

NAME OF THE VILLAGE.....NANGLOI EAT.  
 NATURE OF ACQUISITION.....TEMPORARY.  
 PURPOSE OF ACQUISITION.....FOR THE FILLING UP THE PUNJABI  
 BAGH EXTENSION SCHEME OF 656 ACRES

The land measuring 139 bighas 12 bis in village Nangloi is required for temporary occupation for public purpose, namely for the filling up the Punjabi Bagh Extension scheme of 656 acres and notified vide Delhi Administration's notification No.F.15(29)/63 L&H dated 1.4.68 issued u/s 35(1) of the Land Acquisition Act 1894 for a period of one year from the commencement of such occupation. Notices as required were issued to the interested persons to file their claims:-

#### MEASUREMENT

The area notified u/s 35(1) of the L.A. Act is 139 bighas 12 bis and the measurement of the same was carried out by the staff with comparison to the Revenue Record. It was found to be 141 bighas 1 bis on measurement. Out of it Killas No.20 of Rect 53 measuring 4 bighas 16 bis is cremation ground. After deducting its area 136 bighas 5 bis fall in the scheme and the possession of the same was given on 8.7.68 to the Acquiring Department.

#### OWNERSHIP

The details of the Kh.Nos with ownership, tenancy and classification of the soil are as under:-

S.No.	Name of the Bhumidar	Occupant	Kh.No	Area	Nature of
1)	Amrit Singh s/o Maha Singh 1/2 ..Jagpal Singh, Jagwant Singh, Jaswant Singh ss/o Jit Ram, Smt. Sumitra Devi, Birmala Devi, Manthla Devi, Sarej Devi, Bala Devi, Sakuntla Devi ds/o Jit Ram, Smt. Chander Kali w/o Jit Ram all the ten in equal shares...1/2.	Self	53/10 min.	2-06	B. Qadim
2)	Harpheol, Lakhi Ram, Ram Nath, Indraj ss/o Dulla in equal shares.	Self	63/3 63/4 63/5/2 63/6 63/7 63/8	4-16 4-16 4-14 4-16 4-16 4-16	G. Abpash - do- - do- - do- - do- - do-
				28-14	G. Abpash
3)	Amar Singh s/o Maha Singh, Niader S/o Mohan in equal shares.	Self	63/2 min	1-16	Fellow N

Contd.....2

4)Chhote s/o Mir Singh	Self	63/10	4-16	G.Abpush
5)Nawal Singh s/o Bohoru	-do-	53/15/1 53/6	2-08 <u>4-16</u> 7-04	- do- - do- - do-
6)Shee Lal s/o Singh Ram	- do-	53/15/2 53/16 53/25	2-08 4-16 <u>4-04</u> 11-08	Abpush - do- - do- = do-
7)Partap,Munshi ss/o Bihari	- do-	53/7	4-16	Abpush(2-8)
in equal shares 4/15 share				G. " (2-8)
Din Dayal Chhote Lal ss/o		53/8	4-16	Abpush(4-12)
Rup Chand in equal shares				G.M.Well(0-4)
4/15 share Ram Rikh, Amin		53/9	4-16	Abpush(2-8)
Lal ss/o Shishho in equal				G.Abpush(2-8)
shares 1/5 shares.		53/11	4-16	G.Abpush
Bhola s/o Hukmi 4/15 shares.		53/12	4-16	Abpush
		53/13	4-16	- do-
		53/14	4-16	Abpush(3-16)
				G.Abpush(1-0)
		53/17	4-16	G.Abpush
		53/18	4-16	G.Abpush(4-
				G.M.Well x
		53/19	5-18	G.Abpush
		53/23/1	2-02	Abpush(2-0)
				Tube Well(-
		53/24/2	3-02	Abpush(27-1)
		Total	54-06	G.Abpush(26-
				Abpush(27-18)
				G.M.(0-04)
8) Gaon Sabha	Self	53/21	4-04	Fellow No.
		53/22	3-02	- do-
		53/23/2	2-02	- do-
		53/24/1	1-05	- do-
			<u>10-03</u>	- do-

Amrit Singh s/o Maha 53/10min 2-10 B.Qadim  
Singh one half Jagpal  
Singh,Jagwant Singh,  
Jaswant Singh ss/o  
Jit Ram Sumitra Devi  
Birmala Devi,Manthla  
Devi, Saroj Devi,Bala  
Devi,Sakuntla Devi ds/o  
Jit Ram,Smt.Chander  
Kali,wd/o Jit Ram all  
the ten in equal shares  
one half.

Niader s/o Mohan 63/2min 3-0 Fellow No.3

Qabul 63/1 4-16 - do-

Chhote s/o Mir Singh 63/9 4-16 G.Abpush  
25-05 G.Ebpash  
(4-16)  
B.Qadim(2-10)  
FellowNo.3(7-16)  
Fellow No.1(10-13)

Total land under acquisition 136 big. 05 bis.

B.Qadim(4-16) Abpush(39-06); G.Abpush(71-12) Fellow No.1(10-13)  
Fellow No. 3(9.12) G.MumKin(0-06)

Contd.....3

CLAIMS

The interested persons filed their claims as under:-

S.No.	Name of claimant	Kh.Nos.	Details of claim and other particulars.
1)	Shiv Lal s/o Shingh Ram	11 bigha 8 bis out of Kh.No. 53.	He has claimed compensation @ Rs.1500/- per bigha.
2)	Niader s/o Mohan.		He has claimed compensation @ Rs.9/- or Rs.10/. per sq. yds.
3)	Amar Singh s/o Mohan Singh.	--	He has claimed compensation @ Rs.9 or 10 per sq. yds.
4)	Kanwal Singh, Ram Singh Dharam Singh, Om Parkash ss/o Qabul Singh	63/9,1, 53/21,22	They claim Rs. 200/- per bigha for the equal area of land as given in notice. Rs. 1000/- per bigha for the removal of earth, Rs.2000/- for the change of the character of land which will become useless for agriculture after the removal of earth, Rs.300/- per bigha for the injurious effect of other properties and earnings. Rs.10000/- for the severance of land Rs.1000/- for diminishing the profit/earnings. They have requested that the case be referred to the Civil Court in case of dispute regarding public purpose and compensation.
5)	Amrit Singh and 10 other heirs of Jit Ram.	Land given in the notice u/s 35.	- de-
6)	Nawal Singh s/o Bheru	53/6,15/1	- de-
7)	Partap, Munshi, ss/o Behari, Chhote Lal s/o Roop Chand, Bhola s/o Hukmi.	Tube well & a room in Kh.No.53/18	As at S.No.4. They claim Rs. 10000/- for tube well and room.
8)	Lakhi Ram, Harphool, Ram Nath Indraj ss/o Dulla.	63/3,4,5/2 7,8,53/23/2 53/24/1	As at S.No.4.
9)	Chhoto s/o Mohan Singh	63/10,9	- de-
10)	Amin Lal, Ram Rikh ss/o Shambho, Din Dayal ss/o Roop Chand.	54 bigha 6 bis of land bearing Killa Nos. 7,8,9,11,12,13,14,17,18,19,23/1 and 24/2 of Mustatal No.53	They have claimed Rs.10000 per bigha for lands Rs. 20000/- for two wells and Rs.15000/- for tube well 15% and interest account ing to law.

Contd.....4

Out of the claimant S/Sh. Harphool, Lachi Ram, Ram Nath, Indraj ss/o Dulla, Nawal Singh, Chhoto, Pratap, Munshi, Chhotalal, Bhela, Kanwal Singh, Ram Singh Dharam Singh, Om Parkash ss/o Qabul Singh, Amrit Singh, Jagpal Singh and 9 others heirs of Jit Ram filed the following documents in support of their claims.

- 1) Copy of Patta executed on 10.10.63 by Nawal Singh in favour of M/S Mulkh Raj Mans Raj whereby 21 bighas 10 bis of land bearing Killas Nos. 11,12,10/1,2,9 of Rect.50 in V. Nangloi Jat was lease for the period 16.9.65 to 15.9.70 @ Rs.3000/- per bigha annually. The average per bigha annually comes to Rs.140/-.
- 2) Copy of Patta executed on 10.10.63 by Nawal Singh in favour of M/S Mulkh Raj Mans Raj, whereby 23 bighas 16 bis of land bearing killa Nos. 11,12,10/2,2,9,23/2 of Rect No.50 in village Nangloi Jat was leased out for 2 years i.e. 16.9.63 to 15.9.65 for Rs.6000 only. The average per bigha annually comes to Rs.126/-.
- 3) Copy of Patta executed on 17.12.65 by Sh. Jit Ram in favour of M/S Hukam Chand Sarup Singh whereby 2 bighas 7 bis of land out of Kh.No.1etc/44 in village Nangloi Syed was leased out for 4 years ie. 17.12.65 to 16.12.69 for Rs. 2000/- only. According to the terms of agreement earth could be dug upto a depth of 5 feet. <sup>The average per bigha comes to Rs. 212.77P. annually</sup>  
 The average per bigha comes to Rs. 212.77P. The average per bigha for a depth of 1 foot comes to Rs. 170.21P.
- 4) Copy of Patta executed on 23.12.65 by Kallu and others in favour of M/S Hukam Chand Sarup Singh whereby 4 bighas 16 bis of land bearing Kh.No.759 in village Garhi Piran was leased out for the period of 4 years i.e. 23.12.65 to 22.12.69 for Rs.4000/-only. The average per bigha comes to Rs. 833.33P and annual average per bigha comes to Rs.208.33P. The average per bigha for the depth of 1 foot comes to Rs.166.67P. According to the terms of agreement earth could be dug upto a depth of 5 feet.

MARKET VALUE

The area under acquisition is 136 bighas 5 bis. It is being acquired in village Nangloi Jat. for digging up earth for filling

Contd.....5

the Punjabi Bagh extension scheme of 656 acres. The village Nanglo Jat is a rural village and the Delhi Land Reforms Act 1954 is applicable to the said village.

Prior to the date of notification u/s 35(1) dated 1.4.68, 6 sale transactions have taken place during the years from 1963-64 to 1967-68. In the year 1963-64 and 1967-68 no sale transaction is reported to have taken place. The sale transactions are as under:

S.No.	Rect No.	Killa No.	Date of registration	Area	Amount	Price per bigha.
1)	35/17-22/1		18.5.64	4-16	Rs.28500/-	Rs.5937-5
2)	5/19-20-21. 6/ 16-17/1 13/2		19.6.65	26-02	Rs.59975/-	Rs.2305-84
3)	6/24/2,25,12/4/2, 13/1 and 5/21		21.6.65	20-13	Rs.48000/-	Rs.2324-45
4)	5/18,23		9.8.65	24-06	Rs. 32175/-	Rs.2293-30
5)	1/6 share out of 34 bigha 4 bis.		7.7.65	5-14	Rs. 1400/-	Rs. 245-61
6)	22/20,21/1		26.5.66	6-00	Rs. 25986/-	Rs.4331-00

The sale transaction at S.No.2 and 3 are about 5 furlongs from the land under acquisition. The sale transaction at S.No.1 and 5 are about 4 to 6 furlongs from the land under acquisition. The sale transaction at S.No.1 to 5 took place on 1964 and 1965. Whereas the date of notification u/s 35(1) is 1.4.68. Being pretty old these sale transactions can safely be discarded. The only sale transaction that is worth while considering is the sale transaction at S.No.6.

The sale transaction at S.No.6 fetched Rs.4331 per bigha for 6 bighas on 26.5.66. The land of the said sale transaction is on the Delhi Rehtak Road and about 4 furlongs from the land under acquisition.

No doubt sale transaction convey a fair idea of the prevailing price of land in the village. The price offered in the Awards made in the village also have a bearing and play an important role in the assessment of market price. The Awards in proximity to the land under acquisition made in this village are as under

Contd....6

S.No. Award No. Date of notification u/s 4 Rate per bigha.

1)	1957	4.3.63	Block A Rs. 3100/- Block B Rs. 1500/-
2)	2037	15.11.66	Rs. 3300/-
3)	2048	17.2.67	Block A Rs. 4000/- Block B Rs. 3200/-

Out of the aforesaid Awards the award No.2048 is adjoining the land under acquisition. The date of notification u/s 4 is 17.2.1967 about 14 months earlier to the date of notification of the present scheme. The sale transaction at S.No.6 took place about 2 years earlier to the material date. Of these two the date of notification of the Award No.2048 is closer to the material date. So the best evidence for assessing fair and reasonable market price for the land under acquisition is Award No. 2048.

In it the L.A.C. dividing the land into two blocks awarded Rs. 4000/- for Block A and Rs. 3200/- for Block B. The Block A of the said Award touches the Abpash and Gair Abpash land measuring 110 bighas 18 bis under acquisition and situation and condition are similar in both cases. The remaining land measuring 26 bighas 1 bis comprising of fellow, and Banjar Qadim is similar in condition and situation to Block B of the said Award.

The reason for treating Abpash and Gair Abpash as one and the same is that Abpash and Gair Abpash which is a temporary classification is actually chahi having serviceable wells.

References u/s 18 in the said award are pending decision with the A.D.J. The evidence adduced by the claimants is irrelevant in as much as the agreements pertain to other villages and the agreement of V.Nangloi Jat is unregistered.

As such considering the nature of Acquisition the rate of land comprising Abpash and Gair Abpash which is constituted as Block A is assessed at Rs. 4000/- per bigha and the rate of land comprising of fellow, Banjar Qadim and Gair Mumkin is constituted as Block B is assessed at Rs. 3200/- per bigha kham. The rent at 6% per annum on the market value for Block A comes to Rs. 240/- per bigha per annum and for Block B comes to Rs. 192/- per bigha per annum. I assess the same as rent per year.

The compensation for taking earth will be awarded through a supplementary award on receipt of a certificate from the acquiring Department to the effect that earth has been dug up from the land under acquisition.

STRUCTURES.

There is a room and a tube well in Kh.No.53/18 and 23/1. They are not ~~like~~ likely to be damaged. As such compensation has not been assessed for them.

WELLS

There is one well in each Kh.No.53/8 and 53/18. These wells will not be touched. Hence compensation has not been assessed for them. But the land surrounding wells has been assessed to compensation.

TREES.

The following trees are existing in the land under acquisition.

<u>Kh.No.</u>	<u>Name of trees</u>	<u>Weight.</u>
53/8	Shisham	8 Qtls.
53/18	Keekar	3 "
53/19	Renjhi	4 "

As the trees are not likely to be felled compensation has not been assessed.

POSSESSION

Possession of the land under acquisition was handed over to the Acquiring Department on 8.7.68. At the time of handing over possession some crops were found standing in the following Kh.Nos.

<u>Kh.Nos.</u>	<u>Crop</u>	<u>Area.</u>
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53/18	Jawar	2 bigha.
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53/19	Jawar	3 "
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53/23/1	Jawar Bajara	2 big. 2 bis.
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53/25	Tinde and "	4 " 4 "
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The damages of the crops ~~are payable~~ <sup>are payable</sup> to the owners of the crops, ~~the Assistant Engineer~~ <sup>has recommended to the Executive Engineer for</sup> allowing them to reap their crops within the period of one month. The Assistant Engineer forwarded their application in ~~the~~

original to the Executive Engineer. Development Division No. I  
vide his letter No. AB-1/DDI/14/68 dated 9.7.68 for favour of  
permission.

As per Executive Engineer D.O. No. 1's letter DDI/AB/  
Works-7/51-52 dated 10.7.68 addressed to the Land Acquisition  
Collector (P), no compensation is payable to the land owners  
for their standing crops because they were allowed by the  
authority to harvest the crops.

APPORTIONMENT

1) Kh. Nos 53/23/2, 24/1, 21, 22, 10min, 63/2min, 63/1, 63/9 belong  
to Gaon Sabha but Kanwal Singh and others claimant No. 4 have  
claimed 63/1, 9, 53/21, 22 Rakhi Ram and others claimant No. 8  
have claimed Kh. No. 53/23/2, 24/1, Chhoto claimant No. 9 has  
claimed Kh. No. 63/9 and Amrit Singh and others claimant No. 5  
have claimed Kh. No. 53/10min. The compensation of these Kh. Nos.  
shall remain disputed.

The Award is summarised as under:-

SUMMARY

1) Rent for Block A measuring 110 bighas 18 bis. @ Rs. 240/- per bigha kham per annum.	Rs. 26616-00
2) Rent for Block B measuring 25 big. 7 bis @ Rs. 192/- per bigha kham per annum.	Rs. 4867-20
G.Total	Rs. 31483-20

(Rupees Thirty one thousand four hundred eighty three  
and paisa twenty only)

*Sham Karan*  
(SHAM KARAN)  
LAND ACQUISITION COLLECTOR (P)  
DELHI.

*Assessed and paid*

*11/1/69*