

AWARD NO. 2138

NAME OF THE VILLAGE DHUL SIRAS
NATURE OF ACQUISITION PERMANENT
PURPOSE OF ACQUISITION WIDENING OF NAJAFGARH DRAIN

A W A R D

The land situated in the estate of village Dhul Siras measuring 1 Bigha 4 Biswas, detailed below was urgently required by the Government at public expense, ^{for a public purpose} namely the widening of Najafgarh Drain in the reach between Chawala Bridge to Kakrola Regulator. Accordingly a notification u/s 4 of the L.A. Act was issued vide notification No.F.15(44)/66-L&H(1) dated 8.1.68 and a declaration u/s 6 of the Act was also issued simultaneously on 8.1.68 after dispensing with the provisions of section 5-A of the Act. In view of the urgency of the matter, provisions of section 17 of the Act were applied for immediate possession of the land and as possession of the land had already been with the Acquiring Department, so this provision of section 17 was not enforced. Notices u/s 9 & 10 of the Act were issued to the interested persons and they have filed their claims about the land under acquisition.

MEASUREMENT & OWNERSHIP

The area of the land under acquisition as given in the notification u/s 6 is 1 Bigha 4 Biswas and a further verification was made at the spot and this area of 1 Big. 4 Bis. was found to be correct. The details of the land under acquisition are given below

Kh.No.	Area.	Kind of Land.	Name of the owner.
	Big. Bis.		
<u>173</u> 1	1 4	Gair-abpas (Uncultivated)	Sh. Hari Singh, Karan Singh SS/O Roop Chand ($\frac{1}{2}$ share) Sh.Makhan Singh S/O Sh.Harpool Singh ($\frac{1}{2}$ share)

CLAIMS & EVIDENCE :- All the recorded owners have put in their claims jointly and have pressed for compensation of Rs.20,000/- for this piece of land under acquisition. They have not put in any evidence in support of their claim, ^{for compensation} which is now to be assessed on the basis of the record available on the file.

MARKET VALUE:-

The land under acquisition is just by the side of the Najafgarh Drain and as stated above is being acquired for its widening. The other adjoining land which runs parallel to this drain has also been acquired in a separate proceeding vide Award No.2029. A perusal of the various sale transactions which have taken place in the village during the last 3 years preceding the date of notification u/s 4 goes to show that during the year 1967-68, 18 Big. 12 Bis. of land was sold through various sale deeds for Rs.8700/- with an average of Rs.467-80 P. per bigha. Similarly during the year 1966-67 9 Big.1 Bis. of land was sold for Rs.4500/- with an average of Rs.497-80 P. per bigha. Again during 1965-66, 7 Bigha 14 Bis. of land was sold through several transactions for Rs.5390/- with an average of Rs.700/- per bigha. All these transactions for the 3 years taken together makes an average of about Rs.525/- per bigha. Unfortunately there has not been any decision of the court on any award of the village so far and so there is no other alternative, but to rely upon these sale transactions and the award, for assessing the market value of the land under acquisition. In the award No.2029 the learned Land Acquisition Collector had allowed compensation at the rate of Rs.500/- per bigha for the land ~~just~~ which is quite adjacent to the land under acquisition. But there is a distinctive feature in the acquisition of this piece of land of 1 Bigha 4 Biswas as its notification u/s 4 is dated 8.1.68 while that of the land covered under award No.2029 is dated 27.5.67 i.e. there is a gap of about 7 months in their respective notifications and so naturally its market value as compared with the land of that award ought to be a bit higher. The three years average preceding the date of notification

comes to about Rs.525/- as stated above. Taking all these aspects into consideration, I assess the market value of this piece of land at the rate of Rs.550/- per bigha, which I think is quite reasonable and adequate.

OTHER COMPENSATION:- There is no well, no tree nor any structure in the land under acquisition and so question of compensation on these counts does not arise.

INTEREST:- Since the land under acquisition has been in the possession of the Acquiring Department prior to the date of notification u/s 4 dated 8.1.68, so the claimants are entitled to an interest at the rate of 6 % per annum w.e.f. 8.1.68 to the date of announcement of the award.

SOLITIUM:- The claimants are entitled in addition to the compensation cited above to 15 % more compensation as solitium for compulsory nature of acquisition.

MODE OF PAYMENT:- The compensation of the land under acquisition will be paid to the interested persons according to the recent entries in the Revenue Record in the presence of the parties and in case of dispute, it will be sent to the Addl. Session Judge for disbursement.

DEDUCTION OF LAND REVENUE:- The land under acquisition is assessed to Rs.1-11 Paise as land revenue which is to be deducted from the land revenue roll of the village from the next harvest ~~after~~ i.e. Kharif 68.

SUMMARY OF THE AWARD:- The award is summarised as under:-

- | | | |
|----|---|---------------|
| 1. | Compensation for the land measuring
1 Bigha 4 Biswas. @ Rs.550/-per bigha. | Rs. 660/- |
| 2. | 15 % compulsory acquisition. | Rs. 99/- |
| 3. | Interest @ 6% per annum w.e.f.
8.1.68 to 15.6.68 (159 days) | Rs. 19/-78 P. |

GRAND TOTAL

Rs. 778/-78 P.

A.D.M. (L.A.)

(R.K. SINHA)
LAND ACQUISITION COLLECTOR
SHAHDARA WEST CIRCLE
DELHI.
7.6.68

(To be published in Part IV of Delhi Gazette)

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated the

Jan., 1968.
December, 1967.

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 Kakrola 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.

Name of the Village or Locality.	Total Area.		Field Nos. or Boundaries.
	Big.	Bis.	
Dhulsiras.	1	4	173 min.

By order,

(M.L. GROVER)
DEPUTY SECRETARY (LAND & BUILDING),
DELHI ADMINISTRATION: DELHI.

Dated the

Jan., 1968
December, 1967.

No.F.15(44)/66-L&H(11).

Copy forwarded to:-

1. The Public Relations Department (in duplicate) for favour of publication in Part IV of the Delhi Gazette.
2. The Land Acquisition Collector (DS), New Courts Building, Tis Hazari, Delhi, with reference to his letter No.20789/LAB dated the 22nd December, 1967.
3. The Executive Engineer, Flood Control and Drainage Division No.1, Curzon Road Barracks, New Delhi, in continuation of this Administration letter of even number dated the 20th November, 1967.

(M.L. GROVER)
DEPUTY SECRETARY (LAND & BUILDING),
DELHI ADMINISTRATION: DELHI.



(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated the 8 ^{Jan., 1968} ~~December, 1967.~~

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 Kakrola 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 5-A shall not apply.

SPECIFICATION.

Village or Locality.	Total Area. Big. Bis.	Field Nos. or Boundaries.
Dhulsiras.	1 4	173 min.

By order,

sd/-

(M.L. GROVER)

DEPUTY SECRETARY (LAND & BUILDING),
DELHI ADMINISTRATION: DELHI.

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

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(M.L. GROVER)

DEPUTY SECRETARY (LAND & BUILDING),
DELHI ADMINISTRATION: DELHI.

