

Award No.

8/1972-73

Name of village : Najafgarh

Nature of acquisition : Permanent.

Purpose of acquisition : Remodelling of Najafgarh Drain from Chhawla Bridge to Kakrola Regulator.

Award:

These are proceedings for determination of compensation under section 11 of the Land Acquisition Act. The land measuring 3 bighas 8 biswas situated in village Najafgarh along with the land of other villages was notified u/s 4 read with section 17 and section 6 of the Land Acquisition Act vide notification No.F,15(93)/69-L&H(1), F.15(93)/69-L&H(111) and F.15(93)/69-L&H(11) respectively dated 19th February, 1971 for a public purpose namely for remodelling of Najafgarh Drain from Chhawla Bridge to Kakrola Regulator. In pursuance of the aforesaid notification notices u/s 9 and 10 of the Land Acquisition Act were issued to all the persons interested in the land and claims filed by them are discussed hereafter under the heading 'compensation claims'.

True and correct area:

The land was measured at the spot and the available area is 3 bighas 08 biswas as notified.

Ownership:

The ownership, tenancy, khasra numbers and classification of the soil is as under:

S.No.	Name of owner	Name of occupant	Kh.No.	Area	Kind of soil.
1.	Shri Amar Singh	Self	40/21/2/2/1	0-02	G.Abpush
	Karam Singh sons of		41/16/2/ 2/1	0-03	=do-
	Moti Ram equal share				
	$\frac{1}{2}$ share. Surat Singh,		41/25/2/1	0-07	Abpush
	Kesar Singh sons of				
	Ram Kala equal share				
	$\frac{1}{2}$ share.				

contd.....2

2. Mohammad Bux, Chhote sons of Chhaibu equal share.	Self	41/7/1/2/1 41/14/2/1 41/17/2/1	0-03 G.Abpassh 0-08 -do- 0-03 -do- 0-14
3. Roshan Lal s/o Bishan Singh $\frac{1}{2}$ share. Smt. Prem Wati w/o Suraj Parsad $\frac{1}{2}$ share, Smt. Janki Bai m/o Sultan Singh $\frac{1}{2}$ share.	Self	39/23/2/1 41/3/1 41/4/2/1 41/7/2/2/1	0-07 Abpassh 0-01 -do- 0-05 G.Abpassh 0-05 -do- 0-18
4. Moti Ram s/o Jag Ram	Self	51/9/2/1	0-09 Abpassh
5. Central Government	Bishan Dass s/o Ganpat Rai allottee.	41/16/1/2/1	0-03 G.M. Khadana
6. -do-	Parshotam Das s/o Pokhar Das, allottee.	51/1/2/1 51/2/2/1	0-08 Abpassh 0-03 G.Abpassh 0-11
7. Gaon Sabha	Self	61/2/1	0-01 G.M. Rasta.

Classification of soil

(Abpassh = 1-04) (G.Abpassh = 2-00) (G.Mumkin = 0-04) = 3-08

Compensation claims:

The following persons have filed their claims in response to the notices u/s 9 & 10 of the Land Acquisition Act.

Name of the claimant

Compensation claimed

1. Surat Singh, Karan Singh, Amar Singh, Kehar Singh through Shri Chander Bhan, advocate.

Have claimed compensation for khasra Nos. 40/21/2/2/1, 41/16/2/2/1 and 41/25/2/1 @ Rs.10/- per sq. yd.

2. Parshotam Dass s/o Pokhar Dass.

Has claimed compensation for kh. Nos. 51/1/2/1, 51/2/2/1 @ Rs.12/- per sq. yd.

3. Mohd. Bux s/o Chhelu through Shri Anant Ram, advocate.

Has claimed compensation for khasra Nos. 41/17/2/1, 41/14/2/1 @ Rs.8000/- per bigha kham and has also claimed 15% on the market value of the land under acquisition and interest @ Rs.6/-

Note: Khasra No.41/2/1/2/1 is not being acquired because it is not notified.

4. Roshan Lal s/o Bishan Singh, Smt. Prem Vati w/o Suraj Smt. Janki Bai wd/o Bishan Singh through Shri Anant Ram, advocate.

Have claimed compensation for kh.Nos.39/23/2/1,41/3/1 and 41/4/2/1 @ Rs.800/- per bigha kham and has also claimed 15% on the market value of the land under acquisition and interest @ Rs.6%

contd....3

Note: Khasra No.41/2/2/1 is not being acquired because it is not notified.

Documentary Evidence:

No documentary evidence has been filed by the persons interested in this case.

Market Value:

The market value of the land under acquisition has to be fixed with reference to the price prevailing as at the date of notification u/s 4 of the Land Acquisition Act with all its advantages and with all its potentialities. The claimants have not adduced any corroborative evidence in support of their claims.

Efforts were made to find out the parallel sales in the village nearer to the material date so as to evaluate the market value of the land. The following sales took place in the village:

S.No.	Regn.No.	Date of Regn.	Area	Consideration money.	Average per bigha.
1.	3065	18.7.69	2-00	Rs.5000/-	Rs.2500/-
2.	3066	18.7.69	35-05	Rs.65000/-	Rs.1843.97
3.	3146	23.7.69	16-13	Rs.22000/-	Rs.1321.32
4.	3113	22.7.69	0-04	Rs.3000/-	Rs.15000/-
5.	3260	22.7.69	0-04	Rs.5500/-	Rs.15714.29
6.	4003	11.9.69	0-16	Rs.14400/-	Rs.18000/-
7.	514	21.1.70	2-18	Rs.6000/-	Rs.2069/-
8.	2141	13.3.70	16-15	Rs.12125/-	Rs.1443.45
9.	6263	4.9.70	16-15	Rs.12125/-	Rs.1443.45
10.	7547	22.10.70	0-04	Rs.2500/-	Rs.12500/-

A glance at the statement will reveal a tremendous variation in prices. The reason is that sale transactions at serial Nos. 4, 5, 6 & 10 have been sold in the form of small plots and are close to the village abadi. The other sale transactions are in respect of agricultural land. The

land under acquisition is agricultural and is away from the village abadi. So, sale transactions of similar land must be considered for evaluating the market value of the land under acquisition. The sale transactions of small plots are as such are rejected. The price of agricultural land ranges between Rs.1443/- and Rs.2500/-. The best would be sale transactions at serial Nos. 1 and 7.

Some awards have been made in the village and references have arisen out of them. References arising out of award No.2033 of which date of notification u/s 4 is 13.12.65 have been decided and the ADJ enhanced compensation from Rs.650/- per bigha kham to Rs.1000/-. Of the latest award No.2170, the date of notification being 2.5.67, the references are still pending decision. The land of this award was acquired for the extension of the present Police Station. The Police Station is within the abadi. That is why the land was assessed at Rs.6000/- per bigha kham considering the sales in the village abadi. The situation of the land under acquisition is not similar and the rate allowed in award No.2170 cannot be awarded. Nearest to the preliminary notification is sale transaction at serial No.7 which is the proper sale to consider for evaluating the market value of the land under acquisition. But its situation is far better than the land under acquisition because it is closer to the abadi so the price of land under acquisition must be less. In the result, I award Rs.2000/- for the land under acquisition.

Structure:

There is no structure on the land under acquisition. Hence the question of assessment of compensation for structure does not arise.

Wells and Trees:

There are no wells and trees in the land under acquisition. So the compensation for the same cannot be allowed.

Religious places:

There are no religious places/institutions on the land under acquisition.

Interest:

Possession of the land under acquisition has not been taken over as yet. So the question of interest does not arise.

Solatium:

15% solatium will be allowed as per Act for compulsory nature of acquisition.

Apportionment:

1. Khasra Nos.41/16/1/2/1, 51/1/2/1 and 51/2/2/1 are in the possession of persons other than the owners. Until the dispute is removed the compensation will remain disputed.
2. The compensation of minors will be sent to the ADJ.
3. If the parties do not reach on amicable settlement within a reasonable period the compensation will be sent to the ADJ.
4. Compensation will be paid according to the latest entries in the Revenue Record.

Land Revenue:

The land revenue ^{is} reported to be Rs.2.89. It will be deducted from the Khalsa Rent Roll of the village from the date of taking over possession.

Summary:

The award is summarised as under:

Compensation for 3 bighas 07 biswas = Rs.6700.00
@ Rs.2000/- per bigha kham.

Compensation for Rasta = -nil-

15% solatium for compulsory acquisition = Rs.1005.00
Rs.7705.00

(Rupees seven thousand seven hundred five only)

Authorized and paid today.

(SHAM KARAN)
LAND ACQUISITION COLLECTOR(P)
DELHI.

28.5.72

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)

DELHI ADMINISTRATION:DELHI

NOTIFICATION

Dated the Feb., 1971.

No. F. 15(93)/69-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 re-modelling of Najafgarh Drain from Chhawla Bridge to *Kakola* 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 3 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 Big. Bis.</u>	<u>Field Nos. or Boundaries.</u>
Bamnauli	3 - 15	2/2 min, 3/2min, 4/2min, 11/2 min, 13/2min, 14/2min, 15/2 min, 17/2 min, 20/2min, 21 2 min, 126/2 min, 129/2min,
Chhawla	3 - 05	785/2 min, 786/2 min, 788/2min 789/2min, 791/2min, 792/2min, 793/2min, 794/2min, 795/2min, 787/2min,
Dhulsiras	37 - 14	1 etc. 1/2min, 2/2min, 3/2min 4/2min, 5/2min, 6/2min, 7/2min, 8/2min, 9/2min, 10/2min, 11/2min 12/2min, 13/2min, 15/2min, 16/1 2min, 16/2 2/min, 17/2min, 19/2 21/2 min, 22/2min, 40/2min, 76/ min, 77/2min, 78/2min, 79/2min, 80/2min, 81/2min, 82/2min, 83/2 84/2min, 85/2min, 86/2/2min, 91/2 min, 92/2min, 95/2min 99/2min 100/2min, 103/2min, 104/2min 105/2min 106/2min, 107/2min, 108/2min, 109/1/2min, 109/2/2min 110/2min, 111/2min, 112/2min, 113/2min, 114/2min, 115/2min, 116/2min, 117/2min, 118/2min, 119/1/2/min, 119/2/2min, 120/2min 122/2min, 126/2min, 127/2,min, 135/2min, 139/2min, 142/min, 143 min 144min, 156/2min, 152/2min, 154/2min, 157/2, min, 162/2min 163/2min, 164/2min, 165/2min, 167/2min, 172/2min, 173/2min, 175/2min, 202/2min, 205/2min, 206/2min, 207/2min, 208/2,min, 210/2min, 212/2min, 237/2min, 239/2min, 241/2min, 242/2min, 247/2min, 248/2min, 260/2min, 262/2min, 263/2/2min, 2702/2min 271/2 min, 272/2min, 274/2min, 280/2min, 283/2min, 283/2min 285/2min, 297/2min, 298/2- 300/2min. 301/2min

305/2min 306/2min, 307/2min/ 308/2min, 309/2min,
310/2min, 311/1/2min, 311/2min 313/2min, 320/2min
321/2min, 322/2min, 323/2min, 324/2min, 327/2min
329/2min, 332/2min, 333/2min, 336/2min,
337/2min, 338/2min, 341/2min 343/2min, 356/3min
347/2min, 348/2min, 353/2min, 350/2min, 351/2min
352/1/2min 358/2min, 359/2min, 10/2/2 min, 98/2
min, 279/2min, .

berhai 17-02

Rect.No. Killa Nos.

51- 23/2min, 24/2min,.
22 1/2/2min, 11/3/2min, 202/2min, 21/2min,
23 1/2min, 2/2min 4/2min, 5/2min, 6/2min,
7/2min, 8/2min, 9/2min, 14/2min, 10 min
17/2/2min, 17/3/2min, 24/2/2min, 24/3min
28 22/2min, 25x
25 2/2min, 3/2min, 4/2min, 5/2 min,.
28. 16/2min,
29 1/2min, 3/2 min, 8/2min, 10/2min, 11/2min
12/2min, 13/2min, 18/2min, 19/2/2min,
19/2/2min, 20/2, 22/2min,
30 4/1/2min, 4/2/2min, 4/3/2min, 6/2min,
7/2m 8/1/2min, 8/2/2min, 12/2/2min,
13/2min, 14/2min, 15/2min, 16min, 17/2min
19/2min, 21/2min, 22/2min, 23/2min,
24min, 12/2/2min,
31 1/2min, 10/2min, 10/1/2min, 65/2min,

nar Pur 4-01

899/2min, 900/2min 901/2min, 903/2min, 904/2min
905/2min, 906/2min, 937/2min, 940/2min, 952/2min,
953/2min, 954/2min, 955/2min, 956/2min, 957/2min
957/2min, 958/2min,.

shan Pura 4-18

670/2min, 672/2min, 673/2min, 674/2 min, 675/2min
676/2min, 677/2min, 706/2min, 707/2min, 708/2min
680/2min, 688/2min, 687/2min, 689/2min, 690/2min
691/2min, 692/2min, 693/2min, 694/2min, 695/2min
696/2min, 698/2min,

Jaferh. 3-08

Rect.No. Killa No.

39 23/2min,
41 3min, 4/2min, 7/1/2 min, 7/2/2min,
14/2min, 16/1/2/min, 16/2/2min, 17/2min
25/2min,
40 21/2/2min,
51 1/2min, 2/2min, 9/2min,
Rect No. 61/2min,

asoodabad 3-12

563/2min, 564/2min 565/2min, 566/2min,
567/2min, 571/2min 572/2min, 573/2min, 574/2min
576/2min, 575/min, 577/2min, 580/2min, 581/2min
584/2min, 582/2min, 583/2min, 600/2min, 601/2min
602/2min, 604/2min, 605/2min, 607/2min,

akraia 59-11

Rect. No. Killa Nos.

1 12/2min, 19/2min, 22/1/2min, 22/2/2
Min.
7 1/1/2min, 1/2/2min, 2/1min, 10/
8 6/2/2min, 14/2min, 15/2min,
min, 18/2min, 22/1/2, 22/2/
23/1/2min.
9 6/2min, 15/1/2min, 16/2/
24/2min.
10 1/2min, 2/2min, 10/
20 4/2min, 7/2min, 1/
18/1/2min, 18/3/
22/1/2min, 22/
21 5/2min,

Rect.No.

Rect.No.

21 5/2min, 6/2/2min, 7/1/2min, 7/2/2min,
min, 18/min, 19/2min, 22/2min.
22 1/2min.
34 1/2min, 2/2/2min, 10/2min, 11min
35 15/2min, 16/1/1min, 16/2/2min, 25/3/2min, 25/2/2min
36. 5/2min.
37. 5/2min, 1 min, 10/2min, 11/2min, 12min, 19/2min,
22/2min, 23/2min.
51 10min, 11/2min, 12min, 19/2min, 22/2min, 23/2min.
52. 3/2min, 4/2min, 5min, 6/2min.
53 3/2min, 8/2min, 13/2min, 18/2min, 22/2min, 23/2min.
66 2/2min, 9/2min, 10/2min, 11/2min.
67 15/2min, 16/2min, 17/2min, 22/1/2min, 23/1min,
23/2/2min, 24min.
68 24/2min.
69 1/2min, 2/2min, 10/2min, 11/3min, 20/1/2min, 21/2m
25/2min.
70 16/2min, 17/2min, 18/2min, 19/2min, 21/2min, 22/1m
71 19/2min, 20/2min, 22/2min, 23/1/2min.
84 1/2min, 3/2min, 8/2min, 9/2min, 11/2min, 13/2min,
18/1/2min, 18/2/2min, 18/3min, 19/2min, 20/2min,
21/2min, 22/2min.
86 7/2min, 11/1/2min, 11/2/2min, 12/2min, 13/2min,
1/2min, 2/2min, 3/2min, 4/2min, 5/2min.
87 4/2min, 6/1/2min, 6/2/2min.
88 5/2min, 6/2, 24/2, 25/2min.
89 2/2min, 10/1/2min, 10/2/2min, 9min, 11/2min,
20/2min, 21min.
102 20/2min, 21/1/2min, 21/2/2min, 22/2min, 23/2min,
24/2min.
103 10min, 11/2min, 12/2min, 16/2min, 17/1/2min, 17/2
min, 18/1/2min, 18/2/2min, 19/2min, 21/2min, 22/2
4/2min, 5/2min, 6/2min, 14/2min, 16/2min, 25/2min
104 2/2min, 3/2min, 4/2min, 5/2min.
105 1/2min, 4/2min, 5/2min, 6/2min, 7/2min, 8/1/2min,
8/2min, 9/1/2min, 15/1/2min.
107 1/1/2min, 2/2min, 3/1/2min, 3/2min, 6/2min, 7/2mi
8/1/2min, 11/2min, 12/2/2min, 13/2min, 14/2min,
16/2min, 17/2min, 12/1/1min.
108 8min, 9/2min, 10/2/2min, 13/2min, 10/1/2min,
14/1/2min, 14/2/2min, 15/2min, 18/2min, 19/2min,
20/2min, 23/2min, 24/2min, 25/2min.
109 12/2min, 12min, 16/2min, 17/1/2min, 17/2/2min,
18/2min, 19/2min, 21/2min.
110 19/2min, 20/2min, 22/2min.
RectNos, 163/2min, 164/2min, 177/2min, 179/2min.

By order

Sd/-

(K.N.KASHYAP)

DEPUTY SECRETARY (LAND & BUILDING)
DELHI ADMINISTRATION, DELHI

Dated 19 Feb., 1971

10.F15(93)/69-LAH(1)

Copy forwarded to:-

1. The Public Relation Deptt. (In duplicate) for publication in part IV of Delhi Gazette.
2. The Executive Engineer, Flood Control & Drainage Division No. 2, Curzon Road, N. Delhi, with ref. to his letter No. NB-17(L)2/190-93 dated 14.1.71
- Sh. Sham Karam, LAC(P) Delhi with ref. to his D.O. No. 1768/LAB Dt. 30-1-71

Sd/- K.N. Kashyap
Deputy Secretary (Land & Building)
Delhi Administration, Delhi

Attested by

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