

Award No. 1564

Name of the Village: Nanglolei Jat  
Nature of Acquisition: Permanent.  
Purpose of Acquisition: Planned Development of Delhi.

Land measuring 18 Bighas and 18 Biswas as detailed below field Nos. and situated in village Nanglolei was notified for acquisition under section 4 of the Land Acquisition Act 1894 vide notification No.F.15(III)/59 dated 13th November, 1959 issued under the authority of Chief Commissioner, Delhi for a public purpose, namely for the Planned Development of Delhi. Due publicity was given to this notification as laid down in the law, and objections received under Section 5(A) were duly considered by the Appropriate Government and on this declaration under section 6 was issued under the authority of the Chief Commissioner, Delhi vide Notification No.F.1(18)/61-L&H dated the 5th November, 1962. Notices under sections 9 & 10 of the Land Acquisition Act 1894 were issued to all the persons interested in the land under Acquisition. The claims for compensation received in compliance with these notices are discussed in this Award under a separate heading, "COMPENSATION CLAIMS"

2. TRUE AREA:

The land was measured on the spot by the Land Acquisition Field Staff. ~~The~~ measurement, the true and correct area ~~has~~ found as follows:-

S.No.	Field No.	Area		Kind of soil.
		Big.	Bis.	
1.	30/6/1/3	2	4	Gairmumkin Johar.
2.	30/6/2	2	6	Rosli
3.	30/7/1/2	0	13	Rosli.
4.	30/15	4	16	Rosli
5.	30/16/1	0	2	Chahi.
6.	30/16/2	0	4	Chahi.
7.	30/16/3	0	13	Chahi.
8.	30/14/2/2	2	9	Rosli
9.	98	1	6	Ghairmumkin Khal.
10.	99	1	6	-do-
11.	100	2	19	-do-

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The correct area is 18 Bighas and 18 Biswas.

The following table shows the names of the owners, fields Nos and classification of the soil:-

S.No.	Name of owners	Khasra No.	Area		Kind of soil
			Big	Bis.	
1	Thandi Ram s/o	30/16/2	0	4	Chahi
	Shri Mehar Singh.				
		30/16/1	0	2	Chahi
	Total .	2 fields	0	6	Chahi.
2.	Charanji Lal,	30/6/2	2-	6	Rosli.
	Ram Chander sons of Shri				
	Ratti Ram in	30/7/1/2	0	13	Rosli.
	equal shares 1/6 (share)				
	Mst Ghogri,	30/14/2/2	2	9	Rosli.
	Mst Jimani				
	daughters of	30/15	4	16	Rosli.
	Bhoru in				
	equal shares 1/6 (share)	30/16/3	0-	13	Chahi.
	Behari s/o				
	Ram Pershad				
	1/6 (share)				
	Maha Singh,				
	Hoshiar				
	Singh, s/o				
	Ram Aran				
	in equal				
	shares 1/6				
	(Share)				
	Thandi Ram				
	s/o Mehar				
	Singh 1/3 (share)				
Total 5 fields			10 -	17	Chahi 0-13 Rosli 10-4
3.	Goan Sabha	30/6/1/3	2	4	Ghairmumkin Johar
		98	1	6	Ghairmumkin Khal
		99	1	6	Ghairmumkin Khal.
		100	2	19	Ghair Mumkin Khal.
	Total 4 fields		7 -	15	Ghairmumkin.
Total Nos of fields			Kinds of land.		
			Big Bis		
11			Chahi	0 -	19
			Rosli	10 -	4
Gair mumkin				7 -	15

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The total area is 18 Bighas and 18 Biswas.

### 3. COMPENSATION CLAIMS

In compliance with the notices issued under section 9 and 10 of the Land Acquisition Act 1894, no person<sup>✓</sup> filed any written claim. The date for filing the claims had been fixed on 17.1.1963 which was declared a holiday, and as such claims were expected to be filed on 18.1.1963, but no written claims were filed by any one though in the Requisition Proceedings then pending in pursuance of Notification No.F.1(17)/62-L&H., certain persons of this above village filed claims including the Pardhan of Gaon Sabha on 18.1.63.

### 4. MARKET VALUES

We have to determine the market value of the land under acquisition as prevailing on the date of notification under section 4 namely 13.11.1959. A large number of sales took place during the last 5 years as shown undermentioned preceding the date of notification under section 4 beginning from the<sup>✓</sup> year 1954<sup>✓</sup>55.<sup>✓</sup>

S.No.	Year.	Area sold.	Consideration Money.	Average per bigha.
1	2	3	4	5
		Bigh. Bis.		
1.	1954-55	33 - 00 <sup>✓</sup>	Rs.12,550/-	Rs.380/30 nP.
2.	1955-56	17 - 06	Rs. 8000/-	Rs.462/42 nP.
3.	1956-57	22 - 17	Rs.5500/-	Rs.240/70 nP.
4.	1957-58	21 - 11	Rs.13550/-	Rs.628/77 nP.
5.	1958-59	11 - 4	Rs. 4350/-	Rs.388/39 nP.
Total .....		105-- 18	Rs.43,950-00nP.	Rs.415-01 nP.

The average price per bigha comes to Rs.415.01 nP. taking into consideration the sales referred to above.

In this village the following awards have been given, the particulars of which are shown as hereunder:-

S.No.	Name of Award.	Date of Notification.	Rate of Award (i.e.Average per bigha).	Purpose for which land taken.
1	2	3	4	5
1.	1143	7.11.60	Rs.750/- per Bigha.	House Site for Harijans.

1	2	3	4	5
2.	1321	13.11.59	G.Mumkin Rs.400/- per Bigha. Nehri) Chahi) Rs.1000/- Rosli) per Bigha. B.Qadim.Rs.750/- per Bigha.	Planned Development of Delhi.
3.	1390	22.6.62	Chahi Rs.1600/- per Bigha. Rosli & Rs.1300/- G.Mumkin per bigha.	Remodelling of Nangloi Drain.
4.	1403	24.10.61	Nehri Rs.1250/- per Bigha.  Rs.600/- G.Mumkin per Bigha.	Planned Development of Delhi.
5.	1440	12.7.61	3 Big.10 Bis. @ Rs.1000/- per Bigha. 2 Big.18 Bis. @ Rs.600/- per Bigha.	Remodelling of Nangloi of Drain.

The above awards are the indication of the prices of land. In year 1959 the land was acquired under award No.1321 and the rate given in that award was as under:-

Gairmumkin	Rs.400.00 nP per Bigha.
Nehri, Chahi) and Rosli )	Rs.1000.00 nP. per Bigha.
Banjar	Rs.750.00 nP. per Bigha.

We have to find out the market value of the land under acquisition as prevailing on the date of notification under section 4, namely 13.11.59. Out of the above mentioned awards, the most relevant award is No.1321 which relates to the land which is situated in the vicinity of the present land. The dates of notification under section 4 of the present land and that of award No.1321 are the same. The L.A.C. held in that award as under:-

"The average per bigha comes to Rs.415-01 nP. In the year 1959 the following two transactions took place.

<u>Khasra No.</u>	<u>Area sold</u>	<u>Date of Registration.</u>	<u>Total amount.</u>
63/12	4 - 16 )	22.10.1959	Rs.1000.00
62/15	4 - 16 ) 9 - 12		
47/5	3 - 2	10.9.59	Rs.1500.00
126/34	1 - 12		
47/6	4 - 16		
126/29	3 - 10		

126/36

0-09

21

65/10/2

3-10

64/15/4

1-12  
16-15 ✓

Total area sold i.e. 1/16 of 16 Bighas 13 Biswas 1 Bigh . 1 Bis

The land covered by mutation No. 1178 was sold under exceptional circumstances and it is not a true indicative of the fair market value. The enquiries conducted by Shri Kundan Lal, Naib Tehsildar on the spot revealed that Shri Purn, Proprietor of land covered by this mutation was in great need of money. He, therefore, sold his property on throw away prices charging only Rs. 1000.00 for 9 Bighas 12 Biswas. This land was situated at a great distance from the land of present acquisition. Under the second transaction Shri Kanwal Singh sold his total holding in the village which was 1/16th share in "hasra No. 47/5, 126/34, 47/6, 126/29, 65/10/2, 64/15/4. His total area was 1 bigha 1 Biswa which was sold for Rs. 1500.00. Average price per bigha in this case comes to Rs. 1428.57 N.P. As a small piece amounting to 1 bigha 1 Biswa was sold by this transaction, this is also not a true indicative of fair market price. The Land Acquisition Collector further held "

" This land is situated in between Rohtak Road and the Railway Line going to Rohtak which is mainly irrigated by canal. Before the notification published under section 4 there was no sale in the land under acquisition. However on 14.11.60, 22 Bighas 16 Biswas of land were sold (irrigable) for Rs. 45600-00. This transaction, however, cannot have any effect on the market value of this land which was notified for acquisition on 13.11.59. Keeping all this in view, I award Rs. 1000.00 per Bigha as fair market value of Nehri, Chahi and Rosli and Rs. 750.00 for Banjar Gadim and Rs. 400.00 for Gairmunkin Johar, 15 percent of this value would be paid as solatium for compulsory acquisition".

I have inspected the site myself and the land under acquisition is adjacent to the land which was acquired under award

No. 1321. I have no grounds to differ with the findings arrived at by the A.A. Collector referred to above in award No. 1321. I therefore keeping in view all the factors, considering the award No. 1321, etc hereby award Rs. 1000-00 per Bigha as fair market value of Chahi and Rosli land and Rs. 400-00 for Gairmunkin Johar, etc.

Trees, Wells and other structures.

There are no wells or other structures in the land under acquisition. The list of trees and the price assessed is as under:-

<u>S.No.</u>	<u>Field No. in which the tree is situated.</u>	<u>Kind of tree.</u>	<u>No. of tree</u>	<u>Approximate weight.</u>	<u>Price</u>
1.	30/6/2	Kikar	1	4 Quintals	Rs.

Apportionment.

The compensation will be paid on the basis of entries as existing in statement B, which has been prepared from the latest revenue record.

Interest.

Since the possession of land under acquisition has not been taken, therefore, the question of payment of interest does not arise.

15% for compulsory Acquisition.

As provided by section 23(2) of the Land Acquisition Act, 15% shall be paid on account of compulsory acquisition.

The award is summarised as under:-

<u>S.No.</u>	<u>Area Big.Bis.</u>	<u>Kind of land</u>	<u>Rate per Bigha.</u>	<u>Amount of compensation</u>
1.	00 - 19	Chahi	Rs.1000/-	Rs.950/-
2.	10 - 4	Resli	Rs.1000/-	Rs.10,200/-
3.	7 - 15	(Chairmumkin) Johar-Kh	Rs. 400/-	Rs. 3100/-
				Total: Rs. 14250/-
Add 15% .....				Rs. 2137/50 nP.
Add price of tree .....				Rs. 24/00
				Grand Total Rs. 16414/50 nP.
(Sixteen thousand four hundred and fifty nP only)				

Land Revenue Deduction.

The land under acquisition is assessed to Rs.4-09 nP. as Land Revenue which will be deducted from the Khalsa Rent Roll of the village with effect from Kharif 1963.

Seen  
Submitted to the Collector, Delhi for information.  
24/4/63  
(Balbir Singh) 17/4/63  
Land Acquisition Collector, (IV) Delhi  
(Balbir Singh) 17/4/63  
Land Acquisition Collector (IV) Delhi