

87
114/80-81
AWARD NO.

NAME OF THE VILLAGE : SADATPUR MUSALMANAN
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : PLANNED DEV. OF DELHI

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Land measuring 255 big. 2 bis in village sadatpur Musalmanan was notified by Delhi Administration vide No. F.7(29)/65-L&H(II) dated 26.8.1967 u/s 4 of L.A. Act at the public expense for a public purpose namely for the Planned Dev. of Delhi. Public notice under the Act was issued for inviting objections against the proposed acquisition and only one objection u/s 5(A) of the Act was received in response to the notice. A report on the same was sent to Delhi Admn. vide letter dated 9th Feb., 1968. Declaration u/s 6 of the Act was issued vide notification of even No. dated 6.3.1968.

Notices u/s 9 & 10 of the Act were issued to the interested persons in the land. Claims received in response to the notices will be discussed under the appropriate heading 'Claims & Evidence'

MEASUREMENT & CORRECT AREA:

The field staff carried out necessary measurement of the area, at the spot which was found less by 1 bis. i.e. 255 big. 1 bis. Kh. No.176(1big. 19 bis) is recorded in the revenue papers as 'Milkiyat Sarkar', therefore it will not be subject to acquisition in the present proceedings and could be available to the Govt. by book transfer. The present proceedings are as such confined to only 253 big. 2 bis. land.

.....2/-

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OWNERSHIP & OCCUPANCY

S.No.	Name of the owner	Name of occupant	Kh. No.	Area	Kind of soil
1.	Asa Ram s/o Pem Raj	Self	136 154 166 <u>Total</u>	4.09 3.12 3.11 <u>11.12</u>	G. Abpash -do- -do-
2.	Mst. Pehlado d/o Ghasi w/o Shyam Lal	Self	138 164 170	3.01 2.16 1.10 <u>7.07</u>	-do- -do- -do-
3.	Tega s/o Lala	Self	149	1.15	-do-
4.	Phundam s/o Chandan	Self	131	1.00	-do-
5.	Jugmal, Tekan, Budhu Thanu, ss/o Khilaru in equal share.	Self	155 165 169	6.04 4.10 1.02 <u>11.16</u>	-do- -do- -do-
6.	Khazan s/o Munnulal	Ram Saran Self	151 133 156 157 158 160 161 162 163	1.19 7.09 2.00 1.00 2.13 1.08 1.06 1.12 2.09 <u>21.16</u>	-do- -do- -do- -do- -do- -do- -do- -do- -do-
7.	Nawab Singh, Ramphul ss/o Dharam Singh in equal share	Self	148	2.01	-do-
	Dal Chand, Ramkala, ss/o Kale in equal shares $\frac{1}{2}$ share	Self	135 153 167 171	2.04 1.07 1.16 1.17 <u>7.04</u>	-do- -do- -do- -do-
9.	Ramsaran s/o Netram	Self	146 150	2.19 <u>11.02</u> <u>14.01</u>	-do- -do-
10.	Ram Kala s/o Herdev	Self	141	2.14	-do-

.....3/-

11.	Ram Lal, Phool Singh Chhater Singh, Sardar Singh ss/o Chandan in equal shares	Self	132 175	2.18 10.19 <u>13.17</u>	G. Abpash -do-
12.	Ramnath s/o Badlu	Self	142	4.03	-do-
13.	Mst. Surjit wd/o Jaswant	Self	134 172	2.03 0.15 <u>2.18</u>	-do- -do-
14.	Mst. Kishan Devi wd/o Ram Chander, Saktu s/o Risal in equal share	Self	143	3.12	-do-
15.	Khem Chand, Mohar Singh ss/o Koka in equal share	Jugmal etc ss/o Khilaru $\frac{1}{2}$ share. Mst. Baldei $\frac{1}{2}$ share	137	3.10	-do-
		Self	139	3.03	-do-
		"	140	3.17	-do-
		"	159	6.08	-do-
		"	168	7.04 <u>24.02</u>	-do-
16.	Nanu, Habub ss/o Kirori in equal shares	Self	173 174	11.09 1.11 <u>13.00</u>	-do- -do-
17.	Shanker Singh Karni ss/o Harbans in equal share	Self	152	2.15	-do-
18.	Harkesh, Rupa ss/o Neyader, Mst. Khazani wd/o Raja Ram in equal share	Self	144 145	1.06 3.03 <u>4.09</u>	-do- -do-
19.	Gram Sabha	Self	130/1 147	92.12 10.08 <u>103.00</u>	G.M. Reta G. Abpash

CLASSIFICATION OF LAND

G. Abpash	160 big. 10 bis
G.M. Reta	92 big. 12 bis.

CLAIMS & EVIDENCE

1. Nawab Singh, Ramphool ss/o
 Dharam Singh, Raghubir, Kesho
 ss/o Luttas, Khacheru s/o
 Sukhdev, Shanker s/o Harbans
 Karni minor s/o Harbans,
 through Shankar his next
 friend & brother. Tega s/o
 Lala, Ram Saran s/o Net Ram
 Herkesh, Roopa ss/o Niader, and
 also legal representatives of
 Khazani wd/o Raja Ram, Kishan Dei
 wd/o of Ram Chander, Saktee s/o
 Risal, Ram Nath, s/o Badloo,
 Ram Kala s/o Hardeo, Birhma s/o
 Kishan Lal, Anoop Singh, s/o
 Lijje, Ram Lal, Phohan, Phool
 Singh, Chattar Singh, Sardar
 Singh ss/o of Chandan, Nainoo, Surja
 s/o Kirori, Bhuro wd/o Haboob
 Khazan s/o Mannu Lal, Pehlado d/o
 Baldei, Ram Singh s/o Ho Ram,
 Badami wd/o Ho Ram, Jagmal, Budhan,
 Thanoo, Tekan, ss/o Khilaroo,
 Khem Chand, Mohar Singh ss/o Koka.
 Munshi s/o Mamraj, Dal Chand s/o
 Kale for self and as legal
 representative of Ram Kala, Kallo,
 Mallo, dd/o Surjia, Asa Ram s/o
 Pem Raj through Sh. Raghubir Singh
 & Chandu Lal Verma Advocate.

Note: Rs. 3000/- per bigha has been claimed as compensation
 for land alongwith 15% solitium and interest according
 to law.

It is stated that Kh. No. 147(10-08) no longer vests
 in the G. Sabha and in the year 1965 as a result of the
 amendment in the Delhi Land Reforms Act, It was taken
 out of Form LR-2 and was included in the joint bhumidari
 of the claimants. Further, Kh. No. 130/1(92-12) was in the
 joint ownership of the claimants during the 1953-54. A
 civil suit has been instituted for declaration and is
 pending in the Court of Sub-Judge, Delhi.

2. As in S.No.1

No Evidence

- 3x Note: That they are the Bhumidars in possession of the land
 under acquisition and are the only interested persons
 in the land noted in the notices u/s 9 of the Act and
 are entitled for compensation of the land.

Rs. 3000/- per bigha alongwith 15% solitium and interest
 has again been claimed towards compensation as above.

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|----|--------------------|-------|--------|------------------------|
| 3. | Sardar Singh | 130/1 | 103.00 | Rs. 3000/- No Evidence |
| | Pradhan Gram Sabha | 147 | | P. Bigha |
| | Saddatpur Gujran | | | |

.....5/-

MARKET VALUE

The market value of the land in the present case is to be determined as prevailing at the time of the preliminary notification i.e. 26.8.1967. Land has not been acquired in this village in the past nor any sale transactions came to notice to offer guidance in arriving at a fair market value. In the immediate neighbourhood of this village, there is the area of village Sadatpur Gujran. In this village too there has been no acquisition of land in the past nor any sale transactions could be found out.

There are two other villages in the next neighbourhood viz. village Biharipur and village Khajuri Khas wherein there have been the following Awards for acquisition of land which could give us some idea of the market value of the land prevailing only during the years 1957, 1958 & 1959 as relevant to the dates of preliminary notifications in the respective cases.

S.No.	Name of village	Award No.	Notification u/s 4	Rate Awarded	Kind of Soil
1.	2.	3.	4.	5.	6.
1.	Khajuri Khas	836	F.24(139)/54-LSG(I) 21.5.57	Rs.500/- per acre (Rs.104.17 appx. per big.)	
				Rs.200/- per acre (Rs.42.33 per Big.)	
2.	-do-	861	F.15(2)/58-LSG 13.1.58	Rs.250/- per big Rs.225/- per big Beyond	
				Rs.201/- per big Adjoining the boundary of V. Biharipur	

....6/-

3. Khauri Khas	938	F.24(139)/54-LSG(I) 1.4.59	Rs.210/-per big	Rosli Matiyar
			Rs.135/-per big	B.Qadim
			Rs. 66/-per big.	G.Mumkin
4. -do-	912	F.15(6)/58-LSG(I) 26.3.1958	Rs.200/-per big.	Rosli
5. .do.	915	F.15(6)/58-LSG 24.1.59	Rs.200/-per big.	Rosli Matiyar
6. -do-	1508	F.15(iii)/59-LSG 13.11.59	Rs.210/-per big	-
7. Biharipur	857	F.15(2)/58-LSG(1) 13.1.1958	Rs.201/-per big	Rosli
			Rs.968.80 per acre	Dakar

From the above we find that the general trend of the market value of the land (Rosli) in the above two villages during the years 1958 and 1959 was near about Rs.200/- per big. Or a little over. As already said the preliminary notification in the present case is Aug., 1967, therefore, we could not be closely guided with the market value awarded as above.

Efforts were therefore made to find out if any sale transactions took place in villages Khajuri Khas and Biharipur, which could bring us to some conclusion or offer guidance in arriving at a fair market value.

The sale transactions given below could be ascertained by the field staff, from the record in the Office of the Sub-Registrar Delhi:-

.....7/-

:7:

S.No.	Reg.No. & dt.	Kh.No.	Area	Amount	Average per big. appx.	Village.
1.	7527 16.5.67	90/2/2	200 sq.yd.	Rs.800/-	Rs.4000/-	Khajuri Kha
2.	9403 26.6.67	90/2/2	200 sq.yd.	Rs.1000/-	Rs.5000/-	-do-
3.	9404 26.6.67	90/2/2	200 Sq.yd.	Rs.1000/-	Rs.5000/-	-do-
4.	9659 5.7.67	138	200 sq.yd.	Rs.1000/-	Rs.5000/-	-do-
5.	10325 22.7.67	179	200 sq.yd.	Rs.700/-	Rs.3500/-	-do-
6.	10402 25.7.67	188	200 sq.yd.	Rs.700/-	Rs.3500/-	-do-
7.	10403 25.7.67	188	200 sq.yd.	Rs.700/-	Rs.3500/-	-do-
8.	7818 18.1.63	334, 308 384	9 big.11 bis	Rs.2000/-	Rs. 209.42	Bi haripur
9.	1550 18.2.64	450 min 451	4 Big.8 bis.	Rs.1000/-	Rs. 227.24	-do-

The transactions that took place in V.Khajuri Khas, although relate to the period near about the date of preliminary notification in the present case, but cannot compare with the land under acquisition, as firstly they are far better located than the land under acquisition and secondly these transactions are in the shape of small plots of land which naturally fetch better price than land in big chunks as such could hardly give us an idea of the market value of the land as compared to this land.

.....8/-

Further the land in all these sales is on the eastern side of the Bandh and thus is saved from the menace of the floods in the river, while the land under acquisition is on the western side of the Bandh towards the river and as such is subject to the effects of the floods and thereby in a great disadvantageous position. Moreover, the transactions in Kh. No. 138, 179, 188 are in a more advantageous position being near the village Abadi.

The two transactions relating to the period 1963-64 came to notice in village Biharipur. The transactions for Kh. Nos. 334, 308, 384 which took place on 18.1.1963 involving land measuring 9 big. 11 bis. for a sum of Rs. 2000/- making an average of Rs. 210/- appx. per big. could offer us some guidance as 1stly the land involved is located nearby to the land under acquisition and 2ndly it is located in the same disadvantageous position being situated on the western side of the bandh effected by the floods of the river.

The other transaction which is dated 18.2.1964 involving 4 bigha 8 bis. land in Kh. Nos. 450 & 451 could not compare with the land under acquisition being in a much advantageous position as near to the village Abadi and so also being on the eastern side of the bandh and thereby saved from the menace of the floods in the river.

The transaction dated 18.1.63 as discussed above, could be relied upon although it took place 4 yrs. earlier to the date of preliminary notification in the present case. There is no

evidence forthcoming to show that there was a rising trend in the prices of the land beyond the year 1963, but the time gap has to be given some advantage and for which I consider that an interest of 6% approx. if allowed on the average rate of Rs.210/- per big. the reasonable and fair market value comes to Rs.270/- per bigha approx. and therefore I award the rate of Rs.270/- per bigha as the fair market value of the land categorised as G. Abpash.

There is an area of 92 big. 12 bis of land which is categorised as G.M. Reta. This kind of land is naturally much inferior to the land categorised as G. Abpash and therefore I consider that a rate of Rs.90/- per big. would be fair market value of the land in this category which I award accordingly.

TREES & WELL: There are no trees & wells on the land under acquisition and as such no compensation is awarded under this heading.

STRUCTURE: There are no structures or any religious property on the land under acquisition.

SOLITIUM: 15% solitium is allowed on the market value of the land towards compulsory nature of acquisition.

LAND REVENUE: The land under acquisition is assessed to Rs.54-61 as Land Revenue which would be deducted from the Khalsa Rent Roll from the date of possession.

APPOINTMENT: Compensation will be paid according to the latest entries in the revenue record. The compensation of Khasra No. 147 & 130/1 where other

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: 10:

Persons than the recorded owners have claimed compensation will be kept disputed and sent to the Court u/s 30-31 of L.A. Act, if no settlement is reached by the parties within a reasonable period.

Compensation of Kh. No.137, 151 will be kept disputed as the persons other than owners are recorded in possession of the same as per Khasra Girdawri.

SUMMARY:

Compensation for land measuring 160 big. 10 bis. (G. Abpash) @ Rs.270/- per big.	43,335.00
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Compensation for land measuring 92 big. 12 bis. (G.M. Reta) @ Rs.90/- per big.	8,334.00
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Total	51,669.00
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3. Add 15% solitium

G.Total	7,750.35
	59,419.35

(Rupees Fifty nine thousand four hundred ninteen and paise Thirty five only)

A B Shukla
(A. B. SHUKLA)

LAND ACQUISITION COLLECTOR(MSW): DELHI

*Announced today
A B Shukla
20/2/89*

110-10
92-12
255-02