

OFFER NO. 4/1976-77.

NAME OF THE VILLAGE: GOKALPUR
NATURE OF ACQUISITION: TEMPORARY
PURPOSE OF ACQUISITION: DELHI WATER SUPPLY SCHEME.

These are proceedings u/s 35 L.A. Act for determination of compensation in respect of land measuring 7 bighas 17 biswas situated in village Gokalpur. The land is required for temporary occupation and use for a period of one year from the commencement of such occupation. The temporary occupation is for a public purpose namely for Delhi Water Supply Scheme. The Delhi Administration made an order u/s 35(1) L.A. Act in this behalf which was issued vide No.F.7(7)/73-L&B (V) dated 18.3.74.

The persons found interested in the land in question were issued notices to file their claims for compensation in respect of temporary use of the land for a period of one year.

Claims filed in response to the notices would be discussed under the appropriate heading 'Claims & Evidence.'

MEASUREMENT & CORRECT AREA

The Land Acquisition Field staff carried out necessary measurement of the land in question at the spot. The area was found to be 7 bighas 17 biswas as against the notified area 9 bigha. The details of the land under acquisition are as below:-

Kh.No.	Area Big.Bis.	Classification of land
51/2 min	0.16	Abpash
52/2min	0.07	-do-
923/53/2 min	0.05	-do-
924/53/2min	0.12	-do.

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54/2min	13 biswa	Abpash
55/2 min	0.14	-do-
56/2min	0.05	-do-
925/57/2 min	0.04	-do-
926/57/2	0.13	-do-
1008/60/2	0.11	-do-
1009/60/2 min	0.07	-do-
61/2	0.07	-do-
62/2	0.04	-do-
63/2 min	0.05	-do-
64/2 min	0.14	-do-
65/2 min	0.13	-do-
59 min	0.07	-do-

Total: 7.17

OWNERSHIP & OCCUPANCY

Sr.No.	Name of the owner.	Name of the occupant.	Kh.No.	Area	Kind of soil.
1.	Ari Singh s/o Dayala.	Self	926/57/2	0.13	Abpash
2.	Harkesh s/o Nanwa.	Self	61/2 min	0.07	-do-
			65/2 min	0.13	-do-
				1.00	
3.	Bishamber s/o Dayala.	Self	51/2 min	0.16	-do-
4.	Bharta, Khub Chand ss/o Harpat, equal share.	Self	52/2 min	0.07	-do-
5.	Bhoopan s/o Wazir.	Self	63/2 min	0.05	-do-
6.	Gaje Singh, Vijay Singh, Rishipal Singh ss/o Risal in equal share.	Self	925/57/2 min.	0.04	-do-
7.	Lotas s/o Bhoja	Self	1008/60/2 min.	0.11	-do-
			62/2 min	0.04	-do-
			64/2 min	0.14	-do-
				1.09	
8.	Lekh Ram, Bali ss/o Lakhpatt equal share in 1/2 share.				

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	Harpas s/o Nanwa 1/2 share.	Self	1009/60/2 min.	0.07	Abpash
9.	Jaswant Singh, Balbir Singh, Vidya Parkash ss/o Shiv Charan equal share.	Self	923/53/2min 924/53/2 min 55/2 min	0.05 0.12 0.14	Abpash -do- -do-
				<u>1.11</u>	
10.	Harkesh s/o Nanwa	Self	56/2min	0.05	-do-
11.	Ram Parsad s/o Balwant Singh.	(Self)	54/2min	0.13	-do-
12.	Ratan Singh s/o Phool Singh.	(Self)	59 min	0.07	-do-

CLAIMS & EVIDENCE

Sr.No.	Name of the claimant.	Kh.No.	Area Big.Bis.	Rate claimed	Evidence.
1.	Ram Parsad s/o Balwant Singh	54/2 min	0.13	Rs.3000/- p.b. for digging of earth & Rs.2000/- p.b. for making fertile land.	Nil
2.	Harkesh s/o Nanwa	61/2 65/2 56/2	0.07 0.13 0.05	-do-	-do-
			<u>1.05</u>		
3.	Bhupan s/o Wazir	63/2	0.05	-do-	-do-
4.	Bharta, Khub Chand ss/o Harpat	52/2min	0.07	-do-	-do-
5.	Lotus s/o Bhoja	1008/60/2 min 62/2 min 64/2min	0.11 0.04 0.14	Rs.1000/- b.p. per annum as damages for use and occupation. Rs.10,000/- for digging earth or for any other purposes by which the land is damaged.	-do- -do- -do-
			<u>1.09</u>		
				Solatum & interest.	
6.	Jaswant Singh, Balbir Singh, Vidya Parkash ss/o Shiv Charan.	-	-	-do-	-do-
	Bishamber s/o Dayala.				

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7. Sh. Ari Singh
s/o Sh. Dayala.

As mentioned in - do
claim No. 6.

COMPENSATION

The land under acquisition is covered by Delhi Land Reforms Act, 1954, section 35 of the D.L.R. Act prohibits subletting of land by Bhumidars or Assamis except in case of disabled persons or other specified class of persons. For this reason the revenue record of this village does not show any lease deeds executed for temporary occupation of land. Enquiries made by the field staff in this regard also confirm this position.

The claimants have also not adduced any evidence which help in the determination of annual rent for the land in question. It is necessary to look into the previous awards made in respect of land in the vicinity of the area under acquisition with date of notification u/s 4 nearest to the material date. In this village the following awards have been made:-

Sr.No.	Award No.	Date of notification. u/s 4.	Rate awarded.
1.	1166	16.3.1961 ¹⁹⁶¹ 1961 ¹⁹⁶¹	Rs. 370/- p.b. for Chahi land Rs. 250/- p.b. for Rosli land. Rs. 100/- p.b. for G.M. land.
2.	1954	24.10.1961 ¹⁹⁶¹ 1961 ¹⁹⁶¹	Rs. 700/- p.b. for land in Block I Rs. 600/- p.b. for land in Block II Rs. 470/- p.b. for land in Block III.

These awards have the material date 13 years prior to the relevant date in the present case and are therefore of no avail in determining the market value of land in the present case.

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The following sale transactions are reported by the field staff to have been mutated in the revenue record during the period 1970-74.

Sr.No.	Mutation No. with date.	Sale registration No. & date.	Kh.No.	Area	Amount	Average
1.	747/4.2.70	6301/30.9.69	117/2min.	1.00	Rs.4000/-	Rs.4000/-
2.	749/4.2.70	6300/30.9.69	117/2min	1.00	Rs.4000/-	Rs.4000/-
3.	746/4.2.70	6302/30.9.69	117/2min	1.00	Rs.4000/-	Rs.4000/-
4.	750/4.2.70	6304/30.9.69	117/2min	1.00	Rs.4000/-	Rs.4000/-
5.	958/14.5.70	1192/21.2.70	93/2/4	5.02	Rs.15000/-	Rs.2942.1
6.	1211/24.6.70	3449/23.5.70	1etc/42/2	2.08	Rs.3600/-	Rs.1500/-
7.	1210/24.6.70	3450/23.5.70	1etc/37/2 1etc./39	1.03 2.03 3.06	Rs.4950/-	Rs.1571.43
8.	503/24.4.72	16333/6.11.71	1etc/114/3/4 2/1.	4.02	Rs.20000/-	Rs.4878.03
9.	519/13.9.72	15666/16.10.71	1etc/114/3/2/ 1.	4.02	Rs.30000/-	Rs.7317.07
10.	458/28.5.74	263/31.1.74	1etc/19/2min	5.00	Rs.23000/-	Rs.4600/-

Sale transactions at Sr.No.1 to 4 have taken place in 1969, Sr.No.5 to 7 in 1970 and Sr.No. 8 & 9 in 1971. All these sale transactions having taken place much earlier than the material date in the present ^{and} case cannot reflect correctly the market value of land in 1974. Sale transaction at Sr.No.10 for 5 bighas of land in Kh.No.1 etc.19/2 min. of this village took place on 31.1.1974 and the consideration money of Rs.23,000/- was paid to the vendor through cheque No.780930 dated 30.1.1974 drawn on Punjab National Bank, Dariya Ganj, Delhi in the presence of Sub Registrar, Delhi. This sale deed executed only a couple of months before the relevant date in the present case is the best exemplar for determining the market value of land in this case. I, therefore, consider the rate of Rs.4600/- per bigha fair and reasonable for the land under acquisition. ^h Calculated at 6% on the value of the land the

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compensation as fair rental of the land comes to
Rs.276/- per bigha annually which is hereby awarded.

APPORTIONMENT

Compensation will be paid on the basis of latest
entries in the revenue record except ⁱⁿ which ~~in~~ persons other
than owners are recorded as occupants or claim compensation.

SUMMARY OF THE ^{OFFER} ~~AWARD~~ . K.L. Chopra

1. Compensation @ Rs.276/- per bigha Rs. 2,166.60
as annual rent for the land measuring
7 bighas 17 biswas.

Total: Rs. 2,166.60

(Rupees Two thousand one hundred sixty six and paise
sixty only).

K. L. Chopra
(K.L. CHOPRA)
LAND ACQUISITION COLLECTOR (MSW)
DELHI.

Announced & filed today .
K.L. Chopra
= 3/7/6
VRL.