

A W A R D No. 2113 /

12
Name of the village:

Nangal Raya.

Nature of acquisition:

Permanent.

INTRODUCTION:

The land situate in village Nangal Raya is needed by the Government at the public expense for a public purpose namely for the Planned Development of Dehra Dun. A notification under section 4 of the L.A. Act was made vide the notification No. F.4(92)/62-L&H(i) dated 20.6.1966. The provisions of section 5-A of the L.A. Act for the hearing and inviting the objections from the interested persons were dispensed with and section 17 was applied for taking over the possession of the land under acquisition vide the Notification No. F.4(92)/62-L&H(iii) dated 20.6.1966. Simultaneously a declaration under section 6 of the L.A. Act was made vide the notification No. F.4(92)/62-L&H(ii) dated 20.6.1966. A notice under section 9(1) was given due publicity and notices under sections 9(3) and 10(1) of the L.A. Act were served upon the interested persons. Almost all the interested persons have responded to the notices given to them.

'MEASUREMENT & OWNERSHIP'

According to the notification under section 6 of the L.A. Act, the total area to be acquired was 14 bighas and 10 biswas. But from further verification made on the spot under section 8 of the L.A. Act, the area under acquisition comes to 14 bighas and 07 biswas. The difference of 03 biswas is due to mistake in total. I, therefore, hold the area under acquisition to be true at 14 bighas and ²07 biswas, the detail of which according to the revenue record is as given below:-

Khasra No.	Area. Big. Bis.	Kind of land.
414/348/1.	0 - 04	Gm. Makan.
347/1.	5 - 15 ✓	Chahi. 5-10 Gm. Abadi 0-05
345/1.	0 - 10	Chahi.
487/342.	✓ 0 - 12	Chahi.
488/342.	0 - 16 ✓	Chahi.
341.	2 - 12	Chahi.
343/1. 2	3 - 18 ----- 14 - 07 -----	Chahi. Chahi 13-18 Gm. Makan 0-09

'CLAIMS AND EVIDENCES

The following claimants have submitted their claim petition for the compensation:-

Sl.No.	Name of the Claimant.	Compensation demanded
1. ✓	Karan s/o Kanah.	Stated that he has no concern with the khasra No. 347/1 and thus the compensation be paid to Shri Bhulan-owner.
2. ✓	Parma Nand s/o Shah Mal.	Rs.150/- per sq.yd. for the land
3. ✓	Kanshi Ram s/o Jai Gopal.	As above.
4. ✓	Kundan Singh s/o Bahadur.	As above.
5. ✓	Tirkha s/o Girdhari.	Stated that he has sold the land bearing khasra No. 414/348
6. ✓	Ghasita and 7 others.	Rs.150/- per sq.yd. for the land and Rs.750/- per bigha for the loss and damages for the Rabi C.
7. ✓	Ram Sarup and others.	- Stated that their houses may not be acquired.
8. ✓	Dass Bhagwan/and others.	Rs.150/- per sq.yd. for the land Rs.1500/- for the well, Rs.15000/- for the houses and Rs.2000/- for levelling.
9. ✓	Gyaso mothers of Brahm Singh.	Rs.150/- per sq.yd. for the land
10. ✓	Ram Mehr s/o Lal Chand.	Rs.150/- per sq.yd. for the land
11. ✓	Teka Ram s/o Lal Chand.	Rs.150/- per sq.yd. for the land
12. ✓	Prabhu Dayal s/o Khushia.	Rs.150/- per sq.yd. for the land

- ✓ 13. Bullan s/o Ramji Lal. Rs.150/- per sq.yd. for the land, and also stated that he had some piece of land out of khasra No.347/1.
- ✓ 14. Dharampal s/o Ranjit Singh. Rs.250/- per sq.yd. for the land, and Rs.5000/- for the three houses.
- ✓ 15. Ratti Ram s/o Ram Sarup. Rs.250/- per sq.yd. for the land, and Rs.5000/- for the houses.
- ✓ 16. Mam Chand s/o Ram Sarup. Rs.250/- per sq.yd. for the land, and Rs.2500/- for the house, and Rs.2000/- for the boundary wall.
- ✓ 17. Shaha-Mam Chhanga s/o Shah Mal. Rs.250/- per sq.yd. for the land.
- ✓ 18. Budh Ram s/o Chetan. Rs.250/- per sq.yd. for the land, Rs.10,000/- for the rooms and Rs.2,000/- for the boundary wall.
- ✓ 19. Ram Sarup and others. Stated that the section 17 of L.A.Act does not apply to their lands and it should be withdrawn.
- ✓ 20. Tilak Ram s/o Yadho. Stated that he has no concern with the khasra No.347 and the compensation be paid to Shri Bullan.
- ✓ 21. Hari Singh, Mahabir Singh, Rattan Singh, Gaj Raj Singh, and Pearey Lal. ✓ Rs.150/- per sq.yd. for the land and Rs.750/- for the loss of standing Rabi Crop.

S/Shri Hari Singh, Mahabir Singh, Rattan Singh, Gaj Singh and Pearey Lal have produced three copies of the sale deeds, which relates to the field No.502/178 of village Nangal Raya. This field No. is situated within the village abadi. Besides, the sales ~~have~~ have taken place in shape of very small plots. Hence the rates involved in the sale deed cannot be made applicable for assessing the market value of the land under acquisition.

'MARKET VALUE'

The land under acquisition is situated towards the southern side of the Najafgrah to Cantonment (Pankha) Road. The area of village Dabri which is also being acquired under the same scheme of construction of Outfall Drain for the Pankha Road area and under the same notification u/s 6 of the L.A.Act is adjacent towards the western side of the land under acquisition. Towards the eastern side of the land

under acquisition adjoins the other land of Nangal
The land under acquisition is very close to the village.
and is situated at a distance of about 2 to 3 furlon
from the Delhi Cantonment.

Some land of village Nangal Raya was acquired v
the award No.1885. The date of notification u/s 4 of the
L.A.Act in the said award was 13.11.1959, whereas it is
20.6.1966 in the present award. In the award No.1885, the
Land Acquisition Collector had allowed the compensation
@ Rs.4000/- per bigha for Block 'A' and Rs.3500/- per bigha
for Block 'B'. The land under acquisition ~~is similar to~~
2 ~~and~~ adjoins the land placed under Block 'B'.

About 83 reference petitions u/s 18 of the L.A.Act
been
have/filed against the award No.1885, out of which about 2
reference petitions have been dismissed and the remaining
are pending in the court of the Addl. Distt. Judge, Delhi.
The land involved in the award No.1885 relates to the land
which is more closer to the abadi and superior in situatio
to the land under acquisition. Hence the rate given in t
said award cannot be ~~assessed~~ applied for assessing the r
value of the land under acquisition.

 The following sales transactions have taken place
in village Nangal Raya during the period of last five year
preceding the date of the notification u/s/4 of the L.A.Ac
viz. 20.6.1966:-

Year.	Area. Big. Bis.	Total consideration amount.	Average bigha.
1961-62.	13 - 04	Rs.75,022/-.	Rs.5683.48
1962-63.	16 - 12	Rs.1,31,363.50	Rs.7913.46
1963-64.	1 - 16	Rs.24,040/-.	Rs.13,355.
1964-65.	0 - 03	Rs.1000/-.	Rs.6,666.6
1965-66.	7 - 01	Rs.26,372.37	Rs.3,740.

From the above statement it is seen that there
steep decline in the price during the year 1964-65 as comp
to the previous year 1963-64.

Out of the sales transactions that had taken place during the year 1965-66, the following seem to be relevant for purpose² calculating the market value of the land under acquisition:-

Mutation No.	Date of regn.	Khasra No.	Area. Total Big.	Total Bisamount.	Average per bigha
918.	23.3.1966.	339.	0-03.	Rs.559/-.	Rs.3726.66 ²
920.	15.7.1965.	339.	0 - 04	Rs.1000/-.	Rs.5000/-
921.	8.3.1966.	339.	0 - 02	Rs.324.75	Rs.3347.50
924.	8.3.1966.	339.	0 - 02	Rs.273.00	Rs.2730.00
925.	23.3.1966.	339.	0 - 06	Rs.913.25	Rs.3044.79
926.	23.3.1966.	339.	0 - 03	Rs.549.25	Rs.3661.66
927.	18.4.1966.	339.	0 - 02	Rs.312.00	Rs.3120.00
937.	31.5.1966.	339.	0 - 03	Rs.424.12	Rs.2831.66

The mutation No.937 is the latest which is dated 31.5.1966 which is much closer to the crucial date of the notification under section 4 of the L.A.Act of the present award viz, 20.6.1966. The average sale price of this mutation as worked out comes to Rs.2831.66ps. per bigha.

As stated above the land under acquisition is adjacent to the land of village Dabri which is being acquired for the same purpose and under the same notification u/s 6 of the L.A.Act. In the said award the rate of Rs.3000/- per bigha has been allowed for the land classified as Category I and Rs.2500/- per bigha for the land classified as Category II. The situation of the land under acquisition is somewhat better in as much as it is near the village Abadi and adjacent to the Delhi Cantonment. The entire area is of uniform soil.

Hence, ~~the~~ considering the above factors, I am of the view that the flat rate of Rs.3500/- per bigha will be a fair and reasonable market value of the land under acquisition and I award accordingly.

'OTHER COMPENSATIONS'

Compensation for structures: There are some structures

in khasra No.414/348/1 (one room), 347/1(19 rooms and one boundary wall). No compensation has been assessed for the structures as these were not existing at the time of the issue of the notification u/s 17 of the L.A.Act, though there is entry of Gm.Makan in the khasra Nos.414/348/1(0-04), and 347(0-05) and they appear to have been built after the date of notification us/4 of the L.A.Act.

Compensation for trees: wells etc: There is neither any tree, nor any well in the land under acquisition, therefore, the question of payment of compensation does not arise.

15% solatium: As provided under section 23(2) of the L.A.Act the owners will also be paid 15% solatium for compulsory nature of acquisition.

'APPORTIONMENT'

The compensation of the land under acquisition will be paid according to the latest entries in the Revenue Record. The compensation for the khasra Nos.347/1, 488/342, 414/348/1 will be paid in the presence of plot holders and owners and in case of dispute it will be sent to the Addl. Distt. Judge, Delhi for adjudication.

The compensation for the khasra Nos.347/1 min, and 488/342 min will also be paid in the presence of non-occupancy tenants and the owners. In case of dispute it will be sent to the A.D.J., Delhi for adjudication.

Interest: The owners will also be paid interest @ 6% p.a. as section 17 was applied, from the date of taking of the land measuring 13 bighas 06 biswas over the possession/i.e. 27.3.1968 to 26.6.1968, as the award is likely to be announced on 27.6.1968.

'SUMMARY OF THE AWARD'

Compensation for the land measuring 14 highas and 07 biswas @ Rs.3500/- per bigha. Rs.50,225.00

15% of the above solatium for compulsory nature of acquisition. Rs. 7,533.75

Rs.57,758.75

Interest @ 6% for the land measuring

13 bighas and 6 biswas (i.e. Rs.53,532.50)Rs.

802.98

535.32

Rs.58,294.07

(from 27-3-68 to 26-6-68)

Filed and announced
27/6/68

The land is assessed to a land revenue of Rs.5.78 which will be deducted from the khalsa rent roll of the village from Kharif, 1968.



(Zal Nowsherwanji)
Land Acquisition Collector(DS),
Delhi.

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Shami Rao
nr (A)

Shami Rao

1977

(To be published in Part IV of Delhi Gazette.)

DELHI ADMINISTRATION, DELHI

NOTIFICATION

Dated the ___ June, 1963.

No.F.4(92)/62-L&H(1);- Whereas it appears to the Chief Commissioner Delhi that land is likely to be required to be taken by Government at the public expense for a public purpose, namely, for the Planned Development of Delhi, it is hereby notified that the land in the locality described below is likely to be required 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 Chief Commissioner 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 Chief Commissioner being of the opinion that provisions of sub-section (I) of section 17 of the said act are applicable to this land, is further pleased ^{sub-} ~~under~~ section (4) of the said section, to direct that the provisions of section 5-A shall apply.

NOTIFICATION

Sl. No.	Name of village or Locality	Total Area	Field Nos or	
1	2	3	4	
1.	Nangal Raya	BIG. 14 PIS. 10	414/348m 488/342m min, 347mir	12min 17min in, 7min 0/1min
2.	Dabri	99 10	Rect. Kd	

Contd;-

By order,

Dated the 20th June, 1966.

42-1574, C. DeSilva '66-25-4-67-2,00,000

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Copy forwarded to the:-

1. Recruitment & Service Deptt. (in duplicate) for favour of publication in Delhi Gazette.
2. A.D.M. (Land Acquisition), Delhi.
3. Land Acquisition Collector (Palam Circle), Delhi.
4. Asstt. Financial Adviser, L&H Deptt. Delhi Admn.
5. Legal Adviser, L&H Department, Delhi Admn.
6. Shri K. Rama Verman, Additional Chief Engineer, (Delhi Admin) C.P.W.D. Vikas Bhavan New Delhi.
7. Tehsildar, L&H Department, Delhi Administration.

Sd/-
(JAGMOHAN)

DEPUTY HOUSING COMMISSIONER,
Delhi Administration, Delhi.

"A"

Compared.

Sunder Singh
N.T. (L&H)
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DELHI ADMINISTRATION DELHI.NOTIFICATION

Dated the ____ June, 1966

No. F.4(92)/62-L&H(11);- Whereas it appears to the Chief Commissioner of Delhi that land is required to be taken by the Government at the public expense for a public purpose, namely the Planned Development of Delhi, it is hereby declared that the land described in the specification below is required 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

Sl. No.	Name of village or locality	Total Area	Field Nos or boundaries.
1	2	3	4
		Big. Bis.	
1.	Nangal Raya ✓	14 10	414/348 min, 487/342, 488/342, 341, 343min, 345 min, 347 min.
2.	Dabri ✗	99 10	Rect. Killa Nos No. 21 10min, 11min, 12min, 13min, 16min, 17min 22 6/1min, 6/2min, 7min, 8min, 9min, 10/1min, 10/2 min. 23 2/1min, 2/2min, 3min, 4min, 6min, 7min. 17 21min, 22. Contd;-2.

Contd;-

1	2	3	4
			Rect. Killa Nos. No.
		21	10min, 11min, 12min, 13min, 16min, 17min.
		22	6/1min, 6/2min, 7min, 8min, 9min, 10/1min, 10/2min,
		23	2/1min, 2/2min, 3min, 4min, 5min, 7min,
		17	21min, 22.
		16	10min, 11min, 12/1min, 12/2min, 13min, 16/1min, 16/2min, 25 min, 17min, 18min,
		15	2/1min, 3min, 4/1min, 4/2min, 4/3min, 7/4min, 7/5min, 6 min,
		10	21min, 22min, 23min,
		11	12min, 13/2min, 13/1min, 14min, 16min, 17/1min,
		Rect. No. 38min.	
		37	10min,
		38	5min,
		24	17min,
		Rect. No. 48 min,	
		20	4min, 5min,
		14	20min, 21min, 22/1min, 22/2min, 23min,
		15	1min, 10/2min, 10/1min, 9min, 8min, 13min, 14min, 15-16min, 17min.
		16	5min, 4min,
		11	11min, 18-19min, 20/1min, 20/2min, 23min, 24min, 25min.

Pasangi Pur 9 10

Asalat-pur 24
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1	2	3	4
			Rect. Killa Nos. NO.
			10 1 min, 2min, 3-8min, 7 min, 14min, 15min
			7 21
			8 24min, 25min,

By order,
sd/-

(JAGMOHAN)
Deputy Housing Commissioner,
Delhi Administration, Delhi

Dated the 20th June, 1966

No. F.4(92)/62-L&H (I)

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5. Legal Adviser, L&H Deptt. Delhi Admn.
6. Shri K. Rama Verma* Additional Chief Engineer, (De Admn) C.P.W.D. Vikas Bhawan, New Delhi.
7. Tehsildar (L&H) Deptt.) Delhi Admn.

Deputy
Delhi Ad

* A*

ssioner,
Delhi.

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