

NAME OF THE VILLAGE: NANAK HERI
 NATURE OF ACQUISITION: PERMANENT
 PURPOSE OF ACQUISITION: INCREASING THE CAPACITY OF
 NAJAFGARH DRAIN

These are the proceedings of determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land under acquisition measuring 62 bighas 08 biswas, situated in village Nanak Heri was notified u/s 4 vide notification no.F.7(10)/83, L&B dated 24.9.87 and u/s 6 vide notification no.F.7(10)/83 L&B (II) dated 29.9.87 and u/s 17 of the L.A. Act vide notification no.F.7(10)/83-L&B(III) dated 29.9.87 to be acquired for a public purpose namely for increasing the capacity of the Najafgarh Drain. In pursuance of the aforesaid notification notices u/s 9 and 10 of the L.A. Act were issued to the interested persons for inviting their claims for compensation. The claims received from the interested persons are discussed under the heading 'claims for compensation!'

TRUE & CORRECT AREA:

The land was measured and surveyed on the spot. The area found available at the spot is 62 bighas 5 biswas.

<u>KH.NO.</u>	<u>ACTUAL AREA</u>	<u>AREA SHOWN IN NOTIFICATION</u>
11/3/2	0-16	0-17
25/1/2	1-17	1-18
10/2/2	0-5	0-6

Details of kh.no. with area

<u>Khasra no.</u>	<u>Area</u>	<u>Kind of soil</u>
10/2/2	0-5	Abpash (irrigated)
10/2/2	0-5	"
11/1/2	0-10	"
11/2/2	0-9	"
11/3/2	0-16	"
12/1	1-4	"
12/2	0-8	"
12/3/2	1-14	"
13/2	2-8	"
15 min	0-15	"
16/1"	0-14	"
16/2"	1-11	"
17/1	0-15	"
17/2	0-17	"
17/3	2-5	"
18/1 min	1-4	"

Contd... 2 ...

... 2 ...

18/2	3-11	"
19/2	4-8	"
20/1 /2	0-14	"
20/2	3-04	"
21/2	3-12	"
22/2	3-12	"
23/1/2	1-05	"
23/2/2	1-05	"
23/3/2	1-05	"
24/2	3-16	"
25/1/2	1-17	"
25/2/2	1-19	"
26/2	4-18	"
29/1	0-12	"
29/2 min.	1-04	"
31/1 min.	0-13	"
31/2 min.	0-12	"
31/3 min.	0-12	"
32 min.	2-00	"
33 min.	2-00	"
34 min.	1-14	"
35 min.	1-04	"
36/2 min.	0-08	"
	<u>62-05</u>	

Compensation claims:-

The following persons have filed their claims for compensation.

S.NO.	NAME OF THE CLAIMANT	KH. NO.	CLAIMS
No d inte	1. Silak Ram, Kanshi Ram S/o Duli Chand, Ishwar Singh s/o Sri Chand, Maha bir, S/o Tara Chand, Sardar Singh Ram Chander S/o Ganga sehai	12/3/2, 13/2 11/2/2, 17/2 (1-6)	Rs. 200/- p.s. Wds. for the land.
MARI	2. Smt. Rupa W d/o Jugti, Hashiar Singh s/o Bhola	23/3/2, 31/3 (1-17)	-do-
de	3. Amar Singh S/o Shilti Lal Abhay Singh, Tek Ram S/o Kerpa Ram	20/2 (3-4) 34 (1-14)	-do-
	4. Raja Ram S/o Roop Chand, Dalip Smt. Dano W/o Ram Swarup	24/2, 29/1 (4-8)	-do-
	5. Ram Saraup S/o Shera, Kishan chand S/o Khubi, Chander,	12/2, 16/1 (1-2)	-do-

Contd... 3 ...

... SING THE CAPACITY OF
DRAIN compensation

... 3 ...

- Ram Phal, Prtap, Raghu Nath
S/o Chajju, Chattar, Bhanthu
S/o Bhima -do-
6. Hukam Singh, Ved Singh, Karan 10/1/2, 11/3/2, 17/3,
Singh, Mir Singh S/o Phool S. 18/1(4-11) -do-
7. Randhir Singh, Nafe Singh S/o 10/2/2, 18/2, 33/2(4-5)
Sri Chand, Jai Singh, Maha 0-6, 3-11, 0-8 -do-
Singh, Raj Singh, Balwan Singh
Bhagwan Singh S/o Ram Saraup,
Umrao Singh S/o Hardy, Radhey
Shyam S/o Man Singh
8. Mir Singh, Pehlad, Tej Ram S/o 26/2 (4-18) -do-
Chattu, Ram Kishan, Ved Singh
Lal Chand, Jagdish Partap s/o Teka
9. Dhan Kaur w d/o Mesha, Smt. Bhapla 12/1, 16/2, (2-15) -do-
w/o Kanhaya
10. Udal Bhan, Ram Narain S/o Harbal 25/1/2, 29/2(3-2) -do-
Om Parkash s/o Dani Ram, Jummal
s/o Sheo Chand, Ram Rati d/o
Smt. Sukhna w/o Parbhu
11. Raghubir, Om Parkash s/o Gagan 25/2/2(1-19) Rs. 200/- p.sq.
Ram Phal s/o Rattan Singh yds. for the
Ranju S/o Dhania, Ram Chander land
s/o Sri Ram
12. Saraup Singh, Kanwal Singh s/o 23/1/2, 2/2, 31/1 -do-
Hari Singh, Gajay Singh S/o 33/2(3-15)
Dharam Singh Jagmal S/o Chandhi
13. Balu Ram Phal s/o Umrao 11/1/2, 17/1(1-5) -do-
0-10, 0-15
14. Sri Ram, Surat Singh S/o Udivir 19/2(4-8) 20/1/2 -do-
Ram Phal s/o Ram Mehar (0-14), 35(1-4) = 6-6
15. Daya Kishan, Deep Chand s/o Jay 21/2, 22/2, 32, 33 -do-
Lal Total (11-4), 3-12, 3-12, 2-2, 2-0
16. Radhey Shayam Tyagi s/o Man Singh 10/2/2, 18/2, 36/2
Tyagi (/5) (3-11) (0-8) Rs. 600/-
p.sq.yds.

DOCUMENTARY EVIDENCE

No documentary evidence or proof has been filed by any of the interested persons/claimants to support their claim.

MARKET VALUE

The market value of the land under acquisition is to be determined with reference to the price and land prevailing at the time of notification u/s 4 of the L.A. Act i.e. 29.9.87.

In assessing the market value of the land under acquisition on the material date, bonafide sale transactions of land parallel in all circumstances to the land under acquisition in the same village and also awards in respect of the similar kind of the land made with reference to the date of notification u/s 4 are taken into account.

Contd... 4 ...

Contd... 2 ...

The following awards have been announced in this village:-

S.NO.	VILLAGE	AWARD NO.	A	B	DATE OF NOTIFICATION U/s 4
1.	Nanak Heri	57/82-83	2100/-	1500/-	20.4.79
2.	-do-	57-A/82-83	2100/-	1500/-	20.4.79
3.	-do-	47/86-87	2100/-	-	20.4.79
4.	-do-	46/86-87	2400/-	-	20.1.81

No such enhancement has been made ^{by the Court.} in award no.57, 58, 46, 47 and 57-A/86-87 in village Nanak Heri.

Reliance cannot be made to these awards as they pertained to the land notification ^{ed 4/54} in 1979 and 1981. The following sales transactions are reported to have taken place in respect of this village:-

S.NO.	REGD.NO. & DATE	AREA	AMOUNT	AVERAGE
1.	7363/5-7-85	7-2	8,000/-	Rs.1,000/-
2.	7364/5-7-85	9-16	10,000/-	
3.	7365/5-7-85	16-2	15,000/-	
4.	1547/4-3-86	12-05	49,500/-	Rs.4,040.80
5.	86-87	Nil	Nil	Nil
		45-05	82,500/-	

a. Transactions at s.no. 4 is nearest to the date of notification
o) under section 4 in the present case hence placing my reliance on the latest transactions mentioned at s.no. 4, I assess the market value of land at Rs.2,500/- per bigha, which is the fair just and equitable rate of the land under acquisition.

The other benefits admissible under the land Acquisition Act will be given accordingly.

There is one well situated in kh.no.22/2 reported to be existing at the time of taking possession of the land; The details of which is as under:-

S.NO.	KH. NO.	PRESENT POSITION OF THE WELL	RATE
1.	22/2	Pacca cemented well but unused having dia 4'25 Lit. deep and 30 years old.	Rs.3,500/-

Contd... 5 ...

SOLATUM: 30% solatium shall be payable on the market value of the land on account of compulsory nature of acquisition u/s 23(2) of the L.A. Act.

AMOUNT ADDITIONAL TO MARKET VALUE U/S 23(1-A)

As provided u/s 23(1-A) of the Land Acquisition (Amendment) Act 1984 additional market value @ 10% p.a. on the market value of the land from 24.9.87 which is the date of notification u/s 4 to the date of possession i.e. 6.1.88.

INTEREST

Possession of the land under acquisition was taken over under Sec.17 of the L.A. Act on 6.1.88 but the compensation has not been paid either in part or full to any of the claimants. Therefore, as provided under Sec. 34 of the L.A. Act interest @ 9% shall be payable from the date of taking possession to the expiry of one year i.e. from 6.1.88 to 5.1.89. Since no compensation was paid either in full or part even after expiry of one year from the date of taking over possession interest @ 15% will be payable from the date of expiry of one year to the date of announcement of award i.e. from 5.1.89 to 21.6.89.

APPORTIONMENT

Payment of compensation to the claimants will be made on the basis of the latest entries in the Revenue record. In case of any dispute with regard to amount or otherwise which cannot be amicably settled may be referred to the court of A.D.J. u/s 30-31 of the L.A. Act.

LAND REVENUE

The land under acquisition is assessed to Rs.23.00 only as land revenue. The same may be deducted from the rent roll of the village Nanak Heri w.e.f. 6.1.88

... 7 ...

SUMMARY OF THE AWARD

1. The market value of land measuring 62-05 @ Rs.2,500/- p.b.	1,55,625.00
2. Compensation assessed in respect of well in Kh.no.22/2	3,500.00
3. Solatium @ 30%	46,687.50
4. Additional amount @ 12% p.a. on Rs.1,55,625/- w.e.f. 24.9.87 to 5.1.88 (104 days)	5,321.08
5. Interest u/s 34 @ 9% p.a. on Rs.2,02,312.50 w.e.f. 6.1.88 to 5.1.89 (one year)	18,208.12
6. Interest @ 15% p.a. on Rs.2,02,312.50 w.e.f. 6.1.89 to 21.6.89 (167 days)	<u>13,884.74</u>
TOTAL	<u>2,43,226.44</u> ✓

(RUPEES TWO LAKHS FORTY THREE THOUSAND TWO HUNDRED TWENTY SIX
AND PAISA FORTY FOUR ONLY)

V.K.S. Chauhan
(V.K.S. CHAUHAN)
LAND ACQUISITION COLLECTOR (PS)
DELHI

APPROVED
[Signature]
SECRETARY (REVENUE) 20/6/88

Announced in the open court.
Notices of award may be issued to
those who failed to be present in the
court for hearing the award
V.K.S. Chauhan
21.6.88

SUB: DRAFT AWARD IN RESPECT OF VILLAGE NANAK HERI

LAND NOTIFIED U/S 4 on 24.9.87

Declaration u/s 6,17 issued on 29.9.87

Vide notification no.F.7(10)/83 L&B (I) (II) (III)

Possession taken over and handed to the acquiring department on 6.1.88

Purpose of acquisition: Increasing the capacity of
Najafgarh Drain

Area notified u/s 6, 17 : 62 Bighas 08 Biswas

Area found on measurement: 62 bighas 05 biswas

Area required by the department 62 bighas 05 biswas

Area for which award has been drawn: 62 bighas 05 biswas

I have assessed the compensation at the rate of Rs.2,500/- per bigha on the basis of the latest relevant sales transactions of this village and the total compensation as the provisions of the Land Acquisition Act, 1894 comes to Rs.2,43,226.44 ✓
(Rupees two Lakhs Forty Three Thousand Two Hundred Twenty Six and Paisa Forty Four only).

Secretary (Revenue) may kindly be requested to approve the award. It may not be out of place to mention that the award has been drawn up after ensuring all the instructions issued by the Secretary (L&B)/Legal Advisor from time to time, have been complied with.

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

SECRETARY (REVENUE)

V.K.S. Chauman
(V.K.S. CHAUMAN)
LAND ACQUISITION COLLECTOR (PS)
DELHI

ADM(LA)

20/6/89