

AWARD NO. 12-37

Name of the Village:

Neemri.

Nature of Acquisition:

Permanent.

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In pursuance of notification No.F.15(156)/60-LSG (Vol.III)(VII) dated 7-1-61 under Section 4 of the Land Acquisition Act 1894, it was proposed to acquire 19 Bighas 7 Biswas for public purpose, namely resectioning of Najafgarh Drain with public fund in village Neemri, Tehsil & District Delhi. Vide publicity was given to this notification and objections under Section 5(a) were invited, but none were received. The land was further notified under Section 6 of the Land Acquisition Act 1894, vide notification No.F.15(156)/60-LSG(Vol.III)(II) dated 15-4-61. Notice under Section 9(1) of the Act was published in the village on 29-4-61. Notices under Section 9(3) and 10(1) were also issued to the interested parties, inviting them to file their claims by 25th May, 1961. Only three claims were received, which would be discussed at their proper place.

MEASUREMENT.

Field Nos. 113/1, 118/1, 119, 125, 126/1, 133/1, 134/1, 152/1, 153/1 & 154/1 were notified for acquisition. In the notification their total area given is 19 Bighas 7 Biswas, but on actual measurement it came to 21 Bighas 2 Biswas. The field Nos. 119, 126/1 measuring 4 Bighas 15 Biswas had already been acquired vide Award No.313 for the construction of Municipal Staff Quarters. This area could not be acquired again. It was intimated to the department concerned that they can acquire this land from the Municipal Corporation, Delhi by book transfer, if it is urgently needed. Field Nos. 118/1, 133/1 were acquired by the Central Government under Section 12 of the Rehabilitation Act. This area also could not be acquired. There is a Mandir known as Bias Ashram and a room attached to it in field Nos. 153 & 154. 19 Biswas of land has come under these buildings. The department concerned has agreed to leave out this area from acquisition. The total area which remains for acquisition after all these deductions is 14 Bighas 4 Biswas.

S.No.	Name of Bhoomi-dar.	Name of Aasmi.	Khasra No.	Area. Big-Bis	Classification.	
1.	Tulsi Ram s/o. Ram Pershad.		152/1	1 - 14	Bagh Nehri.	Neemri
2.	Narinder Singh s/o. Sunder Singh.		134/1	5 - 8	Bagh Nehri.	
3.	Evacuee property M/s. Ram Babu, Ram Kishore, Laxmi Cloth Market, Bazar Delhi, Auction Purchaser.		153/1 154/1 154/3	4 - 8 1 - 3 1 - 0	Bagh Nehri. Bagh Nehri. Bagh Nehri.	
			Total:	6 - 11		
4.	Gram Sabha.		116/1 125	0 - 2 0 - 9	Gairmunkin Dhana. Banjar Qadim.	
			Total:	0 - 11		
			Grand Total:	14 - 4		
					Big-Bis	
					Bagh Nehri 13-13	
					Banjar 0-9	
					Qadim	
					Gairmunkin 0-2	
					Dhana.	

I, therefore, hold the area under acquisition to be 14 Bighas 4 Biswas.

CLAIMS & EVIDENCE.

1. Shri Narinder Singh filed his claim through Shri Kali Charan Mittal, Advocate on 25-5-61. He has claimed Rs. 10/- per sq. yard as market price for his land under acquisition. He has stated in his claim that the Industrial Area is quite near to his land. Besides this, according to him Bharat Nagar Colony and one more residential colony is also near about. This land is a garden. For the fruit bearing trees, he has claimed Rs. 5/- per sq. yard extra. Over and above this, he claimed Rs. 2/- per sq. yard for re-fencing of the garden. In the support of his claim, the total evidence which he has produced pertains to village Sadhora Kalan. He has not given any evidence about the market price of village Neemri. The instances given by the petitioner relate to land which is situated at a great distance from his own. They, therefore, could not form proper basis for arriving at fair market price.

2. Tulsi Ram filed his claim through Goverdhan Das Goo Advocate on 19-5-61. He has claimed Rs. 15/- per sq. yard as fair

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market price for his land. In the support of his claim he has produced a copy of lease deed by which his garden of 26 Bighas 5 Biswas was leased out for Rs.4000/- per annum for a period of 2 years. Besides this, he had not given any other proof.

3. Ram Kishore has claimed Rs.25/- per sq. yard as fair price for his land but did not give any proof to substantiate it.

The Gram Sabha did not produce any claim for their land which was being acquired.

DEPARTMENTAL REPRESENTATION.

The department has agreed to pay reasonable rates.

MARKET VALUE.

Out of 14 Bighas 4 Biswas only 11 Biswas is Banjar Qadim. There are gardens on 13 Bighas 13 Biswas. The land of this village can be divided into two blocks.

I. The first block is situated on the North of Najafgarh Drain, consisting of field Nos. 134/1 5 Bighas 8 Biswas, 125 9 Biswas, 116/1 2 Biswas total 5 Bighas 19 Biswas.

II. The second block is on the South of Najafgarh Drain, consisting of field Nos. 152/1 1 Bigha 14 Biswas, 153/1 4 Bighas 8 Biswas, 154/1 1 Bigha 3 Biswas, 154/3 1 Bigha, total 8 Bighas 5 Biswas. The first block is situated adjacent to the Staff Quarters of the Municipal Corporation which are under construction. Some of the quarters have been constructed, though the scheme has not been completed so far. After completion their boundary would adjoin the boundary of the land under acquisition. Bharat Nagar and Shri Nagar colonies are also situated on this side of Najafgarh Drain and are near the land proposed for acquisition. As regards the second block, there is no residential colony or any other place of importance in the vicinity of this block. As compared to the first block, it is also low lying. At present there is no way connecting this land with the other parts of the city. This is a detrimental factor effecting the market value of the place.

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The land for Municipal Quarters was acquired by Award No.78. Its notification was published on 21-10-54. Rs.2000/- per Bigha were awarded as market price. Some more land was acquired for the construction of Staff Quarters vide Award No.813. Its notification was published on 10-11-55. Rs.2225/- was awarded as market value. This area was also under gardens like the first block being acquired now. In the year 1960 only two mutations took place in this village. The first mutation in the statement given below relates to the first block and second of the second block. These are the only two mutations in the village since 1956-57.

<u>No. of Mutation.</u>	<u>No. & Date of Registri.</u>	<u>Khasra No.</u>	<u>Area. Big-Bis</u>	<u>Consideration Money</u>	<u>Average per Bigha.</u>
431	341, 18.6.60	110, 92, 113.	10-1 Bagh Nehri	Rs.23000/-	Rs.2288.56nP.
430	10068 9-11-60	146	0-12 Banjar 7 Bis. Ghairmunkin 5 Biswas.	Rs. 1500/-	Rs.2500.00nP.

The average price per Bigha works out to Rs.2300-47nP.

The Settlement Officer cum Managing Officer (New Delhi) informed us vide his letter No.F.1(7)/ASC(R)/61 dated 23rd June, 1961 that field Nos. 153 7 Bighas 2 Biswas, 154 3 Bighas 4 Biswas were sold in auction on 15-9-59 for Rs.11000/- & Rs.10050/- respectively. This land is situated on the side of our second block. The average price per Bigha of these two sales comes to Rs.2043-20nP. Field Nos. 153 & 154 were also gardens. The trees as well as the land were auctioned by the Rehabilitation Department at the above mentioned price. The evacuee properties sold by the Rehabilitation Ministry are generally paid for through the claims. In the present case, Shri Ram Babu and Ram Kishore have not given any information about the mode of payment of the price value. They have not told us if the price was paid in cash or through claims. Even if they had paid in cash, the average price per Bigha comes to Rs.2043-20nP.

Both the Awards mentioned above relate to the land adjoining our first block. The present acquisition is taking

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place after six years, meanwhile the values of the land have certainly appreciated. It would be reasonable to give higher rate than that given in 1955. I award Rs.2500/- for the first block and Rs.2100/- for the second block. The Banjar land and Dhana land would be valued at $\frac{1}{4}$ of this price. 15% as a solatium would be paid for compulsory acquisition over and above the amount of compensation. The above value assessed by Horticulture Inspector is awarded as fair market value for the gardens.

OTHER COMPENSATION.

There is no well on the land under acquisition. There are three gardens of three different owners in the following field numbers:-

<u>Name of the owner.</u>	<u>Field No.</u>	<u>Area.</u> <u>Big-Bis</u>	<u>Value assessed by Horticulture Inspector.</u>
Shri Narinder Singh	134/1	5 - 8	Rs.3124-50nP.
M/s. Ram Babu Ram Kishore.	153/1 154/1 & 154/3	4 - 8	Rs.1055-12nP.
Shri Tulsi Ram.	152/1	1 - 14	Rs. 341-00nP.

APPORTIONMENT.

M/s. Ram Babu Ram Kishore have not produced the sale certificate, regarding field Nos. 153/1, 154/1 & 154/3. Compensation for these field Nos. would be paid to them on the production of the said sale certificate.

THE AWARD IS SUMMARISED AS UNDER.

Cost of 5 Bighas 8 Biswas of land @ Rs.2500/- per Bigha	Rs.12500-00nP.
Cost of 3 Bighas 5 Biswas of land @ Rs.2100/- per Bigha	Rs.17325-00nP.
Cost of 11 Biswas of land @ Rs.625/- per Bigha	Rs. 343-75nP.
15% as a solatium on the cost of land for compulsory acquisition	Rs. 4675-31nP.
Compensation for trees	Rs. 4520-62nP.
Total:	<u>Rs.40364-68nP.</u>

REMISSION OF LAND REVENUE.

This land is assessed to Rs.12-81nP. as land revenue
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which would be deducted from the Khalsa rent roll of village Neemri from Rabi 1962.

Dated: 27-12-61.

(Sampuran Singh)
Land Acquisition Collector,
Delhi.

Submitted to the Collector of District for filing.

(Sampuran Singh) 27-12-61.
Land Acquisition Collector,
Delhi.

Seen. Filed. *[Signature]*

COLLECTOR, DELHI.

* / PERMAR / *
27/12

28.12.61

29/12/61
شہری زمیندار کے لئے۔ شہری زمیندار کے لئے۔ شہری زمیندار کے لئے۔ شہری زمیندار کے لئے۔ شہری زمیندار کے لئے۔

at the

Land Acquisition Collector to Delhi.
29/12/61.

Award not acceptable
for Ramkishan
for Ramkishan Ramkishan
29.12.61.