

No. of Award..... 2213
NAME OF VILLAGE..... MATAULA.
NATURE OF ACQUISITION..... PERMANENT.
PURPOSE OF ACQUISITION..... REMODELLING OF PALAM DRAIN.

One bigha and 17 bis of land situated in the revenue estate of village Matuala was notified vide notification No.F.15(74)/66^{L+H}(i) (ii) and (iii) dated the 27th May, 1967 under section 4-6 and 17 (i) of the land Acquisition Act 1894 by the Lt. Governor of Delhi for the acquisition at the public expense, for a public purpose, namely for Remodelling of Plam Drain. The lt. Governor directed the Collector of Delhi to take order for the acquisition of land included in the said notification u/s 6, under the provisions of section 7 of the said Act. Applying the provisions of sub-section (i) of section 17 of the L.A.Act, 1894, he also directed the Land Acquisition Collector, Delhi to take possession of the land on the expiration of fifteen days from the publications of the notice u/sub-section (i) of section 9 of the L.A.Act 1894. Wide publicity was given to the notification.

The notices u/s 9(1) and 10(1) of the L.A.Act, 1894 to all the persons interested in the land directing them to file claims and evidence were issued.

MEASUREMENT

According to the notification u/s 6 the land bearing Killa No.24/1 of Rect 48 and killa No.4/1 of Rect 59 measuring 1 big. 17 bis has been notified for acquisition. Verification of the area has been carried out with comparison to Field Book and village map of the village and by doing measurement at spot by the field staff. Correct area comes to one bigha, 10 bis. and the same is to be acquired in the present scheme.

Contd.....2/

Compared Av. No. 2213

OWNERSHIP

The ownership, tenancy and classification of soil according to entries made in the Revenue Records of the village is as under:-

S.No.	Name of the owner	Name of the tenant/occupant.	Field No. Rect.Killa.	Area big.bis soil	Kind of soil
1)	Pirthi s/o Ganga Sahai 1/3 shares. Sukh Lal s/o Ganga Sahai 1/3 shares. Raghubir Singh s/o Lahri 1/3 shares.	Self	48 24/1	0-16	Abpash.
2)	Smt.Saroopi wd/o Siri Chand, 1/7 shares, Zila Singh s/o Siri Chand 2/7 shares Kanwal Singh s/o Siri Chand 2/7 shares Suraj Bhan s/o Siri Chand 2/7 shares.	Self	59 4/1	0-14	G.Abpash.
			G.Total (one bigha and ten bis)	<u>1-10</u>	
			Abpash 16 bis. G.Abpash 14 bis.		

CLAIMS AND EVIDENCE.

The interested persons filed their claims and evidence in response to the notices under section 9(1) and 10(1) of the L.A.Act as given below:-

S.No.	Name of the claimant.	Particulars of land claimed.	Particulars of claim & compensation claimed.	Evidence filed	Remarks.
1)	Zile Singh s/o Siri Chanf for Self and on behalf of Kanwal Singh Suraj Bhan sons and Smt.Saroopi wd/o Siri Chand.	Killa No. 4/1 of Rect.59.	Have clai ed @ Rs.30/- per sq. yds as compensation stating that the land is most productive.	Has produced a copy of sale deed register- ed at No.3620 on 23.9.64 which goes to show that an area of 200 sq. yds. out of killa No. 21 of Rect.4 of V. Matiala was sold for Rs.1200/-	

Contd.....2/

2) Raghbir Singh s/o Killa No. Have claimed @ 05 ac 5 a. 1 f
Lahri for self and 24/1 of Rs. 10/- per sq.
on behalf of Sukh Rect. 48 yd . as compen-
Lal s/o Ganga Sahai sation.
Surti s/o Pirthi.

MARKET VALUE.

Compared with Govt. No. 2213
The market value is to be ascertained at the date of publication of the notification u/ 4 of the L.A. Act (27.5.1967). The best evidence available to prove what a willing purchaser would pay for the land under acquisition, would be evidence of genuine sales affected about the time of notification. In determining the market value of the land on the basis of sales of other lands the question of similarity between the two lands is of particular importance or in all other words land must be actually parallel.. The claimants put forth exorbitant and almost imaginary claims regarding the market value of the land without any corroborative evidence. Whatsoever, the claimants have relied on the sale deed. No. 3626 dated 23.9.64. But this document is hardly of any avail as it is far off from the material date. Moreover it is 1½ miles away from the land under acquisition and is near the Delhi Najafgarh Road. There are also sale transaction that have been executed in 1966 and 1967. Hence the document referred to by the claimants carries no weight and has to be discarded.

As the village Mataula comes under the purview of the Delhi Land Reform Act 1964, the land could only be put to uses like agriculture, horticulture and animal husbandary including pisciculture, poultry forming etc. In view of the mandatory provisions of law the land could only be put to the use specified above.

Afforts were made to find out the parallel sale deeds in the village nearest to the material date so as to evaluate the

Contd.....3/

market value of the land.

An inspection in the office of the sub-Registrar reveals that the following sale transactions were executed in the village nearest to the material date:

S, No.	Registra- tion No.	Date of registra- tion.	Date of sale.	Name of parties.	Amount	Area	Kh.No.	Rat per bis
1)	989	22.2.66	10.2.66	Chhajju infa- vour of Rame- sh Kumar.	Rs.1631/-	8/10	Rs.7056	12388.47.
2)	990	22.2.66	13.1.66	Chhajju infa- vour of Sal- viya Kang-ain.	Rs.1440/-	4/20	Rs.6048	2408.42.
3)	1001	22.2.66	14.2.66	Chhajju Infa- vour of Chuni Lal.	Rs.1000/-	93"	8/10	Rs.10838.
4)	1002	22.2.66	14.2.66	Chhajju infa- vour of Piarey Lal.	Rs.1000/-	93"	8/10	Rs.10838/6
5)	1003	22.2.66	14.2.66	Chhajju in favour of Kri- shan Kumar.	Rs.1000/-	93 sq. yds.	8/10	Rs.10838
6)	2864	26.4.66	12.4.66	Chhajju in favour of Surender Kumar	1500/-	200"	8/18-23	Rs.7560/
7)	14220	24.10.66	10.10.66	Chhajju infa- vour of Ram Ditta Mal.	6000/-	400"	4/17, 18 0-08 23 to 25 5/21, 8/5, 7/1.	Rs.15120/
8)	Mutation No. 531.	30.3.66			100/-	19-4	39/11, 12, 13/1, 18/1 19, 20	Rs.5208
9)	6103	15.4.67	17.4.67	Nehhey Ram V .Ishwar Kaur	4000/-	625 sq. yds.	41plot	Rs.6451-2
10)	7524	16.5.67	29.4.67	Nanhey Ram V .Suraj Parkash.	4375/-	350"	240 %	Rs.12600/-
11)	7535	16.5.67	29.4.67	Nanhey Ram V .Phool Kanwari	2500/-	200 "	8/11	Rs.12600
12)	7852	24.5.67	17.5.67	Chhuju V . Baldev Singh	4000/-	400 "	4/17, 18, 23, 24, 25 5/21, 7/1 8/5	Rs.10080/.

Contd.....5/

The sale transactions referred to from 1 to 7 and 9 to 1 pertain to Plot in Kiran Garden and Shivaji Garden, unapproved colonies that lie adjoined to the Delhi Najafgarh Road and Uttam Nagar colony and as such have much higher potentiality than the land under acquisition. Consequently, by no stretch of imagination these sale transactions can be referred to as a guide in evaluating the market price of the land. Only the sale transaction referred to at S.No.8 has similarity with the land under acquisition except that the distance between the two is about one mile. In this sale transaction the sale price is Rs. 520-83P per bigha. However a rational increase will have to be made while determining market price for the land under acquisition for one year because of the difference between the date of notification u/s 4 and registration of the sale.

The claimants refer to the sale deed No.3626 executed on 23.9.64 which also falls in the unapproved colonies mentioned above. The price per bigha comes to Rs. 6000/- It took place about about 2½ years earlier to the material date. The sale transaction which has been made a guide was executed on 30.3.66. Hence the claimants evidence carry no weight and has to be discarded. After giving due consideration to the sale transaction, the situation and the area involved, I award a flat rate of Rs. 600/- per bigha kham.

SOLATIU

The owners and interested persons will be entitled to 15% solatium on account of compulsory nature of acquisition on the Market value to be assessed for the land under acquisition as provided in the Act.

Contd.....6/

TREES WELLS AND STRUCTURES:

There are no trees, wells and structures in the land under acquisition. Hence the question of assessment of compensation for the same does not arise.

POSSESSION AND INTEREST

Possession of the land under acquisition was taken over from the interested persons on the 24th June, 1967 and was handed over to the representative of Flood control and Drain Division No.1 Delhi Administration on the same date. Therefore the interested persons are entitled to interest at the rate of 6% per annum on the amount of compensation payable to them from 24th June, 1967 to the date of announcement of award.

APPORTIONMENT

- 1) The compensation shall be paid according to the latest entries made in the revenue records of the village.
- 2) Pirthi s/o Ganga Sahai has died. Surte s/o Pirthi has claimed compensation of Pirthi. Therefore, the amount of compensation payable to Pirthi s/o Ganga Sahai will be kept in dispute and will be paid to the heirs on production of mutation.

RELIGIOUS PLACES

There is no Religious place, Tomb, Shrine Mosque or Wakf property in the land under acquisition.

LAND REVENUE DEDUCTION.

The land under acquisition is assessed to 0-36P (Thirty six paise only) as land revenue which shall be deducted from the rent roll of the village from Kharif 1967.

Contd.....7/

Contd. 14.10.2013

The award is summarised as under:-

SUMMARY

Compensation of 1 big. 10 bis at Rs. 900-00
@ Rs.600/- per bigha kham.

15% Solatium Rs. 135-00

Interest @ 6% per annum on Rs. 1035 from 24.6.67 to 30.12.68 i.e. 1 year and 190 days(555 days). Rs. 94-~~34~~

Total Rs.1129-~~34~~

(Rupees One thousand one hundred twenty nine and paisa ~~thirty~~ ^{four} only.)

(SHAM KARAN)
LAND ACQUISITION COLLECTOR (P)
DELHI.

*Announced and
paid to S. 18/8/68.*

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated the May, 1967

No.F.15(74)/66-LAH(1):- Whereas it appears to the Lt. Governor, Delhi that land is likely to be required to be taken by government at the public expense for a public purpose, namely, for the Re-modelling of the Pnam Drain, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

(4) 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 aforesaid section, the Lt. Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon that survey any land in the locality and do all other acts required or permitted by that section.

The Lt. Governor being of the opinion that 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.

SPECIFICATION.

Village or Locality	Area big. bis.	Field Nos. or Boundaries.
Palam.	101-8	$\frac{2}{15/1, 16/1, 17/2/1, 24/1, 25/1}$ 183/1.
		$\frac{3}{11/1, 12/1, 20/1}$; $\frac{7}{2/1/1, 4/1/1, 4/2/1}$
		$\frac{7}{5/1, 7/1/1, 8/1, 3/2/1, 9/1, 13/2/1,}$
		$\frac{7}{12/1, 18/2/1, 19/1, 20/1, 21/1, 22/1}$
		$\frac{8}{22/1, 23/1, 24/1, 25/1, 12/1/1, 2/1}$
		$\frac{8}{3/1, 4/1, 4/2/1}$ 165/1,
		$\frac{12}{4/3/1, 5/1, 5/3/1, 10/1,}$; $\frac{9}{5/1, 6/1}$
		$\frac{9}{7/1, 8/1}$; $\frac{115}{11/1}$
		$\frac{116}{16/1, 25/1/1, 25/2, 24/1}$; $\frac{117}{4/1, 7/1}$
		$\frac{117}{8/1, 13/1, 12/1, 11/1, 11/2/1}$; $\frac{170}{1}$
		$\frac{118}{16/1, 17/1, 24/1, 23/1}$
		$\frac{119}{3/1/1, 3/2/1, 4/1/1, 4/2/1,}$

Contd...2

Sh. Indar Singh
28/11

Sh. Indar Singh
original
notification
sent to Sh. Indar Singh
P.L. Carpenter.

Sh. Indar Singh

21-12-67
Please type & copy
of the notification immediately
my name is busy in
typing the award.

LAC(M)

Branch Indar Singh/LA This notification
shall be typed
re-type immediately

LAC(M)

Sh. Indar Singh

✓ Mateula. 1-17

Bandapur. 1-18

Luhar Heri. 32-14

Ambar Hai. 44-16

Mirazapur. 116--4

✓ Kakraula

20-13

119
8, 9/1/1, 9/2/1, 10/2/1, 11/1/1, 11/2/1
2/1 ; 120
15/1/1, 15/2/1, 16, 17/1, 18/1, 19/
120 ; 121/25/1
20/3/1, 21/1

Rect No.48 Killa No.24/1

Rect No.59 Killa No.4/1.

691/1, 692/1, 695/1.

letc/89/1, letc/90/1, letc/91/1,
letc/92/1, 118/1, letc/117/1, letc/123/
1, letc/124/1, letc/125, letc/126/1,
letc/127/1, letc/116/1

3
1, 6/1, 7/1, 14/1, 15/1, 16/1/1, 16/2/1
3 ; 6
17/1, 24/1, 25/1 ; 3/1, 4/1, 7/1, 8/1
6
13/1, 14/1, 17/2/1, 18/1, 23/2/1, 23/1
6 ; 66 22
24/1 2/1, 3/1, 8/1, 9/1, 10/1
22 ; 23/15/1.
11/1, 12/1, 20/1

3
16/1, 17/1, 24/1/1, 24/2/1, 25/1, 22/1
3 ; 6
23/1 1/1/1, 2/1/1, 2/2/1, 3/1, 4/1/1
6 ; 7
9/1, 10/1 6/1, 7/1, 8/1, 11/1, 12/1
7
12/1/1, 13/1, 14/1/1, 14/2/2/1, 15/1/1
7 ; 8/25/1
18/1, 19/1, 20/1, 21/1
10
10/5/1, 6/1, 7/1, 14/1, 13/1, 19/1
10 ; 39 ; 9
20/1/1, 20/2/1, 1 25/1
18 ; 19
20/1 16/1, 17/1, 21/1, 22/1, 23/1,
40 ; 20 ; 24 ; 23
1 25 1/1/1 4/1, 5/1, 7/1
23
8/1, 9/2/1, 11/1, 12/1, 13/1, 19/1, 20/1
22
15/1, 16/1, 17/1, 23/1, 24/1, 25/1
24
2/2/1, 3/1, 4/1, 8/1, 9/1, 10/1, 13/1, 42

78 : 95
25/1 5/1, 6/1, 15/1, 16/1, 25/1
95 ; 96 ; 97
24/1 1/1, 10/1, 11/1 4/1, 5/1

Contd.....3

Dabri.

30-4

- 3 -

13
16/1, 17/1, 23/1, 24/1, 25/1
14 27
12/1, 20/1, 21/2 3/1, 8/1, 9/1
27 28
10/1, 11/1, 12/1, 20/1/1, 2/1 15/1, 16/1

39/1

By order.

Sd/-(JAGMOHAN)
SECRETARY (LAND AND BUILDING)
DELHI ADMINISTRATION: DELHI.

No.F.15(74)/66-L&H(1)

Dated the 27 May, 1967

Copy forwarded to:-

- 1) The Public Relations Department (in duplicate) for favour of publication in part IV of Delhi Gazette.
- 2) The Executive Engineer, Flood Control and Drainage Division No.I Delhi Administration, Curzen Road, New Delhi with reference to his letter No.NB-9/2106 dated 19/5/67
- 3) The Land Acquisition Collector (P), Delhi with reference to the Executive Engineer's above said letter, copy of which has been endorsed to him.

Sd/-(JAGMOHAN)
SECRETARY (LAND AND BUILDING)
DELHI ADMINISTRATION: DELHI.

Attested by
[Signature]
sp

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)

DELHI ADMINISTRATION, DELHI.

NOTIFICATION.

DATED the May, 1967.

No.F.15(74)/66.L&H(ii); Whereas it appears to the Lt. Governor of Delhi that land is required to be taken by Government at the public expense for a public purpose, namely, for the Remodelling of Palam drain, 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.

SPECIFICATION

Village or locality	Total Area		Field Nos. or Boundaries.
	Big.	Bis.	
Palam	101	8	<u>2</u> 163/1 3
			15/1, 16/1, 17/2/1 11/1
			<u>2</u> 3
			24/1, 25/1 12/1, 20/1
			<u>7</u>
			3/1/1, 4/1/1, 4/2/1, 5/1, 7/1/1,
			<u>7</u>
			8/1, 3/2/1, 9/1, 13/2/1, 12/1, 22/1 ,
			<u>7</u>
			18/2/1, 19/1, 20/1, 21/1,
			<u>66</u> 8
			22/1, 23/1, 24/1, 25/1, 12/1/1,
			<u>8</u> 165
			2/1, 3/1, 4/1, 4/2/1, 161 1
			<u>12</u>
			4/2/1, 5/1, 5/31, 10/1
			<u>9</u> 115/11/1,
			5/1, 6/1, 7/1, 8/1 ,
			<u>116</u> 117
			16/1, 25/1/1, 25/2, 24/1, 4/1 ,
			<u>117</u>
			7/1, 8/1, 13/1, 12/1, 11/1, 11/2/1, 170/1,
			<u>118</u>
			16/1, 17/1, 24/1, 23/1,

Contd.....2

1.	2.	3.
		$\frac{119}{11/2/1, 2/1, 3/1/1, 3/2/1, 4/1/1, 4/2/1,}$ $\frac{120}{15/1/1, 15/2/1, 16/1, 17/1, 18/1, 19/1,}$ $\frac{120}{20/3/1, 21/1}$ $\frac{121}{25/1,}$
Matoula ✓	1	17
		Rect No.48, Killla No.24/1 Rect No.59, Killla No.4/1,
Bindapur	1	18
		691/1, 692/1, 695/1,
Luhar Heri	32	14
		Letc/89/1, letc/90/1, letc/91/1, letc/92/1, letc/116/1, letc/117/1, letc/123/1, letc/124/1, letc/125, letc/126/1, letc/127/1, 118/1,
Ambe r Hai	44	16
		$\frac{3}{5/2, 6/1, 7/1, 14/1, 15/1, 16/1/1,}$ $\frac{3}{16/2/1, 17/1, 24/1, 25/1,}$ $\frac{6}{3/1, 4/1, 7/1, 8/1, 13/1, 14/1,}$ $\frac{6}{17/2/1, 18/1, 23/1, 23/2/1, 24/1}$ $\frac{22}{2/1, 3/1, 8/1, 9/1, 10/1, 11/1, 12/1,}$ $22/20/1, 23/15/1,$
Mirzapur	116	4
		$\frac{3}{16/1, 17/1, 24/1/1, 24/2/1, 25/1,}$ $\frac{3}{22/1, 23/1,}$ $\frac{6}{1/1/1, 2/1/1, 2/2/1,}$ $\frac{7}{3/1, 4/1/1, 9/1, 10/1, 6/1, 7/1,}$ $\frac{7}{8/1, 11/1, 12/1/1, 12/2, 13/1, 14/1/1,}$ $\frac{10}{14/2/2/1, 15/1/1, 18/1, 19/1, 20/1, 21/1, 5/1,}$ $\frac{23}{6/1, 7/1, 14/1, 18/1, 19/1, 20/1/1, 20/2/1}$ $25/1; 39/1, 9/25/1, 18/20/1, 40/1, 30/26/.$ $\frac{24}{4/1, 5/1, 7/1, 8/1, 9/2/1, 11/1, 12/1,}$ $13/1, 19/1, 20/1, \text{xxx}$ $\frac{24}{11/1/1}$ $\frac{22}{15/1, 16/1, 17/1, 23/1,}$ $\frac{34}{24/1, 25/1,}$ $\frac{34}{2/2/1, 3/1, 4/1, 8/1, 9/1,}$ $10/1, 13/1, ; 42/1, 78/25/1,$ $\frac{95}{5/1, 6/1, 15/1, 16/1, 24/1, 25/1, 11/1, 10/1,}$ $\frac{96}{11/1,}$ $\frac{97}{4/1, 5/1,}$ $\frac{13}{16/1, 17/1, 23/1,}$ $\frac{13}{24/1, 25/1,}$ $\frac{39}{1}$ $\frac{14}{20/1, 12/1, 21/1,}$ $\frac{27}{2/1, 3/1, 8/1, 9/1, 10/1, 11/1, 12/1, 20/1/1,}$

28
15/1, 16/1,

By order

Sd/- (Jagmohan) Secretary (L&B)
Delhi Admn., Delhi.

No.F.15(74)/66-L&H(ii)

Dated the 27 May, 1967.

Copy forwarded to:-

1. The public Relation Department (in duplicate) for favour of publication in part IV of the Delhi Gazette.
2. The Executive Engineer, Flood Control, Drainage Division No.I, Delhi Admn., curzon Road, New Delhi with reference to his letter No.NB-9/2106 dated the 19th May, 1967.
3. The Land Acquisition Collector(P), New Courts Building, Tis Hazari, Delhi with reference to the Executive Engineer, a ove said latter, copy of which has been endorsed to him.

Sd/-
(Jagmohan)
SECRETARY (LAND AND BUILDING)
DELHI ADMINISTRATION, DELHI.

Attested true copy.

L Ac (P)