Award No. 1209

Award No. 10 for the year 1961-62 by Shri [illegible] Mongia, P.C.S., Land Acquisition Collector, Delhi.

[CA]SE No. 10.

Acquisition of land for the Planned [De]velopment of Delhi.

Village:- N A R I A N A

A W A R D

In pursuance of Delhi Administration Notification under section 4 No. F.15(III)/59-LSG dated the 13th November, 1959 made under the provisions of the Land Acquisition Act of 1894 and as declared vide Notification No. F.1(20)/61-L & H dated the 10th August, 1961 under section 6 of the Act, the Delhi Administration acquired ~~xxx~~ 758 Bighas 13 Biswas of land in Village Nariana, Tahsil and District Delhi at a public expense for a public purpose, namely, for the Planned Development of Delhi.

2. MEASUREMENT.

The area under acquisition as given in [t]he Notification under section 6 of the Act is 758 Bighas 13 Biswas, while that found on measurement by the Field Staff at the spot is 718 Bighas 14 Biswas. The difference in the area is due to mis-calculation of the area of min Khasra numbers. The land under acquisition lies in 242 fields in Village Nariana as detailed in Form 7 L.A prepared under paragraph 55 of the Financial Commissioner's Standing Order No. 28.

The detail of Khasra Nos. is also given below:-

Khasra No.	Area Big.	Bis.
9/1	0	1[illegible]
10/1	0	

Contd.

Contd....

Mongia

[Co]ntd.......

Khasra No.	Area. Big.	Bis.
	4	14
25	2	15
26	8	3
27	4	18
28	5	11
29	4	0
30	4	4
31	6	16
53	1	9
54	0	17
55	1	13
68	0	18
69	2	8
70	2	15
71	1	2
72/2	4	5
73/2	2	16
74/1	1	0
99/1	1	14
1794/100/2	3	8
308/2	0	4
309/2	2	1
310/2	8	7
1981/311	1	11
1982/311	5	0
312	4	18
313	2	10
314	2	18
315	3	14
316	3	3
317	1	10
318	1	9
319	1	1
320	1	1
321	2	5
322	2	10
323	4	18
324/1	2	1
327	1	10
332/1	3	6
333	2	1
334/1	2	7
335	2	5
336	3	5
337	2	10
338	2	8
339	4	4
340	23	5
341	1	16
342/1	5	1
349/1 min	0	14
378	0	10
379	-	-
380	4	1
2035/2024/383	4	4
384	4	17
385	3	12
386	3	0
2036/2024/383/1	3	9
387	3	13
388	6	17
389	4	14
390	4	1
391	4	16
392	5	8
393		

Contd....

Khasra No.	Area. Big.	Bis.
394/1	1	3
395/1	1	16
396/1	1	19
397	5	1
398	5	17
399	4	14
400	1	1
401	1	7
1858/402	0	6
1859/402	0	15
1860/402	0	15
403	4	6
404	4	8
405	0	2
406	5	1
407	4	10
1861/408	1	10
1862/402	0	6
1863/409	0	06
1864/409	1	10
410	3	1
411	3	8
412	3	12
413	4	12
414	8	9
415	0	18
416/1	4	0
417/1	2	10
418	2	16
419/1	1	14
420/1	0	4
437/1	1	5
438/1	3	0
439	3	18
440	4	15
441	1	18
442	1	18
443	3	16
444/1	1	13
445	3	8
446	3	16
447/1	0	11
462/1	0	3
463/1	3	13
464/1	0	17
465	1	7
466/1	5	4
467	4	11
468	1	16
469	2	10
470	1	17
471	1	10
472	2	14
473	3	13
474	14	8
475	6	15
476	6	6
477	4	12
478	7	6
479/1	0	12
480/1	1	9
2037/481	1	2
2038/481	1	2
482/1	2	3

Contd......

Khasra No.	Area Big.	Area Bis.
483	1	9
1866/484	0	11
1865/484	1	10
485	0	7
486	2	0
487	3	2
488	3	2
489	10	3
490	4	0
491	1	8
492	1	1
493	12	3
494	4	12
495	6	7
496	2	9
497	0	14
1965/498	0	11
1966/498	0	10
499	1	1
500	4	13
501	5	8
505	5	5
506	4	3
2039/507	3	2
2040/507	3	3
509	12	2
510	9	16
511	5	8
512	4	10
513	3	12
514	3	10
515	4	4
516	2	3
517	0	7
518	0	6
519	4	4
520	3	7
521	2	13
1802/522	2	5
1803/522	0	9
523	2	14
524	2	14
525	5	10
526	1	13
527	1	12
528	1	5
529	1	9
530	1	16
531	1	16
532	5	10
533	1	16
534	1	13
2028/535	1	16
2029/535	2	0
536	1	8
537	1	16
538	1	3
539	1	5
540	1	2
541	1	3
542	1	13
543	1	16
544	0	9
545	0	12

Contd........4

[illegible]
4.

Khasra No.	Area. Big.	Bis.
546	0	5
547	1	0
548	0	16
549	0	19
550	0	19
551	1	5
552	0	8
553/1	1	5
554	3	12
555	1	7
556	1	9
557	2	1
558	4	7
559	2	17
560	2	14
561	3	3
562	4	19
563	0	14
564	4	17
565	2	6
566	2	15
567	4	15
568	4	16
569	1	10
2016/570	1	7
2017/570	1	7
571	10	6
572 2006/573/1	0 2	10 6
2007/573/1	4	15
574	2	14
2026/575	4	12
2027/575	1	3
576	3	7
622/1	0	1
623	3	1
624	5	15
625	3	17
626	0	7
627	8	2
628	2	10
629/1	1	9
639	0	5
640	0	7
642	1	1
643	1	1
654/1	4	9
1060/1	6	0
Total :-	718	14

The measurement and classification of the land have been accepted by the land owners concerned. No objection was received from the Department either. I, therefore, agree with the classification of the land

Contd.........5.

as proposed by the Naib-Tahsildar (Land Acquisition) on the basis of the entries of the Khasra Girdawari on date of the Notification under section 4, as under:-

Class of land	Area. Big.	Bis.
Chai	505	11
Rosli	182	19
Banjar Qadim	13	12
G.M Chah	3	8
G.M. Kotha	0	3
G.M. Rasta	13	1
Total:-	718	14

3. P O S S E S S I O N.

The possession of the land has not been taken over as yet.

4. M A R K E T V A L U E.

Some of the owners and interested persons, who appeared in pursuance of the notices issued under section 9 & 10 of the Act, were examined for the measurement of the area, quality of the land and the assessment of compensation.

1. Sh. Banwari Lal etc. :- Requested for compensation @ Rs. 7/- per Sq. yard. They stated that they were occupancy tenants and ~~xxx~~ so were entitled to the entire amount of compensation.

2. Sh. Tilak Ram :- Claimed compensation @ Rs. 10/- per Sq. yard.

3. Shri Lala :- Claimed compensation @ Rs. 10/- per Sq. yard. They desired that the classification of land of Khasra Nos. 557, 558 and 626 should be changed from Rosli to Chai, but they have not produced any proof to show that the area in question

Contd........

is Chai and not Rosli as entered in the in the record. So their request can not be acceded to.

- do -

ri Padam Singh :-

ri Dharam Singh :- Reqested for compensation @ Rs. 7/- per Sq. yard.

- do -

hri Ram Singh :-

hri Het Ram :- Desired that the amount of compensation be paid to his real brother Shri Ganga Sahai as per mutual agreement.

Owners of the land under acquisition :- Claimed compensation @ Rs. 7/- per Sq. yard.

Shri Kehari Singh :- Requested for compensation @ Rs. 7/- per Sq.yard. He stated that Khasra No. 439 is Chai and not Rosli as entered in the Revenue Record. No proof was produced to show that this Khasra No. was Chai. It is entered as Rosli in the Revenue Record. Hènce his request could not be acceded to.

10. Shri Jai Ram :- Requested for compensation @ Rs. 10/- per Sq. yard for Chai and Rs. 8/- per Sq. yard for other land under cultivation.

11. Shri Dharam Singh :- Claimed compensation as above. Further requested that compensation for Khasra Nos. ७०, ३१९, ३३२, ३३३ व ३३६ should not be paid to any one till the decision of the case pending in the High-Court.

12. Shri Pratap Singh etc. :- Requested for compensation @ Rs. 7/- per Sq. yard.

13. Shri Hargian Singh :- Claimed Rs. 145000/- as compensation for Khasra No. 312. He also stated that there was a garden in this Khasra. Compensation should be paid for this also.

14. Shri Debi Sahai etc :- Requested for compensation @ Rs. 10/- per Sq. yard.

15. Shri Richpal Singh :- Stated that compensation should not be paid to Shri Dharam Singh s/o Shri Tara Singh till the decision of the case pending in the Civil Court.

16. Shri Rama Nand :- Requested for compensation @ Rs. 7/- per Sq. yard. He further stated that total amount of compensation be paid to the occupancy tenant.

Contd............7.

Chander Etc.	:- Reqested for compensation @ Rs. 7/- per Sq. yard.
i Maha Singh	:- Stated that the amount of compensation be paid to Maha Singh and Yad Ram ss/o Bakhtawar Singh.
ri Jag Ram etc.	:- Reqested for compensation @ Rs. 7/- per Sq. yard.
ri Sansi Lal & ri Khazan Singh	:- Stated that they were co-shares with Sh. Mangat, Ganga Dass, Neta and Tilak Ram. Requested for compensation along with them.
Shri Shyam Lal	:- Stated that Khasra Nos. 394, 404, 407, 410, 413, 415, 416 468, 1966/498 have since been released in ~~the~~ favour of the legal heirs of late Sh. Jag Ram. compensation be paid to them.
Shri Rup Chand	:- Reqested for compensation @ Rs. 10/- per Sq. yard, Since he was a co-sharer in Khasra Nos. 341, 342, 509, 592, 510, 511, 486.
Shri Siri Niwas etc.	:- Stated that Khasra No. 2039/507 is Chai and not Rosli as entered in the Revenue Record. No proof has been produced in support of this contention. Hence no change can be made.
Smt. Parmeshwari Devi	:- Requested for compensation of Khasra Nos. 549, 2016/570, 551, 2012/570 and 627, Since her husband was not tracable for more than 30 years.
5. Shri Ram Chander & Shri Bhagwana.	:- Stated that Khasra No. 2039/507 should be treated as Chai instead of Rosli, which have since been done according to the Revenue Recor-d.
6. Shri Ram Chander etc	:- Requested for compensation @ Rs. 10/- per Sq. yard.
7. Shri Munshi Ram	:- Requested for compensation @ Rs. 10/- per Sq. yard. Besides Rs. 1200/- as damages for standing crops, Rs. 1500/- for trees, Rs. 15000/- for three wells, Rs. 800/- for the persian wheel, Rs. 15/- per cent statutory allowance and Rs. 6/- per cent as interest.
28. Shri Ram Saran	:- Requested for compensation @ Rs. 10/- per Sq. yard, Re. 500/- per Bigha for the standing crop (Gajar), Rs. 1000/- for trees, Rs. 10000/- for wells, Rs. 15000/- as severance allowance, Rs. 54000/- as damages sustained for all kinds of

Contd.........8.

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8.

acquisition which injureously effected the claimant's land, Rs. 15/- per cent as statutory allowance and Rs. 6/- per cent as interest.

...u Nath Singh ...lf of Shri ...ingh :- Requested that compensation of Khasra Nos. 563, 557, 558, 626, 727, 734 and 869 be paid to him, since these numbers have been relaesed by the compentent court. (compensation will be paid on production of duly attested copy)

...an Singh & ... Sarup. :- Requested for compensation @ Rs. 7/- per Sq. yard. They stated that they were the occupancy tenants and were entitled to the entire amount of compensation.

...ari Lal :- Requested for severance allowance, since his well had been acquired and his other land had become Rosli in stead of Chai.

The Department was not represented.

The demand of the land owners concerned ...y high. The rates claimed by them cannot be ... for the calclation of the price of the land under ... They have produced copies of three sale-deeds ... 31.3.58, 31.3.60 and 14.8.61 . Two of the deeds ...60 and 14.8.61 are after the date of Notification ...n 4 and the transactions relate to the land near ...badi of the village and so cannot be considered. ...d dated 31.3.58 it was executed more than a year ...te of Notification. It also related to the land ...di of the village. I am, therefore, not inclined ...s deed into consideration either. I have, however, ...opied out from the office of the Sub-Registrar of some ...deeds of this village executed from 1.12.58 to 18.9.59. ...placed on the file. It would be seen from ...t all these transactions relate to developed

Contd........9.

which these transactions
~~and~~ are near the abadi. ~~xx~~/~~=~~ cannot be considered
by ssessing the market value in this case. The Naib-
ldar (Land Acquisition) has worked out year-wise
age of the sale price in this village, which is as
r:-

Year	Average per bigha
1954-55	Rs. 5233.20 nP
1955-56	Rs. 2203.02 nP
1956-57	Rs. 2600.27 nP
1957-58	Rs. 2169.91 nP
1958-59	Rs. 2570.06 nP

The following Awards were announced in this llage against the notifications written against each:-

No. of Award.	No. & date of Notification u/s 4	Quality of land	Amount Awarded	Scheme.
2.	3.	4.	5.	6.
919	F.15(31)/58-LSG dated 4.3.59	Rosli	Rs. 2000/-	Railway Line Scheme
1024	F.15(83)/58-LSG (ii) dated 19.7.58	Rosli B.Qadim	Rs. 1750/- Rs. 500/-	Over bridge Ring Road Scheme.
1066	F.15(59)/59-LSG (iii) dated 22.2.60	Chai Rosli G.Mumkin	Rs. 2500/- Rs. 2000/- Rs. 600/-	Food Grains Godown Scheme.

The Award for the Food Grain Godown Scheme tes to the land adjoining the land under acquisition. e is not a much gap between the date of the Notification the Food Grains Godown Scheme and the Notification he land under acquisition. The average sale price for the year 1958-59 has been worked at Rs. 2570.06 nP Bigha. There can, therefore, be no reason to differ the rates already awarded in Award No. 1066 for the Grains Godown Scheme which adjoins the land under

Contd..........10.

the which lie
ition ~~and~~ is of the same quality as the land in the
ent acquisition.

After giving full consideration to the demand
land-owners concerned, the situation of the land,
already announced for the Food Grains Scheme for the
ing land and all other factors, I am of the opinion
he following rates would be quite reasonable and
arket price in this case:-

Chai	Rs. 2500/- per Bigha
Rosli	Rs. 2000/- per Bigha
Banjar Qadim	Rs. 1000/- per Bigha
Ghair Mumkin	Rs. 600/- per Bigha.

ES, WELLS & OTHER STRUCTURES

The detail of trees in the land under acquisition
follows:-

Kind of tree.	No. of tree.	Amount assessed.
2.	3.	4.
Guava	19 (5 years old)	The rate of compensation was assessed by the Horticulture Assistant. His report with details is placed on the file. He has recommended Rs. 283/- as compensation for these trees. I, however, differ with his recommendation. The owner appears to have spent a good lot of lie amount for the plants and labour. I would, therefore, allow Rs. 10/- each for Jamun & Mango seed lings for which no compensation has been assessed by the Horticulture Assistant, besides Rs. 283/- recommended by him;- making the total amount of compensation as Rs. 473/-
Sita fal	1 (1½ years old)	
Lemon	1 (1½ years old)	
Pilkhan	1 (5 years old)	
Jamun	11 (1 year old seed lings.)	
Mango	8 (3 months old seed lings)	
Shisham	1 (150 maunds @ Rs. 2/- per maund)	300/-

Contd.........11.

	2.	3.	4.
	Neem	2 (75 maunds @ Rs. 1/8 per maund)	112/50 nP
	Amrood	1	13/-
	Shatoot	1	10/-
..., 339	Kikar	1 (15 maunds @ Rs.1/8 per maund)	22/50
...1	Beri	1 (5 maunds @ Rs. 1/- per.M)	5/-
	Neem	1 (100 maunds)	150/-
...9	Neem	2 (20 maunds @ Rs. 1/8 per maund)	30/-
	Shisham	1 (15 maunds @ Rs. 2/- per maund)	30/-
	Kikar	1 (15 maunds @ Rs. 1/8 per maund)	22/50
438	Kikar	1 (8 maunds @ Rs. 1/8 per maund)	12/-
473	Burgad (Bur)	1 (125 maunds @ Rs. 1/- per maund)	125/-
	Neem	1 (50 maunds @ Rs. 1/8 per maund)	75/-
466	Kikar	1 (20 maunds @ Rs. 1/8 per maund)	30/-
463	Kikar	1 (15 maunds @ Rs. 1/8 per maund)	22/50
505	Neem	1 (50 maunds Rs. 1/8 per maund)	75/-
506	Kikar	2 (11 maunds @ Rs. 1/8 per maund)	16/50
510	Kikar	2 (20 maunds)	30/-
571	Kikar	2 (25 maunds)	37/50
568	Kikar	1 (5 maunds)	7/50

Contd..............12.

	2.	3.	4.
	Kikar	6 (60 maunds @ Rs. 1/8 per maund)	90/-
	Neem	3 (100 maunds @ Rs. 1/8 per maund)	150/-
	Pipal	1 (75 maunds @ Rs. 1/- per maund)	75/-
	Shisham	2 (150 maunds @ Rs. 2/- per maund)	300/-
546	Pipal	1 (150 maunds @ Rs. 1/- per maund)	150/-
485	Pipal	1 (50 maunds)	50/-
518	Shisham	2 (150 maunds @ Rs. 2/- per maund)	300/-
	Pipal	1 (125 maunds)	125/-
342/1	Neem	1(75 maunds @ Rs. 1/8 per maund)	112/50

Total :- Rs. 2,952.00 N.P.

There are the following houses in the land under acquisition:-

Name of the owner	Khasra No.	Kind of the house.	Price assessed.
2.	3.	4.	5.
Sh. Hargian Singh & Sh. Dalip Singh ss/o Ganga Dass Caste Rajput.	312	3 cemented Rooms	Rs. 500/- per room.
		1 tin shed	Rs. 50/-
		1 water storage tank	Rs. 200/-
		1 pucca wall (3' x 225 ')	Rs. 200/-
Shri Kehari etc.	27	1 cemented room	Rs. 500/-

Contd.......13.

13.

2.	3.	4.	5.
..i Munshi s/o ..i Ganga	389	1 cemented room .	Rs. 500/-
		Total :-	Rs. 2950.00 nP

on

There are 10 wells in the land under acquisition as detailed below:-

..asra No.	No. of wells.	Amount assessed.
312	1	A pumping set is installed. The owner will remove the pumping set. Re- the well I would assess Rs. 1000/- as a reasonable compensation.
27	1	Has no persian wheel. I would assess Rs. 800/- as compensation for it.
389	1	One persian wheel is installed The owner will remove the persian wheel. Re- the well I would assess Rs. 1000/- as a reasonable compensation.
473	1	Has no persian wheel. I would assess Rs. 800/- as compensation for it.
510	1	One persian wheel is installed. The owner will remove the persian wheel. Re- the well I would assess Rs. 1000/- as a reasonable compensation.
639	1	Has no persian wheel. I would assess Rs. 800/- as compensation for it.
546	1	Has no persian wheel . I would assess Rs. 800/- as compensation for it.
485	1	Has no persian wheel. I would assess Rs. 800/- as compensation for it.
517	1	One persian wheel is installed The owner will remove the persian wheel. Re- the well

Contd.............14.

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2549

...sra No.	No. of well	Amount assessed.
...2/1	1	I would assess Rs. 1000/- as a reasoable compensation
		Has no persian wheel. I would, therefore, assess Rs. 800/- for it.
	Total :-	Rs. 8800/-

By applying the rates mentioned above, ...ice of the land works out to be:-

...of land	Area Big.	Area Bis.	Price	Total
	505	11	Rs. 2500/-	Rs. 12,63,875.00 nP
	182	19	Rs. 2000/-	Rs. 3,65,900.00 nP
...adim	13	12	Rs. 1000/-	Rs. 13,600.00 nP
...h	3	8)		
...n	0	3)	Rs. 600/-	Rs. 2,130.00 nP
...ta	13	I	No compensation is assessed for Ghair Mumkin Rasta as it is a public passage without intruption as entered in the Revenue Records.	
	718	14		Rs. 16,45,505.00 nP

...RY ACQUISITION CHARGES.

The owners and interested persons will ...to 15% in consideration of the compulsory ...quisition on the market value which comes to ...,75 nP.

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entitled to get any interest on the amount awarded as compensation, since the possession has not so far been taken.

9. MODE OF PAYMENT.

The owners and the interested persons will be paid compensation according to their shares as entered in the Jamabandi of village Nariana. There are some occupancy tenants, Dholi-Dars as well as non-occupancy tenants in this village. Re- occupancy tenants, they will be paid compensation @ Rs. 0.87 nP in a rupee. The Dholi-Dars are as a matter of fact, given land as gift by their " JAJMANS ". The amount of compensation will, therefore, go to them (Dholi-Dars). Re- Non-occupancy tenants protection against eviction by the land-lords has been secured under " The Delhi (Urban Areas) Tenants' Relief Act 1961 ". Vide section 3(1) of the Act no person shall be liable to be ejected from any land held by him as a tenant except on one or more of the grounds mentioned in clauses ' A ' to ' D ' in the Act. Since these tenants cannot be ejected unless they violate any of the conditions enumerated in the clauses mentioned above, they would be entitled to a substantial amount of compensation for the land acquired, which is under their possession at the moment. They would nearly have the same privileges as the occupancy tenants. I would, therefore, give them the benefit of Rs. 0.81 nP in a rupee as compensation of the land to be taken from their possession. In case of dispute the amount of compensation due to the owners will be kept in deposit till they come to an amicable settlement or the dispute is decided by the compentent court. In respect of the land mortgage with possession the amount of compensation due will go towards the amount of debt on the land and the balance, if any, will go to the owner unless otherwise agreed upon.

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10. LAND REVENUE REDUCTION.

Khalsa amount of reduction from the land revenue due on account of the land acquired works out to, Rs. 195.15 nP. There will be a reduction of Rs. 195.15 nP from the Khalsa Rent Roll of the village with effect from the date of taking over possession.

11. The land aforesaid, will vest absolutely in the Government, free from all encumberances, from the date of possession.

12. Subject to the above remarks the award stands as follows:-

1.	Price of land	Rs. 16,45,505.00 nP
2.	15% for compulsory acquisition	Rs. 2,46,825.75 nP
3.	Compensation for trees.	Rs. 2,952.00 nP
4.	Compensation for structures.	Rs. 2,950.00 nP
5.	Compensation for wells	Rs. 8,800.00 nP
	Total :-	Rs. 19,07,032.75 nP

(M.L.Mongia) 13.10.61.
Land Acquisition Collector,
Delhi.

Forwarded to the Collector, Delhi for favour of information please.

(M.L.Mongia) 13.10.61.
Land Acquisition Collector,
Delhi.

Seen. Filed.
COLLECTOR, DELHI.
16.10.61