

AWARD NO. 1081.

Nature of acquisition:-

..... Permanent.

Village:-

..... Hastal.

Purpose of acquisition:-

..... Resectioning of the  
Najafgarh Drain Phase II.

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In pursuance of notification No.F.15(156)/60-LSG (xxii) dated the 20th June, 1960, under section 4 of the Land Acquisition Act, 1894 issued by the Chief Commissioner, Delhi, 70 bighas 3 biswas of land is under acquisition for a public purpose namely for the resectioning of the Najafgarh Drain (Phase II) at village Hastal. Simultaneously notification No.F.15(156)/60-LSG(xxiii) of the even date was issued by the same authority for the same purpose and area under section 6 of the said Act. Because of the scheme of urgent nature section 17(1) of the said Act was applied by the same authority who was pleased to the direct the Land Acquisition Collector, Delhi to take possession of the land specified in the notification under section 6 vide his notification No.F.15(156)/60-LSG(xxiv) of the even date.

AREA.

At the time of measurement at spot the Land Acquisition field staff has found the area to be 70 bighas 3 biswas as correct. Field wise details are given below:-

Field No.	Bigha	Biswa	Kind of soil.
13/18/1	0	19	Sailab.
13/14/1	0	17	Sailab.
13/15/1/1	0	10	Sailab.
13/15/2/1	0	19	Sailab.
12/2/1	1	9	Chahi.
12/3/1	0	3	Chahi.
12/10/1	1	10	Sailab.
1/23/1	1	5	Sailab.
1/24/1/1	1	8	Sailab.
1/16/1	1	4	Sailab.
2/20/1	1	6	Sailab.
2/19/1	1	5	Sailab.
2/13/1	1	6	Sailab.
2/14/1	0	14	Sailab.
2/15/1	1	11	Sailab.
113/1	0	4	Sailab.
3/11/1	1	4	Ghairmunkin path. Chahi.

Contd.

3/9/	1	2	Chahi.
3/12/1	0	2	Chahi.
3/8/1	1	4	Chahi.
3/7/1	1	4	Chahi.
3/6/1	1	4	Chahi.
4/10/1	1	4	Chahi.
4/9/1	1	4	Chahi.
4/8/1	1	4	Chahi.
4/7/1	1	4	Sailab.
4/15/1	1	4	Sailab.
5/11/1	1	5	Sailab.
5/12/1	1	5	Sailab.
5/13/1	1	5	Sailab.
5/17/1	1	10	Sailab.
5/25/1/1	1	3	Sailab.
5/25/2/1	0	2	Sailab.
5/25/3/1	0	5	Sailab.
5/8	2	9	Sailab.
6/21/1	0	10	Sailab.
7/1/1	1	8	Sailab.
7/10/1	0	0	Sailab.
7/9/1	1	8	Sailab.
7/12/1	0	4	Sailab.
7/13/1/1	0	15	Sailab.
7/13/2/1	0	9	Sailab.
7/18/1	1	5	Sailab.
7/24/1	1	10	Rosli.
94/1	0	3	Ghairmunkin path
20/5/1	1	4	Sailab.
20/6/1	0	15	Sailab.
20/15/1	1	4	Sailab.
20/6/2/1	0	13	Sailab.
20/16/1	1	4 <sup>2</sup>	Sailab.
20/25/1	1	4 <sup>2</sup>	Sailab.
22/5/1/1	0	11	Sailab.
22/5/2	0	6	Sailab.
22/5/3/1	0	5	Sailab.
22/6/1	1	2	Sailab.
22/15/1	1	2	Sailab.
22/16/1	1	2	Sailab.
22/25/1	1	2	Sailab.
32/5/2/1	1	4	Sailab.
32/6/1/1	0	16	Sailab.
32/6/2/1	0	7	Sailab.
33/11/1/1	0	8	Sailab.
33/11/2/1	1	1	Sailab.
33/19/1	1	12	Sailab.
33/23/1/1	0	16	Sailab.
33/23/2/1	0	18	Sailab.

Total:-      70                      3

Chahi	-----	11 bighas 4 biswas.
Saila-b	-----	57 bighas 2 biswas.
Rosli	-----	1 bigha 10 biswas.
Ghairmunkin path	-----	0-- 7 biswas.

COMPENSATION:-

The following persons interested filed their claims:-

1) Shri Dharmu son of Chattar vide his written claim dated the 7th July, 1960 demanded compensation for land at the rate of 4,000/- per bigha.

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2. Shri Bhagwan Singh on behalf of Chande son of Bhartu vide his written claim dated the 7th July, 1960 demanded compensation for the land of which he had been declared as Bhumidhar. He cultivated the land of Harbans son of Puran previously about which he had got the bhumidhari rights. Sarvshri Munshi Ram, Ram Sarup, Hari Ram, Amrit, Har Lal, Kali Ram, Phul Singh, Thandi Ram, Charan Singh, Brahma Nand, Raghbir Singh, Chattar Singh, Inder Singh and Nem Chand demanded compensation at the rate of Rs. 1500/- per bigha for Chahi land and Rs. 1,000/- for Sailab and Rosli lands. They stated that the yield of sugar per bigha is 25 maunds and it is sold in the market at the rate of Rs. 18/- per maund. They might be given crop compensation at that rate. They also stated that the rates of Budhela and Keshopur <sup>might</sup> be kept in view. That the land was fertile and situated adjoining the boundary of Budhela where two crops a year and vegetables <sup>are</sup> grown. That land was the main stay of the inhabitants of their village. They admitted the area, kind of soil and rates as correct.

CHIEF DATA.

The Naib-tehsildar Land Acquisition vide his report dated the 7th October, 1960 proposed a rate of Rs. 250/- per bigha as reasonable price.

DEPARTMENTAL REPRESENTATION.

The Executive Engineer, Construction Division No.III, vide his letter No.NWA/4554, dated the 25th October, 1960 described the rates proposed for the land to be acquired in this village as reasonable .

FAIR AND REASONABLE VALUE.

I inspected the land under acquisition with Shri Tek Chand, Naib-tehsildar on the 27th September, 1960 and recorded the statement of persons interested there. I also saw other spots involved in the sale transactions available in this village. Most of the land was transacted in Uttam Nagar in the shape of plots which is away from the land under acquisition. The ones  
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that are near the land under acquisition are given below:-

Mutation No. with date of Registration.	Location.	Rate per bigha.
787/ 22.8.55	2 furlongs from the land under acquisition.	Rs. 145.81 nP
946/22.8.56.	1 $\frac{1}{4}$ mile from the land under acquisition.	Rs. 228.00
1036/4.1.57	Partly under the scheme.	Rs. 200.00
961/27.12.57	1 $\frac{1}{4}$ mile from the land under acquisition.	Rs. 208.33 nP.
1011/6.6.59	Quite near the land under acquisition.	Rs. 205.00
1016/18.11.59	$\frac{2}{3}$ mile from the land under acquisition.	Rs. 209.00
1018/28.11.59	About 2 furlongs from the land under acquisition.	Rs. 209.00
1026/8.4.60	About 3 furlongs.	Rs. 182.00
1027/24.3.60	$\frac{1}{4}$ mile from the land under acquisition.	Rs. 237.00

The average of the above transactions comes to Rs. 204/- per bigha of mixed kinds. The average of mutation Nos. 136, 111, 1016 and 1018, either covered by the scheme are situated quite near it comes to Rs. 209/- per bigha. Except mutation No. 1033 the rest came into being in the years 1959-60. By adding 25% to the average of the above mentioned transactions the Naib-tehsildar came to the conclusion of Rs. 251/- or in round figures 250/- per bigha as reasonable for Sailab and Nehri with whom the departmental officer agreed. The average of the sale transactions took place within a period of 5 years preceding the date of the notification under section 4 at Rs. 373.35 nP per bigha is not dependable because it includes small plots for abadi purposes on the Najafgarh road in the colony known as Uttam Nagar. Mutation No. 792 dated the 9th July, 1955 in respect of the transfer of 5 bighas for Rs. 2500/- bearing field Nos. 33/23/2, 33/22/2/2 situated quite near the drain should also

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be kept in view. Mutation No. 954 dated the 27th April, 1957 in respect of the transfer of field No. 36/17/3 for Rs. 5,000/- involving an area of 32 bighas 11 biswas of mixed kinds is also situated near the drain.

There is an award No. 828 available in this village pertaining to 4 biswas of land acquired at the rate of Rs.500/- per bigha which is situated away from the land under acquisition. Its relevant date was the 7th November, 1956. It has no comparison with the land under acquisition. Therefore, it is not reliable for this purpose. No annual rental is available in this village.

The persons interested drew a distinction between the Chahi and Sailab lands. The produce of <sup>both</sup> these kinds is nearly the same and there is no marked difference. The Sailab kind was not valued in the Delhi Land Reforms Rules in Chak-dabar. The Naib-tehsildar, Land Acquisition proposed to categorise both kinds of lands in one. There is a small area of 1 bigha 10 biswas of Rosli kind in field No. 724/1 which was attested as <sup>at</sup> Sailab. It was wrongly entered as Rosli in the Khasra <sup>Girdawari</sup>. It is proper to include this area in the ~~same~~ category <sup>of</sup> Sailab ~~and Chahi~~. There is an area of 7 biswas under Ghairmunkin thoroughfare which is already being used as a public purpose and need not be assessed to any valuation. The claims of the persons interested are high and not based on any authentic evidence. The lands of Budhela and Keshopur were assessed at Rs. 500/- and Rs. 600/- per bigha respectively on the basis of the data available in those villages. No such data is available in this village. Keeping in view the claims of the persons interested, the material on the file, the chief data provided by the Naib-tehsildar, the departmental representation and my own observation of the spot I consider a rate of Rs. 300/- per bigha for Chahi and Rs. 250/- per bigha for Sailab and Rosli as fair and reasonable and award accordingly.

CROPS.

Crops were standing in certain field Nos. at the time of taking over possession on the 13th July, 1960. The Naib-tehsildar, Land Acquisition has proposed Rs. 1340.66 nP for damage to crops. He has kept in view the yield of sugar according to the records maintained in the Tehsil and the rates given in the Delhi Gazette in the fortnight in which possession was taken over. He has deducted 10% towards watching and nourishment charges, land revenue and cesses. Thus the amount arrived at by him is reasonable. I have no reason to differ from him and I, therefore, award the same amount. The details are given below:-

Field No.	Area Big. Bis.	Kind of crop.	Compensation	Cultivator.
32/5/2	1 4	Juwar stalks.	Rs. 80.62 nP	Jaimal Singh, Fateh Singh, Des Raj, Begh Raj sons of Umrao.
3/6/1 3/7/1 3/8/1 3/9 3/11/1 3/12/1 2/15 4/8/1 4/9/1 4/10/1	11 3	Sugar-cane	Rs. 1260.04 nP	Raghubir Singh, Ram Chander sons of Inder Singh in equal shares.

There is no tree, well or structure in the land under acquisition. The previous drain is being widened and, therefore, any question of severance does not arise.

15% will be added towards the amount of compensation except that of crops.

INTEREST.

It will be reckoned from the 13th July, 1960 upto the 28th November, 1960 the anticipated date of payment.

APPORTIONMENT.

Field No. 33/23/2/1 measuring 18 biswas is said to have been transferred by Rama Nand bhumidhar in favour of Mani Lal son of Shibba but it has not been incorporated in the revenue papers. Payment will be made to the vendee after producing authentic evidence.

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2) Payment will be made to Kali Ram, Gopal etc. according to mutation No. 1040 a-ttested on the 4th June, 1960.

3) Tula Ram bhumidhar of field Nos. 2/5/2 and 2/5/3 is said to have died and similar is the case of Surats Singh deceased. Payment will be made to their heirs on producing authentic evidence. About the rest payment will be made to the persons interested according to their recorded shares in the revenue papers as reproduced in the statement prepared under paragra-ph 55 of Standing Order No. 28 which forms a part of the award.

The a-ward is summarised as below:-

Kind of Soil	Area Big.	Bis.	Rate per bighe.	Amount.
Chahi	11	4	Rs. 300/-	Rs. 3,360.00
Sailab	57	2		
Rosli	1	10	Rs. 250/-	Rs. 1,4650.00
Ghairmunkin	0	7	NO COMPENSATION.	

Total 70-3

Rs. 18,010.00,

Add 15% for compulsory acquisition cost:-

Rs. 2701.50 nP.

Add compensation for crops:-

Rs. 1,340.66 nP.

Add interest @ 6% P.A. from 13.7.60 to 28.11.60:-

Rs. 498.88 nP.

Grand Total:-

Rs. 22,551.04 nP

#### LAND REVENUE DEDUCTION.

An amount of Rs. 21.18 nP will be deducted from the Khalsa Rent Roll of villa-ge Hastal from Rabi, 1960.

( Murari Singh )  
Land Acquisition Collector,  
Delhi. 29.10.60

Submitted to the Deputy Commissioner, (Collector of the District) Delhi for information.

( Murari Singh )  
Land Acquisition Collector,  
Delhi. 29-10-60.

SUPPLEMENTARY AWARD NO. \_\_\_\_\_  
TO AWARD No.1081.

Name of the Village:

Hasthsal.

Nature of Acquisition:

Permanent.

Award No.1081 was made in pursuance of Notification No.F.15(156)/60-LSG(XXII) dated 20.6.1960 under section 4 of the Land Acquisition Act 1894. Khasra No.5/9 and 5/10 were also acquired and the Naib Tehsildar, Land Acquisition included them in his chief data. In that award these khasra numbers were omitted by mistake although the total was right. The necessity for this Award has arisen because of these omissions. The total area of these khasra numbers is 6 bighas and 7 biswas and the owner is Shri Chander s/o Bhartu. This is a Sailab kind of land and the owner has already made his claim in the previous award and he has been paid compensation as well. The rate given for the Sailab kind of land in Award No.1081 was Rs.250/- per bigha. I, therefore, award Rs.250/- per bigha for this area.

THE AWARD IS SUMMARISED AS BELOW.

Compensation for 6 bighas 7 biswas of Sailab land @ Rs.250/- per bigha.	Rs.1,587.50
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15% of the above compensation as solatium for compulsory nature of acquisition.	Rs. 238.12
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Total....	<u>Rs.1,825.62</u>
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This amount has already been paid to the land owner and has been received from the Acquiring Department.

( Nand Kishore )  
Land Acquisition Collector (I).  
DELHI.  
29.11.61.

Submitted to the Collector of District for information  
and filing.

Collector, DELHI

196  
15  
13  
published in Delhi Gazette on 20.6.60 at Page 126, Part IV

(To be published in Part IV of the Delhi Gazette)

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated 20 June, 1960.

No.F.15(156)/60-LSG(XXIII):- Whereas it appears to the Chief Commissioner of Delhi that land is required for a public purpose, namely for the Resectioning of the Nazafgarh Drain (Phase II),

it is hereby declared that the land described in the specification below is required 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.

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11 published in Part IV of Delhi Gazette on 20.6.60 at Page 126

(To be published in Part IV of the Delhi Gazette)

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated 20 June, 1960.

No. F.15 (156)/60-LSG(XVI):- Whereas it appears to the Chief Commissioner, Delhi, that land is likely to be required to be taken by Govt. at the public expense for a public purpose, namely for the Resectioning of the Nazafgarh Drain (Phase II), it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the afore said section, the Chief Commissioner is pleased to authorise officers for the time being engaged in the under-taking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

The Chief Commissioner, being of opinion that the provisions of sub-section (1) of section 17 of the said Act are applicable to this land, is further pleased, under sub-section (4) of the said section, to direct that the provisions of section 5(A) shall not apply.

Village Total Area  
HA Sq. Mts.  
RAIPAL. 70-3

SPECIFICATION.

Field No. or Boundary

Rect. 1. 17/1, 14/1, 15/1, 15/2, 1-  
12. 10/1, 2/1, 3/1, 1-  
1. 23/1, 24/1, 16/1, 1-  
2. 20/1, 19/1, 13/1, 14/1, 15/1.  
87. 11/1, 1-  
3. 11/1, 9/1, 12/1, 8/1, 7/1, 6/1, 1-  
4. 10/1, 9/1, 8/1, 7/1, 1-  
5. 11/1, 12/1, 13/1, 17/1, 25/1, 1-  
25/2, 1, 8, 9, 10.  
6. 2/1, 1-  
7. 8/1, 10/1, 9/1, 12/1, 13/1, 1-  
10/1, 24/1.

P.T.O.

P.T.O.

- 2 -

Rect.	Field Nos.
20.	5/1, 6/1, 6/2/1, 15/1, 16/1, 25/1.
22.	5/1/1, 5/2, 5/3/1, 6/1, 15/1, 16/1, 25/1.
32.	5/2/1, 6/1/1, 6/2/1.
33.	11/1/1, 11/2/1, 19/1, 23/1/1, 23/2/1.

By order,

Sd/-

(JAGMOHAN)

UNDER SECRETARY (LOCAL SELF GOVT) DELHI ADMIN:  
DELHI.

No. F.15(156)/60-LSG. (1+11) Dated the 20 June, 1960.

Copy forwarded to the :-

1. R&S. Deptt (in duplicate) for favour of publication in Part IV of the Delhi Gazette.

2. Land Acquisition Collector, Delhi, with reference to his letter No. 384/15920-LAC/60/Rev, dated the 11th June, 1960.

Sd/-

(JAGMOHAN)

UNDER SECRETARY (LOCAL SELF GOVT) DELHI ADMIN: DELHI.

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AC/18.6.60.

82 Shri Rao

PZ check up and take immediate action.

Amir Singh

LAC (II)

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