

Case No. 260

A W A R D NO. 2029/

Name of the village: Dhul Siras.
Nature of acquisition: Permanent.

INTRODUCTION:

The land situated in the estate of village Dhul Siras measuring 161 bighas and 2 biswas, along with the land of other villages is required by the Government at the public expense for a public purpose, namely for the widening of Najafgarh Drain the reach between Chhawala Bridge to Kakraula Regulator. A notification under section 4 of the Land Acquisition Act was made vide the notification No.F.15(44)/66-L&H(i) dated 27.5.1967. The provisions of section 5-A for hearing and inviting the objections from the interested persons were dispensed with and section 17 was applied for taking possession of the land under acquisition vide the notification No.F.15(44)/66-L&H(i) dated 27.5.1967. Simultaneously a declaration under section 6 of the Land Acquisition Act was made vide the notification No.F.15(44)/66-L&H(ii) dated 27.5.1967. A notice under section 9(1) was given due publicity and notices under section 9(3) and 10(1) of the Land Acquisition Act were served upon the interested persons. Almost all interested persons have responded to the notices given to them.

'MEASUREMENT & OWNERSHIP'

According to the notification under section 6 of the Land Acquisition Act the total area to be acquired is 161 bighas and 2 biswas. From further verification made on the spot under section 8 of the Land Acquisition Act the area under acquisition was found to be correct at 161 bighas and 2 biswas. I, therefore, hold the area under acquisition to be true at 161 bighas and 2 biswas, the detail of which according to the revenue record is as given below:-

Khasra No.	Area. Big.Bis.	Kind of land.
260/1.	2 - 08	Unirrigated.
122/1.	3 - 12 ✓	-do-
126/1.	1 - 09	-do-
127/1.	3 - 07	-do-
135/1.	1 - 11 ✓	-do-
136.	6 - 13 ✓	-do-
137.	3 - 04	-do-
138.	1 - 16 ✓	-do-
139/1.	2 - 19	-do-
152/1.	5 - 05 ✓	Irrigated.
154/1.	1 - 13 ✓	Unirrigated.
156/1.	1 - 11 ✓	Unirrigated.
157/1.	4 - 12	Unirrigated.
162/1.	0 - 10 ✓	-do-
163/1.	0 - 10	-do-
164/1.	0 - 10 ✓	-do-
165/1.	1 - 04	Vacant.
167/1.	1 - 14 ✓	Unirrigated.
172/1.	0 - 17	Unirrigated.
175/1.	0 - 14 ✓	Unirrigated.
202/1.	0 - 17 ✓	Unirrigated.
205/1.	1 - 14 ✓	Unirrigated.
206/1.	0 - 12	-do-
207/1.	0 - 12 ✓	-do-
208/1.	4 - 04	-do-
210/1.	4 - 02	Irrigated.
212/1. ✓	1 - 08 ✓	Unirrigated.
237/1.	0 - 03	Vacant.
239/1.	1 - 13	Vacant.
241/1.	2 - 19 ✓	Irrigated.
242/1.	2 - 16 ✓	Unirrigated.
247/1.	2 - 03	Unirrigated.
248/1.	2 - 08 ✓	Irrigated.
262/1.	2 - 03	Unirrigated.

263/1.	0 - 05	Vacant.
270/1.	3 - 09	Unirrigated.
271/1.	1 - 18 ✓	Unirrigated.
272/1.	0 - 10 ✓	Unirrigated.
274/1.	1 - 18 ✓	-do-
279/1.	1 - 18	-do-
280/1.	1 - 04 ✓	-do-
283/1.	0 - 19 ✓	-do-
284.	1 - 05	-do-
285/1.	0 - 11	-do-
297/1.	2 - 15 ✓	-do-
263/2/1.	0 - 02	-do-
298/1.	1 - 09 ✓	-do-
300/1. ✓	2 - 01	Vacant.
301/1. 1.1	1 - 02	Unirrigated.
302/1.	2 - 01	Irrigated.
305/1.	3 - 19 ✓	Unirrigated.
306/1.	3 - 10	-do-
307/1.	3 - 05 ✓	-do-
308/2/1.	2 - 08	-do-
309/1.	0 - 17 ✓	-do-
310/1.	0 - 10	-do-
311/1. ✓	2 - 08 ✓	-do-
311/1/1.	0 - 07	-do-
312. 1.1 ✓	0 - 05	On. Well.
313/1.	7 - 01	Unirrigated.
320/1.	1 - 11 ✓	-do-
321/1.	0 - 17 ✓	-do-...4
322/1.	1 - 09	-do-
263/2/2/1.	0 - 04	-do-
323/1.	1 - 18 ✓	-do-
324/1.	1 - 14 ✓	-do-
327/1.	3 - 14 ✓	-do-
328.	2 - 10	-do-
329/1.	0 - 07 ✓	-do-
332/1.	0 - 19 ✓	-do-

333/1.	1 - 03	Unirrigated.
607/336/1.	3-9 2	Unirrigated.
337/1.	1 - 00	Unirrigated.
338/1.	1 - 03	Unirrigated.
341/1.	1 - 03	Unirrigated.
345/1. ✓	1 - 00	Unirrigated.
346/1.	1 - 00	-do-
347/1.	0 - 18 ✓	-do-
348/1.	1 - 03	-do-
350/1.	2 - 11 ✓	-do-
351/1.	1 - 04 ✓	-do-
352/1/1 ✓	0 - 19 ✓	-do-
353/1.	2 - 06	-do-
358/1.	3 - 14 ✓	-do-
359/1.	1 - 16 ✓	-do-

161 - 02		

'CLAIMS AND EVIDENCE'

The following claims have been received from the claimants for compensation:-

Sl.No.	Name of the claimant.	Compensation demanded.
1.	Deep Chand, Risal Singh, Daryo Singh ss/o Khema.	Rs.4000/- per bigha.
2.	Siri Chand, Daya Chand, Tek Chand, Hazari ss/o Bakhtawar; Shmt.Kamlo wd/o Chuni Lal.	Rs.15/- per sq.yd.
3.	Prehlad Singh, Ishwar Singh ss/o Ram Nath.	Rs.15/- per sq.yd.
4.	Nursing Bhan s/o Sispal, Chander Bhan s/o Chhote Lal.	Rs.15/- per sq.yd.
5.	Shmt. Rajo mother of Jage Ram.	Rs.15/- per sq.yd.
6.	Mohinder Singh s/o Pyare Lal.	Rs.15/- per sq.yd.
7.	Risal s/o Bakhtawar; Rattan Singh xs/o Chandagi.	Rs.15/- per sq.yd. ...5

8. Tek Chand s/o Chhelu. Rs.15/- per sq.yd. for the land.
9. Lakhmi Chand, Amrit Singh, Balbir Singh, Bir Singh ss/o Moti Ram. Rs. 15/- per sq.yd. for the land.
10. Chet Ram s/o Neki. Rs.15/- per sq.yd.
11. Ram Sarup, Jage Ram, Dhare Singh, Ram Mehr ss/o Sita Ram. Rs.6000/- per bigha.
12. Sarupa s/o Duli. Rs.15/- per sq.yd.
13. Bhagwa n Singh s/o Sher Singh. Rs.5000/- per sq.yd.
14. Shmt .Amravi wd/o Ghisu. Rs.15/- per sq.yd.
15. Shiv Narain s/o Mehr Singh. Rs.15/- per sq.yd.
16. Tek Chand s/o Indraj. Rs.15/- per sq.yd.
17. Ram Sarup, Mam Chand, Harphul ss/o Joondha. Rs.15/- per sq.yd.
18. Shanker s/o Lalia, Bhartoo s/o Lal-ia, Sarupa s/o Duli, Bhart Singh s/o Lalia. Rs.4000/- per bigha.
19. Bhola s/o Ram Gopal. Rs.15/- per sq.yd.
20. Rup Ram s/o Rampat, Jot Ram s/o Mir Singh, Kehri Singh s/o Mehr Singh, Ram Krishan s/o Sheo Ram, Mukhtiar Singh s/o Mehr Singh, Ram Sarup s/o Siri Ram. Rs.4000/- per bigha.
21. Narain Singh, Nafe Singh, Jai Prakash s/o Chuni Lal, Risal Singh s/o Ram Kala. Rs.15/- per sq.yd.
22. Tika Ram, Bansi Ram ss/o Fateh. Rs.15/- per sq.yd.
23. Sant Ram s/o Munshi Ram. Rs.6000/- per bigha.
24. Chhaju Ram s/o Bhudha, pyare Lal s/o Bhudha. Rs.15/- per sq.yd.
25. Ran Singh s/o Bhudha. Rs.15/- per sq.yd.
26. Bhola s/o Abey Ram. Rs.5000/- per bigha.

- | | |
|--|--------------------------|
| 27. Duli Chand s/o Mular. | Rs.4000/- per bigha. |
| 28. Sukh Dev, Pyare Lal ss/o
Ram Richhpal. | Rs.15/- per sq.yd. |
| 29. Jai Lal s/o Chhaju. | Rs.15/- per sq.yd. |
| 30. Sheo Ram s/o Chhatar
Singh, Bhola, Jai Singh
ss/o Rora. | Rs.15/- per sq.yd. |
| 31. Dip Chand, Surat Singh ss/o
Ram Prashad. | Rs.15/- per sq.yd. |
| 32. Bakhtawar, Chhotu ss/o
Mangtoo. | Rs.15/- per sq.yd. |
| 33. Hari Singh, Karan Singh
ss/o Rup Chand. | Rs.15/- per sq.yd. |
| 34. Makhan Singh s/o Harphul
Singh. | Rs.15/- per sq.yd. |
| 35. Lakhi Ram s/o Mam Chand. | Rs.4000/- per bigha. |
| 36. Rattan Lal, Bir Singh,
Mange Ram, Balwant Singh,
ss/o Bhola. | Rs.15/- per sq.yd. |
| 37. Sahib Singh s/o Sada Ram. | Reasonable compensation. |
| 38. Pokhar, Risal Singh ss/o
Mojji Ram. | Rs.15/- per sq.yd. |
| 39. Giani Ram alias Chhote Lal,
Rup Narain ss/o Ram Sarup,
Shmt. Champe wd/o Jagdish. | Rs.15/- per sq.yd. |
| 40. Dipu s/o Ram Singh. | Rs.4000/- per bigha. |
| 41. Mohan Dat s/o Chander
Bhan, Bhagwan Sahai,
Piare Lal, Pirbhu Dayal
ss/o Siri Ram. | Rs.5000/- per bigha. |

No evidence has been produced by any of the above claimants in support of their claim for compensation. Hence the rates of compensation demanded by them are not sustainable. They are entitled for compensation as discussed under the head 'Market Value'.

'MARKET VALUE'

The land under acquisition which is in the form of a strip adjoins and runs parallel to the Najafgrah Drain stretching from north to south. The land under acquisition is covered under the same scheme, namely, the widening of

the Najafgrah Drain in the reach between the Chhawla Bridge to Kakraula Regulator, and under the same notification under section 4 of the L.A. Act No. F.15(44)/66-L&H(1) dated 27.5.1967, by which the lands in villages Amber Hai and Bannoli have been acquired, in respect of which the awards have been drawn ~~recently~~. The land the village Amber Hai connects the land under acquisition towards the northern end, and the land of the village Bannoli connects the land under acquisition towards the southern end.

The following sales transactions in village Dhul Siras have been recorded during the last five years prior to the date of notification under section 4 of the L.A. Act, viz, 27.5.1967:-

Year.	Area. Big. Bis.	Total sale price.	Average per bg
1962-63.	--	--	--
1963-64.	2 - 00	Rs.2200/-	Rs.1100/-
1964-65.	--	--	--
1965-66.	7 - 14	Rs.5390/-	Rs.700/-
1966-67.	27 - 13	Rs.13,200/-	Rs.477.40ps.

From the above statement it is seen that no sale was recorded during the years 1962-63 and 1964-65. During the year 1963-64, only one sale was recorded, according to which the khasra No.568 measuring 2 bighas was sold for a consideration of Rs.2200/-, thus yielding an average of Rs.1100/- per bigha. During the year 1965-66 also only one sale is reported to have taken place, according to which the khasra No.567, measuring 7 bighas and 14 biswas, which is just adjacent to the khasra No.568 was sold for a consideration of Rs.5390/-, thus yielding an average of Rs.700/- per bigha. The average rate worked out for the lands sold during the year 1966-67 comes to Rs.477.40ps. per bigha. On the scrutiny of the sales involved during the said year, it is revealed that vide the mutation No. 856 the khasra No.423 measuring 3 bighas and 12 biswas was sold for a sum of Rs.2700/-, thus yielding an average of Rs.750/- per bigha. This mutation ^{has} not yet been ...8

sanctioned by the Competant Authority. Besides, the khasra No.423 is away and is better situated than the land under acquisition. As such this rate cannot be relevant for arriving at the correct market value of the land under acquisition. This is the highest average rate included in the sale transactions that had taken place during the year 1966-67. In contrary to this, the lowest average rate during the said year was Rs.400/- per bigha, which is related to the Mutation No.855 according to which the land bearing Khasra Nos. 108,109 and 110 measuring 15 Bighas was sold for Rs.6000/-. These Khasra Nos. also are away from the land under acquisition and are some what inferior to the land under acquisition. As stated above, two awards have been recently drawn for the land covered under the same scheme for which the present award is being drawn. In the award relating to Ambar Hai, the rate of Rs.500/- per bigha was allowed and in the award relating to village Bannoli, the rates of Rs.700/- and Rs.600/- per bigha respectively were allowed. The land of village Amber Hai is very similar to the land under acquisition, and the land of village Bannoli is slightly better than the land of villages Amber Hai and Dhul Siras. Thus considering all these factors I feel that the rate of Rs.500/- per bigha will be a fair and reasonable market value of the land under acquisition and I award accordingly.

OTHER COMPENSATIONS

There is one well in Khasra No.312, for which the Naib Tehsildar (LA) has Rs.600/-, with which I agree and I award accordingly.

There is neither any tree or structure, as such the question of assessment of compensation does not arise.

Interest: In addition to the value of the land, the land owners are entitled for interest @ 6% p.a. As statdd above due to

..9/-

application of section 17 of the Land Acquisition Act, the possession of the land under acquisition has been actually handed over to the Floods Control & Drainage Department, Division No.1 on 3.7.1967. Hence the interest is calculated w.e.f. 3.7.1967 to 20.10.1967, as the award is likely to be announced on 21.10.1967.

15% solatium for compulsory nature of acquisition: As provided under section 23(2) of the Land Acquisition Act, the owners will also be paid 15% solatium for compulsory nature acquisition.

APPORTIONMENT

The compensation will be paid according to the latest entries in the Revenue Record and in presence of the interested parties as per the details noted in the Naqsha Muntiziman. In case of dispute it will be sent to the Addl. District Judge, Delhi for adjudication. Also the compensation will be paid to the parties after they produce the clearance certificate whose lands have been hypothicated on account of the Tacavi loans.

SUMMARY OF THE AWARD

Compensation for the land measuring 161 Bighas 2 Biswas @ Rs.500/- per bigha.	Rs.80,550-00
Compensation for the well	Rs. 600-00
	Rs.81,150-00 ✓
15% of the above as solatium for compulsory nature of acquisition	Rs.12,172-50
	Rs.93,322.50
6% of the above as interest from 3.7.1967 to 20.10.1967.	Rs. 1,687.48
	Rs.95,009.98
	=====

The land is assessed to a land revenue of Rs.60.25ps. which will be deducted from the revenue roll of Rabi, 1968.

Stamp
24/10

[Signature]
(Zal Nowsherwanji)
Land Acquisition Collector (DS),
Delhi/12.9.1967.

Ramkishan N.S/LA

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

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated the

No.F.15(44)/66-L&H(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 widening of Najafgarh Drain in the reach between Chhawala Bridge to Kakraula Regulator, 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(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 5A shall not apply.

SPECIFICATION

Village	Total Area		Field Nos. or Boundaries.
	Big.	Bis.	
Dhulsiras.	161	- 2	122/1, 126/1, 127/1, 135/1, 136, 137, 138, 139/1, 152/1, 154/1, 156/1, 157/1, 162/1, 163/1, 164/1, 165/1, 167/1, 172/1, 175/1, 202/1, 205/1, 206/1, 207/1, 208/1, 210/1, 212/1, 237/1, 239/1, 241/1, 242/1, 247/1, 248/1, 260/1, 262/1, 263/1, 270/1, 271/1, 272/1, 274/1, 279/1, 280/1, 283/1, 284, 285/1, 297/1, 298/1 , 298/1, 300/1, 301/1/1, 302/1, 305/1, 306/1, 307/1, 308/2/1, 309/1, 310/1, 311/1, 311/1/1, 313/1, 312, 320/1, 321/1, 322/1, 263/2/2/1, 323/1, 324/1, 327/1, 328, 329/1, 332/1, 333/1, 607/336/1, 337/1, 338/1, 341/1, 345/1, 346/1, 347/1, 348/1, 350/1, 351/1, 352/1, 353/1, 358/1, 359/1, 263/2/1

Contd....2/-

<u>Village</u>	<u>Total Area</u> <u>Big. Bis.</u>	<u>Field Nos. or Boundaries.</u>																
K.L.C. n Bamoli.	52 - 13	2/1, 3/1, 4/1, 11/1, 12, 13/1, 14/1, 15/1, 16, 17/1, 18, 19, 20/1, 21/1, 24/1, 118/1, 127/1, 128, 129/1, 126/1.																
K.L.C. Ambarhai.	45 - 6	<table><tr><th><u>Rectangle No.</u></th><th><u>Killa No.</u></th></tr><tr><td>5</td><td>22, 23/1, 24/1</td></tr><tr><td>23</td><td>4/1, 5/1, 6/1, 15/2</td></tr><tr><td>22</td><td>10/2/1, 11/3/1, 20/2/1, 21/1</td></tr><tr><td>31</td><td>1/1, 10/1/1, 10/2/1</td></tr><tr><td>30</td><td>6/1, 15/1, 14/1, 17/1, 18, 23/1</td></tr><tr><td>29</td><td>3/1, 8/1, 9, 12/1, 13/1, 19/1/1, 19/2/1, 22/1</td></tr><tr><td>65/1, 71/1</td><td></td></tr></table>	<u>Rectangle No.</u>	<u>Killa No.</u>	5	22, 23/1, 24/1	23	4/1, 5/1, 6/1, 15/2	22	10/2/1, 11/3/1, 20/2/1, 21/1	31	1/1, 10/1/1, 10/2/1	30	6/1, 15/1, 14/1, 17/1, 18, 23/1	29	3/1, 8/1, 9, 12/1, 13/1, 19/1/1, 19/2/1, 22/1	65/1, 71/1	
<u>Rectangle No.</u>	<u>Killa No.</u>																	
5	22, 23/1, 24/1																	
23	4/1, 5/1, 6/1, 15/2																	
22	10/2/1, 11/3/1, 20/2/1, 21/1																	
31	1/1, 10/1/1, 10/2/1																	
30	6/1, 15/1, 14/1, 17/1, 18, 23/1																	
29	3/1, 8/1, 9, 12/1, 13/1, 19/1/1, 19/2/1, 22/1																	
65/1, 71/1																		

By order,

sd/-

(Jagmohan)
Secretary (Land & Building),
Delhi Administration.

No.F.15(44)/66-L&B(1).

Dated the *27/5/67*

Copy forwarded to :-

1. The Public Relations Department (in duplicate) for publication in part IV of Delhi Gazette.
2. The Executive Engineer, Flood Control & Drainage Division No.I, Delhi Administration, Curzon Road, New Delhi, with reference to his letter No.NB-17/2119 dated 20.5.67.
3. ✓ The Land Acquisition Collector (Palam), Delhi, in continuation of this Administration endorsement of even number dated 12.5.67.



sd/-

(Jagmohan)
Secretary (Land & Building),
Delhi Administration.

26/5

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

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated the

No.F.15(44)/66-L&H(11):- 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 widening of Najafgarh Drain in the reach between Chhawala Bridge to Kakraula Regulator, 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.

A plan of the land may be inspected at the office of the Collector of Delhi.

SPECIFICATION.

<u>Village or Locality.</u>	<u>Total Area</u> <u>Big. Bis.</u>	<u>Field Nos. or</u> <u>Boundaries.</u>
Dhulsiras. R.K.	161 - 2	122/1, 126/1, 127/1, 135/1, 136, 137, 138, 139/1, 152/1, 154/1, 156/1, 157/1, 162/1, 163/1, 164/1, 165/1, 167/1, 172/1, 175/1, 202/1, 205/1, 206/1, 207/1, 208/1, 210/1, 212/1, 237/1, 239/1, 241/1, 242/1, 247/1, 248/1, 260/1, 262/1, 263/1, 270/1, 271/1, 272/1, 274/1, 279/1, 280/1, 283/1, 284, 285/1, 297/1, 263/2/1, 298/1, 300/1, 301/1/1, 302/1, 305/1, 306/1, 307/1, 308/2/1, 309/1, 310/1, 311/1, 311/1/1, 313/1, 312, 320/1, 321/1, 322/1, 263/2/2/1, 323/1, 324/1, 327/1, 328, 329/1, 332/1, 333/1, 307/336/1, 337/1, g), 333/1, 341/1, 345/1, 346/1, 347/1, 348/1, 350/1, 351/1, 352/1, 353/1, 358/1, 359/1
Bamoli. R.K.	52 - 13	2/1, 3/1, 4/1, 11/1, 12, 13/1, 14/1, 15/1, 16, 17/1, 18, 19, 20/1, 21/1, 24/1, 118/1, 127/1, 128, 129/1, 126/1.

Contd...2/-

<u>Village or Locality.</u>	<u>Total Area</u> <u>Bis. Bis.</u>	<u>Field Nos. or</u> <u>Boundaries.</u>
Ambarhai.	45 - 6	
<i>R.1c</i>		
		<u>Rect. No.</u> <u>Killa No.</u>
		6 22, 23/1, 24/1
		23 4/1, 5/1, 6/1,
		15/2
		22 10/2/1, 11/3/1,
		20/2/1, 21/1
		31 1/1, 10/1/1,
		10/2/1
		30 6/1, 15/1, 14/1,
		17/1, 18, 23/1
		29 3/1, 8/1, 9, 12/1,
		13/1, 19/1/1,
		19/2/1, 22/1
		65/1, 71/1.

By order,

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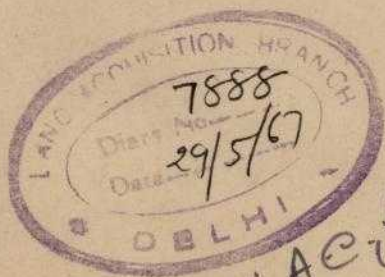
(Jagmohan)
Secretary (Land & Building),
Delhi Administration.

No.F.15(44)/56-L&H(11).

Dated the

Copy forwarded to :- *27/5/67*

1. The Public Relations Department (in duplicate) for favour of publication in part IV of Delhi Gazette.
2. The Executive Engineer, Flood Control & Drainage Division No.1, Delhi Administration, Curzon Road, New Delhi, with reference to his letter No. MB-17/2119 dated 20.5.1967.
- ✓ 3. The Land Acquisition Collector (Palam), Delhi, in continuation of this Administration endorsement of even No. dated 12.5.1967.



sh
(Jagmohan)
Secretary (Land & Building),
26/5 Delhi Administration.