

AWARD NO.

41/79-80

13

NAME OF THE VILLAGE : NILOTHI

NATURE OF ACQUISITION : PERMANENT

PURPOSE OF ACQUISITION: CONSTRUCTION OF MINORS.

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land measuring 8 bighas 6 biswas situated in village Nilothi was notified u/s 4, 6 and 17 of the L.A. Act, vide Delhi Administration Notification Nos. F.7(4)/77-L&B Vol-II (1) dated 15.7.1978 for a public purpose, namely for Construction of Minors.

Notices u/s 9 and 10 of the L.A. Act were issued to the persons interested hereafter the heading 'Compensation Claims'.

TRUE & CORRECT AREA

The land under acquisition was measured on the spot by the Land acquisition field staff and area found available for acquisition was 8 bigha 6 biswas as notified.

OWNERSHIP

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

S.No.	Name of owner Occupant	Kh.No.	Area	Kind of Land
1.	Sh.Chandgi s/o Kehar Singh 1/4 share, Rattan s/o Nawal Singh 1/4 share, Maha Singh s/o Ram Singh 1/4 share r/o village Nilothi, Delhi.	Self	1000 9min	0-02 Abpsh
2.	Sh.Deep Chand s/o Lakshmi Narain r/o village Balore Distt.Rohtak 1/4 share, Makhan Lal s/o Chhaju Ram r/o village Nangloi Jat 1/4 share.	Self	4// 14/2 min 15min	0-12 0-07 0-19 -do-

...2...

15

-2-

3. S/Sh.Dharam Pal and Anand Pal Ss/o Chandgi equal shares r/o village Nilothi, Delhi.	Self	11// 21 min	0-04	Abpash.
4. Sx/Sh.Raghbir Singh, Mahabir Singh, Satbir Singh, Har Narain & Lala Sons, Krishna, and Shanti daughters, Mrs. Parwati Wd/o Makhan All in equal shares R/o Nikotik Nangloi Jat, Delhi.	Self	4//3 min 4min	0-13 0-06 0-19	--do- -do-
5. S/Sh.Ram Chander, Rattan & Man Singh Ss/o Maroo Shir R/o Qamaurdin Nagar Delhi in equal shares.	Self	10// 1	1-04	-do-
6. Sx/Sh.Ram Chander & Chander Bhan Ss/o Ram Mehar in equal shares R/o Nilothi, Delhi.	Self	10// 10/2 /2min	0-19	-do-
7. S/Sh.Ram Pat & Hari Singh Ss/o Self Chnotu equal shares in 5/6 share Mrs.Manbhari Wd/o Mukhtiar 1/6share. All r/os Village Nilothi, Delhi.	Self	9// 5/1 min	0-01	-do-
8. S/Sh.Lal Chand & Jage Ram Ss/o Har Phool equal shares r/o village Nilothi, Delhi.	Self	4//16 min 25min	1-05 1-01 2-06	-do- -do-
9. Kalwa S/o Kela d/o Mrs. Sarbati Wd/o Dhan Singh equal shares in 1/5share r/o Nangloi Jat, Mahabir Singh, Satbir Singh, Har Narain & Lala Ss/o Krishna & Shanti d/o Mrs. Parwati Wd/o Makhan equal shares in 1/5share. Ram Mehar Son, Bas nti daughter, Mrs.Sammo Wd/o Chhaju equal shares in 3/5 share r/o village Nilothi, Delhi.	Self	44 4//7 /2 14/1	1-05 0-03 1-12	-do- -do-

Grand total

Big Bis.
8.06

COMPENSATION CLAIMS

The following persons have filed their claims in support of the notices u/s 9 & 10 of the L.A.Act, 1894:-

S.No.	Name of the claimant	Compensation claimed
1.	Smt.Sarbati Self & on behalf of her minor son i.e. Kalwa And d/o Late Dhan Singh r/o Nangloi Jat, Delhi.	Have claimed compensation @Rs.30/- per sq.yd. for the land, and other relief as per law.

-3-

2. Sh.Lal Chand s/o Har Phool r/o village Nilothi, Delhi. Has claimed compensation @ Rs.20/- per sq.yd. for the land.
 ii) 15% solatium.
 iii) Rs.1000/- per bigha for compulsory acquisition. Other benefits as per law.
3. Sh.Jage Ram s/o Harphool R/o village Nilothi, Delhi. As above.
4. S/Sh.Nathu Singh s/o Kehar Singh, Ram Phal, Ishwar Singh & Rameshwar Dayal Ss/o Tej Ram r/o Nangloi, Delhi. ~~xxxxxx~~
 Have claimed compensation @ Rs.30/- per sq.yd. for the land.
 ii) Rs.30000/- as the compensation for the severance of this land.
5. S/Sh.Ram Chand, Rattan, Man Singh & Mam All r/o Village Qamruddin Nagar, P.O.Nangloi, Delhi. Have claimed compensation @ Rs.50/- per sq.yd. for the land.
 ii) 15% solatium.
 iii) Other interest as per law.

DOCUMENTARY EVIDENCE

The claimants have produced a sale deed No. 19279 dated 7.12.74 for an area measuring 10 bighas 7 biswas against a consideration of Rs.48000/- relating to village Qamruddin Nagar in support of their claims.

MARKET VALUE

The market value of the land under acquisition is to be assessed after keeping in view the advantages and potentialities attached to the land. The other important factors as contemplated u/s 23 of the Land Acquisition Act which guides the Land Acquisition Collector in assessing the amount of the compensation is the market value of the land at the date of publication of notification u/s 4 of the LAND ACQUISITION Act. Transaction of transfer of property affected around the time of publication of such notification of such notification can obviously prove the best guide for

deciding such market value. Previous awards of the village and judicial decision can also afford guidance in determining the market value of the land.

The persons interested have filed the copy of the Sale Deed No.19279 dated 7.12.74 as documentary evidence in support of their claims. This sale deed relates to village Qammurdin Nagar which is far away from the land of Nilothi under acquisition and therefore cannot help in assessing the correct market value of the land under acquisition. In the absence of any relevant documentary evidence produced by the claimants, the record of Land Acquisition was consulted and the following awards were found to have been drawn in this village:-

S.No.	Award No.	Date of notification	Compensation Assessment
1.	68/1972-73	15.3.72	Rs.1400/- per bighaKha
2.	3/1973-74	25.1.72	Rs.1400/- -do-
3.	9/1976-77	16.4.75	Rs.1660/- -do-
4.	24/78-79	18.3.77	Rs.1750/- -do-
6.	13/79-80	18.8.78	Rs.1850/- -do-

The award mentioned at serial No.1 to 4 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.13/79-80, the date of notification was 18.8.78 ^{and} the Land Acquisition Collector awarded a flat rate of Rs.1850/- per bigha kham. The date of notification u/s 4 of the Land under acquisition is 15.7.78 i.e. near to the date of notification of award No. 13/79-80. The land under acquisition is also in the near

vicinity of the land which was acquired vide award No. 13/79-80 of village Nilothi. There is also a similarity of the kind of land acquired vide award No.13/79-80 and the land under acquisition. Therefore, award No.13/79-80 can afford the best guidance for determining the market value of the land under acquisition. I, therefore, feel it shall be fair and just if the market value of the land under acquisition is determined at Rs.1850/- per bigha kham.

TREES, WELLS AND STRUCTURES

There are no trees, wells and structures on the land under acquisition.

SOLATIUUM

15% solatium is admissible on the amount of compensation as per Land Acquisition Act.

INTEREST

The possession of the land under acquisition has been taken over and handed over to the acquiring Deptt. on 14.6.79. The interest is payable to the persons interested as per Land Acquisition Act from the date of possession i.e. 14.6.79 to the date of announcement of the award.

APPORTIONMENT

The payment of compensation will be made according to the latest entries in the revenue record.

LAND REVENUE

The land under acquisition is assessed to Rs.2.55P which will be deducted from the Khalsa Rent roll of the village from the date of possession i.e. 14.6.79.

SUMMARY

The award is summarised as under:-

- | | |
|---|-------------|
| 1. Compensation of land measuring 8 bighas 6 biswas @ Rs.1850/-per bigha. | Rs.15355.00 |
| 2. 15% solatium | Rs. 2303.25 |
| 3. Interest u/s 34 of the L.A.Act w.e.f. 14.6.79 to 25.3.80 (286 days) | Rs. 830.18 |

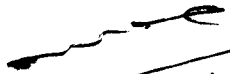
GRAND TOTAL

Rs.18488.43

(Rupees eighteen thousand four hundred eighty eight and paise forty three only)


(NAND GOPAL)
LAND ACQUISITION COLLECTOR (PALAM)
DELHI.

*Amount is in presence of
interested person.*


26/3/80

Dated the July 15th, 1978

No. F 7(4)/77-I&B Vol II (1):- Whereas it appears to the Lt. Governor, Delhi, that the land is likely to be required to be taken by Government at the public expense for a public purpose, namely, Keshapur Effluent Irrigation Scheme, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lt. Governor is pleased to authorise the Officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

The Lt. Governor being of the opinion that provisions of sub section (1) of section 17 of the said act are applicable to this land, is further pleased under sub section 4 of the said section, to direct that the provisions of section 5-A shall not apply.

S P E C I F I C A T I O N

Name of the village	Total Area Big. Bis.	Rect No.	Killa No.	with Area Big. Bis.	
1.	2.	3.	4	5.	

Nilothi	8 - 06	4	3 min	0 - 13	
			4 min	0 - 06	
			7/2 min	1 - 05	
			14/1min	0 - 07	
			14/2 min	0 - 12	
			15 min	0 - 07	
			16 min	1 - 05	
			25 min	1 - 01	
			9	5/1 min	0 - 01
			10	1 min	1 - 04
			9 min	0 - 02	
			10/2/2 min	0 - 19	
			11	21 min	0 - 04

1.	2.	3.	4.	5.
Qamrudin Nagar	29 - 07	12	22 min 23/1 min	less than bi 0 - 15
		21	2 min 3/1 min 9 min 10 min 11 min 20/1 min 20/2 min 21 min	1 - 07 0 - 03 0 - 11 0 - 19 0 - 02 (1-02) 0 - 10 0 - 12 1 - 01
		24	4 min 7 min 8 min 9 min 11 min 12 min 13 min 20/1 min 20/2 min	0 - 01 1 - 06 1 - 02 0 - 01 1 - 03 1 - 05 0 - 04 less than biswa 0 - 03
		25	1 min 10 min 11 min 15 min 16 min 17 min 18 min 20 min 21 min 22 min 23 min 24 min	0 - 18 1 - 02 1 - 02 0 - 02 1 - 04 1 - 04 0 - 02 1 - 03 1 - 01 1 - 03 1 - 04 0 - 02
		33	1 min 2 min 9 min 12 min 18 min 19 min 23 min	0 - 06 0 - 18 1 - 03 1 - 03 0 - 08 0 - 18 1 - 11
			47 min	0 - 01
			48 min	0 - 04
			50 min	0 - 03

contd...p.3/-

1.	2.	3.	4.	5.
Nangloi Jat	16 - 13	77	16/2min 17 min 22-min 23 min 24 min	1 - 06 0 - 14 0 - 19 1 - 06 0 - 12
		78	6 min 7 min 8 min 11 min 12 min 13 min 14 min 20 min	0 - 12 0 - 13 0 - 02 0 - 08 1 - 06 1 - 04 0 - 01 0 - 18
		79	6 min 7 min 8 min 9 min 10 min	0 - 12 0 - 12 0 - 12 0 - 12 0 - 12
		80	10 min	0 - 12
		85	1 min 2 min	1 - 06 0 - 07
		86	5 min 6 min	1 - 05 0 - 02

By order,

(Dharam Dutt)

Deputy Secretary (I&B)

Delhi Administration: Delhi

contd...p.4/-

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No. F 7(4)/77-I&B Vol. II ()

Dated the 15 -7-1978

Copy forwarded to:-

1. The Public Relations Department, Delhi Administration, Delhi (in duplicate) for favour of publication in Part IV of Delhi Gazette. 5 copies of the Gazette in which the notification is published may be supplied to this Administration.
2. Addl. District Magistrate (L.A), Tis Hazari Courts, Delhi
3. Land Acquisition Collector (P), Tis Hazari Courts, Delhi
4. The Tehsildar (Notification), Tis Hazari Courts, Delhi.
5. The Tehsildar (I&B), Vikas Bhawan, New Delhi.
6. The Executive Engineer, Minor Irrigation Division, Delhi Administration, 17 Banarsi Dass Estates, Lucknow Road, Delhi -7.
7. Sub Registrar, Delhi.
8. Sub Registrar, New Delhi.
9. Sub Registrar, Shahdara.
10. P.A. to Deputy Secretary (I&B), Vikas Bhawan, New Delhi.

(Dharam Dutt)
Deputy Secretary (I&B)
Delhi Administration: Delhi

G.J.S.
28678

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)

DELHI ADMINISTRATION: DELHI

305

**** NOTIFICATION ****

Dated the July 15th, 1978

No. F 7(4)/77-I&B Vol. II (2)/:- Whereas the Lt. Governor, Delhi is satisfied that the land is required to be taken by Government at the public expense for a public purpose, namely, Keshopur Effluent Irrigation Scheme, it is hereby declared that the land described in the specification below is acquired for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said act, the Collector of Delhi is hereby directed to take order for the acquisition of the said land.

A plan of the land may be inspected at the Office of the Collector of Delhi.

S P E C I F I C A T I O N

Name of the Village	Total Area Big. Bis.	Rect No.	Killa No.	Area Big. Bis.
1.	2.	3.	4.	5.
Nilothe	8 - 06	4		3 min ✓ 0 - 13 4 min ✓ 0 - 06 7/2 min ✓ 1 - 05 14/1 min ✓ 0 - 07 14/2 min ✓ 0 - 12 15 min ✓ 0 - 07 16 min ✓ 1 - 05 25 min ✓ 1 - 01
		9		5/1 min ✓ 0 - 01
		10		1 min ✓ 1 - 04 9 min ✓ 0 - 02 10/2/2min ✓ 0 - 19
		11		21 min ✓ 0 - 04

contd....p.2/-

1.

2.

3.

4.

5.

Qamrudin Nagar

29 - 07

12

22 min

less than bi

23/1 min

0 - 15

21

2 min

1 - 07

3/1 min

0 - 03

9 min

0 - 11

10 min

0 - 19

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0 - 02 (1-02)

20/1 min

0 - 10

20/2 min

0 - 12

21 min

1 - 01

24

4 min

0 - 01

7 min

1 - 06

8 min

1 - 02

9 min

0 - 01

11 min

1 - 03

12 min

1 - 05

13 min

0 - 04

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less than bis

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25

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0 - 18

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1 - 02

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19 min

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47 min

0 - 01

48 min

0 - 04

50 min

0 - 03

contd...p.3/-

307

-3-

1. 2. 3. 4. 5.

Nangloi Jat	16 - 13	77	16/2min	1 - 06
			17 min	0 - 14
			22 min	0 - 19
			23 min	1 - 06
			24 min	0 - 12
		78	6 min	0 - 12
			7 min	0 - 13
			8 min	0 - 02
			11 min	0 - 08
			12 min	1 - 06
			13 min	1 - 04
			14 min	0 - 01
			20 min	0 - 18
		79	6 min	0 - 12
			7 min	0 - 12
			8 min	0 - 12
			9 min	0 - 12
			10 min	0 - 12
		80	10 min	0 - 12
		85	1 min	1 - 06
			2 min	0 - 07
		86	5 min	1 - 05
			6 min	0 - 02

By order,

(Dharam Dutt)
Deputy Secretary (L&B)
Delhi Administration: Delhi

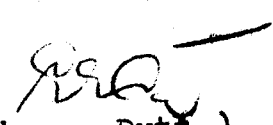
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No. F 7(4)/77-L&B Vol. II ()

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8. Sub Registrar, New Delhi.
9. Sub Registrar, Shahdara.
10. P.A. to Deputy Secretary (L&B), Vikas Bhawan, New Delhi.


(Dharam Dutt)
Deputy Secretary (L&B)
Delhi Administration: Delhi