

Name of the village:

Nimri.

Nature of acquisition:

Permanent.

INTRODUCTION:

The land situate in the village Nimri is required by the Government at the public expense for a public purpose, namely for the Planned Development of Delhi. A notification under section 4 of the Land Acquisition Act was made vide notification No.F.4(14)/61-L&H dated 25.9.1962. The substance of the notification was given due publicity and objections were invited from the interested persons within a period of one month from the date of publication. No objection was, however, received. A declaration under section 6 of the Land Acquisition Act was made vide notification No.F.4(14)/61-L&H dated 30.7.1965. Notice under section 9(1) of the Land Acquisition Act was given due publicity and notices under section 9(3) and 10(1) of the Land Acquisition Act were served upon the known interested persons. Almost all the interested persons have responded to the notices.

MEASUREMENT & OWNERSHIP:

According to the notification, the total area to be acquired was 31 bighas 14 biswas, but from further verification made at the site under section 8 of the Land Acquisition Act, it was seen that the actual area under acquisition comes to 31 bighas and 12 biswas. The difference of 2 biswas is due to the fact that actually according to the Revenue (Bandobasti) Record the total area of the khasra Number 49 was 7 bighas and 8 biswas which owing to the division of the ~~tatamas~~ became 7 bighas 10 biswas.

I, therefore, hold the area to be acquired at 31 bighas and 12 biswas, the detail of which is as given below:-

Field Nos.	Area Big.Bis.	Kind of soil.
39.	5 - 01	Nehri.
47.	1 - 11	Nehri.
272/49	7 - 08	Nehri.
273/49		
52.	8 - 00	Nehri.
117.	5 - 06	Nehri.
118.	4 - 06	Nehri.
	<u>31 - 12</u>	

COMPENSATION CLAIMS:

The following persons have filed claims for compensation:-

Sl.No.	Name of the claimants.	Compensation demanded.	Remarks.
1.	Shri Moti Lal s/o Chaman Lal.	Rs.20/- per sq.yd. for the land.	The claim is exorbitant and fabulous.
2.	Raushan Lal s/o Punnu Lal.	Rs.80/- per sq.yd. for the land.	-do-

The above claimants have put in claims for compensation which are not based on any reality and they have not produced any proof in support of their claims.

MARKET VALUE:

The land under acquisition is situated in the estate of Nimri at different places. The whole area originally belongs to the Custodian, which was later on purchased by the above said claimants Shri Moti Lal, and Shri Raushan Lal as follows:-

Shri Moti Lal s/o Chaman Lal:	Area Big.Bis.	Consideration money.
	25-00	Rs.35,557/-
Shri Raushan Lal s/o Punnu Lal:	Area Big.Bis.	Consideration money.
	9-12	Rs. 4,838/-

The land is used for agricultural purposes. The following sales transactions have taken place during the last five years before the date of notification under section 4 i.e.25.8.1962 the details of which are as follows:-

Sl.No.	Year	Area Big.Bis.	Consideration money.	Average.
1.	1957-58	4 - 13	Rs.7,000/-	Rs.1505.38 ps.
2.	1958-59	---	---	---
3.	1959-60	28 - 06	Rs.53,500/-	Rs.1890.46 ps.
4.	1960-61	27 - 15	Rs.45,350/-	Rs.1634.23 ps.
5.	1961-62	24 - 09	Rs.28,625/-	Rs.1170.76 ps.
		<u>85 - 03</u>	<u>Rs.1,34,475/-</u>	<u>Average=Rs.1579.27 per bigha.</u>

I have inspected the site. Khasra Nos. 117 and 118 total measuring 9 bighas 12 biswas are situated

Contd 3

on the north west side of the Najafgrah Drain and are adjacent to the khasra No.98 which was acquired vide the award No.1411, and a rate of Rs.2500/- per bigha was awarded. The date of notification of the above said award was 26.10.1961 whereas the date of notification under section 4 of the present award is 25.8.1962. However this period does not affect the market value of the land in the area as was allowed in the award No.1411 for the said khasra No.98. Therefore the rate awarded in the above said award i.e. award No.1411 can be made relevant for arriving at the correct market value of the land under khasra Nos.117 and 118. Moreover the nature of the soil of the khasra Nos.98,117 and 118 is similar to each other. Thus keeping in view the situation of the land, present trend in the market value of the land, and other relevant factors I consider a rate of Rs.2500/- per bigha to be fair and reasonable market value of the lands bearing khasra Nos. 117 and 118 total measuring 9 bighas and 12 biswas, and I award accordingly.

Thus khasra Nos.39,47,272/49 total measuring 14 bighas only are situated at a distance of about $1\frac{1}{2}$ furlongs away from the north west side of the Najafgrah Drain. Some lands near about the lands bearing khasra Nos.39, 47, 272/49, 273/49 were acquired vide the award No.1274 in which the rate of Rs.2000/- per bigha was awarded for the Nehri lands. The lands bearing the above said khasra Nos. are similar in nature and adjacent to the lands acquired vide the award No.1274. The date of notification under section 4 of the Land Acquisition Act of the Award No.1274 was 13.11.1959 i.e. about 3 years prior to the date of notification under section 4 of the present award. Besides, the above said khasra Nos. are near to the

Municipal quarters in this village. Thus considering the above factors and location of the land, I consider the rate of Rs.2200/- per bigha to be the fair and reasonable compensation for the lands bearing khasra Nos.39,47,272/49,273/49 total measuring 14 bighas only and I award accordingly.

The khasra No.52 measuring 8 bighas only is situated on the boundaries of the khasra Nos.56 and 57 towards north and the khasra Nos.51 towards east and khasra Nos. 62 and 63 towards west. The khasra No.56 was acquired vide the award No.1550 in which the rate of 800/- per bighas was allowed. The khasra Nos.51,62 and 63 were acquired vide the award No.1274 in which the rate of Rs.2000/- per bigha for the Nehri lands as stated above was allowed. The khasra No.52 under acquisition is thus surrounded by the land ^{for} which two different rates were given. In view of these facts, it appears fair and reasonable to arrive at the correct market value of the land by working out the average of the two rates given ⁱⁿ the awards No.1550 and 1274 respectively, which comes to Rs.1400/- per bigha. Hence I award the rate of Rs.1400/- per bigha for the khasra No.52. measuring 8 bighas only.

OTHER COMPENSATIONS:

THERE IS Neither any tree, structure, nor any well in the land under acquisition, therefore, the question of assessment of price does not arise.

INTEREST:

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

APPORTIONMENT:

The compensation will be paid on the basis of the latest entries in the revenue record and on the production

of copy of mutation or sale certificate from the Custodian.

15% FOR COMPULSORY ACQUISITION CHARGES:

15% shall be paid on account of compulsory acquisition charges as provided in the section 23(2) of the Land Acquisition Act(I), 1894.

LAND-REVENUE DEDUCTION:

There will be a deduction of 19.60ps from the khalsa Rent Roll of the village from Rabi, 1966.

SUMMARY OF THE AWARD:

Sl.No.	Area	Rate per bigha.	Amount of compensation.
1.	9 - 12	Rs.2500/-	Rs.24,000.00
2.	14- 00	Rs.2200/-	Rs.30,800.00
3.	8 - 00	Rs.1400/-	Rs.11,200.00
			Rs.66,000.00
4.	Add 15% for compulsory acquisition.		Rs. 9,900.00
	G.Total.....		Rs.75,900.00

(Zal Nowsherwanji)
Land Acquisition Collector(DS),
Delhi.
26.11.1965

Submitted to the Collector of Delhi for information and filing.

(Zal Nowsherwanji)
Land Acquisition Collector(DS),
DELHI.
26.11.1965

Sham Lal
NTIA

The Award will be announced on 26.2.66.
Prepare A' Statement.
and the Department is
inform all concerned.

19.2.66

seen filed.
26.2.66
17.2.66.

COLL. ...