

14/79-80

AWARD NO. :
 NAME OF THE VILLAGE : NILOTHI
 NATURE OF ACQUISITION : TEMPORARY
 PURPOSE OF ACQUISITION : CONSTRUCTION OF MINORS

These are proceedings for the temporary acquisition of land measuring 107 bighas 14 biswas situated in village Nilothe, Delhi for a public purpose namely, for construction of minors, as notified vide Delhi Administration Notification No. F.7(56)/76-L&B(5) dated 18.8.78 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 persons interested and the claims filed by them are discussed hereafter under the heading 'Compensation claims'.

TRUE & CORRECT AREA

The Land Acquisition field staff measured the land on the spot and found the following area available at the spot for temporary acquisition.

Kh.No.	Area	Kind of soil
	Big. Bis.	
5//16/3/2 min	0-10	Abpash
17/2/2 min	0-14	-do-
24 min	1-2	-do-
25 min	1-2	-do-
7//21 min	0-14	G. Abpash
8//4/2 min	1-2	-do-
5 min	1-2	-do-
6 min	1-2	Abpash
7 min	1-2	Abpash
14 min	1-2	-do-
15 min	1-2	-do-
16 min	1-2	-do-
17 min	1-2	-do-
24/2 min	1-1	-do-
25 min	1-1	-do-

Kh.No.	Area	Kind of soil
	Big.Bis.	
19//4 min	1-2	Abpash
5 min	1-2	-do-
6 min	1-2	-do-
19//7 min	1-2	-do-
14/2 min	1-2	-do-
15 min	1-2	-do-
16 min	1-2	-do-
17 min	1-2	-do-
24 min	1-2	-do-
25 min	1-2	-do-
20//1 min	1-2	-do-
10/2 min	1-2	-do-
11/2 min	1-2	-do-
20 min	1-2	-do-
21 min	1-2	-do-
21//5 min	0-10	-do-
6 min	1-2	-do-
15 min	1-2	-do-
16 min	1-2	-do-
25 min	1-2	-do-
22//5/1 min	0-9	-do-
5/2 min	0-13	-do-
6 min	1-2	-do-
15 min	0-18	G. Abpash
23//1 min	1-2	Jadid No.1
10 min	1-2	G. Abpash
11 min	0-18	-do-
24//4 min	1-2	Abpash
5 min	1-2	-do-
6 min	1-2	-do-
7 min	1-2	-do-
14 min	1-2	-do-
15x2 15/2 min	1-2	-do-
16 min	1-18	-do-

Kh.No.	Area Big. Bis.	Kind of soil
25 min	2-3	G. Abpash
35//5 min	2-3	-do-
6 min	2-3	Abpash
15 min	2-3	-do-
16 min	2-3	-do-
25 min	2-3	-do-
39//5 min	2-3	-do-
6 min	2-3	-do-
15 min	2-3	-do-
16 min	2-1	-do-
25/1 min	0-8	Parti Jadid No.2
25/2 min	1-7	-do-
47//5 min	2-3	Abpash
G.Total		76-08

Area measuring 31 bighas 6 biswas comprising
 Kh.Nos. Rect. No.16//. 8/2, 3, 9/2, 12, 13, 18/2, 19, 22/2, 23.
 Rect. No.27//. 2, 3, 8, 9, 12, 13/2, 18/2, 19, 22, 23
 Rect. No.32//. 2, 8, 10, 12, 20, 21/1
 Rect.No.33//. 16/1, 25 = 31 bighas 6 biswas

are not being acquired in this present scheme of acquisition,
 as the acquiring department is not willing to acquire this area
 at present. Therefore, the above Kh.Nos. area measuring
 37 bighas 6 biswas will be acquired as and when the acquiring
 department required.

OWNERSHIP

The details of Kh.No., ownership, classification of
 land are as under:-

Sl.No.	Name of the occupant	Kh.No.	Area Big.Bis.	Kind of soil
1.	Attar Singh s/o Dhan Singh	22/5/2/ 1 min 6/1/2 min 2	0-13 1-2 1-15	Abpash -do- -do-

Sl.No.	Name of the occupant	Kh.No.	Area Bis. Bis.	Kind of soil
2.	Karan Singh, Dalel Singh	24/4 min	1-2	Abpash
	Ragbhir Singh, Attar	5/2 min	1-2	-do-
	Singh ss/o Smt. Bhagwani	6/2 min	1-2	-do-
	d/o Arjun, equal share	7 min	1-2	-do-
		14 min	1-2	-do-
		15/2/2 min	1-2	-do-
		6 killa	6-12	
3.	Kanahaiya s/o Sukh Lal	23/10/2 min	1-2	G. Abpash
	1/4 share, Surat Singh,	11/2 min	0-18	-do-
	Ram Kishan, Ishwar Singh	2 killa	2-00	
	ss/o Sukh Lal 3/4 share			
4.	Zile Singh s/o Ranjit	20/1 min	1-2	Abpash
		21/5 min	0-10	-do-
		2 killa	1-12	
5.	Johri, Daya Nand ss/o	24//16/2 min	1-18	Abpash
	Rizak Ram equal share			
6.	Daryao Singh, Banwari ss/o	8//6/2 min	1-2	Abpash
	Tokh Ram, equal share	15/2 min	1-2	-do-
		16/2 min	1-2	-do-
		3 killa	3-6	
7.	Deep Chand s/o Mir Singh	19//16/2 min	1-2	Abpash
		25/2 min	1-2	-do-
		2 killa	2-4	
8.	Dharm Pal, Anand Pal ss/o	47//5/2	2-3	Abpash
	Chandgi, equal share			
9.	Dhan Singh s/o Lekh Ram	20//10/2/2 min	1-2	Abpash
		11/2/2 min	1-2	-do-
		20/2 min	1-2	-do-
		21//6/1 min	1-2	-do-
		15/1 min	1-2	-do-
		16/1 min	1-2	-do-
		6 killa	6-12	

Sl.No.	Name of the occupant	Kh.No.	Area Big. Bis.	Kind of soil
10.	Dhan Singh s/o Amar Singh	8//17 min	1-2	Abpash
		24/2 min	1-1	-do-
		25/2 min	1-1	-do-
		19/4 min	1-2	-do-
		5/2 min	1-2	-do-
		6/2 min	1-2	-do-
		7 min	1-2	-do-
		14/2 min	1-2	-do-
		15/2/2 min	1-2	-do-
		9 killa	9-16	
11.	Niranjan Singh s/o Tek Chand	8//4/2 min	1-2	G. Abpash
12.	Phool Singh s/o Nihal Singh 1/2 1/3 share	35//6/2 min	2-3	Abpash
	Jagdhir Singh s/o Charan Singh	15/2 min	2-3	-do-
	Bharat Singh, Zile Singh	16/2 min	2-3	-do-
	Niranjan Singh, Mahender Singh ss/o Phool Singh equal share(2/3 share)	3 killa	6-9	
13.	Med Singh, Bahadur Singh,	5//16/3/2/2 min	0-10	Abpash
	Baljeet Singh ss/o	17/2 min	0-14	-do-
	Sube Singh equal share	24 min	1-2	-do-
		25/2 min	1-2	-do-
		4 killa	3-8	
14.	Mange Ram s/o Ram Nath	30//5/2 min	2-3	Abpash
		6/2 min	2-3	-do-
		15/2 min	2-3	-do-
		16/2 min	2-1	-do-
		4 killa	8-10	

S.N.No.	Name of the occupant	Kh.No.	Area Big.Bis.	Kind of soil
15.	Jai Chand, Ram Singh, Jai Parkash, Surender Singh ss/o Risal Singh equal share	19//17 min 24 min 2 killa	1-2 1-2 2-4	Abpash
16.	Rajender Singh, Suresh Kumar, Anand Singh sons sons and Bishan Devi wd/o Narain Singh equal share 1/2 share, Man Singh s/o Dalip Singh 1/2 share	35//25/2 min	2-3	Abpash
17.	Lakhi Ram s/o Ram Kalan	8//7 min 14 min 2 killa	1-2 1-2 2-4	Abpash -do- -do-
18.	Sube Singh, Jage Ram ss/o Hukam Singh equal share 2/3 share Rajender Singh- Shamsher Singh ss/o Nirmala Devi, Darshana Devi s/o ^{Sarup} Munsakhan wd/o Sarup Singh Each five equal share 1/3 share	20//21/2 min 21//25/1 min 22//5/1/1min 23//1/2 min 4 killa	1-2 1-2 0-9 1-2 3-15	Abpash -do- -do- Jadid No.1 -do-
19.	Mst. Saranja wd/o Chander Bhan 1/3 share, Sat Par- Kash, Praveen Kumar ss/o Jai Narain equal share 1/3 share, Manoj Kumar s/o Zile Singh 1/3 share	24//25/2 min 35//5/2 min 2 killa	2-3 2-3 4-6	G. Abpash -do- -do-
20.	Hukam Singh s/o Bhola	22//15/1 min	0-18	G. Abpash
21.	Tarif Singh s/o Tek Chand	8//5/2 min	1-2	G. Abpash
22.	Rattan Singh s/o Nawal Singh, Chandgi s/o Kehar Singh equal share 1/2 share Maha Singh s/o Ram Singh 1/2 share	7//21/2 min	0-14	G. Abpash

Sl.No.	Name of the occupant	Kh.No.	Area Big. Bis.	Kind of soil
23	Gram Sabha	39//25/1 min	0-8	Parti J No.2
		25/2/2 min	1-7	-do-
		2 killa	1-15	

COMPENSATION CLAIMS

The following persons have filed their claims for compensation.

Sl.No.	Name of the claimant	Kh.No.	Compensation claim
1.	Sh.Baljit Singh s/o Sube Singh for Uned Singh, Bahadur Singh r/o Nilothe Delhi.	-	Has claimed compensation @ Rs.2000/- bigha for the land & Rs.1500/- per bigha for wheat crop.
2.	Sh.Bhan Singh on behalf S/Sh. Rajinder Singh, Suresh Kumar, Anand Singh, & Bishan r/o village Nilothe Delhi.	35//25	Has claimed compensation @ Rs.1500/- bigha for the crop & Rs.2000/- per bigha for the land.
3.	Sh.Lakhi Ram s/o Ram Kala r/o village Nilothe, Delhi	8//7,14 min	Has claimed compensation @ Rs.1000/- bigha for the crop & Rs.2000/- per bigha for the land.
4.	Sh.Mange Ram s/o Ram Nath r/o village Nilothe, Delhi.	39//5 6,15 16 min	-do-
5.	S/Sh. Manoj Kumar, Sat Parkash, Parveen Kumar, Surja w/o Chander Bhan r/o village Nilothe Delhi (through) Jai Narain r/o Nilothe, Delhi.	35//5 24//25	Has claimed compensation @ Rs.1200/- per bigha for the crop and Rs. Rs.2000/- per bigha the land.

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|-----|--|--|---|
| 6. | Shri Jai Narain on behalf of Sh. Zile Singh s/o Ram pat r/o Nilothi, Delhi | 25//5
20/1
16/3 | Has claimed compensation @ Rs. 1500/- per bigha for the crop and Rs. 2000/- per bigha for the land the land. |
| 7. | Sh. Bhan Singh self and on behalf of S/Sh. Phool Singh s/o Nihal Singh, Zile Singh, Niranjan Singh and Mahender Singh ss/o Phool Singh & Jagdhir Singh s/o Charan Singh all rs/o Nilothi, Delhi. | - | Has claimed compensation @ Rs. 1200/- per bigha for production of wheat crop & Rs. 1500/- for the land. |
| 8. | Sh. Kanhiya s/o Sukh Lal r/o Nilothi, Delhi | 23//10 min
11 min
37//15/2/2 min | Has claimed compensation @ Rs. 1000/- per bigha for the crop and Rs. 2000/- per bigha for the land. |
| 9. | Sh. Niranjan Singh s/o Tek Chand r/o vill. Nilothi, Delhi. | 8//4/2 | Has claimed compensation @ Rs. 5000/- per bigha for the rent & damages of crops etc. |
| 10. | Sh. Tarif Singh s/o Tek Chand r/o village Nilothi, Delhi | 8//5 | Has claimed compensation @ Rs. 5000/- per bigha for the rent & damages of crops etc. |

DOCUMENTARY EVIDENCE

No documentary evidence has been produced by the claimants in support of their claims.

MARKET VALUE

The land through this ^{order} offer is temporarily acquired for a period of one year u/s 35(1) of the Land Acquisition, 1894 for placing and digging out earth for the work of Construction of Minors. It comes under the

purview of the Delhi Land Reforms Act, 1954 and under this Act sub-letting is not enjoined. Section 35 of the Delhi Land Acquisition Act lays down that apart from disabled persons, no bhumidar or assami shall sublet for any period whatsoever any land comprised in his holding. That being so, it is not possible to get any mutation by way of lease hold rights executed for the temporary occupation of the land. Local enquiries have revealed that no sub-letting has been made in this village.

The persons interested have not produced any documentary evidence. Efforts were therefore made to find out the market value of the land through previous awards of the similar land in village Nilothi at the time of preliminary notification u/s 4 of the Land Acquisition Act under consideration..

The following awards have been drawn in this village.

Sl.No.	Award No.	Date of notification	Compensation assessed
1.	68/1972-73	15.3.72	Rs.1400/- per bigha Kham
2.	3/1973-74	25.1.72	Rs.1400/- per bigha Kham
3.	9/1976-77	16.4.75	Rs.1600/- per bigha kham
4.	24/78-79	18.3.77	Rs.1750/- per bigha kham

Award mentioned at Sl.No. 1,2 & 3 cannot be made the basis for determining the market value of the land under consideration because their date of material notification u/s 4 is of an early period than the date of notification of the land under acquisition. However in Award No.24/78-79, where the date of notification was 18.3.77, the Land Acquisition Collector awarded a flat rate of Rs.1750/- per bigha kham. Though there is a gap of about 1½ year difference between the date of preliminary notification of Award No.24/78-79 and of the land under acquisition, this can afford a best

guidance for determining the market value of the land under acquisition. There is a similarity of the kind of land, situation of the land between the land acquired vide Award No. 24/78-79 and land under acquisition. I feel it shall be fair and just if the market value of the land under acquisition is determined with some appreciation of the value of the land determined in Award No. 24/78-79. I, therefore, assess the market value of the land under acquisition at the flat rate of Rs. 1850/- per bigha kham.

As stated earlier, there is no evidence of any subletting in this village and as such it is not possible to ascertain the fair annual rent for the temporary acquisition. In the absence of any such positive evidence, there is no other method except to pay 6% on the market value of the land so fixed as yearly rent of the land under temporary acquisition for a period of one year. Calculated at this rate of the annual rent of the land is fixed at ~~Rs.~~ Rs. 110/- per bigha as yearly rent for the land under temporary acquisition for a period of one year from the date of occupation.

DAMAGES

At the time of handing over the possession to the acquiring department on 6.2.79 certain wheat crops were standing over an area of 73 bighas 19 biswas. These wheat crops were destroyed by digging ~~the~~ of the land. The acquiring department has agreed to pay the damages of the same. Rs. 200/- per bigha kham as protection price of wheat generally accepted in that locality is allowed.

TREES, WELLS & STRUCTURES

There is no tree, well or structures on the land under acquisition.

PERIOD OF OCCUPATION

The land is acquired temporarily for the period of one year which will begin from the date of taking over possession. The acquiring department will surrender possession to the Land Acquisition Collector before the expiry of the time of temporary acquisition.

APPORTIONMENT

Compensation will be paid according to the latest entries in the revenue record.

SUMMARY

The award is summarised as under: -

Rent of the land mg. 76 bighas Rs. 8404=00

8 biswas @ Rs. 110/- per bigha

Kham.

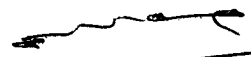
Damages of crops ~~200~~ mg. 73 big. Rs. 14790=00

19 biswas @ Rs. 200/- per bigha

G. Total:

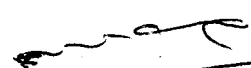
Rs. 23194=00

(Rupees twenty three thousand one hundred ninety four only)


(NAND GOPAL)
LAND ACQUISITION COLLECTOR(P)
DELHI

Announced in the presence of interested persons on

20/8/79


(NAND GOPAL)
LAND ACQUISITION COLLECTOR(P)
DELHI

20.8.79