

Name of the Village:

Ziauddin Pur.

Nature of Acquisition:

Permanent.

This is a case for the acquisition of land at the public expense for a public purpose, namely, for the construction of a road from Shahdra Mariginal Bund to Lone Road, in Village Ziauddin Pur. A declaration under section 4 of the Land Acquisition Act of 1894 was made vide notification No. F.15(80)/60-LSG(ii) dated 16.3.61. The provisions of section 17 sub section 1 of the said act were made applicable to this land and the provisions of section 5(a) of the said act were waved. A declaration under section 6 of the said act was made by a notification of even number and even date. Notice under section 9(1) of the Land Acquisition Act was published in the village on 6.4.61 inviting claims from all the interested parties upto 22.4.61. Notices under section 9(3) and 10(1) of the Land Acquisition Act were also served upon the interested parties. Most of the interested parties have responded to these notices. Ex-party proceedings were held against those who did not care to file their claims or persue the matter.

MEASUREMENT & OWNERSHIP.

According to notification, the total area of village Ziauddin Pur was 96 bighas 13 biswas. From the measurement made under section 8 of the said act, the area was found at 97 bighas 1 biswa. This is a minor difference of 8 biswas and can be ignored. The land owners raised no objection against this measurement, therefore, the measurement is held to be correct at 97 bighas 1 biswa.

The ownership of the land under acquisition is as follows according to the revenue record.

Name of the owner.	Khasra number.	Area Bigha-Biswa	kind of land	Claim made.
1. Sampath s/o Shibban.	1 etc./114/1	0 - 18	Bhood I	Rs. 3000/-per Bigha.
2. Yad Ram, Romal & Harkesh sons of Shm. Sunher.	1 etc./29 1 etc./30/1	2 - 1 6 - 6 8 - 7	Chahi. Chahi.	-do-
3. & Swroop Singh, 4. Chinta & Nathwa sons of Jwala or Swroop Singh s/o Jwala or both.	1 etc./121/1	5 - 14	Nehri.	-do-
5. Bulaki s/o Chhajwa.	1 etc./47/1	1 - 7	Dakar.	-do-
6. Mst. Bulaki widow of Chuni.	1 etc./31/1	2 - 2	Dakar.	-do-
7. Lekh Raj, Beg Raj & Gopi sons of Harbans.	1 etc./42/1	7 - 4	Dakar.	-do-
8. Khiman & Ami Chand sons of Shiv Narain.	1 etc./41/1	7 - 4	Rosli.	-do-
9. Jaipal s/o Chain Sukh & Gyani, s/o Sultan.	1 etc./117/1 1 etc./118/1	4 - 18 9 - 0 13 - 18	Bhood I Bhood I.	-do-
10. Either Mam Raj s/o Man Singh Bhumidhar or Hari Mal, Hari Ram, Malukhe, Kesho, Attra, & Rattan Singh sons of Surjan or partly one and partly other.	1 etc./28/1 1 etc./93/1	5 - 11 15 - 6	Chahi. Bhood I.	-do-
11. Brahmin Singh s/o Kishan Dass Anup Singh s/o Laj Singh.	1 etc./24/1 5/8 1 etc./26 3/8	1 - 14 8 - 16	Dakar. -do-	-do-
12. Champa & Kundan sons of Ram Partap.	1 etc./27/1	6 - 6	-do-	-do-

Name of the owner.	Khasra Number.	Area Bigha-Biswa.	Kine of land.	Claim made.
13. Diwan Singh s/o Arora 1 etc./44/1		3 - 15	Dakar.	Rs.3000/-per bigha.
14. Thandi, Ghandi, Misri & Sher Singh sons of Tofa.	1 etc./108/1	4 - 15	Bhood I	-do-
15. Either Mam Raj s/o Jodha or Ajai Pal s/o Ami Lal or partly one and partly other.	1 etc./94/1	0 - 11	Bhood I.	-do-
16. Either Diwan s/o Arora 1/2, Gopi Chand Lakhmi Chand & Bahu sons of Het Ram 1/2 or Yad Ram, Romal, Harkesh sons of Shmt. Sunehru or partly one and partly other.	1 etc./43/1	2 - 7	Dakar.	-do-
17. Gaon Sabha.	1 etc./45/1 1 etc./57/1	0 - 8 0 - 18 <u>1 - 6</u>	Gairmum- kin Path.	

GRAND TOTAL..... 97 - 1

Chahi.	13	-	18
Nehri.	5	-	14
Rosli.	7	-	4
Dakar.	33	-	11
Bhood.	35	-	8
Gairmumkin Path...	1	-	6

CLAIMS & EVIDENCE.

As already stated all the land owners have filed
their claims @ Rs.3000/- per bigha. In evidence they have
produced 4 registered deeds as detailed below.

Registration number.	Date of re- gisteration.	Name of the village.	Khasra number.	Area Bigha-Biswa	Total sale value.
2471	6.7.60	Gokalpur.	571min	5 - 2	Rs.9000/-
1316	21.3.61	-do-	625	3 - 9	Rs.9000/-
1792	15.5.60	-do-	533,534	1 - 1	Rs. 700/-
3583	9.2.57	-do-	1 etc./28	4 - 10	
		Zia-Uddinpur	1 etc./93	4 - 10	
				9 - 0	Rs.1800/-

The land owners have given evidence of the sale in Village Gokalpur, which are on ~~a~~ very high rate. They have given evidence of sale in village Ziauddin Pur @ Rs.200/- per bigha. I do not understand why high prices of Village Gokalpur be given when there are lower prices in Village Ziauddin Pur. The sales of Village Gokalpur are irrelevant because the land under acquisition is ~~and xxxxx~~ not situated in village Gokalpur but in village Ziauddinpur. The evidence of village Ziauddin Pur is very foolish because it gives only a rate of Rs.200/- per bigha in the year 1957. I, therefore, hold that the evidence given by the land owners is totally irrelevant and their claims are unsubstantiated.

^h MARKET VALUE.
^h There is no building activity near this land as it has purely agricultural status.
^h The Naib Tehsildar, Land Acquisition has supplied the following sale-price year-wise.

Name of the year.	Area Bigha-Biswa	Total sale price.	Average per bigha.
1955	28 - 11	Rs.4000/-	Rs.115.61
1956	29 - 17	Rs.4290/-	Rs.144.00
1957	17 - 13	Rs.3500/-	Rs.158.13
1958	68 - 11	Rs.18435.50	Rs.269.00
1959	16 - 9	Rs.5054/-	Rs.307.21

^h No sale deeds for the year 1960 are available. From enquiries made, it was known that no sale transactions took place in the year 1960. From the above statement, it will be clear that prices have been rising each year by about 10%. There is continuous rise in prices. Going into further details for the year 1959, it is seen that one transaction took place on 14.1.59 for an area of 12 bighas 13 biswas for a total amount

of Rs.3654/- giving an average of about Rs.300/- per bigha. Two sale transactions dated 13.11.59 give an average of Rs.368.41 per bigha. Both these transactions are regarding khasra numbers which are situated immediately in the neighbourhood of the land under acquisition. The average of these two transactions comes to Rs.307.21. This price shows a reasonable price in 1959. I therefore, hold that the price of Chahi land in the immediate vicinity of the land under acquisition were Rs.307.21 per bigha^{in 1959}. The relevant date in this case is 16.3.61. There has been a rise of generally 10% every year. In order to arrive at the price in 1961, I think a rise of 20% will be quite reasonable. Adding 20% rise I consider Rs.370/- per bigha for Chahi land as reasonable on the relevant date. This will also be a reasonable price for the Nehri land. According to Land Reforms Act, if the price of Chahi land in a certain village is -/12/- then the price of Barani land is -/8/-. Thus the price of Barani land is 2/3rd of Chahi land. Since the price of Chahi land has been fixed at Rs.370/-, therefore, the price of Barani land will be Rs.250/- per bigha. As regards Gairmumkin Path, it is in the possession of Gaon Sabha and it is being used as a path, I therefore, consider Rs.100/- per bigha to be reasonable price for this land. Hence I award the following rates.

Chahi and Nehri land.	Rs.370/-per bigha.
Rosli, Dakar & Bhod I.	Rs.250/-per bigha.
Gairmumkin Path.....	Rs.100/-per bigha.

OTHER COMPENSATION.

In addition to the price of land, the land owners will get 15% of the value of land on account of compulsory nature of

acquisition. The possession has ~~not~~ been taken so far, therefore, the question of payment of interest does not arise.

There are no wells or any other structure on the ^{land} well. The Naib Tehsildar, Land Acquisition has proposed the following prices for the trees standing on the land under acquisition.

Khasra Number.	Number & kind of trees.	Weight of wet wood.	Rate per maund.	Toral price
1 etc./121/1	1 keeker.	8	Rs.2/-	Rs.16/-
1 etc./117/1	1 keeker.	3	Rs.2/-	Rs. 6/-
				Rs.22/-

I have inspected the spot and I find that the prices fixed by the Naib Tehsildar are correct. I, therefore, award Rs.22/- as compensation for the trees.

A P P O R T I O N M E N T.

The compensation for land and solatium will be paid to the land owners according to the ownership of the area. The compensation for trees will be paid to the land owners in whose khasra numbers the trees are situated. The compensation for khasra No. 1 etc./121/1, 1 etc./28/1, 1 etc./93/1, 1 etc./94/1, 1 etc./43/1 and 1 etc./24 is disputed. In the Reforms Scheme, the area of each person should have been demarcated separately and their titamas should have been drawn. Un-fortunately, this was not done. The compensation for these ~~khasra~~ khasra numbers should be paid if all the parties come to a compromise that the area under acquisition belongs to a certain land owner, to the exclusion of others. If the compromise is not affected between the parties, then this compensation will be sent to the District Judge for

distribution amongst the interested parties according to their rights. Compensation for 1 etc./27/1 and 1 etc./117/1 will be paid only when the owner produces Taqavi clearance certificate.

THE AWARD IS SUMMARISED AS BELOW.

Compensation for 19 bighas 12 biswas of Chahi & Nehri land @ Rs.370/- per bigha.	Rs. 7,252.00
Compensation for 76 bighas 3 biswas of Rosli, Dakar & Bhod I land @ Rs.250/- per bigha.	Rs.19,037.50
Compensation for 1 bigha 6 biswa of Gairmumkin land @ Rs.100/- per bigha.	Rs. 130.00
Compensation for trees.	Rs. 22.00
Total compensation....	Rs.26,441.50
Solatium at 15% of the compensation.	Rs. 3966.23
	Rs.30,407.73

The land under acquisition is assessed to a Khalsa Revenue of Rs.16.39. Since this land is being acquired for the purpose of Government, therefore, it will be deducted from the Revenue roll from Kharif 1961.

(Nand Kishore)
Land Acquisition Collector I,
DELHI.
11.7.61

Submitted to the Collector of District for information and approval please.

(Nand Kishore)
Land Acquisition Collector I,
DELHI.
11.7.61

Secy. *[Signature]*
COLLECTOR, DELHI

12-7-61

آواز و سوز گوی - دیروز نشسته - کیمین - کیمین - جی پال - گیتی بیجا
 نیکوکار - گوی - ای چنده - بلندی - سردی - نتر - چنده
 بیکس - بدیم - رومال - پیری مل - پیری چنده - بیکوام - رتن
 عطر - جی پال - لیسو - جیما - کندن - کندن - کندن - کندن
 دیر - بای - گوی - دله بیستم - کهن - حفرین -

ای کور و سوز گوی - ۱۴ $\frac{9}{61}$

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