Award No. 2066 /

Name of the village: Dhul Siras.

Nature of acquisition: Permanent.

INTRODUCTION:

The land situated in the estate of village Dhul Siras is required by the Government at the public expense for a public purpose, namely for the widening of Najafgrah Drain from Chhawla Bridge to Kakraula Regulator. A notification u/s 4 of the L.A.Act was made by the Delhi Administration vide the notification No.F.15(44)/66-LSG/L&H(i) dated 19.8.1966. The provisions of section 5-A of the L.A.Act for hearing and inviting the objections were dispensed with, and section 17 was applied for taking possession of the land under acquisition. vide the notification No.F.15(44)/66-LSH/L&H(iii) dated 19.8.1966. Actually, the possession of the land under acquisition was not handed over to the Acquiring Department as the drain was already dug by the Flood Control & Drainage Department. Simultaneously a declaration under section6 of the L.A.Act was made vide the notification No.F.15(44)/66-LSG/L&H(ii) dated 19.8.1966. A notice u/s 9(1) was given due publicity and notices u/ss.9(3) and 10(1) of the L.A.Act were served upon the known interested persons. Almost all the interested persons have responded to the notices given to them by filing their claims.

'MEASUREMENT & OWNERSHIP'

According to the notification under section6 of the L.A.Act the total area to be acquired was 156 bighas and 10 biswas.

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But from the further verification made on the spot u/s 8 of the L.A.Act the area under acquisition was found to be correct at 151 bighas and 16 biswas. The difference in the area is due to wrong striking of the total at the time of the preparation of the notification u/ss.4 and 6 of the Land Acquisition Act and due to the fact of the ommission of the khasra No.83 min (2-16) and inclusion of the khasr No.75(4-06) which is not in the scheme. Hence the khasra No.83(2-16) is being included in the present award and khasra No.75(4-06) is being excluded from the present award and the action to denotify it is being taken separately. I, therefore, hold the area under acquisition to be true at 151 bighas and 16 biswas, the details of which according to the revenue record are as given below:-

Khasra No.	Area. Big. Bis.	Kind of land.
1 etc./1/1.	1 - 14	Unirrigated.
" 2/1.	2 - 05	-do-
" 3/1.	1 - 16	-do-
" 4 /1.	3 - 17	-do-
" 5/1.	2 - 14	-do-
" 6/1.	1 - 05	-do-
" 7/1.	1 - 16	-do-
" 8/1.	3 - 10	-do-
" 9/1.	3 - 10	-do-
" 10/1/1.	1 - 18	-do-
" 10/2/1.	1 - 16	-do-
" 11/1.	0 - 18	-do-
" 12/1.	0 - 18	-do-
" 13/1.	0 - 16	-do-
" 14.	0 - 17	-do-

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1 etc. 15/1.	0 - 15	Unirrigated.
" 16/1/1.	2 - 12	-do-
" 16/2/1.	3 - 12	-do-
" 17/1.	0 - 02	Gm.Rasta.
" 19/1.	8 - 09	Unirrigated.
" 20.	7 - 10	-do-
" 21/1.	6 - 09	-do-
" 22/1.	5 - 12	Irrigated.
" 40/1.	0 - 05	Ghairmumkin Rast
" 81/1.	2 - 17	Unirrigated.
" 82/1.	9 - 14	Unirrigated.
" 80/1.	0 - 08	-do-
" 79/1.	1 - 01	-do-
" 78/1.	0 - 08	-do-
" 77/1.	1 - 16	-do-
" 76/1.	0 - 13	-do-
" 83/1.	2 - 16	-do-
" 84/1.	0 - 05	Gm.Rasta.
" 85/1.	2 - 05	Unirrigated.
" 86/2/1.	2- 00	-do-
" 91/1.	0 - 02	Gm.Rasta.
" 92/1.	0 - 15	Unirrigated.
" 93.	1 - 06	-do-
" 94.	1 - 00	-do-
" 95/1.	1 - 13	-do-
" 98/1.	0 - 02	Gm.Rasta.
" 99/1.	1 - 03	Unirrigated.
" 100/1.	1 - 18	Irrigated.
" 103/1.	0 - 02	Gm.Rasta.
" 104/1.	1 - 05	

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1 etc./105/1.	3 - 12	Unirrigated.
1 etc. 106/1.	1 - 00	-do-
1 etc. 107/1.	1 - 03	-do-
1 etc. 108/1.	3 - 05	-do-
1 etc./109/1/1.	1 - 07	Irrigated.
" 109/2/1.	0 - 18	-do-
" 110/1.	0 - 18	Unirrigated.
" 111/1.	2 - 12	-do-
" 112/1.	4 - 05	-do-
" 113/1.	5 - 15	-do-
" 114/1.	2 - 05	-do-
" 115/1.	5 - 13	-do-
" 116/1.	5 - 10	-do-
" 117/1.	4 - 05	-do-
" 118/1.	1 - 07	-do-
" 119/1/1.	0 - 18	-do-
" 119/2/1.	1 - 16	-do-
" 120/1.	8 - 02	Unirrigated.
Total ...	151 - 16	

Classification:-

	Big. Bis.
Irrigated.	9 - 15
Unirrigated.	141 - 03
Gm.Rasta.	0 - 18
Total...	151 - 16

'Claims and evidence'

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

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Sl.No. Name of the claimant.	Compensation demanded.
1. Deep Chand s/o Chunni.	Rs.15/- per sq.yd.
2. Smt. Umrai wd/o Shiso Ram.	Rs.15/- per sq.yd.
3. Sh.Shib Lal s/o Muni Lal.	Rs.10/- per sq.yd.
4. Sh. Mohinder Singh s/o Piare Lal.	Rs.15/- per sq.yd.but his land is not under acquisition.
5. Sh.Rattan Singh s/o Chandi Ram.	Rs.15/- per sq.yd.
6. Sh.Amrit Lal for self and brothers.	Rs.10/- per sq.yd.
7. Sh.Jita s/o Neki.	Rs.15/- per sq.yd.
8. S/Shri Narain Singh Nafe Singh and Jai Parkash ss/o Chunni, and Rishal Singh s/o Rama Kala.	Rs.15/- per sq.yd.
9. Sh.Lakhi Ram s/o Ram Chand.	Rs.4000/- per bigha.
10.Sh.Amrit Singh.	Rs.10/- per sq.yd. for the land, Rs.3/- per sq.yd. for severance Rs.2/8/- for the rest of the land having become useless, Rs.5000/- for the well in khasra No.16/1.
11. Shri Amrit Singh s/o Chajju, Shri Shiban s/o Jhandu, Bhartu, Kanak Singh ss/o Ram Jas.	Same as above except for well.
12. Shri Dhanni Ram, Tara Chand and Rama Nand.	Rs.10,000/- per bigha, Rs.3000/- on account of severance.
13. Shri Ram Raj s/o Sis Ram, Mukhtiar Singh s/o Shmt. Hukma, Bharpai and Phulwati daughters, and Risalo wd/o Jit Ram.	Rs.10/- per sq.yd.
14. Shri Hari Singh, Karan Singh, ss/o Shri Raup Chand.	Rs.15,000/- per bigha.
15. Shri Balbir Singh, Ram Kishan, ss/o Sudhan.	Rs.15,000/- per bigha.
16. Shri Tek Chand s/o Chelu.	Rs.15,000/- per bigha.

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17. Sh.Bhola s/o Ram Gopal.	Rs.15,000/- per bigha.
18. Pokhar Singh s/o Moji Ram, Rishal s/o Moji Ram.	Rs.15,000/- per bigha.
19. Shri Mange Ram s/o Bhap Singh	Rs.15000/- per bigha.
20. Shri Surat Singh and Deep Chand.	Rs.15,000/- per bigha.
21. Shri Raghu Nath s/o Bonti.	Rs.15000/- per bigha.
22. Shri Chaju s/o Budha.	Rs.15/- per sq.yd. for theland, and Rs.8000/- for wall.
23. Shri Piarey Lal alias Paltoo s/o Bhudha.	Rs.15/- per sq.yd.
24. Tek Chand s/o Indraj.	Rs.15000/- per bigha.
25. Shri Sukhdev, Piarey Lal ss/o Ram Richhpal.	Rs.15,000/- per bigha.
26. S/Shri Het Ram, Zille Singh, Dalel Singh, Dalip Singh and Mohinder Singh ss/o Rama Nand.	Stated that the compensation of khasra No.105 be paid to S/Shri Hari Singh and Karan Singh.
27. Shri Mohan Datt s/o Chander Bhan, Bhagwan Sahai s/o Parey Lal and Parbhu Dayal s/o Siri Ram through Shri R.D.Sharma Advocate.	Rs.5000/- per bigha for the land, Rs.1000/- for severance per bigha, Rs.1000/- per bigha for damages to crops.
28. Shri Shiv Narain s/o Mehar Singh.	Rs.10/- per sq.yd.
29. Sh.Bhagwan Das s/o Sher Singh through Ajit Singh.	Rs.10/- per sq.yd.
30. Sh.Dulli Jamadar Chand s/o Mohar.	Rs.5000/- per bigha.

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31. Sh.Bhola s/o Abhey Ram. — Rs.5000/- per bigha.

32. Sh.Deep Chand s/o Chunni. — Stated that compensation for Khasra No.109/1 may be paid to Shri Tek Chand s/o Indraj because the land under acquisition is of Shri Tek Chand.

No evidence has been produced by any of the above claimants in support of their claim for compensation. Hencethe 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 is situated on the western side opposite to the land acquired under the Award No.2029 of village Dhul Siras which was announced on 20.10.1967. The Najafgrah Mehrauli Road passes on the Southern side of the land under acquisition at distance of about 2 to 3 furlongs, and the Chhawla Military Camp is situated at a distance of about ½ to 1 mile on the Western side of the land under acquisition.

The Market value of the land has been discussed at length in the award No.2029 of village Dhul Siras, and hence it is not necessary to repeat them here. In the said award the compensation of the land has been allowed at the rate of Rs-500/- per bigha. The date of notification u/s 4 of the L.A.Act of the Award No. 2029 is 27.5.1967, whereas the date of the notification under section 4 of the L.A.Act of the present award is 19.8.1966. However, the land under acquisition is slightly superior to the land acquired under the award No.2029 in as much as it is situated on a comparatively higher level. In view of this fact, I consider therate of Rs.500/- per bigha to be afair and reasonable market value of the land under acquisition and, I award accordingly.

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'OTHER COMPENSATIONS'

There are two wells in the land under acquisition in khasra Nos.16 and 116. The Naib Tehsildar L.A. has not been able to suggest the value of the well in khasra No.16 having been filled and covered with earth during the course of widdening the drain. However, the Naib Tehsildar (L.A.) has proposed Rs.1200/- for the well in khasra No.116 with which I agree and award accordingly. Since the well in khasra No.16 appears to have been constructed by taking taccavi loan, I allow Rs.800/- as compensation for the said well.

Compensation for trees and structures: There is neither any tree nor any structure in theland under acquisition hence no compensation.

INTEREST: As stated above under the head 'Introduction', no regular possession of the land under acquisition was handed over by the Land Acquisition Collectorate to the Acquiring Department u/s 17 of theLand Acquisition Act, but the possession of the Flood Control & Drainage Department had already existed. Hence the owners are entitled to simple interest @ 6% p.a. with effect from the date of notification under section 4 ofthe L. A.Act viz. 19.8.1966 upto the date of tender of payment i.e. 15.3.1968 as the award is likely to be announced on 16.3.1968.

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

'APPORTIONMENT'

The compensation for khasra No.8/1, 9/1, 10/1, 19/1, 77/1, 104/1, 105/1, 108/1, 109/2/1 and 110/1 will be treated as disputed being under occupation of some persons other than the Bhumidars and will be sent to the Addl. Distt; Judge, Delhi in case of non-settlement between the Bhumidars and such occupants. The 9

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Compensation of the land for khasra Nos.4/1,5/1, 16/1/1, 16/2/1, 20/1, 81/1, 82/1, 106/1, 107/1, 112/1, 116/1, 118/1, and 120/1 will be paid on the production of clearance certificate from the Tehsildar (Tacavi). The compensation of the land of the respect of the khasra Nos. will be paid according to the latest entries in the revenue record.

'SUMMARY OF THE AWARD'

Compensation for the land measuring 151 bighas and 16 biswas @ Rs.500/- per bigha.	Rs.75,900.00
Compensation for wells.	Rs. 2,000.00
	Rs.77,900.00
15% of the above as solatium for compulsory nature of acquisition.	Rs.11,685.00
	Rs.89,585.00
Interest @ 6% p.a. w.e.f. 19.8.1966 to 15.3.1968.	Rs. 8,467.62
G.Total...	Rs.98,052.62

The land is assessed to a land revenue of Rs.50.90ps. which will be deducted from the khalsa rent roll of the village from Kharif, 1966.

Sd/-
(Zal Nowsherwanji)
Land Acquisition Collector(DS),
Delhi.

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