)/61-L&H dated 10-9-1962 under section 6 of the said Act. By the aforesaid Notification land measuring 455 Bighas and 4 Biswas comprised in Kh.Nos. 233 to 241, 246, to 251, 258 to 337, 339 to 372 and 338 in village Garhi Piran was notified for acquisition. Notice u/s.9(1) of the Land Acquisition Act was given due to publicity inviting claims from all interested persons. Notices u/s.9(3) and 10(1) of the Land Acquisition Act were served upon the known interested persons. The claims for compensation received in compliance with the notices shall be discussed in this Award under a separate heading "COMPENSATION CLAIMS".

2. MEASUREMENT & OWNERSHIP.

The area under acquisition as given in the Notification under section 6 of the Act is 455 Bighas 4 Biswas which was wrongly calculated and the total area of the land under acquisition should have been shown in the notification at 456 Bighas & 9 Biswas. The area of measurement in consequence of the actual measurement carried by the Field Staff comes to 456 Bighas & 9 Biswas. The award shall,

contd. 2.

therefore, cover the actual area area i.e. 456 Bighas & 9 Biswas.

A statement showing the field Nos., ownership, area and Classification of soil is given below:-

S.No.	Name of Owners	Khasra No.	Area		Kind.
1.	2.	3.	4.	5.	
			Big.	Bis.	
1.	Sh. Jot Ram s/o Lajje	238	3	0	Nahri.
		271	4	16	-do-
2.	Sh. Prithi s/o Lajje	267	4	16	-do-
		268	4	16	-do-
		269	3	8	-do-
3.	Sh. Lal Chand son of Miun.	236	2	14	-do-
		239	4	16	-do-
		237	1	12	-do-
		235	2	2	-do-
4.	Sh. Sis Ram s/o Gharibu	247	4	12	-do-
5.	Sh. Mam Chand s/o Niader	343	5	14	-do-
6.	Sh. Ram Kala s/o Ratti Ram.	297	4	16	-do-
7.	Sh. Mukhtiar s/o Fateh Singh.	246	4	16	-do-
8.	Shri Shiv Narain, Sultan sons of Raje Ram in equal shares.	342	4	16	-do-
		341	4	16	-do-
		298	4	16	-do-
		299	2	10	Chahi 1-1
		331	2	12	Nehri 1-0
9.	Sh. Surta s/o Fateh Chand Singh	240	4	12	-do-
		241	4	16	-do-
10.	Sh. Jit Ram s/o Roop Chand.	301	4	16	-do-
		302	4	16	-do-
		303	4	12	-do-
		304	4	12	-do-
		307	5	2	Nehri 3-10
		329	3	0	B. Qadim 1-12
		330	2	4	Nehri
11.	Sh. Ram Sarup, Shiv Lal, Har Narain sons of Bholu in equal shares.	308	0	18	-do-
		309	4	16	-do-
		313	0	12	-do-
		328	1	12	-do-
		310	4	16	-do-
		311	1	10	-do-
12.	Sh. Chhatar Singh s/o Ram Pat	312	2	2	-do-
		314	4	2	-do-
13.	Sh. Chandgi s/o Tota	315	3	18	Nehri 3-17
		316	1	7	G.M. Rasta 0-1
		326	4	12	Nehri 1-6
		327	4	12	G.M. Rasta 0-1
					Nehri

1.	2.	3.	4.	5.
14.	Sh. Om Prakash, Balkishan Rajinder sons of Rattan Singh in equal shares.	233 234	1 4	10 16 Nehri. -do-
15.	Sh. Dalip Singh s/o Maha Ram.	318 319 324 325 334 335 336 338	0 4 4 4 4 4 2 4	18 16 12 12 16 16 4 16 -do- -do- -do- -do- -do- -do- -do-
16.	Sh. Sher Singh s/o Gangu	317 320 321 333 339 340 332 371/1 344 345 346 347	1 3 3 4 4 4 4 2 5 4 4 4	8 6 18 16 16 16 16 12 2 16 16 10 -do- -do- -do- -do- -do- -do- -do- -do- -do- -do- -do-
17.	Smt. Gurman Kaur alias Dailu d/o Jai Singh.	371/2	1	0 -do-
18.	Sh. Chhatar Singh s/o Mit Singh.	371/3 372	0 1	18 14 -do- -do-
19.	Sh. Dharam Singh, Dalip Singh sons of Roop Chand in equal shares.	337 348	2 1	12 18 -do- -do-
20.	Sh. Dani s/o Kuria	261 259	4 1	6 4 -do- -do-
21.	Sh. Sher Singh, Jai Gopal ss/o Inchha in equal shares	264	3	5 -do-
22.	Sh. Prabhu s/o Nanua	358	4	16 -do-
23.	Sh. Jugal Kishore s/o Bhar- tu, Bhagwana s/o Ram Chander- in equal shares.	362 363	2 3	10 16 -do- -do-
24.	Sh. Harphul, Kalu ss/o Chhuiea in equal shares. 2/3. Chander, Surji S/os Shiv Lal in equal shares. 1/3.	354 355 356	2 2 2	10 3 12 -do- -do- -do-
25.	Bharat Singh, Inder Raj, Ss/o Bhola- in equal share 1/2. Sis Ram, Sher Singh, Sri Chand, Mansa Ram s/o Tota -- in equal shares - 1/2.	275 276	3 2	18 9 -do- -do-
26.	Sh. Ram Kanwar, Balram, Ragbhir Sgh., Jagdish Jai Kishan ss/o Harjas -- in equal shares.	251	2	16 -

1.	2.	3.	4.	5.
27.	Sh. Chandgi, Jage, Maman, Sons of Molar in equal shares.	250	2 0	Nahri.
28.	Sh. Jugal Kishore s/o Bhartu Bhagwana s/o Ramchander in equal shares.	365 366	1 19 1 0	G.M.Rasta 0-1 Nahril-18. -do-
29.	Sh. Raja Ram s/o Shambu	360 361 364	0 19 3 8 2 0	-do- -do- -do- G.M.Rasta 0-
30.	Sh. Sher Singh, Jai Gopal, Pam Raj sons of Inchha - in equal shares.	258 263 248 249	2 8 1 7 1 19 2 13	Nahri -do- -do- -do-
31.	Sh. Dani s/o Kuria	262 266 260	3 15 3 14 1 4	-do- -do- -do-
32.	Shri Dharam Singh, Dalip Singh sons of Roop Chand- in equal shares.	349 350 351 352	1 16 4 16 4 16 3 2	-do- -do- -do- -do-
33.	Sh. Pirbhu s/o Nanwa	357 359	2 8 2 8	-do- -do-
34.	Sh. Mansa Ram s/o Jai Narain	367 368	4 16 3 8	-do- -do-
35.	Sh. Bharat Singh, Inderaj sons of Bhola in equal shares -1/2. Sh. Sis Ram, Sher Singh, Sri Chand, Mansa Ram Ss/o Tota .. in equal shares-- 1/2.	305 306	4 12 4 10	-do- -do-
36.	Sh. Jot Ram s/o Lajje	270	1 8	-do-
37.	Sh. Narain Singh s/o Kabul Sgh. Rattan Singh, Darbari sons of Nihal Singh in equal shares.	370 323 369 322	4 16 2 0 2 12 2 16	-do- -do- -do- -do-
38.	Gaon Sabha	265 272 278 279 280 281 282 283 284 285 286 287 288 290 291 292 293 294 295 296 289	3 7 4 16 4 16 4 16 4 16 4 16 4 16 4 16 4 16 4 16 4 16 4 16 2 16 2 8 2 0 1 10 4 16 4 16 4 16 3 4	G.M.R. B.Q. -do- -do- -do- -do- -do- -do- -do- -do- -do- -do- -do- -do- -do- -do- -do- -do- -do- -do- -do-

1.	2.	3.	4.	5.
		300	3 11	B.Qadim 2- Rosli 1- G.M.ChahPukhta0-
		273	4 9	B.Qadim.
		274	3 4	-do-
		277	2 3	-do-
		353	0 17	G.M.Khal 2-4-5
			<u>456 09</u>	
		TOTAL:		

Total Area: 456 09.

Nehri * 351-14
Chahi = 1-10
Rosli = 1-0
B.Qadim = 97-12
GhairmumkinChah = 0-5
Ghairmumkin Rasta = 0-4
Ghairmumkin Khal = 4-4.

COMPENSATION CLAIMS:

In compliance with the Notices issued U/Ss 9 & 10 of the Land Acquisition Act, 1894 the following persons interested have filed the claims enumerated below:-

Note:-

The table prepared below gives full particulars of the claimants, their compensation claim, proof led etc.

S. Name of Claimant No.	Kh.Nos. reg. which claim was filed.	Dt. of filing.	Compensation claimed with grounds.	Documentary proof or any other proof led by the claimant, if any.	Any other claim
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1.	2.	3.	4.	5.	6.	7.
1. Mukhtiare s/o Fateh Singh.	Not mentioned	12-11-62	Rs.10/- per sq.yd.	No document- any proof produced.	nil.	
2. Lal Chand s/o Muin Singh.	-do-	-do-	-do-	-do-	-do-	-do-
3. Ram Kala s/o Rati Ram	-do-	-do-	-do-	-do-	-do-	-do-
4. Chandgi, Jage, Maman sons of Molar.	-do-	(joint claim)	-do-	-do-	-do-	-do-

contd. 6.

1.	2.	3.	4.	5.	6.	7.
5.	Bharat Singh Not mentioned Inderaj Singh in the claim Ss/o Bhola, Sis Ram, Sher Singh, Sri Chand Mansa Ram as/o Tota.	12-11-62 (joint claim).	Rs.10/- per Sq. yd. (Land is Nahri & near the colony).	No documentary proof produced.	Nil.	
6.	Dalip Singh s/o Maha Ram, Jit Ram S/o Roop Chand, Shiv Lal, Har Narain s/o Bhola.	-do- -do-	Compn. claimed at market value.	-do-	-do-	
7.	Shri Lal Uppradhan Gaon Sabha.	265, 272, 278 to 296, 273, 300, 274, 277, 353.	Rs.10/- per sq. yd.	-do-	-do-	
8.	Om Prakash, Bal Kishan, Rajinder, Singh Ss/o Rattan Singh.	233, 234. -do- (joint claim).	Rs.15/- per sq. yd.	-do-	-do-	
9.	Dharam Singh, Dalip Singh ss/o Roop Chand through Lalji s/o Bhure.	353, 349, 350 -do- 351.	Rs.10/- per Sq. Yd.	-do-	-do-	
10.	Surji, Chander, ss/o Shiv Lal, Kalu, Harphool ss/o Chuia	354, 355, -do- 356.	-do-	-do-	-do-	
11.	Chhatar Singh s/o Ram Pat.	Not mentioned 12-11-62. in claim.	-do-	-do-	-do-	
12.	Sher Singh s/o Gangu.	317, 320, 321, 343, 339, 340, 332, 371/1, 344 345, 346.	-do- Rs.1,000/- per bigha.	-do-	-do-	
13.	Shib Narain s/o Qabul Singh.	300 -do-	Rs.10/-per sq. yd.	-do-	Rs.80 for t	
14.	Narain Singh s/o Qabul Singh.	370, 323, 369, -do- 322.	-do-	-do-	Rs.15 for tree Neem	
15.	Darbari, Rattan Ss/o Nihal through Rattan.	Not mentioned -do- in claim.	-do-	-do-	nil.	
16.	Shiv Narain, Sultan ss/o Raje Ram.	-do- -do-	-do-	-do-	Rs.3,000 Rs.3,000 for the w	
17.	Rattan Singh, Pradhan Gaon Sabha.	265, 272, 278 -do- to 296, 300, 273, 277, 353.	-do-	-do-	Rs.15 for 500 t	

contd. 7.

1.	2.	3.	4.	5.	6.	7.
18.	Mam Chand s/o Niader.	343	12-11-62	Rs.10/- per sq. yd.	No documentary proof produced.	Nil.
19.	Sri Ram alias Sis Ram s/o Charibu.	217	-do-	-do-	-do-	-do-
20.	Balram, Jagdish, Prasad, Ram Kanwar, Raghbir, Jai Kishan Ss/o Har Jas.	251	(joint claim) -do-	-do-	-do-	-do-
21.	Dani s/o Kuria	249, 248, 289, 266, 262, 260, 259, 261.	-do-	-do-	-do-	-do-
22.	Mansa Ram s/o Jai Narain.	367, 368	-do-	-do-	-do-	-do-
23.	Raje Ram s/o Shambu.	360, 361, 364.	-do-	-do-	-do-	-do-
24.	Sher Singh, Jai Gopal, Prem Raj Ss/o Inchha through Pemraj.	248, 249, 258, 263, 264.	(joint claim) -do-	-do-	-do-	-do-
25.	Prabhu s/o Nanwa	357, 358, 359.	12-11-62.	-do-	-do-	-do-
26.	Surta s/o Fateh Singh.	Not mentioned in claim.	-do-	-do-	-do-	-do-
27.	Prithi s/o Lajje	-do-	-do-	-do-	-do-	-do-
28.	Jot Ram s/o Lajje	-do-	-do-	-do-	-do-	-do-
29.	Bhagwana s/o Ram Chand, Jugal Kishore s/o Bhartu.	362, 363, 365, 366.	13-11-62 (joint claim)	-do-	-do-	-do-
	Sardar Harpal Sgh. s/o Chhatar Singh Gurdial Singh s/o Chhatar Singh.	371/3, 372.	12-11-62.	Rs.25/ per sq. yd. Further alleged that the land is situated at Rohtak Rd. and had been purchased by them at this rate.	5 sale-deeds No.918, 3509, 134, 2665 & another sale-deed without number. <u>Note:</u> The details of the sale deeds etc. and the claim shall be discussed in this award.	Nil.
	Singh, Singh Ss/o Singh.	371 (joint claim).	18-1-63.	No particular rate of compn. of claim.	Have filed copy of regd. sale deed No.4362 vide which Sher Singh s/o Gangu sold 1big.10bis. of Kh.No.371 in V.Garhi Piran Rs.3750/- to the claimants.	Have claimed Rs 2000/- for the said la

1.	2.	3.	4.	5.	6.	7.
32.	Chandgi s/o Tota	Not mention- ed in claim.	12-11-62.	Rs.10/-per sqyd.	No documentary proof produced.	Nil.

None of the above claimants have adduced any documentary proof in support of their claims excepting Shri Harphool Singh and Gurdial Singh s/o Chhatar Singh and Parkash Singh, Bhagat Singh Ss/o Karam Singh. They have filed the following sale-deeds in support of their claims:-

S.No.	Number of the Registered sale-deed.	Date of the deed.	Area sold and the vill. in which area situated.	Consider- ation money.	Aver- per yd.
1.	2.	3.	4.	5.	6.
1.	918	9-3-59	2-12 Garhi Piran.	Rs.6,250	Rs.2.36 per sq.
2.	3509	3-9-59	1-0 Garhi Piran.	Rs.2,500	Rs.2.50 per sq.
3.	1347	29-3-61	270sq.yd. Jwala Heri.	Rs.7,296	Rs.27/- per sq.y
4.	2665	24-7-62.	3600sq.yds. Jwala Heri.	Rs.20,000	Rs.5.5 per Sq.
5.		19-7-62.	-do-	-do-	-do-

In addition to the above the aforesaid claimants, Shri Harphool Singh & Gurdial Singh have stated that the land in question is situated at Rohtak Road and is adjacent to Multan Nagar Colony, where the land was being sold at Rs. 30/- per sq. yard. It has been further alleged that they have purchased the land in the year 1959 at Rs. 2500/- per Kham Bigha. Out of the above sale deeds only Registered Sale Deeds No.918 dated 9-3-59 and Registered Sale Deed No.3509 dated 3-9-59 relate to the land comprised in Khasra No.371/3 and 372 and Khasra No.371 respectively of village Garhi Piran which is under acquisition. These relevant sale deeds were executed before the date of notification (i.e. 13-11-59) issued u/s. 4 of the Land Acquisition Act. In the above sales the prices alleged to have been paid must have been shown intentionally inflated either due to fear of pre-emption or by the owners with a desire on their part to increase the price.

the rates of their adjoining land. The other Sales affected during the year 1958-59 in the same village show that 40 bigha 19 biswas of land was sold[✓] for Rs. 76,000/-. The average comes to Rs. 1,855.92n^P per bigha. The average shows that the other sales took place not on Rs. 2,500/- per bigha but at lower rates. Therefore, it could be said that in the above referred Registered Sale Deeds Nos. 918,3509, the consideration money had been overstated. These deeds therefore, cannot be taken into consideration in the present case for determining compensation as the same do not represent the proper market value. The sale No.1347 dated 29-3-61 and sale deed No.2665 dated 24-7-62 and Sale deed No.Nil dated 19-7-62 referred to above relate to the land of village Jwala Heri and were executed subsequent to the date (13-11-59) of notification u/s. 4 of the Land Acquisition Act and as such cannot be relied upon.

Shri Parkash Singh, Bhagat Singh Ss/o Shri Karam Singh have filed the following sale deed in support of their claim

S.No.	Number of the Registered Sale-Deed.	Date of the deed.	Area sold & the village in which area situated.	Consideration money.	Average per sq.yd.
1.	2.	3.	4.	5.	6.
1.	4362	19-4-60	1Big.10Bis. (Garhi Piran)	Rs.3,750/-	R 50

In the above sale deed price alleged to have been paid must have also been shown intentionally inflated either for defeating claims of pre-emption by the owner^{or} with a desire on his part to increase the rate of his adjoining holdings. The above sale deed came into existence on 19-4-60. i.e. much later than 13-11-59 which is the date of Notification u/s. 4. This deed, therefore, cannot be taken into consideration in the present case for determining the compensation as the same does not represent the proper market value.

The compensation of land claimed by the various other claimants has not been supported by any evidence and hence

the same is held to be exorbitant, beyond description and frivolous.

Shri Raghbir s/o Shri Har Jas has given a claim on 10-11-62 stating that he should be given compensation separately in respect of field No.45 in which he alongwith his other brothers is co-sharer. It shall be dealt separately under heading "Apportionment."

Smt. Chander Patti Wd/o Harjas on 12-11-62 filed a claim that she should be given 1/6 part of the compensation with regard to Kh.No.251 which is owned by her sons. This shall be dealt separately under heading "Apportionment".

Shri Harpal Singh & Shri Gurdial Singh Ss/o Chhatar Singh on 23-11-62 made a claim of Rs. 25/- per sq. yard also and further stated that their father Chhatar Singh was dead and now he and his brother are the owners in respect of the land comprised in Kh.No.372 & 371. This shall be dealt separately under heading " Apportionment ".

Shri Shanti Lal, Kishan Lal, Nand Kumar Ss/o Ram Ditta Mal and Smt. Maya Devi W/O Ram Ditta Mall through Shri Krishan Lal Mukhtiare Khas on 28-1-63 claimed that out of Kh.No.308 & 309 they have purchased 2 Bighas of land in village Garhi Pira from Shib Lal & Har Narain S/O. Phullu and have claimed compensation for the said land. In support of their claim they have produced a copy of Registered Sale Deed No.665 dated 26-2-62 vide which Shri Shib Lal, Har Narain Ss/o Phullu sold away two bighas of land out of Kh.No.308 & 309 in consideration of Rs. 8,500/- to the aforesaid claimants. It shall be dealt separately under the heading of "Apportionment".

Shri P.C.Khannah on behalf of Air Conditioning Corporation (P) Ltd. vide Registered A.D.No.58 alongwith a true copy of their letter No.DACC.4760/F.80A dated 30-3-61 for releasing the land purchased by the Co. and comprised in Khasra Nos. 303,304,307,329. Shri P.C.Khannah vide his above referred letters on behalf of the said Co. further prayed for release of the following Khasra Number for the purchase

of which negotiations had been completed.

Khasra Nos. 301, 302, 330, 398, 299, 341, 342, 308, 309, 310, 311, 313 and 328. No documentary proof was adduced by the said Company. This shall be dealt separately under the heading "Apportionment".

MARKET VALUE.

We have to find out the market value of the land under acquisition as prevailing on the date of notification u/s. 4 namely 13-11-59.

The year-wise statements of average sale price for the quinquennium immediately preceding the date of notification under section 4 of the Act has been worked out as under:-

S.No.	Year.	Area sold Big. Bis.	Consideration Money.	Average per bigha kha
1.	2.	3.	4.	5.
1.	1954-55.	-	-	-
2.	1955-56.	-	-	-
3.	1956-57.	2 11	Rs.2,000/-	Rs. 484.31nP.
4.	1957-58.	-	-	-
5.	1958-59.	40 19	Rs.76,000/-	Rs.1855.92nP.
TOTAL:		43 10	Rs.78,000/-	Rs. 1793.11nP

From the above table it is evident that no sales took place in the years prior to 1958-59. The average for the year 1958-59 comes to Rs.1793.11nP. The sale deeds which took place in 1958-59 are mentioned as here under:-

S. No.	Mutation No.	Date of Registration.	Area sold. Big. Bis.	Kh.No.	Kind of soil.	Consideration money.	Average per bigha
1.	507	15-10-59	6 3	208	Nehri	Rs.10,000	Rs.1626 02. nP
				217/1			
2.	509	24-1-59	2 11	559/1	Rosli	Rs.6000/-	Rs.2352 94. nP
				560/1			
3.	510	24-1-59	32 5	200			
				201 etc.		Rs.60,000/-	Rs.1860 92. nP
TOTAL:			40 19			Rs.76,000/-	Rs.1855.92nP

The above noted mutations in the aforesaid table have not been decided so far. The maximum price per bigha on the basis of the above table comes to Rs.2352.94nP while the minimum per bigha comes to Rs.1626.02nP. The average price per bigha comes to Rs.1855.92nP.

The following table enumerates the various awards pronounced in this village.

S.No.	Award No.	Date of notification.	Kind of soil.	Rate per big
1.	1363	13-11-59	Chahi Banjar Shamun Kin →	Rs.1500/- Rs.750/-
2.	1401	10-11-60	Nehri ✓ { B. Qadim & G. Mumkin	Rs.1500/- Rs. 750/-
3.	1402	24-10-61	Nehri ✓ { B. Qadim & G. Mumkin	Rs.1500/- Rs.750/-

The aforesaid table of awards shows that Award No.1363 was covered by the same date of notification which is the date of notification u/s. 4 of the Land Acquisition Act of this Award. The rates of Award No.1401 & 1402 were pronounced in consequence of notifications dated 10-11-60 & 24-10-61 U/S.4 of the Land Acquisition Act, 1894 respectively, but the rates of these awards however tally with the rate of awards No. 1363. Outoff the above mentioned awards the most relevant award is No.1363 which relates to the land which is situated in the vicinity of the land under acquisition. Khasra Nos. 256,257,252,245,242,231 and 232 (which were acquired under award No.1363) are situated contaguously with the Khasra Nos. 233,234,241,246,251,250, 258,259,260 & 261 of the land under acquisition besides other Khasra Numbers. The land Acquisition Collector held in Award No.1363 as follows:-

" In this village no transaction took place in the year 1954-55. Only one transaction involving 1 big.16 bis. which was sold for Rs. 1,000.00 took place in the year 1956. Similarly, another transaction involving 16 bis. which was

sold for Rs. 1,000.00 took place in the year 1957. No transaction took place in the year 1958-59. Shiv Lal s/o Kali r/o Garhi Piran sold to Shmt. Kasturi Devi and Mewa Devi 6 bighas 3 biswas for Rs. 10,000/- on 15-10-59. This land is included in land under present acquisition which was notified under section 4 on 13-11-59. This is the only transaction which took place near about the date of notification. The average per Bigha in this case comes to Rs.1626.00 per bigha. In such private sales the true value of the land is not mentioned. The price is always exaggerated on account of fear of pre-emption. These very vendees had purchased from Shri Shiv Lal, vendor on 1-12-59, 9 bighas 2 biswas for Rs.20,000.00. The average per bigha in that case comes to Rs.2198.00. Practically a year after this transaction they paid Rs.1626 per bigha to the same vendor. It shows that there was a downward trend in the price of the land in this village.

The total land under acquisition consists of the following classifications:-

Nehri	:	97 Big. 12 Bis.
Chahi Nehri:		36 Big. 8 Bis.
Chahi	:	34 Big. 10 Bis.
Garmumkin	:	3 Big. 2 Bis.

In view of the above discussion I fix Rs.1500. per Bigha for Nehri Chahi, Chahi and Nehri land and Rs. 750.00 per Bigha for Garmumkin. 15% of this value would be paid as solatium for compulsory acquisition."

The Land Acquisition Collector has referred to in his award^{sale date 15.10.59} and for reasons given therein, he did not rely upon the sale which took place on 15.10.59, vide which an area of 6 Bighas and 3 Biswas was sold for Rs.10,000/-.

Regarding the two other sales, 2 bighas and 11 Biswas of Rosli land was sold for Rs.6,000/- on

on 24.1.59 (Average comes to Rs.2352.94 nP.) while 32 Bighas 5 Biswas of land was sold for Rs.60,000/- on 24.1.59 (Average comes to Rs.1860.47 nP.). Both the above sales took place on 24.1.59. The prices stated in the above sale deeds may have been overstated by vendees in collusion with vendors with the sole object for defeating the pre-emption claims etc.

I have seen the tract of land under acquisition. The land which was acquired under Award No.1363 is adjacent and almost similar in situation and quality when compared to the land under acquisition.

Taking into consideration the trend of prices, the quality and other factors of land, the sales referred to above and relevant award No.1363, I am of view that Rs.1500/- per Bigha for Chahi, Rs.1500/- per Bigha for Nehri land, Rs.750/- per bigha for Banjar Qadim, Rs.1000/- per Bigha for Rosli land, Rs.750/- per bigha for Ghairmumkin land is the fair and reasonable market value of the land under acquisition and award according to Trees, wells and other structures.

The details of the wells, structures and trees found on the spot and the amount of compensation is assessed as under:

List of wells.

<u>S.No.</u>	<u>Khasra No.</u>
1.	300

Kind of well
Pacca

Value assessed
Rs.1000

Structures.

<u>S.No.</u>	<u>Khasra No.</u>
1.	371/2

Kind of structure.

Boundry Wall (Pacca)
Length 231 ft.
Breadth 9"
Height 6 feet.

Value assessed
Rs.240/-

List of trees.

<u>S.No.</u>	<u>Khasra No.</u>
1.	236
2.	237
3.	267

Kind of tree.

1 Kendu
3 Kikar
1 Kikar

Weight in Quintals.

4
4
1

Rate
Rs.5/-
"
"
"

4.	339	2 Raunjh	3	Rs. 5/-	Rs.15/-
5.	321	1 Neem	6	Rs. 5/-	Rs.30/-
6.	365	1 Kikar	2 ^{1/2}	Rs. 5/-	Rs.10/-
7.	369	1 Neem	3	Rs. 5/-	Rs.15/-
8.	324-325	3 Kikar	2	Rs. 5/-	Rs.10/-
9.	371/3	1 Neem	6	Rs. 5/-	Rs.30/-
10.	289-286-	131 Kikar	54	Rs. 5/-	Rs.170/-
	286-296-281	1 Kendu	1	Rs. 5/-	Rs. 5/-
	284-287-290				
	295-296-300	1 Jal	1	Rs. 5/-	Rs.2.50 nP.

Total:-	147	86 ^{1/2}	Rs.432.50 nP.
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Mode of payment.

The compensation shall be paid on the basis of entries as existing in Statement 'B', which has been prepared from the latest Revenue Record.

Apportionment.

1. Certain Bhoodmidars of khasra Nos.343, 312, 314, 259, 248, 249, 260, 262 min (1 bighas 18 biswas), 266 min (1 Bigha 5 Biswas) have taken in exchange some land from other Bhoodmidars in lieu of the above khasra Nos. and this fact is apparent from the extract of the khasra Girdawari. Shri Mam Chand s/o Niader is the Bhoodmidar of khasra No.343, while in the khasra Girdawari the name of Qabool Singh s/o Garibu has been entered as 'Bila Lagan Bawaja Tabadla.' but Shri Sher Singh s/o Gangu has claimed the compensation referred to above, Khasra No.343. The compensation payable in regard to khasra No.343, 312, 314, 259, 248, 249, 260, 262 min (1 Bigha 18 Biswas) and 266 min (1 Bigha 5 Biswas), is held to be disputed.
2. The extract of the khasra Girdawari shows that Shri Shiv Narain s/o Jhabbar is in possession of khasra No.300 (2 Bigha 11 Biswas Chahi (2 Bigha 6 Biswas) and (5 Biswas Ghairmumkin Chah). Gaon Sabha is Bhoodmidar of the above Khasra No.300 in the revenue record. With regard to the well, Shri Shiv Narain and Sultan ss/o Raja Ram had claimed that the well is theirs and that the compensation of the well be paid to them. As such the compensation of the above khasra no. and well is also held to be disputed.

3. Gaon Sabha is shown as Bhoomidar of khasra No.289 and 353 but one Shri ^{DV} Dani s/o Kuria has claimed compensation with regard to an area of 1 Bigha 4 Biswas of Khasra No. 289. The extract of khasra Girdawari reveals that the area of one 1 Bigha 3 Biswas is in the possession of Shri Dani s/o Kuria. Shri Dharam Singh, Dalip Singh ss/o Roop Chand have claimed compensation of khasra No.353, which is Ghairmumkin Khal^v. As such the compensation payable in regard to khasra No.289 and 353 is held to be disputed.

4. Shri Sher Singh s/o Gangu is the Bhoomidar of khasra No.371/1 but this No. is stated to have been sold to Shri Parkash Singh ^{ss/o Karm Singh} Bhagat Singh who have filed the copy of the registered sale deed. So far no mutation has been produced by Shri Parkash Singh etc. in ~~his~~ ^{his} favour. As such the compensation payable in regard to khasra No.371/1 is held to be disputed.

5. In Statement No.4 LR khasra No.464 is entered in place of khasra No.264, and the correct no. has not been given in Statement No.4 LR, therefore, till the necessary correction is made in the revenue record, or the Bhoomidari of khasra No.264 is established, the compensation payable in regard to khasra No.264 is held to be disputed.

6. Shri Jeet Ram, s/o Roop Chand ~~is~~ shown to be Bhoomidar of khasra No.329 (3 Bighas) 303 (4 bigha 12biswas), 304 min (3 bigha 12 biswas) and 307 (5 bigha 2 biswas) total area is 16 Bigha 6 Biswas. But the above nos. are stated to have been sold to M/s. Air Conditioning Corporation, Calcutta Delhi & Bombay and in the extract of khasra Girdawari, the above fields are shown to be in possession of said M/s. Air Conditioning Corporation on account of sale. As such the compensation payable in regard to the aforesaid khasra nos. is held to be disputed.

7. According to revenue record, Shri Ram Kanwar, Bal Ram, Raghbir Singh, Jagdish Parshad, Jai Kishan s/o Harjas are shown as Bhoomidars of khasra No.251. But Smt. Chanderpati their mother has given application saying that she was entitled to

to inherit 1/6th of the said khasra No. and that the compensation should be paid in her presence. In the circumstances the compensation payable with regard to khasra No.251 is held to be disputed.

8. In revenue record, Shri Ram Saroop, Shri Shib Lal, Har Narain ss/o Bholu are shown as Bhoomidars in equal share of khasra No.308 and 309. But of these two nos. 2 bighas of land is stated to have been sold to Shri Shanti Lal, Kishan Lal, Nand Kumar ss/o Ram Ditta Mal and Smt. Maya Devi w/o Ram Ditta Mal. No mutation regarding the above sale has been produced so far and as such the compensation payable in regard to the above khasra nos is held to be disputed.

9. In revenue record Shri Sis Ram s/o Garibu is shown to be the Bhoomidar of Khasra No.247, but the extract of the Khasra Girdawari reveals that Shri Narain Singh s/o Qabool Singh, Rattan Singh, Darbari ss/o Nihal Singh are entered as non occupancy tenants in equal shares. Since the Land Reforms Act is applicable in this village, as such the non occupancy tenants are not entitled to any compensation. Since the above persons Shri Narain Singh, Rattan Singh, Darbari etc. are shown as non occupancy tenants, therefore the compensation with regard to above khasra nos. shall be paid in the presence of the aforesaid tenants and in case ~~case~~ the latter (tenants) have any objection, the compensation shall be held disputed till decision by a competent court.

10. The Air Conditioning Corporation Ltd., Calcutta - Delhi Bombay have given application saying that they have completed negotiation for the purchase of the land and the agreements have been made in regard to Khasra Nos.301, 302, 330, 298, 299, 341, 331, 342, 308, 309, 310, 311, 313 & 328. The said Corporation has not however produced any mutation in its favour in regard to the above land. As such, in view of their application the compensation payable in regard to the above khasra nos. is held to be disputed.

11. Khasra No.45 has not been included in the land under acquisition and as such, the application filed by Shri Raghbir Singh s/o Shri Harjas in respect of field No.45, claiming compensation with his brothers is not maintainable.

12. Shri Harpal Singh and Shri Gurdial Singh ss/o Shri Chhatar Singh on 23.11.62 made an application in which amongst other things, they stated that their father Shri Chhatar Singh was dead and the ownership/khasra No.372, 371 stood in the name of their father in revenue record and have claimed compensation. So far Shri Harpal Singh and Shri Gurdial Singh have not produced any mutation in their favour, as such the compensation payable in regard to the above 2 khasra nos. shall be held to be disputed.

INTEREST.

Since the possession of the land under acquisition has not been taken so far, therefore, the question of any payments of any interest does not arise.

THE AWARD IS SUMMERISED AS UNDER:

By applying the rates mentioned above, the price of land works out to be as under:-

S.No.	Kind of land	Area Big.Bis.	Rate per Bigha.	Amount of compensation
1.	2	3	4	5
1.	Nehri	351-14	Rs.1500/-	Rs.527550.00 nP.
2.	Chahi	1-10	Rs.1500/-	Rs. 2250.00 nP.
3.	Rosli	1-00	Rs.1000/-	Rs. 1000.00 nP.
4.	Banjar Qadim	97-12	Rs. 750/-	Rs. 73200.00 nP.
5.	Ghairmumkin Chah etc to	4-13 456-09	Rs. 750/-	Rs. 3487.50 nP. Rs.607487.50 nP.

Add 15% for compulsory acquisition..... Rs. 91123.12 nP.

Compensation for trees..... Rs. 432.50 nP.

Compensation for structures..... Rs. 240.00 nP.

Compensation for wells..... Rs. 1000.00 nP.

Grand Total.. Rs.700283.12 nP.

LAND REVENUE DEDUCTION.

The Land under acquisition is assessed to Rs.123.78 nP. as land revenue will be deducted from the Khalsa Rent Roll of the village from Khalsa Rent Roll.

(Balbir Singh)

Land Acquisition Collector, Delhi.

Submitted to the Collector, Delhi for favour of information

and for filing.

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with
Collector
DELHI
11/6/65

SUPPLEMENTARY AWARD.

Award No. 1590

Name of the village:

Garhi Piran

Nature of Acquisition:

Permanent.

Scheme:

Planned Development of Delhi.

On further scrutiny of Award No. 1590 dated 28.5.1963 announced on 17.6.1963, I find that at Page 14 of the same under the heading "Structures" Khasra No. has been wrongly written as 371/2. The correct Khasra No. is 371/1. 371/2 will therefore be read as 371/1.

Balbir Singh
(Balbir Singh)
Land Acquisition Collector:
Delhi. 26-7-63

Submitted to the Collector, Delhi for favour of information and for filing please.

Balbir Singh
(Balbir Singh)
Land Acquisition Collector:
Delhi. 26/7/63

Seen

H. Kumar
ADM LA Delhi
with process Collector
COLLECTOR, DELHI 27/7

DELHI ADMINISTRATION, DELHI.

NOTIFICATION.

Dated the 13 September '62

No.F.1(18)/61-L&H:- Whereas it appears to the Chief Commissioner of Delhi that land is required to be taken by Government at the public expense for a public purpose, namely for the Planned Development of Delhi, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector of Delhi is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected at the office of the Collector of Delhi.

SPECIFICATION.

Village or locality. Total area. Field Nos. or boundaries.

1	2	3	
	Big. Bis.		
1. Jawala Heri.	95 6	1/13, 1/14, 1/15, 1/18/1,	348,
		1/16/1, 1/17/1, 1/22/2,	355,
		1/23/2, 1/24/2, 1/25/2,	361,
		1/25/3, 1/26, 2/11, 2/12,	367,
		2/19/1, 2/20/1, 4/1/1,	338.
		4/10/2, 4/11/1, 4/20/2,	
		4/26, 5/2, 5/3, 5/4/1,	
		5/4/2, 5/5/1, 5/5/2, 5/6	
		5/7, 5/8, 5/9, 5/12,	338.
		5/14, 5/15, 5/16/1,	1962.
		5/17.	

(date)
Gazette.

P.T. Authority, P. Delhi

P. Delhi.

Deputy Commissioner, Delhi.

CONFID.....2

1	2	3
	Big. Bis.	
2. Garhi Peeran.	455 4	233, 234, 235, 236, 237, 238, 239, 240, 241, 246, 247, 248, 249, 250, 251, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 339, 340, 341, 342, 343, 344, 350, 345, 346, 347, 348, 349, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 338.

By order,

(JAGMOHAN)
Deputy Housing Commissioner,
Delhi Administration, Delhi.

No.F.1(18)/61-L&H.

Dated the 10 September 62.

Copy forwarded to the:-

- 1) Recruitment & Services Deptt. (in duplicate) for favour of publication in Delhi G.
- 2) Land Acquisition Collector IV, Delhi City, N. Delhi
- 3) Engineer Member, Delhi Development
- 4) A.F.A, L & H Deptt. Delhi Admn. Delhi
- 5) Legal Adviser, Land & Housing Dep
- 6) Tehsildar, L & H Deptt. Delhi.

Deputy, 42ore Road, Delhi.