

A W A R D No. 1819

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, name for the construction of bund on Burari Drain. A notification under section 4 of the Land Acquisition Act was made vide notification No.F.15(15)/65-LSG(I) dated 22.4.1965. 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 declaration under section 6 of the Land Acquisition Act was also made at the same time vide notification No.F.15(15)/65-LSG(I) dated 22.4.1965. 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(15)/65-LSG(III) dated 22.4.1965. 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 Act were served upon the known interested persons. Almost all the interested persons responded to the notices.

'MEASUREMENT AND OWNERSHIP'

According to the notification under section 6 of the Land Acquisition Act the total area to be acquired was 93 bighas and 14 biswas comprising khasra Nos. 13~~min~~, 24~~min~~, 25~~min~~, 26~~min~~, 30~~min~~, 33~~min~~, 34~~min~~, 69~~min~~, 86 min, 334/87 min, 335/87 min, 91 min, 92 min, 94 min, 95 min, 96 min, 248/97 min, 98 min, 99 min, 100 min, 101 min, 102 min, 103 min, 104 min, 105 min, 106 min, 107 min, 108 min, 112 min, 113 min, 114 min, & 115 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 93 bighas and 14 biswas. I, therefore, declare the area under acquisition to be true at 93 bighas and 14 biswas

and under acquisition according to

Revenue record and the claims submitted by the interested persons is as given below:-

Sl.No.	Name of the owner	Khasra No.	Area Big. Bis.	Kind of land.
1.	Chander Bhan s/o Bhagwan Sahai.	100/1	0 - 17	Sailab.
		101/1	0 - 14	Sailab
			<u>1 - 11</u>	
2.	Chander Bhan s/o Bhagwan Sahai (18-00), Balwant Singh, Annoop Singh ss/o Jandu in equal shares (12-10), Shmt. Jagwati, Bhagwati, Jaiwati, Ram pyari dt/o Nand Ram in equal shares 1/2, Sarvshri Balwant Singh Annoop Singh ss/o Jandu in equal shares 1/2 in 11 big. 17 bis.	86/1	3 - 18	Sailab.
3.	Chander Bhan s/o Bhagwan Sahai (3-08), Gaon Sabha (8-00).	30/1	1 - 03	Banjer Kadim.

Note: s/Shri Chuna s/o Nanda, Naidar s/o Umrao are the ~~occupancy~~ non occupancy tenants on the Gaon Sabha's land.

4.	Shmt. Jagwati, Bhagwati, Jaiwati, Ram Pyari dt/o Nand Ram in equal shares.	99/1	2 - 02	Sailab.
5.	Balwant Singh, Annoop Singh ss/o Jandu in equal shares.	26/1	0 - 04	Sailab.
		96/1	0 - 13	Sailab.
		248/97/1, 0 - 10		Sailab.
			<u>1 - 07</u>	

Note: According to the Statement 4, ~~the~~ the khasra No. 247/97/1 entered is wrong, but the correct Khasra No. is 248/97.

6.	Nand Ram w/o Nihal, Shmt. Bhagwati, Jaiwati, Ram Pyari dts/o Nand Ram in equal shares.	102/1	0 - 17	Sailab.
		103/1	0 - 19	Sailab.
			<u>1 - 16</u>	
7.	Shiv Nath s/o Tara Chand, Karan Singh s/o Chuni Lal in equal shares 1/2, Mahinder Singh s/o Tej Ram, Ravi Dat, Om Dat Lak Dat ss/o Fateh Lal equal shares 1/2.	33/1	4 - 02	Sailab.
		34/2/1	0 - 13	Sailab.
			<u>4 - 15</u>	

8. Shiv Nath s/o Tara Chand. 94/1 0 - 14 Sailab.
9. Shiv Nath s/o Tara Chand (12-13) shares, Mahinder Singh s/o Tej Ram, Ravi Dat, Om Dat, Manak Dat ss/o Fateh Lal in equal shares (12-12). 91/1 3 - 07 Sailab.
10. Mahinder Singh s/o Tej Ram, Ravi Dat, Om Dat Manak Dat ss/o Fateh Lal in equal shares. 95/1 0 - 17 Sailab.
106/1 $\frac{0 - 18}{1 - 15}$ Sailab.
11. Chinta Ram, Balram ss/o Kalu in equal shares $\frac{1}{2}$, Ram Pal, Sukhbir, Mahabir ss/o Lotus in equal shares $\frac{1}{4}$, Rattan Singh s/o Nand Ram, Shmt. Daya Kaur dt/o Nand Ram in equal shares $\frac{1}{4}$. 334/87/1/1 2 - 05 Sailab.
104/1. 0 - 18 Sailab.
98/1/1 $\frac{0 - 08}{3 - 10}$ Sailab.
- Note: The compensation regarding the ~~xx~~ khasra No. 98/1/1 will be paid in the presence of Mst. Khazani wd/o Hukam Singh as she is the cultivator.
12. Shiv Charan, Kartar Singh ss/o Grover Singh in equal shares. 115/1 1 - 15 Sailab.
- Note: The compensation regarding the above said khasra No. will be paid on the production of the Takavi Certificate.
13. Ram Phal, Balishter, Shayama, Ram Niwas ss/o Chhatar in equal shares. 92/1 1 - 09 Sailab.
14. Roopa, Jangi ss/o Santa in equal shares $\frac{1}{2}$, Chander Paul s/o Faquira in equal shares $\frac{1}{4}$, Shiv Charan, Kartar Singh ss/o Girohi in equal shares $\frac{1}{4}$. 114/1 1 - 06 Sailab.
15. Shmt. Attar Kali wd/o Ram Dass. 105/1 0 - 14 Sailab.
335/87/2/1 1 - 17 Sailab.
 $\frac{2 - 11}{}$
16. Har Saran s/o Banarsi, Jandu s/o Lakhpat, Shmt. Parsandi wd/o Yad Ram in equal shares $\frac{1}{2}$, Shmt. Attar Kali wd/o Ram Dass $\frac{1}{8}$ shares, Shmt. Khazani wd/o Hukam Singh $\frac{1}{4}$ shares, Roopa, Jangi ss/o Santa in equal shares $\frac{1}{2}$, Shiv Charan, Kartar Singh ss/o Girohi in equal shares $\frac{1}{4}$, Chander Paul s/o Faquira $\frac{1}{4}$ share in $\frac{1}{8}$ in 1 share. 112/1 1 - 10 Sailab.

Brahm Dat s/o Ram Chand,
Attar Singh s/o Saguwa
in equal shares $1\frac{1}{3}$ shares,
Shiv Nath s/o Tara Chand
 $1\frac{1}{3}$ shares, Mahinder Singh
s/o Tej Ram, Ravi Dat, Om
Dat, Manak Dat ss/o Fateh
Lal in equal shares $1\frac{1}{3}$ shares
in 2 shares.

Note: According to the Khasra Nirdawari Chinta Ram, Balram,
Lotus ss/o Kalu, Rattan s/o Nand Ram residents of
Jagat Pur are the non occupancy tenants. The compensation
regarding the above said khasra No. will be paid in the
presence of above stated persons.

17. Shmt. Jagwati, Bhagwati,
Jaiwati, Ram Wajari dts/o
Nand Ram in equal shares
(10-00), Balwant Singh, Anup
Singh ss/o Jandu in equal
shares (9-00), Shiv Nath s/o
Tara Chand, Karan Singh s/o
Chuni Lal, in equal shares
 $1\frac{1}{2}$, Mahinder Singh s/o Tej
Ram, Ravi Dat, Om Dat, Manak
Dat ss/o Fateh Lal in equal
shares $1\frac{1}{2}$ in (9-00), Har
Saran s/o Banarsi, Jandu
s/o Lakhpat, Shmt. Parsandi
wd/o Yad Ram in equal shares
~~1/4~~ (4-00), Shiv Nath s/o
Tara Chand, Karan Singh s/o
Chuni Lal in equal shares
 $1\frac{1}{4}$, Shmt. Attar Kali wd/o
Ram Dass in equal shares $1\frac{1}{4}$,
Shmt. Khazani wd/o Hukam Singh
in equal shares $1\frac{1}{2}$ in (6-00),
Ram Phal, Balishter, Shayama,
Ram Niwas ss/o Chhattar in equal
shares $1\frac{1}{2}$, Brahm Dat s/o Ram
Chand ~~in equal shares~~ $1\frac{1}{4}$, Mansa Ram
s/o Lakhpat $1\frac{1}{4}$ shares in (4-00),
Har Saran s/o Banarsi, Jandu s/o
Lakhpat, Shmt. Parsandi wd/o Yad
Ram in equal shares $1\frac{1}{2}$, Shmt. Attar
Kali wd/o Ram Dass $1\frac{1}{8}$ shares, Shmt.
Khazani wd/o Hukam Singh in equal
shares $1\frac{1}{4}$, Rupa, Jangi ss/o Santa
in equal shares $1\frac{1}{2}$, Shiv Charan,
Kartar Singh ss/o Girahi in equal
shares $1\frac{1}{4}$, Chander Pal s/o Faquira
14 shares in $1\frac{1}{8}$ shares in 1 share,
Brahm Dat s/o Ram Chand, Attar Singh,
s/o Saguwa 1 share, Shiv Charan,
Kartar Singh ss/o Girohi in equal
shares $1\frac{1}{4}$, Chander Pal s/o Faquira,
Rupa, Jangi ss/o Santa in equal shares
 $1\frac{1}{2}$ in one share in (5-00).
(Total 47 shares.).

69/1

17 - 06

Sailab.

Contd 5

Note: At the site inspection the area of the above cited

khasra No. is occupied by a Ghairmunkin Nallah.

18.	Shmt. Vidya Wati dt/a	107/1/1	0 - 16	Chahi Garden.
	Shiv Raj Saran w/o Sham			
	Krishan Chandi Wala.	108/1/1	0 - 04	Chahi Garden.
			<u>1 - 00</u>	
19.	Har Saran s/o Banarsi,	113/1	1 - 11	Sailab.
	Jandu s/o Lakhpat, Shmt.			
	Parsandi wd/o Yad Ram in			
	equal shares 1/2, Shmt.			
	Attar Kali wd/o Ram Dass			
	1/8 shares, Shmt. Khazani			
	wd/o Hukam singh 1/4 shares,			
	Rupa, Jangi, ss/o Santa in			
	equal shares 1/2, Shiv Charan			
	Karter Singh ss/o Girohi in			
	equal shares 1/4, Chander Pal			
	s/o Paquira in 1/8 shares in			
	one share, Brahm Dat s/o Ram			
	Chand, Attar Singh s/o Saguwa			
	in equal shares 1-3, 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 in 2 shares in 2 bigha 2 bis.			
	Mehr Chand s/o Suneri (2-02).			
20.	Gaon Sabha.	13/1	34 - 13	Gm. Nallah.
		25/1	3 - 11	Banjer Kadim.
		24/1	1 - 03	Banjer Kadim.
			<u>39 - 07</u>	

Note; No compensation will be paid to Sarvshri Chuna s/o Nanda Naidar s/o Umrao regarding the khasra No.24/1 as this land belongs to Gaon Sabha.

Total		93 - 14	Sailab 52-04
			Chahi Garden 1-00
			Banjer Kadim 5-17
			Gm. 34-13
			<u>93 - 14</u>

'CLAIMS AND EVIDENCE'

Sarvshri Nand Ram s/o Nihal and 36 others have jointly filed their claim petition ~~stating~~ through Shri Harbans Singh Tiagi, Advocate stating that they are all proprietors of the land under acquisition.

They have demanded Rs.1000/- per bigha of land acquired for damages, Rs.2000/- per well, and Rs.4/- per sq.yd. for the land.

Shmt. Vidya Wati has filed ~~another~~^{her 2} claim petition in which she has demanded Rs.15/- per sq.yd. as compensation for the land, Rs.3/- per sq.yd. as damages for severance.

S/Shri Chuna s/o Nanda, and Naidar s/o Umrao have claimed the compensation have claimed compensation for the khasra No. 301/ (1-02), and 24/1 (1-03) total measuring 2 bighas and 6 biswas @ Rs.10/- per sq.yds.

Note: No compensation can be paid to the above said claimants as this is a Gaon Sabha land.

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 lies in between the Jammuna River 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.

Very recently the award No.1793 has been drawn, in which the market value of the land has been allowed @ Rs.650/- per bigha. The date of notification under section 4 in the award No.1793 is 21.1.1965, whereas the date of notification of the present award under section 4 is 22.4.1965. Thus there is very slight difference of three months and as such it does not affect the market value in any way. ~~Hence~~ I inspected the site and found that the land under acquisition are quite adjoining to the lands involved in the award No.1793. Hence I consider the rate of Rs.650/- per bigha to be very reasonable and fair market value for the land under acquisition, and I award accordingly. However there is an area of one bigha comprising khasra No.107/1/1 (0-16) and 108/1/1 (0-04) in which there is a chahi garden consisting of several amrood and other fruit trees. Hence the additional amount of Rs.500/- per bigha will be paid for this area.

'OTHER COMPENSATIONS'

Compensation for trees: There are several trees in the
.....

the khasra Nos. 98/1/1, 99/1, 101/1, 102/1, 103/1, 106/1, & 113/1, the value of which have been assessed by the Naib Tehsildar, Land Acquisition at Rs.273/-.

I have inspected the site and I found that the values assessed by ~~him~~ him for the trees are quite reasonable and I award accordingly.

No compensation has been assessed for the wells which are temporary. The owners are allowed to remove the materials and the persian wheels if they so desire.

'APPORTIONMENT'

The compensation will be paid in the presence of the present bhoomidars, previous owners and tenants as recorded in the khasra Girdawari. If there exists any dispute between them, the compensation will be sent to the Addl. District Judge for disbursement.

'THE AWARD IS SUMMARISED AS BELOW'

Compensation for 92 bighas 14 biswas of land @ Rs.650/- per bigha.	Rs.60,255.00
Compensation for 1 bigha of Chahi Garden land @ Rs.1150/- per bigha.	Rs. 1,150.00
	<u>Rs.61,405.00</u>
15% of the above as solatium for compulsory nature of acquisition.	Rs. 9,210.75
Compensation for trees.	Rs. 273.00
	<u>Rs.70,888.75</u>
G. Total.....	

As the possession of the land has not been taken, therefore, question of payment of interest does not arise.

The land is assessed to a land revenue of Rs.20.43 paises, which would be deducted from the revenue roll from Kharif, 1965.

(Zal Nowsherwanji)
Land Acquisition Collector,
Delhi Shahdara Circle,
D E L H I.
11.5.1965.

Submitted to the Distri-ct Collector, Delhi for information and filing.

(Zal Nowsherwanji)
Land Acquisition Collector,
Delhi Shahdara Circle,
D E L H I.
11.5.1965

Seen
noted
13.5.1965
COLLECTOR, DELHI