

Name of the village: Nawada Majra Hastal
 Nature of acquisition: Permanent
 Purpose of acquisition: 'Widening of Najafgarh Drain.'

INTRODUCTION

Land measuring 17 bighas 8 biswas situated in village Nawada Majra Hastal was notified for acquisition u/s 4, 17 & 6 of Land Acquisition Act simultaneously vide notification Nos. F.7(69)/70-L&B(i) dated 15.3.72 & F.7(69)/70-L&B(ii) dated 15.3.72 respectively, for a public purpose namely 'Widening of Najafgarh Drain'. A corrigendum to the aforesaid notification u/s 4 & 6 was issued vide notification No. F.7(69)/70-L&B dated 25.7.72. Notice u/s 9(1), 9(3) & 10 were issued to the known persons interested in this acquisition, most of whom have responded by filing their claims:-

TRUE & CORRECT AREA

The land was got measured on the spot by the field staff u/s 8 and true & correct area was found to be 36 bighas 12 biswas instead of 17 bighas 8 biswas notified u/s 4, 17 & 6, details of which are given as under:-

Rectangle / Kila No. No.	Area big-bis.	Kind of land
✓ 1/2/1	0-14	Rosli
✓ 2/2/2	2-18	-do-
✓ 10/2/2	1-5	-do-
✓ 11/2/2	1-4	-do-
✓ 19/2/2	1-7	Chahi
✓ 20/2/2	1-3	-do-
✓ 23/2/2	1-2	Rosli
✓ 24/2/2	2-5	-do-
✓ 33-34/2/2	1-17	-do-

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✓ 35/2/2	1-15	Chahi	
✓ 46-47/2	1-5	Rosli	
✓ 48/2/2	0-17	Chahi	
✓ 51/2/2	0-11	Rosli	
✓ 52/2/2	1-15	-do-	
✓ 59/2/2	0-18	-do-	
✓ 60/2/2	0-19	-do-	
✓ 66/2/2	0-17	-do-	
✓ 67/2/2	1-1	-do-	
✓ 68/2/2	0-19	-do-	
✓ 77/2/2	0-16	-do-	
✓ 78/2/2	1-3	Chahi	
✓ 87/2/2	0-17	Rosli	
✓ 88/2/2	2-8	-do-	
✓ 97/2/2	0-17	-do-	
✓ 98/2/2	1-0	-do-	
✓ 109/2/2	1-10	-do-	
✓ 112/2/2	1-8	Chahi	
✓ 126/2/2	0-10	-do-	
✓ 127/2/2	0-12	-do-	
✓ 140/2/2	0-19	-do-	
Total:- 36-12		Chahi	<u>big-bis</u> 9 - 14
		Rosli	26 - 18

CLAIMS

The following interested persons have filed claims:-

Sr. No.	Name of the claimant	Khasra Nos.	Amount claimed
1.	Smt. Bhani, Widow of Deep Ram, Brahm Parkash s/o Deep Ram, Smt. Jagmati & Smt. Prem & Smt. Santosh daughters of Deep Ram, all minors	140/2/2 (0-19)	Rs. 15,000/- per bigha & 15 % solatium

Contd..3...

2. Dalel Singh, Jagmohan ss/o Bhag Mal	109/2/2 (1-10)	Rs. 40/- per.sq.yd
	112/2/2 (1-8)	
	126/2/2 (0-10)	

Total :- 3big.8 bis

3. Richha Ram s/o Khimma	109/2/2 (1-10)	Rs. 40/- per sq.yd.
	112/2/2 (1-8)	$\frac{1}{2}$ share.
	126/2/2 (0-10)	
	127/2/2 (0-12)	

Total area:- 4 bighas

4. Sh.Charan Singh, Sardar Singh ss/o Jug Lal, Ram Parsad s/o Ami Lal, Magtu s/o Mansa Ram, Bhim Singh Pokher s/o Har Lal, Bhuria s/o Shadi, Desh Ram & Bhagwana ss/o Ramjas Singh Ram s/o Jas Ram, Jug Lal adopted son of Mukha, Chuni s/o Datta Ram, Jai Lal, Amar Singh & Surat Singh ss/o Hira Lal, Dhani Ram, Maya Ram & Lakhi ss/o Khubi, Ram Singh & Ram Swarup ss/o Rati Ram, Smt. Shanti wd/o Mauji, Rajinder, Ram Kanwar, Her Gian ss/o Mauji, Smt. Ram Pati, Smt. Nirmala, Smt. Raj Bala, Smt. Rajesh, Smt. Kamlesh daughters of Mauji, Chhater Singh s/o Lekh Ram, Ner Pat, Satbir Singh, Narain Singh, & Sat Pal Singh ss/o Kali Ram, Smt. Indra Wati d/o Kali Ram, Smt. Raj Kaur wd/o Kali Ram, Risal Singh s/o Nane, Chaju s/o Ramji Lal, Roop Chand s/o Ramji Lal, Roshan Lal & Med Singh ss/o Jai Mal, Nafe Singh, Ramesh & Suresh ss/o Fateh, Smt. Siria wd/o Fateh,	Rs. 50/- per sq.yd & also claim. compen- sation for standing Crops in case the possession of the same land is taken at that time
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Biro, Raj Wanti,
 daughters of Fateh,
 Shera s/o Harnand,
 Daya Nand, Hari Ram
 sons of Kishan Lal.
 Surat Singh, Chander Singh, Dafe Singh
 sons of Sukhi Ram.
 Bhai Ram s/o Ram Lal.
 Randhir, Darayo Singh
 sons of Kirpa.
 Chandgi Ram s/o Kanaiya.
 Bhartu, Siri Ram ~~somsaf~~ & Mohan Lal sons of
 Tirkha. Mehar Singh s/o Subh Ram.
 Kishan Lal s/o Ram Dayal.
 Rattan Singh, Sube Singh, Sabha Chand
 & Ram Chander sons of Tulsi Ram.
 Kali Ram, Nawal Singh & Chander Bhan
 sons of Ram Singh.
 Ram Singh s/o Jamna Dass.
 Kartar Singh, Karan Singh, Balbir Singh
 sons of Chatter Singh.
 Banwari Lal s/o Firthi Singh.
 Mir Singh, Tara Chand & Bhup Singh
 sons of Dalip Singh.
 Ram Rikh & Dilawar sons of Siri Ram.
 Ram Kala s/o Ramji Lal.
 Bhagwana s/o Ganga Ram. through
 Dhamija & Jain Advocates.

5. Kali Ram, Naval Singh, Rs. 30,000/- per bigha
 Chander Bhan ss/o Ram Singh
 through Chander Bhan

EVIDENCE

The claimants have filed following documents
 in evidence:-

1. Un-attested copy of judgment dated 26.3.1970 in
 L.A. case No. 220 of 1967 Ho Ram Vs. Union of India
 pronounced by Shri F.S. Gill, A.D.J., Delhi.
2. Unattested copy of sale deed executed on 20.7.71
 by Shri Sardar Singh and Shri Ram Parsad in favour of
 Smt. Chanchal Kumari in respect of 200 sq.yds of Kh.No. 88
 in village Nawada for Rs. 4000/-
3. Unattested copy of sale deed dated 7.8.71
 executed by Sardar Singh and Ram Parsad in favour of
 Smt. Darshan Devi in respect of 120 sq.yds of Kh.No.
 872 in village Nawada for Rs. 3000/-
4. Attested copy of sale deed No. 2708 dated
 24.2.72 executed by Shri Richha Ram in favour of Smt.

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Parkash Wati Galot of village Nawada in respect of 415 sq.yds out of Kh.No. 702,703 & 704 of village Nawada for Rs. 5000/- .

MARKET VALUE

The market value of the land under acquisition is to be assessed with reference to the date of notification u/s 4 i.e. 15.3.72 . Sale transactions of land in that village and awards in respect of similar land on or about the date of notification u/s 4 are to be taken into consideration while determining the market value of the land under acquisition.

The evidence filed by the claimants has also to be looked into. The judgment in L.A. Case No. 220/67 Ho Ram Vs. U.O.I. ~~xx~~ against award No. 1959 with date of notification u/s 4 24.10.61, by which the rate of Rs. 2500/- per bigha awarded by the Land Acquisition Collector was enhanced to Rs. 6000/- per bigha by the A.D.J., Delhi, has no relevance for the reasons that the market value has been assessed for the year 1961 and also the land involved in this decision is much better situated, being nearer the abadi of village Hastal and Najafgarh Road, than the land under acquisition. Sale deeds mentioned at Sr.No. 2 & 3 under the heading 'Evidence' are unattested and relate to small plots of land which generally fetch higher price and are situated on the Najafgarh Road. For all these reasons these sale deeds are excluded from consideration. Sale transaction mentioned at Sr.No. 4 under the heading 'Evidence' also relates to ^a small plot measuring 415 sq.yds which is situated in the abadi of extension Nawada within the extending Lal Dora Nawada as mentioned in the sale deed itself and is much better situated

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than the land under acquisition. It cannot, therefore, reflect the market value of land under present acquisition.

The following transactions which took place between December, 1970 and July, 1971 are reported to have been mutated in the revenue record:-

Sr. No.	Sale deed No with date	Area big.bis	Consideration money	Rate per bigha
1.	<u>9031/22.12.70</u>	13- 3	Rs. 8000/-	Rs. 600/- ✓
2.	<u>9092/22.12.70</u>	8-10	Rs. 4000/-	Rs. 470/- ✓
3.	<u>7717/12.7.71</u>	3-0	Rs. 1500/-	Rs. 500/- ✓
4.	<u>8166/20.7.71</u>	14-19	Rs. 15,000/-	Rs. 1000/- ✓ approximately.

The land involved in these sale transactions is situated far away from the land under acquisition and is mostly recorded as Gadda. This explains the lower rate at which land was sold away. They cannot reflect the market value of land under present acquisition.

The following awards have been made:-

Award No.	Date of notification u/s 4	Rate awarded by L.A.C. per bigha
1100	31.5.60	Rs. 700/-
<u>1923</u>	17.12.65	Rs. 1000/-

Award No. 1100 is not relevant as the date of notification u/s 4 in this award is about 12 years prior to the material date in the present case. Award No. 1923 is relevant for consideration because part of the Kh.No. 126, 127 & 140 acquired in this award is also being acquired now. The Land Acquisition Collector awarded a flat rate of Rs. 1000/- per bigha in this award and the A.D.J., Delhi enhanced the awarded rate to Rs. 1500/- per bigha in L.A. Case No. 101 of 1967 Richha Ram & others Vs. U.O.I. It appears from the case file that no appeal has been filed against this decision.

Contd..7...

The market value of land was therefore fixed @ Rs. 1500/- per bigha on 17.12.65. Since the present notification u/s 4 is dated 15.3.72 and is about 6 $\frac{1}{2}$ years later, and the price of land has also increased during this period, I consider it reasonable to allow 5 % ~~xxx~~ increase in price of land during this period over the rate of Rs. 1500/- per bigha. It works out to Rs. 1988/- per bigha. I, therefore, fix the market value of Chahi land measuring 9 bighas 14 biswas @ Rs. 2000/- per bigha and the rate of Rs. 1500/- per bigha for Rosli land measuring 26 bighas 18 biswas as Rosli land is inferior to Chahi land.

OTHER COMPENSATION

There is no well, tree or structure on the land under acquisition.

15 % SOLATIUM

A sum of 15 % solatium will be paid on account of compulsory nature of acquisition as provided u/s 23(2) of the Land Acquisition Act.

INTEREST

As possession over the land under acquisition has not yet been taken the question of interest does not therefore arise.

APPORTIONMENT

The compensation will be paid according to the latest entries in the revenue record. In case of dispute which is not settled between the interested persons within a reasonable time the amount of compensation will be sent to the Court of A.D.J., Delhi for adjudication. *He*

Contd..8...

: 8 :

Market value of the land Rs. 19,400-00
measuring 9 bighas 14 biswas
@ Rs. 2000/- per bigha

Market value of the land Rs. 40,350-00
measuring 26 bighas 18 biswas
@ Rs. 1500/- per bigha

15 % solatium on the market Rs. 8,962-50
value for compulsory acquisition

TOTAL:- Rs. 68,712-50

LAND REVENUE

The land is assessed to land revenue of Rs. 8.71 which will be deducted from the rent roll of the village from the date of taking over possession of the land.

P. M. L. Gaumat
(B.M.L. GAUMAT) 12.1.73
LAND ACQUISITION COLLECTOR(DS): DELHI

Compared

V. K. A.

N. T. d. A

Announced & filed

Today

P. M. L. Gaumat

12.1.73

LAC (DS)

कार्याधी न कमा जाम नवादा माजना हेरवा
आपारी नं. 77/72-73 अमल 36की 012 केर

आज दि 12.1.73 L.A.C नवादा आपारी

दि 12.1.73 श्री नखनित लाल श्री बानी
राम पलवारी के साथ बराप दि लाने जकर

मौके पर पेदेचा / फल डिपारमेन्ट की ओर से

श्री देवा राम S.O. व श्री शकोर शरमा जकर

S.O. श्री मौके पर उपस्थित मिले। निम्न

निम्नलिखित रकमा नकर 1/2/1 (0-14), 2/2/2

(2-18), 10/2/2 (1-05), 11/2/2 (1-04), 19/2/2 (1-0)

20/2/2 (1-3), 23/2/2 (1-02), 24/2/2 (2-05)

33-34/2/2 (1-17), 35/2/2 (1-15), 46-47/2
2

(1-05), 48/2/2 (0-17), 51/2/2 (0-11), 52/2/2

(1-15), 59/2/2 (0-18), 60/2/2 (0-19), 66/2/2

(0-17), 67/2/2 (1-1), 68/2/2 (0-19), 77/2/2

0-15, 78/2/2 (1-3), 87/2/2 (0-17), 88/2/2

(2-8), 97/2/2 (0-17), 98/2/2 (1-0), 109/2/2

(1-10), 112/2/2 (1-08), 126/2/2 (0-10)

127/2/2 (0-12), 140/2/2 (0-19) कुल 36की

12 दिवस का ककरा केकरा आर कर

मौके पर उपस्थित रकोर लगा कर

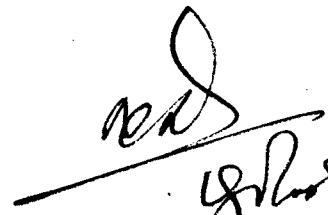
बननी दिया जाय। कापवाही कब्जा के समय
किसी प्रकार की काप जायगी नहीं है।

5) कापवाही कब्जे की मुशतदरी व मुनादी
अवधानों बुलन्द और मुशतदार किहें यथामती
(L#) आता मौक पर कराउ जाउ।

आर सरकार के समय चलानी
हक मौक पर 4 होकर नहीं है।

इकी लख कापवाही की राक
जीम लख तहकीलदार महबोली बराप

जुल परामद कागजात काल निज्वा
जानी 12.1.73


12.1.73
NT/WR
12.1.73

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)

DELHI ADMINISTRATION: DELHI

NOTIFICATION

March 15th, 1972.

No.F.7(69)/70-L&B(i):- 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 widening of Najafgarh Drain, it is hereby notified that the land in the locality described below is likely to be acquired 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 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 and 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(i) of section 17 of the said Act are applicable to this land, direct that the provisions of section 5A shall not apply.

SPECIFICATION

Village or Locality	Total Area Sig. Bis.	Field Nos. or Boundaries Rect. No. Kila Nos.	
1	2	3	
1. Mangli Sakrawati	10-3	3	25min
		4	5min, 6min, 15min, 16min, 25min,
		19	5/1min, 5/2min, 6/1min, 6/2min, 15/1min, 15/2min 16min, 25min
		20	5min, 6min
2. Kashipur	17-10	9	6/2min
		8	1/2min
		39	2min
		1	22/2min, 17/2min, 16/2 min, 15/2min, 18/2min, 23/2min
		2	11/2min, 12/2min, 9/2 min, 8/2min, 7/2min, 6/2min
		3	10/2min, 11min, 9/2min, 12/2min, 13/2min, 14/2 min, 17min, 16/2min,
		4	20/2 min, 19/2min, 22min, 23/2min, 24/2min
P/2.			

1.	2.	3.
	<u>Bi. & Bis.</u>	
3. Shafipur Ranhola	29-9	56 1min
		55 5/1min, 4/1min, 3/1min, 2/2/1min, 2/1/1min, 1/1min
		54 1/1min, 2/1min, 3/1min, 4/1min, 5/1min
		53 6/1/1min, 6/2/1min, 7/1min, 8/1/1min, 8/2/1min, 9/1min, 10min, 11/1min
		72/1min
		52 14/1min, 15/1min, 17/1min, 18/1min, 19/1/1min, 21/1min, 22/1/1min, 22/2/1min
4. Bapraula	32-12	51 4min, 5/1min, 7/1min, 8min, 12min, 13/1min
		37 4min, 7/1min, 8/2min, 13/1min, 12min, 19/1min, 20/1min, 21/1min
		34 25min
		38 5/1min, 6/1min, 15/1min, 15/2min, 16/1min, 25/1, 24min
		41 4/1min, 7/1min, 14/1min, 17/1min, 24/1min
		70/1min
		42 5/1min, 4min, 6/1min, 15/1min, 16/1min, 25/1min
		66 5/1min, 4min, 7/1min, 14/1min 13/1min, 18/1min, 22/1min
		67 2/1min, 10/1min, 11/1min

1.	2.	3.
5. Tilangpur Kotla	11-11	12 12min, 19/1/1min, 19/2/1min, 20min, 21/1min 11 25min 13 5/1min, 5/2/1min, 7/1min, 13/1min, 19/1/1min, 19/3min, 21/1min, 14 5/1min
6. Razapur Khurd	20-17	2/2min, 3/2min, 4/2min, 5/2min, 6/2min, 12/2min, 13/2min, 14/2min, 15/2min, 16/2min, 17/2min, 18/2min, 19/2min, 20/2min, 21/2min, 22/2min, 23/2min, 24/2min, 25/2min, 26/2min, 27/2min, 28/2min, 29/2min, 32/2min, 33/2min, 34/2min, 35/2min, 36/2min, 37/2min, 38/2min, 39/2min, 40/2min, 41/2min, 42/2min, 43/2min, 44/2min, 45/2min, 46/2min, 47/2min, 147/2min, 148/2min
7. Hastal	39-19	13 11min, 14/2min, 15/1/2min, 15/2/2min, 17/2min 12 10/2/2min, 9min, 2/2min, 3/2min 1 23/2min, 24/1/2min, 24/2min, 25/1min, 25/2min, 16/2min 2 20/2min, 19/2min, 13/2min, 18min, 14/2min, 15/2min 113/2min 3 11/2min, 12/2min, 8min, 13min, 7/2min, 6/2min, 14/1min 4 10/2min, 9/2min, 8/2min 2/4.

1.	2.	3.
		7/2min, 14/2min, 15/2min
5		11/2min, 12/2min, 13/2min, 18min, 17/2min, 24min, 25/1/2 min, 25/2/2min, 25/3/2min, 25/4min
8		5min
6		21/2min
7		1/2min, 10/2min, 9/2min, in 12/2min, 13/1/2min, 13/2/2 min, 18/2min, 24/2min n,
		94/2min
20		5/2min, 4min, 6/2/2min, 15/2min, 16/2min, 25/2min
22		5/1/2min, 5/3/2min, 6/2min, 15/2min, 16/2min, 25/2min
32		5/2/2min, 6/1/2min, 6/2/2min
33		11/1/2min, 11/2/2min, 19/2min, 23/1/2min, 23/2/2min
8.Nawada Majra H.atsal	17-8 ✓	Khasra Nos:-1/2min, 2/2min, 10/2min, 11/2min, 19/2min, 20/2 min, 23/2min, 24/2min, 34/2min, 33min, 35/2min, 46min, 47/2min, 48/2min, 51/2min, 52/2min, 59/2min, 60/2min, 66/2min, 67/2min, 68/2min, 77/2min, 78/2min, 87/2min, 88/2min, 97/2min, 98/2min, 109/2min, 112/2min, 126/2min, 127/2min, 140min .
9.Nilothe	73-19	37 2min, 3min, 7min, 8min, 14min, 15min, 16
		36 20min, 21/2, 22/1min, 22/2min P/5.

1.	2.	3.
	38	2min, 3min, 7min, 8min, 14min, 15min, 16min
	58min	
	39	21min
	47	1/1min, 1/2min, 9min, 12min, 19min, 22/1min, 22/2min
	48	2min, 9min, 11min, 20min, 21min
	52	1min, 2min, 9min, 12min, 13min, 14min, 15min, 6/2min
	51	10min, 1min, 2min
	49	6min, 22min, 23min, 17min, 18min, 14min, 15min
	50	10min, 1min, 2min
	45	22min, 23min, 18/1min, 17min, 14min, 15min, 6min
	44	10/2min, 1min
	55min	
	42	21min, 22min, 18min, 19min, 13min, 14min, 6min, 7min, 5min
	43	1min
	31	21min, 22min, 19min, 18min, 13min, 7min, 4min, 5min
	28	25min
	30	21min, 20min, 19/2, 12min, 9min, 8/1min, 8/2min, 3min

By order,

(R.N. PURI)
DEPUTY SECRETARY (LAND & BLDG.)
DELHI ADMINISTRATION: DELHI.

P/6.

No.F.7(69)/70-L&B

March, 1972,

Copy forwarded to:-

1. Public Ration Department, Delhi Administration,
(in duplicate), for publication in part IV of
Delhi Gazette.
2. The Additional District Magistrate(L), Delhi.
3. The Land Acquisition Collector(P), Delhi, w/r to
his letter No.F.2(57)/71-Teh(N)/2251-52 dtd.15.2.72.
4. The Executive Engineer, Flood Control and Drg.Div.
No.I, Delhi Admn., Curzon Road, New Delhi, w/r to
his letter No.NB-23(L)/1031 dtd.17.2.72.

(R.N. PURI)
DEPUTY SECRETARY(LAND & BLDG.)
DELHI ADMINISTRATION: DELHI.

L.N.