

A W A R D No.

1793

Name of the Village:

Wazirabad.

Nature of acquisition:

Permanent.

I N T R O D U C T I O N

The land situate in the estate of Wazirabad is needed by the Government at the public expense for a public purpose, namely: for construction of a Bund on the left bank of Najafgarh Drain. A notification under section 4 of the Land Acquisition Act was made vide notification No.F.15(2)/65-LSG(I) dated 21.1.1965. In the same notification the Chief Commissioner, Delhi was pleased to waive off the provisions of section 5-A of the Land Acquisition Act. A notification under section 6 of the Land Acquisition Act was also made at the same time vide notification No.F.15(2)/65-LSG(II) dated 21.1.1965. The provisions of section 17 of the Land Acquisition Act were also made simultaneously and the notification in this respect was made vide notification No.F.15(2)/65-LSG(III) dated 21.1.1965. Notice under section 9(1) of the Land Acquisition Act was given due publicity and notices under section 9(3) and 10(1) of the Land Acquisition were served upon the known interested persons. Almost all the interested persons have responded to the notices.

'MEASUREMENT & OWNERSHIP'

According to the notification under section 6 of the Land Acquisition Act the total area to be acquired was 11 bigas and 10 biswas comprising khasra Nos. 34 min, 35/2 min, 36/2 min, 40/2 min, 41/2 min, 42/2 min, 331/43/2 min, 46/2 min, 47/2 min, 48/2 min, 49/2 min, 50 min, 52/2 min, 53/2 min, 54/2 min, 55/2 min, 56/2 min, 293/57/2 min, and 292/57/2/2 min. From further verifications made on the spot as required under section 8 of the Land Acquisition Act, the total area to be acquired was found to be correct at 11 bigas and 10 biswas. I, therefore, hold

the same at 11 bigas and 10 biswas.

The ownership of the land under acquisition according to the Revenue Record and the claims submitted by the interested persons is as given below:-

Name of the owner.	Name of the Occupancy tenant.	Khasra No.	Area Big. Bis.	Kind of land
1. Shiv Nath s/o Tara Chand, Karan Singh s/o Chuni Lal in equal shares 1/2, Mahender Singh s/o Tej Ram, Ravi Dat, Om Dat, Manak Dat ss/o Fateh Lal in equal shares 1/2.		34/1	0 - 11	Sailab.
2. Karan Singh s/o Chuni Lal.		292/56/2/2/1	0 - 06	Sailab. ✓
3. Mahinder Singh s/o Tej Ram, Ravi Dat, Om Dat, Manak Dat ss/o Fetez Lal in equal shares.		35/2/1	1 - 01	Sailab. ✓
		36/2/1	1 - 08	Sailab. ✓
		40/2/1	1 - 01 3 - 10	Sailab. ✓
4. Harsaran s/o Banarsi Jain etc; -7/10 shares, Mst. occupants on Khajani wd/o Hukam 8 bighas on Singh-4 shares, Attar behalf of Attar Singh s/o Saguwa, Singh etc., Brahm Dat s/o Ram Chand in equal shares-8, Shmt. Attar Kali wd/o Ram Dass -4 shares (Total=23/10 shares).		* 294/57/2/1	0 - 18	Sailab. ✓
5. Jandu s/o Lakhpat 2/19 shares, Attar Singh s/o Saguwa 10/7 shares, (Total=6/13 shares).	Attar Singh- 331/43/2/1 occupancy tenant on behalf of Shmt. Khajani wd/o Hukam Singh (2-00).		0 - 08	Sailab.
6. Shmt. Parsandi wd/o Yad Ram.		52/2/1	0 - 06	Sailab. ✓
		53/2/1	0 - 07	Sailab. ✓
		54/2/1	0 - 04 0 - 17	Sailab. ✓
7. Shmt. Khazani wd/o Hukam Singh.		49/2/1	0 - 08	Sailab.
		41/2/1	0 - 19	" ✓
		42/2/1	0 - 13 2 - 05	" ✓

- Mansa Ram s/o Lakhpat,
Kabul Singh s/o Man
Singh in equal shares.
0. Har Saran s/o Banarsi, Ram Phal s/o
Jandu s/o Lakhpat, Chhatar Singh
Shmt. Parsandi wd/o occupant on
Yad Ram in equal shares 2 bigas 1 bis.
1/2, Roopa, Jangi ss/o
Santa in equal shares
1/2, Shiv Charan, Kartar
Singh ss/o Girohi in
equal shares 1/4, Chander
Mal s/o Faquira 1/4 share
of 1/8 shares, Shmt. Attar
Kali wd/o Ram Dass-1/8 share,
Shmt. Khazani wd/o Hukam
Singh-1/4 shares of one share,
Brahm Dat s/o Ram Charan,
Attar Singh s/o Saguwa in
equal shares 4/3 shares,
Shmt. Shiv Nath s/o Tara
Chand 1/3 shares, Mahinder
Singh s/o Tej Ram, Ravi
Dat, Om Dat, Manak Dat ss/o
Fateh Lal in equal shares-
1/3 share of 2 shares.

52/2/1 0 - 10

Sailab. ✓

47/3 0 - 07

Sailab. ✓

11. Attar Kali wd/o Ram Dass.

48/2/1 1 - 05

Sailab. ✓

50/1 less than one biswa. Sailab. ✓

12. Shiv Nath s/o Tara Chand
13/320 shares, Karan
Singh s/o Chuni Lal
1/64 shares, Mahinder Singh
s/o Tej Ram, Ravi Dat, Om
Dat, Manak Dat in equal
shares 36/640 shares, Har
Saran s/o Banarsi, Jandu
s/o Lakhpat, Shmt. Parsandi
wd/o Yad Ram in equal shares
3/10 share, Shmt. Attar Kali
wd/o Ram Dass 3/40 share,
Rupa, Jangi ss/o Santa in
equal shares 1/2, Shiv Charan
Kartar Singh ss/o Girohi -
1/4 shares, Chander Mal s/o
Faquira 1/4 share of 1/8
share. According to mutation
No. 173 sale share of Shmt.
Khazani wd/o Hukam Singh
-3/20, Ram Phal, Balishter,
shyama, Ram Niwas ss/o Chhatar
in equal shares 1/8, Attar
Singh s/o Saguwa 1/16 share,
Brahm Dat s/o Ram Chand-9/80
shares, Mansa Ram s/o Lakhpat
-1/20 shares.

46/2 0 - 09

Sailab. ✓

Note: According to the Revenue Record the area of the above
said khasra No. is shown as Ghairmumkin abadi, but
at the site there is ^{no} abadi.

'CLAIMS AND EVIDENCE'

Sarvshri Jagan Nath s/o Ram Dass and 19 others residents of village Wazirabad have jointly filed their claim petition stating that they are the proprietors of the land under acquisition. They have demanded Rs.150/- per bigha for the Rabi Crop and Rs.4/- per sq.yd. for the land. In addition to this they have demanded the compensation for the kacha and pucca structures @ Rs.25/- and Rs.100/- persq.yd. respectively.

Note: During my site inspect no kacha and pucca structure was found to be existing, therefore the question of payment of compensation for the structure does not arise.

In evidence the claimants have not produced any written document in support of their claims.

'MARKET VALUE'

The land under acquisition is situated on the northern side of the Bund near Dhaka. This land is liable to floods every year because it is in between the Jammuna and the Bund. The land, therefore, has got no potential value. It can only be used for agricultural purposes and that too for one crop i.e. Rabi.

Only three sale transactions have taken place during the years 1961-62, and 1962-63 in this village. The average sale transaction for the year 1961-62 works out to Rs.303.68 paises (say Rs.304/-) per bigha whereas the average sale transactions for the year 1962-63 works out to Rs.400/- per bigha. The difference in the both sale transactions comes to Rs.96/- per bigha for one year. No sale transaction has been registered since 1962-63 onwards. The date of notification under section 4 of the Land Acquisition Act in the present case is 21.1.1965 whereas the last transaction has taken place on 14.8.1962 i.e. a period of about $2\frac{1}{2}$ years has elapsed since the last transaction has taken place. Thus the average increase in the price for the $2\frac{1}{2}$ years

Due to elapse of time the increase

year 1962-63 (Rs.400/- per bigha) which comes to Rs.640/-.

Considering the growing market value of the land these days I consider the rate of Rs.650/- per bigha to be very reasonable and fair market value for the land under acquisition and Award accordingly.

'OTHER COMPENSATIONS'

There is a Rabi crop namely Jahai in an area of 5 bigha 1 biswa standing on the land under acquisition. Since the possession of the land under acquisition has not been taken, the question of payment of interest does not arise. However the value of the standing crop has been assessed.

X According to the Settlement record the average produce of the Jahai Crop is 60 maunds per acre. Accordingly the average yield per bigha comes to about 12 maunds. But now a days due to the use of improved seeds and fertilisers the yield is double and as such it works out to 24 maunds per bigha. At present the price of the fodder in the Mandi is about Rs.2.50 paise per maund and thus price for 24 maunds comes to Rs.60/- which also includes the expenses of harvesting, loading etc. etc. Hence after deducting all the expenses of harvesting and loading etc. etc. @ 10 Annas per maund, the net value of 24 maunds fodder comes to Rs.45/-. I, therefore, award Rs.45/- per bigha as the value of the standing crop, on the land under acquisition measuring 5 bigha and 1 biswa. X

There is neither any tree nor any well in the land under acquisition, as such no value has been assessed for these.

'APPORTIONMENT'

The compensation for item Nos.4,5,8 and 10 will be paid in the presence of the present bhoomidars, previous owners and the occupancy tenants as recorded in the khasra Girdawari. If there exists any dispute between them, the compensation will be referred to Addl. District Judge for disbursement.

No compensation will be paid to the person who will cut the crops.

'THE AWARD IS SUMMARISED AS BELOW'

Compensation for 11 bighas and 6 biswas of land @ Rs.650/- per bigha.

Rs.7,345.00

15% of the above as solatium for compulsory nature of acquisition.

Rs.1,101.75 NP
Rs.8,446.75 NP

Compensation for the crops to the extent of 5 bighas and 1 biswas of land @ Rs.45/- per bigha.

Rs. 227.25 NP

G.Total.. Rs.8674.00 NP

The land is assessed to a land revenue of Rs.4.01 NP which will be deducted from the Revenue Roll from Kharif, 1965.

(Zal Nowsherwanji)
Land Acquisition Collector,
Delhi Shahdara Circle,
DELHI.
8.3.1965

Submitted to the District Collector, Delhi for information and filing.

(Zal Nowsherwanji)
Land Acquisition Collector,
Delhi Shahdara Circle,
DELHI.
8.3.1965

Seen.
A.D.M. (L.A.)
with Powers of Collector, Delhi
8.3.1965
COLLECTOR, DELHI