AWARD

Name of the viblage: Nature of acquisition: Purpose of acquisition: No. 103/1972-73

SHAHBAD MOHDPUR.

Permanent.

Planned Development of Delhi (Development of Palam Airport)

AWARD

These are proceedings for determination of compensation U/s 11 of the Land Acquisition Act. The land measuring 1439 bighas 19 biswas situated in village Shahbad Mohdpur was notified for acquisition U/s 4 of the L.A.Act vide notification No.F.15(33)/64-L&H dated December 3, 1971 for a public purpose namely for the Planned Development of Delhi. After considering objections U/s 5-A, the Delhi Administration issued a declaration U/s 6 of the L.A.Act for the acquisition of an area measuring 1439 bighas 19 biswas vide notification No.F.15(33)/64-L&H(iv) dated June 17, 1972. In pursuance of the aforesaid notifications, notices U/s 9 & 10 of the L.A.Act were issued to all the persons interested in the land and claims filed by them are discussed hereafter under the heading "COMPENSATION CLAIMS".

TRUE AND CORRECT AREA:

The land was measured on the spot by the Land
Acquisition Field Staff and the area available for acquisition
on the spot is as under:-

Field No.	Area Big.Bis.	Kind of sobl.
1 etc/228	0 - 6.	G.M.Chah
229	10 - 00	Apash
230	7 - 08	•
232	9 - 11	n .
233	22 - 06	"
234	11 - 14	n en
		L

EDITED .. . 2/-

-2-		
235	16 - 16	Apash
236	1 - 00	G. Apash
237	0 - 06	
238	0 - 09	
239	0 - 17	
240	0 - 15	
241	11 - 08	G. Apash
242	10 - 08	Apash
243	11 - 14	
244	19 - 09	u u
245	8 - 00	
246	4 - 10	II .
247	10 - 18	
248	10 - 14	11
249	6 - 12	II .
250	7 - 13	11
251	7 - 12	- 11
252	3 - 7	•
253/1	3 - 00	u
254/1	1 - 00	G.M.Rasta
255/1	3 - 00	Apash
256/1	1 - 00	"
257/1	3 - 00	
258/1	15 - 18	
259/1	4 - 00	G.M. Rasta
260	4 - 03	G.Apash
261	4 - 03	Apash
262	8 - 12	
263	16 - 03	•
264	15 - 15	n
265	11 - 00	
266-	9 - 00	
267	0 - 06	G.M. Chah

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268	18 - 09	Apash
269	63 - 01	•
270	20 - 10	•
271	0 - 06	G.M.Chah
272	20 - 07	Apash
273/1	0 - 16	
275	0 - 14	G.M.Chah
276/1	1 - 10	Apash
277/1	0 - 02	G.M.Rasta.
278/1	1 - 10	Apash.
341/1	2 - 16	G.M.Rasta.
342	6 - 00	Apash
343	6 - 00	G. Apash
344	38 - 11	Apash 5 - 00 G.Apash 33 - 11
345	7 - 17	Apash
346	7 - 09	
347	1 - 00	
348/1	45 - 04	G.M.Bhatta.
349/1	4 - 16	Apash
350/1	1 - 00	
351	6 - 02	G. Apash
352	4 - 14	Apash
353	5 - 13	G. Apash
354	0 - 08	G.M.Chah
355	14 - 08	Apash
356	17 - 18	Apash 7 - 00 G.Apash10 - 18
357	16 - 11	Apash
358	0 - 08	G.M.Chah
359	7 - 5	Apash
360	15 - 17	•
361	4 - 17	G.Apash
		PUREZENDA

contd..

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-4-

362	3 - 5	Apash
363	1 - 6	
364/2	8 - 2	",
367/2	5 - 10	G.Apash
368/2	5 - 5	"
369	2 - 18	G.M.Rasta.
370	13 - 05	Apash
371/2/1	46 - 18	G.M.Gadhe & Apash
371/2/2	1 - 00	
372	20 - 10	Apash
373/2	2 - 00	G.M. Rasta.
374	0 - 05	G.M.Chah
375	41 - 18	Avash.
376	0 - 05	G.M.Chah
377/2	36 - 19	G. Apash.
384/2	45 - 07	Apash. 20 - 00 G. Apash 25 - 07
385/2	6 - 02	G.Apash .
386/2	5 - 16	•
387/2	4 - 18	n
389/2	1 - 19	•
390/2	1 - 00	
417/2	18 - 14	G.Apash
41864	6 - 16	G.M.Rasta.
419	56 - 08	G.M.Gadhe & Apash
420/2	9 - 01	Apash
421	19 - 14	
422	26 - 11	Apash 4 - 11 G.Apash. 22 00
423	23 - 04	G.Apash
424	22 - 19	Apash
425	0 - 17	G.M.Chah

-5-G. Apash 10 - 01 426 G. Apash 9 - 17 427 # 9 - 19 428 30 - 09 429 Apash 16 - 05 430 G. Apash 16 - 04 34 431 Apash 9 - 11 432 9 - 11 433 8 - 06 434 11 - 03 435 G.M.Chah 0 - 05 436 Apash 8 - 14 437/1 G.M.Chah 5 438 Apash 5 439/1 6 - 00 441/1 G. Apash 4 - 00 442/1 1 - 10 443/1 5 - 10 444 6 445 446 Apash 0 - 05 447/1 2 - 00 457/1 12 - 10 458/1 G.M. Rasta 2 - 10 459/1 G. Apash 25 - 16 460 12 - 08 461 12 - 11 462 G.M.Marghat 5 -463 G.M. Chah 5 464 G. Apash - 00 465 466 - 08 467 cont d....6/-

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	067
Sigh	-6-
Leich 468	14 - 01
469	3 - 17
12/11	5 - 10
14 12	0 - 10
472	3 - 16

469	3 - 17	"
470	5 - 10	"
471	0 - 10	
472	3 - 16	n
473	7 - 2	n
474	5 - 8	n .
475	3 - 17	n
476	3 - 15,	•
477	0 - 07	G.M.Chah
478	9 - 02	Apash
479	25 - 04	
430	10 - 00	
481	2 - 4	
432/1	70-7	G.M.Chah
483/1	13 - 00	Apash
558/1	Total 0 - 5	G.M.Gitwar.

CLASSIFICATION OF THE AREA

Apash. G. Apash.	982	big.	17	bis.
G.M.Chah.	5	big.	04	bis.
G.M. Rasta.	22	big.	02	bis.
G.M.Marghat	5	big.	03	bis.
G.M. School/Gitwar.	0	big.	05	bis.
The state of the s	 1450	1000	00	

Total 1472 big. 02 bis.

Apash

The difference of 17 bighas 17 biswas between the area notified and the area under acquisition is due to the fact that this area is not required by the Deptt.

and the Tehsildar(Notification) will get this area denotified U/s 48(1) of the L.A.Act.

COMPENSATION CLAIMS:

The following persons have filed claims for compensation:

contd......7/-

		-		-7-
S.N.	Name	of	the	claimant.

Compensation claimed.

1. Risal s/o Behari.

Has claimed compensation @ R.20000/per bigha & R.5866.66P for a well
& trees.

2. Behari s/o Bakhtawar.

Has claimed compensation @ %.20000/per bigha; %.8000/- as manages
charges(for land which is not under
acquisition & %.16567/-for a well,
a room, water storage, trees &
drains.

3. Attar Singh s/o Nanhey.

Has claimed compensation @ %.20000/per bigha & %.10000/-for tube well,
a room, water storage & drains etc.

4. Jot Ram s/o Roop Chand.

Has claimed compensation @ Rs.20000/per bigha & also claimed cost of
a well & water drains.

5. Budhu s/o Gopal.

Has claimed compensation @ Rs.20000/-per bigha & Rs.7200/-for well and trees.

6. Net Ram s/o Moharu.

Has claimed compensation @ 8.20000/ per bigha and also claimed cost of well, trees & drains.

7. Jungli s/o Lal Singh.

Has claimed compensation @ &.20000/per bigha and also claimed cost of
well, room and water storage tank.

- 8. Bhim Singh s/o Bahal Singh. Has claimed compensation @
 Rs.20000/-per bigha and also claimed
 cost of a well.
- 9 Man Singh s/o Pirthi

Has claimed compensation of land @ Rs.20000/-per bigha and also claime cost of kand well, water drains, water storage tank.

10. Sher Singh s/o Ghessa.

Has claimed compensation @ R. 20000/-per bigha.

11. Bhartu, Pirthi, Nathu, Man Singh etc. Have claimed compensation @ No.20000/per bigha and also claimed cost of well.

12. Kishan Lal s/o Bahadur, Raghbir, Bukam Chand ss/o Dharam Singh.

-do-

13. Bhoba Ram & Risal.

-de-

14. Gatta, Risal & Smt. Gaindo.

Have claimed compensation @ Rs.20000/ per bigha and also claimed cost of a well and trees. They have also claimed damages charges for their remaining land.

15. Kishan Chand & Mir Ghan Singh

Have claimed compensation amounting to Rs. 15000/-.

-8-

16. Garib Ram, Tulsi Ram.

Have claimed compensation/amounting Rs.117000/- and Rs.112000 respectively.

17. Sardar Singh, Behari

Have claimed compensation @ R. 20000/per bigha and also claimed cost of well and draing.

18. Sewa, Lachman Singh, Sundu.

Have claimed compensation @ %.20000/per bigha and also claimed for cost
of well & trees.

19. Budhu, Miroo, Nathu, Sher Singh, Mehar Chand. Have claimed compensation @ %.20000/per bigha and also claimed cost of well, room, water storage and trees.

20. Ghumne Ram Pardhan

Has claimed compensation @ Rs.20000/per bigha for Gaon Sabha land.

21. Tej Ram s/o Rati Ram.

Has claimed cost of land @ Rs. 20000/per bigha and also claimed cost of a well.

22. Mukkar s/o Bahal Singh. -do-

23. Partap Singh s/o Nanhey. Has claimed compensation @ Rs.50/per sq.yd. and also claimed cost of well and trees.

24. Munna Lal s/o Nanhey. -do-

25. Smt. Attri d/o Nanhey. -do-

26. Smt. Shakuntla.d/o -do--do-

27. Siri Chand s/o Nihal Singh -do-

28. Inder s/o Nihal.

-ma- Has claimed compensation 29. Ram Kishan s/o Net Ram. @ Rs.25000/-per bigha and also claimed cost of a well. 200.

-do-

30. Richhpal s/o Hans Ram,

Have claimed compensation @ Rs.50/-Chandi Ram s/o Maya Ram. per sq.yd. and also claimed cost of well, trees, water drains etc.

Ved Kaur etc.

31. Kanhiya Lal, Smt.Rumali, Have claimed compensation @ Rs.50/per sq.yd. and also claimed cost of well, room, trees etc.

32. Ram Saroop & Ram.etc.

Have claimed compensation @ Rs.50/per sq.yd. and also claimed cost of well and trees.

33. Subh Ram, Hanumat Singh, -do-Ram Kishan etc.

34. Ram Saroop, Hukam Singh, -de-Bhim Singh etc.

35. Ram Saroop, Jage Ram etc. -do-

36. Ghursham s/o Ram Rikh. -do-

-do-37. Sukhan s/o Bhagta.

38. Sambhu s/o Harphool. -00-39. Satbir, Siri Bhagwan. -do-

40. Ved Singh, Gordhan Singh, & Rattan. & Roope.

Have claimed compensation of land @ Rs.50/-per sq.yd. and also claimed cost of well, rooms, trees etc.

- 41. Mir Singh, Smt. Sarto, Smt. Imrati, Sahib Singh etc.
- -do-
- 42. Risal Singh, Lakhi Ram & Dulli Chand.
- -do-
- 43. Ganga Ram, Lal Chand & Jodha.
- -do-
- 44. Ramchar , Sube, Bhima & Kehari.
- -do-
- 45. Kishan Chand, Partap Singh, -do-Kapoori etc.
- 46. Ram Kishan s/o Baldeva.

Has claimed compensation @ Ns.50 per sq.yd. and also claimed cost of well trees etc.

- 47. Siri Chand s/o Mangat.
- -do-
- 48. Sher Singh, Chaman Lal, Kanwal Singh.
- -do-

- 49. Lehari, Mauji.
- -do-
- 50. Chander, Hari Singh, Har Kishan & Rampat.
- -do-

51. Rupan, Zilay & Smt. Ashrafi. Have claimed compensation @ Rs.50/-per sq.yd. and Rs.15500/-as cost of wells and trees.

52. Smt. Bharto & Sardara.

Have claimed compensation @ %.50/per sq.yd.

53. Narain Singh, Inder Singh, & Des Ram etc.

Have claimed compensation @ Rs.50/per sq.yd. and Rs. 10000/-for a well.

54. Bhima & Khima.

Have claimed compensation @ Rs.50/per sq.yd. and Rs.21300/-for wells, waterstorage and trees.

55. Dharam Singh & Turti.

Have claimed compensation @ Rs.50/per sq.yd. and Rs.50/-for trees.

56. Kartar Singh, Sant Ram, and Shanti Devi dtc.

Have claimed compensation @ Rs.50/per sq.yd. and also claimed cost of wells and trees.

57. Lehri

Has claimed compensation @ Rs.50/per sq.yd.

Shib Dayal etc.

58. Charan Singh, Bishan Datt, Have claimed compensation @ Rs.50/per sq.yd. and also claimed 8.10500/-for a well.

59. Mam Chand, Virender & Sabha Chand.

Have claimed compensation @ 8.50/ per sq.yd. and Rs. 18250/-for well, trees and room.

60. Sehj Ram on behalf of Suresh, Maha Singh & Rizaq Ram(minors)

Sehj Ram on behalf of Have claimed compensation @ minor sons of Narain Singh. Rs.50/-per sq.yd. & Rs.1300/- for well and mx trees.

61. Sehj Ram, Rizak Ram & Narain Singh.

Have claimed compensation @ Rs.50/-per sq.yd. and Rs.13000/for well & trees.

62. Smt.Nimbo.wd/o Surjan.

-do-

63. Mool Chand & +Surja.

Have claimed compensation of land @ Rs.50/-per sq.yd. and Rs.6000/-for a well.

64. Chuni Mal, Chander etc.

Have claimed compensation @ Rs.50/ per sq.yd. & Rs.21500/-for well, trees, room and water drain etc.

- Have claimed compensation @ 65. Surinder Singh, Smt. Bharpai, Rs.50/-per sq.yd. & Rs.15150/-for Ushe, Rajinder, Bina, Rs.50/-per sq.yd Punam & Santosh(minors) etc.well and trees.
- Have claimed compensation @ 66. Ganpat Ram & Hardass etc. R.50/-per sq.yd.
- 67. Ramu, Surja & Mool Chand.

Have claimed compensation for lar and well.

68. Jaswant, Inder.

Have claimed compensation @ Rs.50/ per sq.yd.

69. Mauji Ram, Sardar Singh, Mainarain & Rampat.

Have claimed compensation @ Rs.50/ per sq.yd. and also claimed cost of a well and trees.

70. Tara Chand, Smt.Shanti Om Parkash, Ram Kala, Chhamo & Niadri etc.

Have claimed compensation @ Rs.50/ per sq.yd. and also claimed cost of trees.

71. Kabul & Khazan Singh.

Have claimed compensation @ Rs.50/ per sq.yd.

72. Charan Singh s/o Piarey, Rameshwar Dayal, Rajinder Singh, Smt.Javitri, Rajbir Singh(minor)

-do-

73. Ram Sarup & Umrao.

-do-

74. Jot Ram, Gordhan, Brahma & Charan Singh.

Have claimed compensation @ Rs.50/ per sq.yd. and cost of wells and trees.

- 76. Fateh Singh, Bansi Lal, Yad Ram, Umrao Singh & Mukhtiar Singh.
- 76. Ram Mehar.
- 77. Brahma, Sardare, Rajju, Smt.Kalawati, Maya Devi etc.
- 78. Niader s/o Chhaju & Nahar Singh & Karam Singh
- 79. Birkhe Ram, Smt. Dhano, Suraj Bhan, Bali & Smt.Mewa etc.
- 80. Kishan Lal s/o Bihari.
- 81. Bansi, Mahinder Singh & Smt. Chanda Devi etc.
- 82. Krishan & Murari.
- 83. S/Sh.Khacheru, Tek Chand Puran and others.
- 84. Sh.B.L.Kohli on behalf Delhi Admn., Delhi.
- 85. Risalo
- 86. Khima s/o Bhagwana.
- 87. Narain Singh s/o Surjan.
- 88, Jai Karan.
- 89. Ganpat Ram & others.

Have claimed compensation @ %.50/-per sq.yd. and also claimed cost of well and trees.

-do-

Have claimed compensation @ Rs.50/-per sqyyd.

Have claimed compensation @ Rs.50/per sq.yd. and also claimed cost of trees.

Have claimed compensation @ Rs.50/-per sq.yd.

Has claimed compensation @ Rs.25000/-per bigha and also claimed damage charges etc.

-do-

Have claimed compensation @ Rs.50/-per sq.yd.

Hawe submitted a joint application that Kh.No.558 which is shown in possession of Chamaran which is now under possession of Govt. Hr.Sec.School Bldg.the compensation be paid to them.

Has claimed compensation for a of Directorate of Education. portion of Govt. Hr. Secondary school land , Shahbad Mohdpur which comes under the scheme.

> Has claimed compensation @ Rs.50/per sq.yd. and also claimed cost of well, trees etc.

> Has claimed compensation @ R 50/per sq.yd.

> Has claimed compensation @ Rs.50/per sq.yd. and also claimed cost of well, water tank and trees.

> Has claimed compensation @ Rs.50/per sq.yd.

Have stated that in Kh. Nos. 247 & 248 tube well is installed by obtaining loan from the State Bank of India long before 1972 and that this land be treated as Chahi.

Sh. Jangli, Chander & Ram Saroop.

Have claimed compensation @ Rs.50/-per sq.yd.

91. Chunni Lal, Nawal Singh, Chander & Rizak Ram.ss/o Harnarain. -do-

92. Narain s/o Bhuria, Jeetu & Shiv Dayal ss/o Chetan. -do-

DOCUMENTARY EVIDENCE:

Some of the claimants have filed the following documentary evidence in support of their claims.

- 2. Copy of sale deed No.7563 dt. 23.12.68. Through this sale deed one bigha of land out of Kh.No.371 measuring 49 bighas 18 biswas has been transferred by Sh.Bhima & Khima ss/o Ranjit, Jat village Shahbad Mohdpur to Sh.Sultan s/o Mange Ram village Ladrawan Tehsil Jhajjar Distt.Rohtak, Haryana for a consideration of Rs.9800/-.
- Copy of a letter No.3037/K/Rev. dated 31.3.64 issued from the Office of the Deputy Commissioner, Delhi to the Military Estate Officer, Delhi Cantt.
- 3. Copy of letter No.3/770/77 dated October, 1964 from the Military Estate Officer to the Deputy Director Military lands & Contonment Headquarter Western Command Simla.
- 4. Copy of court's decision in L.A. Cases No. 196/67 & 145/68 against award No. 1334 village Shahbad Mohdpur.
- 5. Copy of book-let "INFORMATION FOR THE GUIDENCE OF THE LEASE HOLDERS".

MARKET VALUE:

The market value of the land under acquisition has to be determined with reference to bonafide sale transactions as at the material date. It is thus the price which the land could fetch when offered for sale to a seller not being obliged to sell and the buyer being under no necessity of buying it. It is withe these factors in mind that the market value of the land under acquisition has to be assessed.

contd.....13/-

Before embarking on the question of the determination of the market value it would be relevant to discuss the evidence adduced by some of the persons interested.

A perusal of a copy of a sale deed No.7563 executed on December 23, 1968 reveals that Bhima & Khima transferred a piece of land measuring 1 bigha to Sultan Singh resident of village Basti Ladrawan Tehsil Jhajjar District Rohtak (Haryana) on a consideration of Rs.9800/-per bigha. The deed indicates that neither any cash payment was paid before the Sub-Registrar nor was the vendee present at the time of the registration. The deed therefore, cannot be treated as a bonafide sale transaction which for all intents and purposes was executed merely to indulge in speculation. Copy of a letter addressed to the Military Estate Officer as filed by the claimant at S.No.2 page 12 indicates that the standard rent of Chahi land was Rs. 16/-per bigha/for Rosli Rs. 3/-per bigha in the Delhi Cantonment Area. This yearly rents afford no guide as the land under acquisition is purely agricultural in character and its value cannot be arrived by method of capitalization. Even otherwise if this method of capitalization is followed it would result in the valuation of the land at an extremely low rate which would not be in confirmity with the general trend of prices. Likewise a copy of letter from the Military Estate Officer to the Deputy Director Military Lands Cantonment Western Command Simla indicating the price of # .3.67 acres of land at Rs. 1, 93,600/- per acre has also no relevancy as the land within the cantonment area which has all the amenities of modern life cannot compare with the land under acquisition which falls within the ambit of the Delhi Land Reforms Act. This Act inhibits the use of land for any other purpose except for purposes connected with the agriculture contd....14/-

or horticulture etc. Further, copies of court decisions in L.A.Case No.196/67 and L.A.Case No.145/68 directed against award No.1834 has also no bearing as the U.O.I. has gone in appear against the said decision of the Addl.Distt.Judge and the rates awarded by him are sub-judice. Lastly the claimants have filed the book-let "INFORMATION FOR THE GUIDENCE OF THE LEASE HOLDERS"PUBLISHED BY THE MINISTRY OF WORKS & HOUSENG. The rates as prescribed in the book-let pertain to the charges that are recoverable by the lessor(Govt) in the event of sale of leased properties, their mortgage and mutation etc. These rates are used for the legy of charges in residential and commercial areas and by no streeth of imagination be applied to the land under acquisition, the user of which is restricted by the leased laws.

It would thus appear that there is hardly any evidence from the side of the claimants which should have been helpful in evaluating the market value of the land under acquisition. From a scrutiny in the Office of the Sub-Registrar as well come to notice as the revenue records, the following sale transactions / nearest to the material date:

S.N.Mutation Regd.No.Date of Kh.No. Area Considerat Average Big.Bis. ion money.

1. - 7431 16.11.71 131/300 150 sq.yd. Rs.5000/- Rs.33333.
2. 0-4/15 3583 23.2.69 37 lmin 1 - 00 9800/- 9800.00
3. 0-4/20 6193 6.9.69 1/50 1 - 00 5500/- 5500.00
4. 0-4/44 4100 8.6.72 454 1 - 10 11000/- 7333.33

Sale deed at S.No.1 bears no comparison with the land under acquisition as in this sale transaction an area measuring 150 sq.yds. was sold on the periphery of the village abadi. Such lands always afford an ideal site for contd....15/-

mesteads and therefore, such lands cannot compare with the and under acquisition. As for sale transaction at S.No.2 ts inapplicability has already been discussed earlier and iscarded and therefore, it would be superfluous to add mything further here. Likewise, in sale transaction at 3.No.3 the vendor transferred land measuring 1 bigha out of Kh.No.50 which according to the revenue records measured 22 bighas 07 biswas. The vendee Sh.Ranjit belongs to village Hamunypur which is about 8 miles from the village. This land is also within the ambit of the Delhi Land Reforms Act and can only be put to agricultural use. It is not understood as to why the vendee paid such a high price for a long which according to the deed of registration is not physically delineated at the spot and that to what advantageous use the vendee would put the land particularly when he is residing at about 8 miles from the village. It is for these considerations that this sale cannot be treated as a bonafide transactions which for all practical purposes was executed with a view to inflate the rates in the coming acquisition proceedings. Lastly the sale transaction at S.No.4 also pertains to abadi land which for reasons stated earlier cannot be referred to in the determination of the marketvalue.

From the foregoing discussions, it is apperant that
there are no proper examplars to guide in the determination
of the market value of the land. In cases where there have been
no recent sales of the same land to guide, the market value
no recent sales of the same land to guide, the market value
can be determined by sales of similar land in the neighbourhood.
It has been held that bonafide transactions of purchase of land
It has been held that bonafide transactions similar advantages
adjacent to the land acquired and possessing similar advantages
provide an alternative means of estimating the market value.

Village Nangal Dewat is just adjoined to this village and
therefore, the sale transactions in that village can afford
proper guide.

7155	n Date of regn.	Area Big.B	Khasra No.	Consideration money.	bigha.
No.				Rs. 9000/- Rs.	468.75P
7155	5.11.71	19-04	1164, 1167, 1171, 1172		000.00
			1533	Rs.2000/- 20	,000
2, 6577_	25.9.69	00-02		Rs.7500/-	7500.00
3. 6576	-do-	01-00	736	80000/-	1414.68
4, 386	22.1.68	56-11	70/30 100//-7	800007	
		1813,	1827, 1810, to 1819, 1801/1,		
		1808/	o.	1. 1000/-	1052.63
5. 22	2.1.69	4 - /5 shr.	14 1471/2, 1477/ 1470/2		2004.00
6. 1385	4.3.68	24-0	9 993 to 996, 101 & 1185	0 200007-	
0. 1000				30000/-	10000.00
7.	30.3.68	3-0	0 1541/2		at the

A scrutiny of above sale transactions reveals that the sale prices in the transactions at S.No.1, 4, 5 & 6 are on a low side which indicate a down-ward trend in prices from 1969 to 1971. Sale transactions at S.No.2 & 7 also cannot be referred to as the land covered in these transactions is just adjacent to the Delhi Gurgaon Highway and is about 21/2 miles away from the land under acquisition in village Shahbad . Mohdpur. It is a common knowledge that the immediate contiguity to a highway commonly called frontage is a well known and powerful element in value of all lands in populous districts. That being so the land under acquisition by no strech of imagination be equated with the land covered in these two transactions. Apart from the advantage of frontage the land covered in these two transactions lies e in close propinguity to the Mahipalpur Pottery complex which confers a high element of potentiality to the land involved in these two sale transactions A perusal of a copy of a sale deed at S.No.7 indicates that

only a sum of R.20000/- was paid before the Sub-Registrar for land measuring 3 bighas, the average of which works out to k.6666/- per bigha while the sale price of the transaction at S.No.2 gives an average of R.20000/- per bigha. The high prices in the two transactions which cannot be reconciled with each other is due to the advantage of frontage on the Delhi Gurgaon Highway and the close promimity to the Mahipalpur pottery complex. For these considerations, the land involved in these two sale transactions which lies about 2½ miles cannot be compared with the land under acquisition. In the transaction at S.No.3 the document does not recite the payment of any cash money before the Sub-Registrar and as such the sale price as agreed in the deed cannot be taken into account.

In the absence of any relevant sale transaction it would be helpful in seeking recourse to previous awards and the judicial adjudication thereon given by the court. In award No. 1836, the material date of which was Sept. 26, 1964 some land in Nangal Dewat was acquired. In L.A. Case No.648/65 Piarey Lal Vs. Union of India the Addl.Distt. Judge fixed the market value of the land for Kh.No.370 @ Rs.5350/-per bigha. This decision was challenged both by Piarey Lal and the Union of India in the High Court. In R.F.A.No. 150/1968 Piarey Lal Vs. U.O.I. the High Court/held the decision of the A.D.J. and fixed the market value of the land comprising khasra No.370 @ Rs.5350%- per bigha. Further in L.A. Case No. 196/67 Mam Chand Vs. U.O.I. directed against award No. 1834 village Shahbad Mohamur the material date of which was the same, the A.D.J. fixed the market value of the land @ Rs. 4800/-per bigha on the basis of his decision in L.A. Case No.648/65 village Nangal Dewat. Since the U.O.I. has contd 18/-

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one in appeal against all such decisions of the A.D.J. gainst award No. 1834 village Shahbad Mohdpur, no finality on be attached till the decision of the cases by the High burt. The A.D.J had deducted a sum of Rs.550/-per bigha in these cases due to the fact that the land of Kh. No. 370 in dllage Nangal Dewat abutted on the road while the land in these cases did not abut on the road and their situated was poor. However, guidance can be obtained from the judgment of the High Court in RFA No. 150/68 under which the market value of Kh.No.370 which abutted on the road and which is about a mile from the land under acquisition was fixed @ 8.5350/- per bigha as on September, 1964. A scrutiny of the sale transactions in village Nangal Dewat would reveal that there is no evidence whatsoever regarding the rise in the trend of the prices from 1969 to 1971. This can be atributed to the proposed acquisition of land for expansion of Palam Aimort as no purchaser would like to invest money on a land which was proposed for acquisition in near future. The land under acquisition in village Shahbad lies deeper and deeper from the band acquired ander award No. 1834 and therefore, the question arises as to what value the land under acquisition be assessed in the context of the rates fixed in RFA No. 150/68

Piarey Lal Vs. U.O.I. In Alaul Haq Vs. Secretary of State for India (11 C.L.J 393) a case came before the Lardship where the front land had a very high value and the back land had a relatively low value. After considering the material in record, the court came to the finding that the back portion should be valued at not lower than 1/5th of the rate for the land on the front. But this principle in all fairness is not applicable in the instant case for the simple reason that the land under acquisition is purely agricultural and that it is

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Wangal Dewat and goes on penetrating deeper and deeper.

Taking into account the distance involved from the land covered in RFA No.150/68 and the absence of any evidence regarding the rise in the trend of prices during the years 1969 to 1971, I deem it fair and equitable to assess the market value of the land @ Rs.4000/-per bigha.

An area measuring 137 bighas comprising khasra Nos.

417/2(12-00), 384/2 (39-00), 423 (18-00), 424(18-00) &

419 (50-00) tetal-area-137-bighas contains uneven and

unlevelled land. Further an area measuring 5 bighas 3 biswas

comprising khasra No.463 is cremation ground of the village

and is classified alongwith the above khasra Nos. A flat

rate of Rs.3000/-per bigha is assessed for this land measuring

an area of 142 bighas 3 biswas.

Khasra Nos.254/1, 259/1, 277/1, 341/1, 369, 373/2, 418/4, 459/1 total area 22 bighas 2 biswas vest in the Gaon Sabha and are being used as public path. As the land is dedicated to public use no compensation is payable to Gaon Sabha.

TREES:

There are a number of timber trees on the land under acquisition. The Naib-Tehsildar has assessed their value at Rs.7607 (Rupees seven thousand six hundred and seven only) to which I agree and award the same accordingly.

WELLS & STRUCTURES:

There are a number of wells and structures over the land under acquisition. The Asstt.Engineer(Valuation) has assessed them as under:-

Kh.No.	Details of wells/structures.	Value assessed by the Asstt.Engineer.
228	One well.	Rs.1,040.00
229	well & structure	1,390.00

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234 Well & structure	
noil a solucture	Rs.1,460.00
235 -do-	1,295.00
242 one kotha	690.00
251 tube well & struct	1,865.00
264 well	1,215.00
266 -do-	1,325.00
267 -do-	2,130.00
269 well & structure.	3,305.00
271 well	1,250.00
275 well & structure.	3,345.00
347 -do-	4,970.00
352 -dell	760.00
354 -do-	1,430.00
357 -do-	1,390.00
360 -do-	1,285.00
368/2 -do- *	1,715.00
371/2/1 -do-	2,305.00
372 -do-	1,650.00
374 -do-	2,330.00
376 -do-	1,680.00
419 -do-	1,300.00
421 -do-	1,840.00
423 -do-	1,050.00
425 -do-	2,815.00
432 -de-	1,535.00
188¥ x49x	
36 - do-	2,365.00
80 well & kotha	1,800.00
38 well	1,430.00
42 well	790.00

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458 -	Well		Rs. 1, 390.00
460	-do-		1,640.00
464	-do-		2,410.00
477	-do-		1,470.00
482	-do-		2,695.00
479	Structures		2,070.00
558	-do-		1,045.00
		G. Total	Rs.67,520.00

I agree with the above valuation and award the compensation so assessed accordingly. The owners are at liberty to remove the motors, tubes and rehat before possession of the land is taken over.

15% SOLATIUM:

15% solatium is payable over and above the market value so assessed.

APPORTIONMENT:

Payment of compensation will be made on the basis of the latest entries in the revenue records. LAND REVENUE DEDUCTION:

The land under acquisition is assessed at R.536.56P as land revenue which will be deducted from the Khatauni of the village from the date of taking over possession.

The aforesaid land will vest absolutely in the Govt. free from all encumbrances.

SUMMARY OF THE AWARD:

The award is summarised as under:-

S.N	Area Big.Bis.	Rate per bigha.	Amount of compensation.
 2. 3. 	1307 - 17 142 - 03 22 - 02	Rs . 4000/- Rs . 3000/-	Rs.52,31,400.00 4,26,450.00
	Price of wells	No compensation Total & structures.	56,57,850.00 67,520.00
5. 6.	Price of trees. 15% solatium.		7,607.00 Rs.57,32,977.00
		G.Total	8,59,946.56 Rs.65,92,923.55

(G.BAHADUR)
LAND ACQUISITION COLLECTOR (ME): DELHI

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विशेष कार्य 142 (ME) साहब बहाउर कार्डा विशेष 16-6-73, हमराह श्री कांप्रणापाल प्रवासीय के के कर रेलीरामप्रवासीय के खालत केन कांक्डा मीका पर पड़्या 1 मीका पर महलामा इनावादिका कांगुमाइद औ S.N. Garg Emgineer जम्मी अज्ञादांबह केलदाद हार्डिस हैं 1 कांक्डा कांप्रवाही की बालत मुगदी के मुश्रातहरी मांक के मीका पर अज्ञारमा भी आडाप विह को लदाद कारा की मांडे 1

कार माना से हारिया कार के महनामा इंकाना रिया के मुमाइन्दी केना कारों तरका प्रमाल के कुंगीमा रवाम कामवाकर दिया गारी

का उता हैया का विमा गामा

261, 262, 263, 264, 265, 266, 267, 268 4-3, 8-12, 16-3, 15-15, 11-0, 9-0, 0-6, 18-9 269, 270, 271, 272, 273/1, 275, 276, 63-1, 20-10, 0-14, 1-10 $\frac{277/1}{6-2}$, $\frac{278/1}{1-10}$, $\frac{341/1}{2-16}$, $\frac{342}{6-0}$, $\frac{343}{6-0}$, $\frac{344}{38-11}$, $\frac{345}{3-17}$ 346, 347, 348/1, 349/1, 350/1, 357, 352 2-9, 1-0, 454, 4-16, 1-0, 6-2, 4-14 $\frac{353}{513}$, $\frac{354}{0-8}$, $\frac{355}{14-8}$, $\frac{356}{17-18}$, $\frac{357}{16-11}$, $\frac{358}{0-8}$, $\frac{359}{7-7}$ $\frac{360}{15-10}$, $\frac{361}{4-10}$, $\frac{362}{3-5}$, $\frac{363}{1-6}$, $\frac{364/2}{8-2}$, $\frac{367/2}{5-10}$, $\frac{368/2}{5-5}$ 869, 370, 371/2/1-2, 372, 373/2, 374, 375 218, 13-5, 47-18, 20-10, 200, 0-5, 41-18 $\frac{376}{6-5}$, $\frac{377/2}{3619}$, $\frac{384/2}{45-7}$, $\frac{385/2}{6-2}$, $\frac{386/2}{5-16}$, $\frac{387/2}{4-18}$, $\frac{389/2}{1-19}$, $\frac{390/2}{1-0}$, $\frac{417/2}{18-14}$, $\frac{418/4}{6-16}$, $\frac{419}{56-8}$, $\frac{420/2}{9-1}$ 421, 422, 423, 424, 425, 426, 427 428, 429, 430, 431, 432, 433, 434, 435 436, 437/1, 438, 439/1, 441/1, 442/1, 443/1 444, 445, 446, 447/1, 457/1, 458/1, 459/1 5-10, 4-6, 3-6, 0-5, 2-0, 12-10, 2-10 460, 461, 462, 463, 464, 465, 466, 467 25-16, 12-8, 12-11, 5-3, 0-8, 9-0, 9-9, 4-8 468, 469, 470, 471, 472, 473, 474, 425 476, 477, 478, 479, 480, 481, 482/1 hashed 483/1 558/1 mod 2414 1472 - 2 Parcoll 11

page - 3 106/ किया विस्त मामरान रेवलरा में मानाना काठडा। यारा यारा बोर्ड हुई भीन पर पाई गई। और कि उनमें उत्ती ही है। महलामा इंकावारिश कारिया से इस चरा चार देना भाजान के। नार होते नार इंडाडात है। oralin 2016111. - 479, 481, 483/1, 437, 20 124111 के इसाम कामी लंगामरणाया भीना पर स्वाली पड़ाही नाम्बरात खालरा जिल्ला कावा व को हा भाग्य है। का कार्या भी बाकाई है भीया गाँगा है। रेडान कुली में रहर बोजाना का मोटर व पाइप न दीगर बीडाली वर्गी मिरिया कार्मी हुई है उनेका मा सकाम के जा। सकात है। का डीसा कि LAC ने अविड में हुका म Paul Eal & Jone sil on water on sun onis nomal अस्मित गरी आहे। वाहत भारात में से व्यविद् प्रणात यागिबंह, भाउती, दिलमा, मर्गहर इत्यादी भावन पर of dond one sit on water his 4 & lacaret हिल्ला में के पर भी गुद गहीं है। इसी लोग डिका अन्तर कार्या कार्य वाही भा भिरायह कुन कार न आमल वरामि नागाना माना प्रवासी हलाना ना भी डायाई डावी 42114 chisistiani on 420141 the fines of or a stand 21 sizi on sallout mais soft s. N. Garg: Junear Engeneur oni of sis) ominale onosti yournet Engeneur Engeneur For he pulpation 18 3246 Wed siet 16.6.73

16/6/73 5 Er. (Puchan) Man May 218m med 1. A

16/6/73 15 Er. 146/20 (ME)

(To be nublished in Part IV of Delhi Gazette Delhi Administration : Delhi NOTIFICATION No. F 15(38)/64 -L&H: - Whereas it appears to the It. Governorment, that the land is likely to be required to be taken by Government at the nublic expense for a nublic nurpose, namely the land for the locality described below is likely to be acquired for the above nurpose. This notification is made under the provisions of Section of the land Acquisition Act, 1894 to all whom it may concer. In exercise of the powers conferred by the aforesaid In exercise of the powers conferred by the aforesaid the state of the powers conferred by the aforesaid the state of the s Any nerson interested who has any objection to the acrui dion of any 1 nd in the locality may within 30 days of the store the Collector of Delhi SPECIFICATION Illage or Total area ocalit . Field Nos. or Boundaries Big. Bis liknur Kohi 1601 - 04 1 to 10, 11/1, 11/2, 12 to 30, 31/1
31/2, 32 to 34, 35/1, 35/2, 36.37
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51, 52/1, 52/2, 53 to 57 58/1, 58/66 to 75, 76/1, 77 to 92, 76/2,
93/2, 94/1, 94/2, 94/3, 95 to 8,
103/1 min, 103/2 min, 104 min, 100/1, 108/1, 108/2, 109/1, 104/1, 102/2, 113/2, 113/2, 113/2, 113/2, 113/2, 121/2, 122/2 to 126, 127/1, 127/2, 128/1, 128/2, 129/2 to 137, 142/1, 145/2, 146/2, 143/1, 143/2, 144, 145/2, 146/2, 143/1, 144/2, 145/2, 146/2, 143/1, 144/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141/2, 141/2, 145/2, 146/2, 141/2, 141/2, 145/2, 146/2, 141/2, 141/2, 145/2, 146/2, 141/2, 141/2, 145/2, 146/2, 141/2, 141/2, 145/2, 146/2, 141/2, 141/2, 145/2, 146/2, 141/2, 145/2, 146/2, 141 232 to Contd 2/-DEPUTY SECRETARY (LAB) DELHI ADMINISTRATION : DELHI.

238/1, 238/2, 239, to 243, 2
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363, 364/1, 364/2 min, 365 min
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386, 387/1, 387/2, 338, 389/1,
min, 390/1 min, 390/2 min, 391
406 min, 407/1 min, 407/2 min,
408/2, 409/1 min, 409/2 min, 41
413 min.

anga1 etc/228 to 252, 253 min, 254

1489-19 Shabad 111-13 Mohmadnur.

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1 etc/228 to 252, 253 min, 254 255 min, 256 min, 257 min, 258; 259 min, 260 to 272, 273 min, 2 276 min, 277 min, 278 min, 341; 2 342 to 347, 350 min, 348 min, min, 351 to 363 364 /2 min, 36 368/2, 369, 370, 371/2, 372, 373 374/ to 376 377/2, 384/2, 385/2, 2, 387/2 389/2, 390/2, 417/2, 41 419, 420/2, 421 to 436, 437, 438 441, 442 min, 443 min, 444 to 44 447 min, 457 min, 458 min, 459, m 460 to 468, 469, 470 to 481, 48 483 min, 484 min, 558 min, angal Dat

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DEPUTY SECRETARY (LEB)
DELHI ADMINISTRATION: DELHI.

Nangal Dewat.

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1684/2,1685 to 1753,1754/1,1754/2,
1755,1756,1757 to 1757/3,1758 to 1764,
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1786/1/2,1796/2 to 1786/5,1787/1,1787
1798/2,1799 to 1801,1802/1,1802/2,
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/1,1842/2,1343. gal Dewat. 871/1,871/2, 80 to 891,89 915/2,916 to 924,925,926/ 50/2,931,936 935 to 975,9 1004,1005/1,1023/2,102 1048 to 106 1070/1,107 1079/2,1086 0 1099,110 1079/2,108 0 1099,110 1110/2,1118 132/2/2,1 1137/2,113 162,1163/1 1268,1275 1285,1306 3 1344/1 1285,1306 3,1344/1, to 1353,13 364/1,1364 ,1368/1, 1378,1379 /2,1382,1 85/1,1385,5(38)/64-L&H 1 to 140 orwarded to:-1,1415/2 The Public Re 1,1457/2 in part IV of 1,1465,1 The Land It order. Sd/- (R.N. Puri) Deputy Secretary
Land & Building Department Delhi Administration. Dated: the 3rd. Dec.,71. The Public Relation Department (in duplicate) for publication in part IV of Delhi Gazette. 1465 1 1469 14 1473/1 The Land Acquisition Collector (MSI) Delhi in cont. of this Admn.letter of even number dt. 14.10.71. 1476/1 The Executive Engineer, Delhi Aviation Div.No.II, C.P.W.D. R.K. Puram, New Delhi-22 with ref. to his letter No.23(13)/70/19498-501 dated 7.10.71. ,1481 1513/1 1518/2 1518/2 1524/2 11529/ 1/2/2 1,153 1542/2 Shri S.N. Duggal, Under Secretary to the Govt of India Ministry of Tourism & Civil Aviation. Sardar Patel Bhawan, farliament Street, New Delhi with ref. to his letter No. 6-VB(20)/59 3t. 20.9.71. 5 to 2,1552 Certified the Deruiy 3º cretory (L&B)

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Derni. 4, /1, 2,157 DEPUTY SECRETARY (LAB) DELHI ADMINISTRATION : DELHI.

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE) D' THI ADMINISTRATION : DELET

NOTIFICATION

JUNE

,1972.

No.F. 15(38) /64-L&H: - Whereas the Lt. Governor, Delhi is satisfied that land is required to be taken by Government at the public expense for a public purpose, namely, for development of Palam Airport, it is hereby declared that the land described in the specification below is acquired 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

Total Area Village or Locality Big. Bis. 1411 - 13 Shabad Mohamadpur 1489-19 will Hot vide long - , No F-15(38)/64 LUH. 1) 28.12-72. No.F. 15(38)/64-L&H

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Field Nos. or Boundaries

1 etc/228 to 252, 253min, 254min, 255min, 256min, 257min, 258min, 259min, 260 to 272, 273min, 275, 276min, 277min, 278min, 341min, 342 to 347, 350min, 349min, 349min, 351 to 363, 364/2min, 367/2, 368/2, 389, 370, 371/2, 372, 373/2, 374 to 376, 377/2, 384/2, 385/2, 386/2, 387/2, 389/2, 390/2, 417/2, 418/2, 419, 420/2, 421 to 436, 437,438, 419, 420/2, 421 to 436, 437,438, 439, 441min, 442min, 443min, 457min, 458min, 459min, 460to 468, 469, 470 to 481, 482min, 483min, 484min, 559min.

By order,

DEPUTY SECRETARY (L&B)
DELHI ADMINISTRATION: DELHI.

,1972. JUNE

Copy forwarded to:-

- Public Relation Department, Delhi Admn. (In dupl.) for publication in part IV of Delhi Gazette.
- The Additional District Magistrate(IA), Delhi.
 - The Land Acquisition Collector (MBE), Delhi, w/r to his letter No.F.1(4)/72-LAC-MF/9341-42 dated 30.5,72.

DEPUTY SECRETARY (LAB)
DELHI ADMINISTRATION: DELHI.