

Name of the Village:

Gokal Pur.

Nature of Acquisition:

Permanent.

This is a case for the acquisition of land in village Gokalpur required by the Government, at the public expense, for a public purpose, namely, for the construction of a road from Shahdra Marginal Bund to Loni Road. A declaration under section 4 of the Land Acquisition Act was made by the Delhi Administration vide notification No.F.15(18)/61-LSG(ii) dated 16.3.61. The Chief Commissioner being of the opinion, that the provisions of sub-section 1 of the section 17 of the said act were applicable to this land, was further pleased, under sub-section 4 of the said section, to direct that the provisions of section 5(a) shall not apply. A declaration under section 6 of the Land Acquisition Act was also made simultaneously vide notification No.F.15(18)/61-LSG(iii) dated 16.3.61. A notice under section 9(1) of the Land Acquisition Act was given due publicity on 17.4.61 in the village inviting ~~objections~~ ~~claims~~ claims upto 2.5.61. Notices under section 9(3) and 10(1) of the Land Acquisition Act were also served upon the interested parties. Most of the interested parties have responded to the notices.

MEASUREMENT & OWNERSHIP.

According to the notification, the area to be acquired in village Gokalpur was 60 bighas 12 biswas. From measurement made on the spot under section 8 of the Land Acquisition Act the area was found to be correct. The interested parties raised no objection against this measurement, therefore,

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area to be acquired is held correct at 60 bighas 12 biswas.

According to the Revenue record, the ownership of the land under acquisition is as follows:-

Sl.No.	Name of the owners.	Khasra No.	Area Bigha-Biswa	Kind of land.	Claim made.
1.	<i>Bir Bal</i> Balbir, Dhani Ram, Phool Singh & Brij Pal. (In equal shares).	617 618/1	1 - 16 0 - 11 <u>2 - 7</u>	Nehri. Nehri.	Rs.4000/- per bigha
2.	Bhaktawar s/o Makhan.	148/1 149/1	0 - 14 1 - 0 <u>1 - 14</u>	Nehri. Nehri.	-do-
3.	Jaswant Singh, Balbir Singh & Vidhya Parkash (In equal shares).	410/1 411/1 412/1 417/1 580/1	2 - 0 0 - 7 0 - 2 0 - 1 <u>1 - 15</u> 4 - 5	Nehri. Nehri. Nehri. Nehri. Nehri.	-do-
4.	Lottas s/o Bhoja & Sukhdev s/o Kale. (In equal shares).	340/1	0 - 8	Nehri.	-do-
5.	Bhagwat Singh s/o Girdhari, Lekh Ram & Bali sons of Lakh Pat & Kale s/o Gopal. <i>Harpati s/o Nanwa</i>	136/1	0 - 5	Nehri.	Rs.5000/- per bigha
6.	Babu s/o Prabhu Dyal.	997/325/1	0 - 2	Nehri.	Rs.4000/- per bigha
7.	Chhote s/o Makhan.	998/326/1 999/326	0 - 12 0 - 18 <u>1 - 10</u>	Nehri. Nehri.	-do-
8.	Bhagwat s/o Girdhari.	932/137 139/1 150/1	2 - 14 2 - 1 <u>2 - 15</u> 7 - 10	Nehri. Nehri. Nehri.	-do-
9.	Rattan Singh s/o Phool Singh.	153/1	2 - 10	Bhood I	-do-
10.	Ram Chander s/o Munshi, Shm. Khazani widow of Ram Swroop.	931/137 ✓ 934/138 ✓ 935/138 ✓	1 - 4 0 - 12 1 - 4 <u>3 - 0</u>	Nehri. Nehri. Nehri.	-do-
11.	Khacheru s/o Kure.	933/137/1	0 - 12	Nehri.	No claim
12.	Khairati s/o Sultan.	328/1	1 - 11	Nehri.	Rs.4000/- Per bigha

Note:- Ram Chander has died and Shm. Khazani appears to have sold the land to Ganga and Bhag Mal.

13. Roomal s/o Narain.	1098/152/1	0 - 13	Nehri.	Rs.4000/-
	1099/152/1	0 - 19	Nehri.	per bigha.
	1100/152/1	0 - 6	Nehri.	
	971/151/1	0 - 7	Nehri.	
	972/151/1	0 - 11	Nehri.	
		2 - 16		

14. Bhoopan s/o Wazira.	135/1	1 - 7	Nehri.	
Note:- He wants the compensation in the form of land.				

15. Jai Jai Narain 3/32, Kailash	584/1	5 - 11	Rosli 1-0, Banjar-	
Narain & Suraj Narain (In			Kadim 4-11.	
equal shares) 9/32, Shanti	332/1	0 - 19	Nehri.	
Narain & Parkash Narain (In	333	2 - 11	Nehri.	
equal shares) 9/40, Daulatram	318/1	0 - 2	Nehri.	
s/o Sardar Singh 6/40, Lottas	395/1	0 - 2	Nehri.	
s/o Bhoja 1/24, Shiv Charan	571/1	4 - 12	Rosli.	
Vishambhar & Ari Singh (In		13 - 17		
equal shares) 1/24, Lekh Raj				
& Bali (in equal shares) 1/24,			Nehri 3 - 14	
Har Path s/o Nanua 1/24,			Rosli 5 - 12	
Gursahai s/o Sekhtu 1/12.			Banjarkadim 4 - 11	
			13 - 17	
			Rs.5000/-	
			per bigha.	

- Note:- 1). Daulat Ram is Evacuee and his compensation will be sent to the Asstt. Settlement Commissioner.
- 2). Khasra No.571/1 is said to have been sold in favour of Ramesh Chand s/o Ram Narain.

16. Owners as at Sl.No.15, Bhaktawar, Tej Ram & Chhote sons of Makhan, Occupancy tenants.	615	0 - 13	Nehri.	Rs.4000/- per bigha
17. Owners as at Sl.No.15, Koore s/o Bhopa, occupancy tenants.	327 Occupancy tenants.	1 - 13	Nehri.	-do-
	328/1 Non-do-	2 - 11	Nehri.	
		4 - 4		
18. Owners as at Sl.No.15, Shiv Charan s/o Dayala, Non-occupancy tenants.	334/1	0 - 17	Nehri.	-do-
	335/1	0 - 5	Nehri.	
		1 - 2		
19. Owners as at Sl.No.15, Bhaktawar Singh s/o Makhan Lal, Non-occupancy tenants.	196/1	2 - 8	Nehri.	--do-
	612/1	0 - 3	Nehri.	
		2 - 11		
20. Owners as at Sl.No.15, Manglu s/o Godhu, Non-occupancy tenants.	397/1	1 - 7	Rosli.	-do-
21. Owners as at Sl.No.15, Vishambhar s/o Dayala Non-occupancy tenants.	575/1	0 - 2	Nehri.	No claim.
22. Owners as at Sl.No.15, Ram Kishan & Mool Chand sons of Birbal, Non-occupancy tenants.	613/1	0 - 2	Nehri.	Rs.4000/-
	616/2	2 - 13	Nehri.	per bigha
		2 - 15		

Note:- About Khasra No.616/2, Babu Ram s/o Shiv Sahai claims that he is in occupation of this khasra number. The non-occupancy tenants claim that they should get 3/4th share of the compensation.

23.	Owners as at Sl.No.15 Ram Swroop s/o Jiwan Non-occupancy tenant.	409/1	1	-	1	Nehri.	Rs.4000/- per bigha
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Note:- Chhote s/o Makhan claims to be in occupation of this khasra number.

24.	Vishambhar Singh s/o Dayala.	408/1	2	-	15	Nehri.	
		581/1	0	-	1	Nehri.	-do-
		582/1	0	-	3	Nehri.	
		583/1	0	-	2	Nehri.	
			3	-	1		

25.	Gram Sabha.	329/1	0	-	2	Banjarkadim No claim.
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Grand Total.....	60	-	12
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C L A I M S & E V I D E N C E .

As is evident from the above statement, the land owners have claimed compensation @ btween Rs.4000/- and Rs.5000/- per bigha. All the land owners and tenants except Shri Jai Narain, Kailash Narain, Suraj Narain, Shanti Narain and Parkash Narain have stated that the non-occupancy tenants of more than 12 years standing should get 3/4th of the compensation while the land owners should get 1/4 th. Shri Jai Narain etc. claim that Non-occupancy tenants are entitled to no compensation and the compensation should Be forwarded to the District Judge for disbursement. In evidence the interested parties have stated that the evidence given by the villagers of Ziauddinpur should also be considered as their evidence. They have given no extra evidence in this case. I have already discussed the case of Ziauddinpur^{and} that the evidence given by them is irrelevant. The claims of the interested parties, therefore, are unsubstantiated.

M A R K E T V A L U E .

According to the situation, the area under acquisition should be divided into two parts. The area between the canal

the village and Loni Road has got a potential value as building site. It is very near the village/ and therefore the houses can be constructed on this area. The remaining area which is situated on the Western side of the canal is far away from any colony, therefore, it has got only an agricultural status. The area under acquisition is, therefore, divided into two block according ^{to} the above given discrimination. In block 'A' is included ^{the} ~~that~~ area between the village, the canal and the Loni Road and the remaining area is included in block 'B'. The details of the blocks area given below:-

BLOCK 'A'.

Khasra Number.	Area			Kind of land.
	Bigha-	Biswa.		
318/1	0	-	2	Nehri.
997/325/1	0	-	2	Nehri.
998/326/1	0	-	12	Nehri.
999/326	0	-	18	Nehri.
327	1	-	13	Nehri.
328/1	1	-	11	Nehri.
329/1	0	-	2	Banjarkadim.
2 332/1	0	-	19	Nehri.
330/1	0	-	0	---
335	2	-	11	Nehri.
334/1	0	-	17	Nehri.
335/1	0	-	5	Nehri.
340/1	0	-	8	Nehri.
395/1	0	-	2	Nehri.
396/1	2	-	8	Nehri.
397/1	1	-	7	Rosli.
398/1	2	-	11	Nehri.
408/1	2	-	15	Nehri.
409/1	1	-	1	Nehri.
410/1	2	-	0	Nehri.
411/1	0	-	7	Nehri.
412/1	0	-	2	Nehri.
417/1	0	-	1	Nehri.
571/1	4	-	12	Rosli.
575/1	0	-	2	Nehri.
580/1	1	-	15	Nehri.
581/1	0	-	1	Nehri.

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582/1	0	-	3	Nehri.
583/1	0	-	2	Nehri..
584/1	5	-	11	Rosli., 1-0, Banjarkadim 4-11.
612/1	0	-	3	Nehri..
613/1	0	-	2	Nehri..
615/1	0	-	13	Nehri..
616/1	2	-	13	Nehri..
617 x	1	-	16	Nehri..
618/1	0	-	11	Nehri..
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	40	-	18	
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Nehri.	29	-	6
Rosli.	6	-	19
Banjarkadim..	4	-	13

BLOCK 'B'.

135/1	1	-	7	Nehri.
- 136/1	0	-	5	Nehri.
- 931/137	1	-	4	Nehri.
- 932/137	2	-	14	Nehri.
- 933/137	0	-	12	Nehri..
- 934/138	0	-	12	Nehri..
- 935/138	1	-	4	Nehri..
- 139/1	2	-	1	Nehri..
- 148/1	0	-	14	Nehri.
- 149/1	1	-	0	Nehri..
- 150/1	2	-	15	Nehri..
- 971/151/1	0	-	7	Nehri.
- 972/151/1	0	-	11	Nehri..
- 1100/152/1	0	-	6	Nehri..
- 1099/152/1	0	-	19	Nehri..
- 1098/152/1	0	-	13	Nehri..
- 153/1	2	-	10	Nehri..
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TOTAL.....	19	-	14	
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Nehri:- 19 - 14

The following transactions of sale have taken place near about the area of block 'A' during the last five years.

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Mutation Number.	Date of registration.	Khasra number.	Area Bigha-Biswa	Total sale-value.	Average per bigha
555	1.6.56	566 & 574	2 - 5	Rs.2000/-	Rs.889/-
556	27.7.55	570	1 - 13	Rs.2800/-	Rs.1700/-
571 & 572	13.8.57	418,437,438 & 562.	10 - 1	Rs.3500/-	Rs.350/-
590	11.2.59	525	1 - 19	Rs.250/-	Rs.125/-
586	28.6.58	501 etc.	5 - 2	Rs.1300/-	Rs.257/-
585	28.4.58	505 etc.	8 - 2	Rs.1600/-	Rs.200/-
582	1.3.58	520 etc.	3 - 18	Rs.780/-	Rs.200/-
597	22.9.59	509 etc	10 - 7	Rs.9675/-	Rs.934/-
607	7.1.60	524	1 - 1	Rs.200/-	Rs.200/-
617	2.3.60	867etc.	29 - 13	Rs.68910/-	Rs.2330/-
577	15.1.57	852	1 - 19	Rs.1500/-	Rs.769/-

From the perusal of the above statement, it will be seen that the highest average is that of Mutation No.617 which was executed on 2.3.60. This area is situated exactly on the Loni Road and very near to Shahdra. This has been purchased by some profiteers to turn it into plots and then sell it into small bits. The situation of this area is very superior to the area under acquisition. Only the transactions involved in mutations No.555, 556 and 571 & 572 pertain to the land which is situated in the immediate vicinity of the area under acquisition. Mutation No.556 giving an average of Rs.1700/- is regarding the land which is situated exactly on the Loni Road. Mutation No. 555 is regarding the area which is removed from the Loni Road by two ^{in feet} ~~feet~~ while mutations No.571 & 572 are regarding the area which is much further away from the Loni Road. In this way I consider the area involved in mutation No.555 ^{to be} ~~is~~ similar in situation to the area under acquisition. The average of this

mutation comes to Rs.890/- per ~~bigha~~^{three}. This transaction took place in the year 1.6.56. From the perusal of the statement of the mutations it will be seen that the changes in the average sale-prices are not due to ~~kind~~^{three}, but due to the situation of the land. From the data given above, it is not proved that the prices have risen during the last 5 years. I, therefore, consider that a rate round about Rs.890/- will be a reasonable rate for the area under acquisition. I, therefore, award Rs.900/- per bigha for the land included in Block 'A'.

BLOCK 'B'.

As already discussed the area included in Block 'B' is situated on the Western side of the cannal and has no potential value as building site. It has simply an agricultural status. During the last five years no sale-transaction~~s~~ has taken place in the area of block 'B'. For arriving at the Market value of this land we will have to depend upon the sale-price in the other villages. The land owners themselves have agreed that the situation of this area is similar to that of village Ziauddinpur and they should get the same price as is to be given to the land owner of Village Ziauddinpur. I agree with the view of the villagers. The notification is the same in both the cases and therefore, the relevant date is the same. In the award of village Ziauddinpur, the following rates have been given by me.

Chahi and Nehri.	Rs.370/- per bigha.
Rosli & Bhod I.	Rs.250/- per bigha.
Gairmumkin.	Rs.100/- per bigha.

In block 'B' the whole of the area is Nehri. Khasra No.153/1 has been shown as Bhod I in the revenue record, but

on the spot it is Nehri. This khasra number is also, therefore, taken to be Nehri. The whole area is Nehri and I award a rate of Rs.370/- per bigha for the entire land in block 'B'.

OTHER COMPENSATION.

There is neither any well nor any structure on the land under acquisition, therefore, no compensation on these accounts is allowed. There are some trees on the land under acquisition and the price has been fixed as follows by the Naib Tehsildar, Land Acquisition.

Khasra No.	Number & kind of trees.	Weight of wet wood.	Rate per maund.	Price.
411/1	1 Neem.	8	Rs.2/-	Rs.16/-
571/1	1 Khajoor.	3	Rs.2/-	Rs. 6/-
583/1	2 Khajoor.	6	Rs.2/-	Rs.12/-
139/1	1 Jaunt.	3	Rs.2/-	Rs. 6/-
				<u>Rs.40/-</u>

I have inspected the spot and I find that the prices assessed by the Naib Tehsildar, Land Acquisition are correct. I, therefore, award Rs.40/- as compensation for the trees. In addition to the compensation for land, the land owners will get 15% of the compensation as solatium for compulsory nature of acquisition. The possession has not been taken so far, therefore, the question of interest does not arise.

A P P O R T I O N M E N T.

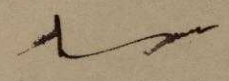
The compensation for the persons who have died should be paid to their respective heirs after mutations have been sanctioned in their favour. The compensation for the land which is under the non-occupancy tenants should be sent to

the District Judge for disbursement between the land owners and the non-occupancy tenants. In some khasra numbers several persons have been shown as Bhoomidars while Titamas have not been made. The compensation should be paid to the Bhoomidar who is actually in possession of the area.

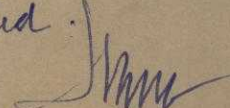
THE AWARD IS SUMMARISED AS BELOW.

Compensation for 40 bighas 18 biswas of land in Block 'A' @ Rs.900/- per bigha.	Rs.36,810.00
Compensation for 19 bighas 14 biswas of land in Block 'B' @ Rs.370/- per bigha.	Rs. 7,289.00
	<hr/> Rs.44,099.00
15% of the compensation as solatium for the compulsory nature of acquisition.	Rs. 6,614.85
	<hr/> Rs.50,713.85
Compensation for trees.	Rs. 40.00
Total.....	<hr/> Rs.50,753.85 <hr/>

The land is assessed to a Khalsa land revenue of Rs.18.35. Since the land is being acquired for the Government purpose, therefore, it shall be deducted from the rent roll from Kharif 1961.


(Nand Kishore)
Land Acquisition Collector (I),
DELHI.
23.8.61.

Submitted to the Collector of District for information and filing.

Seen. Filed.

COLLECTOR, DELHI
25.8.61

(Nand Kishore)
Land Acquisition Collector (I),
DELHI.