AWARD NO. 20-A/74-75(SUPPLEMENTARY)

Name of village.	ARKPUR BAGH MOCHI.
Nature of Acquisition.	Permanent.
Purpose of Acquisition.	Planned Development of Delh[illegible]

These are proceedings supplementary U/S 11 Land Acq[illegible] Ac[illegible],1894 to award No.20/74-75 for determination of compensati[illegible] respect of land measuring 88 bighas 1 bis. situated in villag[illegible] Bagh Mochi(Nazul Estate).

The land forms part of notification U/S 4 L.A. Act is[illegible] by the Delhi Administration vide No.F.7(58)/62-L&H dated 15.9.[illegible] for 266 bighas 7 biswas. A declaration U/S 6 of the Act was iss[illegible] vide notification of even No. dated 5.12.68. The land is requir[illegible] by the Government at the public expense for a public purpose, namely for the Planned Development of Delhi.

Notices U/S 9&10 of the Act were issued to the perso[illegible] interested. Claims received will be discussed under the appropriate heading.

MEASUREMENT AND CORRECT AREA.

Out of the land notified U/S 6 of the L.A. Act an area measuring 23 bighas 18 biswas was acquired through award No. 20/74-75 of village Arkpur Bagh Mochi.

As already said the present proceedings are confined t[illegible] area 88 bighas 1 biswas only which was found correct as per measurement carried out by the field staff at the spot. The remaining land notified U/S 6 will be acquired through anoth[illegible] supplementary award on receipt of the instructions from [illegible] Administration.

The details of the land under acquisition are as [illegible]

Khasra No.	Area. Bigha.	Bis.	Kind of Soil.
639/446/1	6	14	Gair Mumkin.
639/446/3	74	13	G.M. [illegible] 39 G.M.Ga[illegible] 35[illegible]
640/446/1	3	7	Gair Mumkin.
641/446/1	3	7	-do-
	88	1)	

(Gair Mumkin 52[illegible]

(G.M.Gadda. [illegible] 35[illegible]

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Ownership & Occupancy.

S.No.	Name of owner.	Name of occupant.	Kh.No.	Area.	Kir[illegible]
1.	Sarkar Daulat Madar.	L&D.O. Deptt. through	639/446/1	6-14	
		(i)Shri Harnam Singh S/O Aya Singh Pattedar Dawam.(3-01)	639/446/3	74-1[illegible]	
		(ii) -do- c/o Jagdish Bihari Lal Caste Kaisth gair Mauroosi R/O New Delhi (4-06)			
		(iii) -do- c/o Sham Lal S/O Dharam Sain + Caste Vaish, Chawari Bazari Gair Mauroosi. (4-11)			
		(iv) -do- c/o Firm M/S Kirpa Ram & Jai Chand R/O New Delhi Gair Mauroosi (10-05)			
		(v) -do- c/o Shibban Bros. Chawari Bazar, Delhi Gair Mauroosi (43-16)			
		(vi) -do- C/O Sukha Mall GokalChand Johri R/O Chawari Bazar Chandni Chowk Delhi. Gair Mauroosi (4-16)			
		(vii) -do- C/O Har Chand S/O Bangli Mull R/O Chawari Bazari Gair Mauroosi (14-03)			
2.	Sarkar Daulat Madar.	L& D.O.Deptt. C/O Gurcharn Singh S/O Gurbaksh Singh R/O Jantr Mantr Road, New Delhi Pattedar Dawam.	640/446/1	3-07	Gair Mum[illegible]

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3. Sarkar Daulat Madar | L & D.O.Deptt. c/o Sardar Haruchki s/o Dhupa Caste Bangali Pattadar Diwan | 641/ 446/1 | 3-7 | Gair Mumkin

Note:- The total compensation will be kept as disputed, unless the position with regard to the lease hold gights on the land under acquisition is clarified by the Land & Development Office, Ministry of Works & Housing, Nirman Bhawan, New Delhi.

CLAIMS & EVIDENCE.

S.No.	Name of the claimant	Kh.No.	Area sq.yds	Rate claimed	Evidence
1.	Smt. Gali Bai w/o Lau Ram	-	500	i) Rs.20,000 as compensation for her business & residence ii) Alternative accommodation	Nil
2.	Sh.Charan Singh s/o Ho Ram	639/ 446	-	i) Alternative accommodation. ii) Rs. 5,000/- as lease money paid and Rs.10,000 for structures (Kacha House)	Nil
3.	Romal s/o Jhoota Ram T-24,,Raj Nagar	-do-	-	-do-	Nil
4.	Gian San Sagar s/o Pauju Ram	-do-	600	i)Rs. 16,000/- as compensation for residence & business	Affidavit
5.	Smt.Bhagwan Devi w/o Nand Lal	-do-	500	i)Rs. 25,000/- for residence & business. ii)Alternative accommodation for business.	-do-
6.	Ali Hasan s/o Noor Hasan	-	400	i) Rs. 12,000/- for residence & business ii) Alternative accommodation for business.	-do-
7.	Smt.Chandan Devi w/o Sawan Mall	-	50	i) Rs. 3,000/- for residence & business. ii) Alternative accommodation.for business	-do-
8.	Hakam ~~Nakan~~ Chand s/o Amir Chand	-	1000	i) Rs.10,0000/- for business and residence. ii) Alternative accommodation for business.	-do-
9.	Mehar Chand s/o Faqir Chand	-	400	i) Rs. 16000/- for business & residence. ii) Alternative accommodation for business.	-do-

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10. Smt.Bishan Devi wd/o Gokal Chand	- 500 sq.yds	i) Rs. 12,000/- for residence & business ii) Alternative accommodation	Affidavit
11. Bhool Chand s/o Durgar Singh	- 400	i) Rs.18,000/- for residence & business. ii) Alternative accommodation for business	-do-
12. Raees Ahmad s/o Sohrab Ali	- 300	i) 11,000/- for residence & business ii) Alternative accommodation for business	-do-
13. Chhidda s/o Bhooja Ram	- 100	i) Rs. 10,000/- for residence & business ii) Alternative accommodation for business.	-do-
14. Sohrab Ali s/o Azam Ali	- 500	i) Rs. 24,000/- for residence & business. ii) Alternative accommodation for business	-do-
15. Sant Ram s/o Hem Lal	- 150	i) Rs. 9000/-for residence & business. ii) Alternative accommodation for business.	-do-
16. Sh.Nemi Chand s/o Sh. Khem Raj	- 200	i) Rs. 8000/- for residence and business ii) Alternative accommodation for business	-do-
17. Smt.Parkash Arora w/o Sh.Harbans Lal	- 200	i) Rs. 12,000/- for business & residence. ii) Alternative accommodation for business.	-do-
18. Sh.Wali Mohd. s/o Julakhi Ansari	- 100	i) Rs. 7000/- for residence & business. ii) Alternative accommodation for business.	-do-
19. Smt. Kapuri Devi w/o Devi Ram	- 200	i) Rs.10,000/- for business & residence. ii) Alternative accommodation for business.	-do-

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1	2	3	4	5	6
20.	Smt. Phulwati w/o Sh.Mauji Ram, J-27,Raj Nagar	-	100 sq.yds (200 sq.yds)	i) Rs.10,000/- for residence & business ii) Alternative accommodation for business.	Affidavit
21.	Sh.Balwan son of Sh.Tek Chand T-29,Raj Nagar	-	200 sq.yds	i) Rs.15,000/-for residence & business. ii) Alternative accommodation for business.	-do-
22.	Sh.Naubat Ram s/o Sh.Sanwalia Singh T-6,Raj Nagar	-	800	i) Rs.18,000/- for residence & business. ii) Alternative accommodation for business.	-do-
23.	Smt.Rameshwari w/o Sh.Nawasi Ram w/o (Sh.Narain Singh in Affidavit) T-12,Raj Nagar	-	115	i) Rs.8,000/- for residence & business. ii) Alternative accommodation for business.	-do-
24.	Sh.Kharati Lal s/o Sh. Mohri Lal T-14,Raj Nagar	-	400	i) Rs. 15000/- for residence & business. ii) Alternative accommodation for business.	-do-
25.	Shri Subhash s/o Ramji Dass T-10, Raj Nagar	-	150	i) Rs.10,000/- for residence & business ii) Alternative accommodation for business.	-do-
26.	Shri Ram Lal s/o Ganesh Dass Kalra	445	-	Request to be settled at this very place.	-

NOTE:- Kh.No. 445 is not under the present acquisition.

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27. Shri Hira Lal Hiteshi		About one and half acre open and covered land.	i)(a) Rs.40,000/- for machines,tools & equipment for trade. b) Rs.1,000/- for industrial power connection. c) Rs.2,000/- for Tubewell d) Rs.4,000/- for kitchen Garden. e) Rs. 20,000/- for maintenance and other developments. ii) Rs. 50,000/- for loss of goodwill to the trade & developments. iii) Rs. 2 lacs for the value of the premises. iv) Statutory compensation damages for severance and solatium for compulsory acquisition. v) Also wants alternative accommodation.	
28. Sh.Avtar Singh s/o S.Bhagwan Singh, 30,Cooper Road, Amritsar(Pb) Sh.Shiv Partap Soni s/o Ram Partap Soni	639/446 min 640/446 min	One acre	i) Rs.250/- per sq.yd for land	i) Copy of letter dt. 19.6.52 of L &.D.O.No. 4702 L. ii) Copy of the sale deed dated 19.1.52 in favour of Avtar Singh & Shiv Partap.
29. i) Sh.Brij Kishor Gupta s/o Lala Om Parkash 1/2 share ii) Sh.Rajiv Kumar Gupta iii) Sh.Sanjiv Kumar Gupta minor sons of Sh.Brij Kishor Gupta 1/2 share. r/o 100,Sunder Nagar, New Delhi.	639/446	4-11	i) Rs.200/- per sq.yd for land ii) Rs.15,000/- on account of severance. iii) Solatium & statutory interest (15 %)	Nil
30. i) Smt.Gunwati Devi w/o Sh.Harish Chand 2. Sh.Satish Chand 3. Sh.Suresh Chand 4. Sh.Sumesh Chand 5. Sh.Subhash Chand ss/o Sh.Harish Chand c/o Satish & Co. Chawri Bazar,Delhi.	639/446 min 639/446 min	14-03 [illegible]- 43-16	i) Rs.200/- per sq.yd for land. ii) Rs.30,000/-for trees & nursery. iii) Rs.50,000/- for structure of Halls-godowns iv) Rs.15,000/- for tubewells machinery & Kothri. v) 15 % solatium & statutory interest.	Nil

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31.	Narinder Lal s/o J.B.Lal s/o Shri D.R.Sud Photo Service Co. Kashmiri Gate, Delhi.	Kh.639/446 640/446	0-925 acres	i)Rs.250/- p.sq.yds for land. ii)Statutory solatium & interest.	Nil
32.	Hira Lal Hiteshi	Original claim at S.No.27		Additional Claim i)Rs.600/- for domestic power fittings. ii)Rs.350/- for tube-lights fittings. iii)Rs.150/- for new electric wirings. iv)Rs.300/- for expanded metal settings~~xx~~ on windows. v) Rs. 250/- for heavy guage welded chicken wire netting on windows with cloth screens.	
33.	Smt. Sarda Devi Dang w/o Late Sh.K.R.Dang	639/446	10-5 min 1/2 share	a)Rs.300/- p.sq.yd for land. b)Rs.150/-p.sq.yd severance. c) Rs.15,000/- for wire fencing boundary pillars, two gates,the mettaled approach road,trees and shrubbery etc. d) Rs.2,000/- for preparation of claim estimate, plan & valuation report.	Nil
34.	Commodore Bal, Kishan Dang, Indian Navy. b) Lt.Col.Mani Kant Dang Indian Army	639/446	10-05 min 1/2 share	-do- as above	Nil

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c) Sh.Ravi Kant Dang
Indian Railways
d) Sh.Hari Kant Dang,
Principal Air Force
Central School,
New Delhi

35. Smt.Prabha Rani Ukil, wd/o Late Sarada Ukil, Shantanu Ukil, Tapan Ukil, Prabir Ukil, ss/o Late Sarda Ukil r/o 8/13,Roop Nagar,Delhi-heirs of late Sarada Ukil	639/446min	-	Rs.300/-per sq.yd for land. ii)Rs.1,20,000/- for building. iii) Rs. 3,000/- for 15 trees. iv) Rs.30,000/- on account of shifting the residence. v) 15 % on the aforesaid sum	(i)Certified copy of the order dt.4.1.67 in suit No. 591/64/1497/62 (ii)Statement of parties iii)Copy of letter dt. 24.3.69 from L & D.O. to the claimant iv) Plan.
36. Sh.Shanti Sarup Bhatia son of Sh. Amar Chand Bhatia r/o A-25/A(Shop Kirti Nagar), New Delhi.	639/446 min	1920 sq.yds (48 x 40)	1.Rs.350/- p.sq.yd for land. Total:6,72,000/- ii)Rs.42,00/- for Tube-well with installing & filing iii)Rs.5,000/- for car Washer with installations and fittings iv) Rs.8,000/- for Grease equipment fittings. v) Rs.2,00,000/- for loss of goodwill & dislocations. vi) Interest ,solatium @ 15 % on the above amounts.	i)Copy of Delhi Admn. letter No.F-21(5)/65-LSG-Vo.II dt.25.9.65
37. Gurcharan Singh 1,Factory Road, New Delhi.	640/446 min	3490 sq.yds	i)Rs. 10,47,000/- for land measuring 3490 sq.yds at the cost of Rs. 300 per sq.yd ii)Rs.30,000/- for horti-cultural works and land development iii) Rs. 2,00,000/- for main building , servants quarters,workshop, premises iv) Rs. 1,00,000/- for auxiliaries, decoratives fittings.	Nil

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extra and special sanitary
tittings, furnaces, chimney,
washing tanks, platforms,
etc. etc.

v) Rs.2,06,650/- as 15 % solatium

vi) Rs. 1,00,000/- as damage on account of severance.

vii) Rs.1,00,000/- on account of injuriously affecting the property and his earnings of the workshop.

viii) Rs.1,00,000/- as incidental expenses for change of residental business.

ix) Rs.1,00,000/- on account of damages resulting from diminution of profits of the land between the time of the publications of declaration u/s 6 and the time of Collector's taking possession of the land.

x) Interest @ 12 % per annum

xi) Be allotted 1,000 sq.yds of ~~xiix~~ land merely to install his workshop.

Remarks:- States to have obtained a loan of Rs. 25,000/- against the property from Mrs. Chanderwati w/o Sh. Uma Charan r/o 2, Park View, Karol Bagh, New Delhi. Later on reported that he had paid back this loan.

MARKET VALUE

The market value is to be determined with reference to the price of the land prevailing at the time of notification u/s 4 L.A. Act, 1894, which in the present case is 15th Sept., 1962

Transactions with regard to genuine sales having taken place nearabout the period of preliminary notification in respect of land similarly circumstanced to the land under acquisition or the sale of a portion of the land under acquisition could be the best evidence in arriving at the market value.

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of the land. In short, if the evidence of sales of similar land or the decision of the Court U/S 26 L.A. Act in the vicinity with similar advantages are available, the market value can be fixed with reference to the price metnioned therein. The ~~plaintiff~~claimants in the present case have demanded a very high rate of compensation, without adducing any evidence to substantiate the same.

It would be helpful if guidance could be obtained from the awards already drawn pertaining to the land in the same vicinity.

There is only one award No.20/74-75 in this revenue estate and the present proceedings are supplementary to this award. There are no sale transaction in this revenue estate.

Therefore there is no alternative but to fall back upon the examplers in the adjoining revenue estates. There are two revenue estates in the immediate neighbourhood of this village which are village Kharera and village Humayunpur. Kh. Nos. 1 to 42 only of village Kharera are adjacent to the land under acquisition and beyond that towards the South-West, is situated the land of village Humaynpur.

In case of V. Kharera, out of above Kh.Nos. i.e. Kh.Nos. 1 to 42 no sale transactions were found recorded nearabout the date of preliminary notification as relevant in the present case.

In respect of village Humayunpur, sale transactions of the land having occurred nearabout the date of notification U/S 4 in the present case, were checked up. It was found that majority of them were the transactions involving very small plots of land ranging from 2 biswas to 9 biswas of area for construction of residential premises. Such transactions cannot help us in determining the fair market value in respect of big

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chunks of land running into acres as it is generally noticed that small pieces of land not only attract a large number of buyers but also fetch higher rates in price.

In the present case the land is a compact block covering 88 bighas 01 biswas. of land and as such bonafide sale transactions possessing similar advantages & potentiality would be a better guide in the evaluation of the market value of the land. The following sales came to notice:-

S.No.	Mutation No.	Date of Regn.	Kh.No.	Area transferred.	Amount in Rs.	Average per bigha in Rs.
1.	696	23.2.60	459/7/10	2-10	12,500/-	5,000/-
2.	1315	15.11.60	459/7/3	1-00	5,000/-	5,000/-
3.	758	20.3.61	117/1 119 118 120	0-18 0-18 1-02 1-01 3-19	15,000/-	3797-47
4.	780	31.5.61	569/263 558/417	0-11 0-10 1-01	4,000/-	3809-52
5.	779	1-6-61	593/246 633/592/246 591/246 519/123	0-19	4,000/-	4210-53
6.	1020	26.7.62	347 340/2	5-10 4-01 9-11	60,162/50	6299-74

The transaction at Sl.No.1 and 2 give an average of Rs. 5,000/- per bigha and are comperatively away from the material date. A scrutiny of the sale transactions at Sl.No.3,4,5 would reveal that the trend of prices during the year 1961 went down. But a plausible explanation for this downward trend in prices in all the three transactions is that the owners transferred a share of their holding and that the land was not vacant as it was in the possession

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of various occupants. In such cases the prices are bound to be low as the vendee cannot obtain possession of his specific land without a suit of partition and further to get the occupants evicted through legal recourse. All these draw-backs fully explain the low prices paid in these transactions which therefore cannot form suitable guide in ascertaining the trend of the existing market value of land. By far the best example is at S.No.6 in which land measuring 9 bighas 11 bis. was transferred on a consideration of Rs. 60,162.50 giving an average of Rs. 6299/74 per bigha. The area involved in this transaction is comparatively large and is by far nearest to the material date. Relying therefore on the sale transaction at S.No.6, I assess the market value of the land measuring 52 bighas 02 bis. comprising of Kh.No.639/446/1(6-14) 639/446/3 min(38.14),640/446/1(3-07),641/446/1(3-07) recorded as Gair mumkin, at the rate of Rs. 6,300/= ~~6m300/~~- per bigha and award the same accordingly.

There is an area measuring 35-19 falling in Kh.No. 639/446/3 min with an average depression of about 4 ft. and it appears that earth has been excavated. As such this portion of the land under acqisition cannot compare with the other land. Considerable amount of money will be required to put this portion of land of low level to normal level existing over there. Accordingly it will be fair to assess the low level land at a lower rate and therefore, I consider that a rate of Rs. 5300/- per bigha would be the reasonable market value and is awarded accordingly.

The land and Development Officer, Ministry of Works and Housing Government of India, New Delhi vide his office letter

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No L-1-9/Plot/6/F.Rd/70 dated 23.10.71 had informed that the lessees Smt. Gunwati Devi and her four sons had comitted a breach of the leasedeed in respect of a portion of 2 acres of land and the same remained unremedied inspite of notices served upon them. Consequently the plot was re-entered and this portion now vestsed in the President of India and therefore the possession of the ex-lessee and the occupant is unauthorised and illegal. But Smt. Gunwati Devi W/O Hari Chand and her four sons in their claim have mentioned that they are perpetual lessees in Kh.No. 639/446/min(14-03) and 639/446 min(43-14) and are in actual physical possession of the same. They claim the compensation for the entire area mentioned above. As the interest in the land is a matter of dispute between claimants and the Government, the amount of compensation for the land is assessed but will be treated as disputed.

OTHER COMPENSATION.

There are a number of miscellaneous timber trees, the value of which has been assessed by the N.T. as under:-

Kh.No-	Kind of trees.	No.of trees.	App.weight in quental.	Rate per quental.	Total value assessed.
639/446/1	Neem	1	3	5	15/-
	Neem.	1	2	5	10/-
	Kaddu.	1	4	5	20/-
	Amaltas.	1	2	4	8/-
	Shisham.	1	2	8	16/-
	Shisham.	1	2	8	16/-
	Siras.	1	2	4	8/-
		7			Rs.93/-
[illegible]446/1	Neem.	1	3	5	15/-
	Neem.	1	6	5	30/-
	Neem.	1	3	5	15/-
	Neem.	1	10	5	50/-
	Neem.	1	6	5	30/-
	Neem.	1	20	5	100/-
	Neem.	1	15	5	75/-
	Neem.	1	6	5	30/-
	Neem.	1	2	5	10/-
	Neem.	1	2	5	10/-

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640/446/1 continued.	Neem.	1	6	5/-	30/-
	Safeda.	1	5	5/-	25/-
	Safeda.	1	15	5/-	75/-
	Safeda.	1	4	5/-	20/-
	Bel Pathar.	1	3	6/-	18/-
	Amrak.	1	12	5	60/-
	Faran.	1	6	5/-	30/-
	Kachnar.	1	2	6/-	12/-
	Desi Mango (Small)	2	1½	5/-	7/50
	Mango	1	1	5/-	5/-
	Moulsari	1	1	5/-	5/-
	Amaltas	1	6	4/-	24/-
	Amaltas	1	2	4/-	8/-
	Jamun	1	2	5/-	10/-
	Balamukhira.	1	15/-	5/-	75/-
	Shisham.	1	6	8/-	48/-
	Shisham.	1	4	8/-	32/-
		28			849/50
641/446/1	Neem	1	8	5/-	40/-
	Neem.	1	6	5/-	30/-
	Neem.	1	2	5/-	10/-
	Neem.	1	3	5/-	15/-
	Neem.	1	3	5/-	15/-
	Neem	1	5	5/-	25/-
	Neem.	1	5	5/-	25/-
	Safeda.	1	5	5/-	25/-
	Pipal.	1	3	5/-	15/-
	Kabuli Kikar.	4	5	5/-	25/-
	Jamun.	1	5	5/-	25/-
	Jamun.	1	5	5/-	25/-
	Beri.	1	3	5/-	15/-
	Mehandi.	1	1	4/-	4/-
	Amrud(Small)	4	2	5/-	10/-
		21			304/-
~~[illegible]~~ he 639/446/3	Neem.	1	8	5/-	40/-
	-do-	1	6	5/-	30/-
	-do-	1	4	5/-	20/-
	-do-	1	2	5/-	10/-
	-do-	1	2	5/-	10/-
	-do-	1	6	5/-	30/-
	-do-	1	8	5/-	40/-
	-do-	1	10	5/-	50/-
	-do-	1	10	5/-	50/-
	-do-	1	6	5/-	30/-
	-do-	1	5	5/-	25/-
	-do-	1	4	5/-	20/-
	-do-	1	3	5/-	15/-
	-do-	1	10	5/-	50/-
	-do-	1	3	5/-	15/-
	-do-	1	4	5/-	20/-
	-do-	1	5	5/-	25/-
	-do-	1	6	5/-	30/-
	-do-	1	6	5/-	30/-
	-do-	1	10	5/-	50/-
	-do-	1	8	5/-	40/-
	-do-	1	8	5/-	40/-
	-do-	1	8	5/-	40/-

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639/446/3 continued-	Neem	1	15	5/-	75/-
	-do-	1	6	5/-	30/-
	-do-	1	2	5/-	10/-
	-do-	1	6	5/-	30/-
	-do-	1	4	5/-	20/-
	-do-	1	2	5/-	10/-
	-do-	1	8	5/-	40/-
	-do-	1	6	5/-	30/-
	-do-	1	4	5/-	20/-
	Kikar.	1	6	4/-	24/-
	-do-	1	2	4/-	8/-
	-do-	1	1½	4	6/-
	-do-	1	2	4/-	8/-
	Kabli Kikar.	1	3	4	12/-
	-do-	1	2	4/-	8/-
	-do-	1	2	4/-	8/-
	-do-	1	2	4/-	8/-
	-do-	1	1½	4	6/-
	-do-	1	1	4/-	4/-
	-do-	1	2	4/-	8/-
	-do-	2	2	4/-	8/-
	-do-	3	4	4/-	16/-
	Pipal.	1	3	5/-	15/-
	-do-	1	8	5/-	40/-
	-do-	1	8	5/-	40/-
	Bel Pathar.	1	2	6/-	12/-
	-do-	1	5	6/-	30/-
	Jamun.	1	3	5/-	15/-
	-do-	1	3	5/-	15/-
	-do-	1	5	5/-	25/-
	-do-	1	3	5/-	15/-
	-do-	1	8	5/-	40/-
	-do-	1	3	5/-	15/-
	Beri.	1	4	5/-	20/-
	-do-	1	5	5/-	25/-
	-do-	1	6	5/-	30/-
	Amrakh.	1	3	5/-	15/-
	-do-	1	1	5/-	5/-
	-do-	1	2	5/-	10/-
	Bakain.	1	5	5/-	25/-
	Safeda.	1	5	5/-	25/-
	Shatut.	1	8	5/-	40/-
	.do.	1	2	5/-	10/-
	-do-	2	1	5/-	5/-
	Gular. Pahari.	1	5	5/-	25/-
	Gular.	1	4	5/-	20/-
	Chiku.	1	3	6/-	18/-
		74			1634/-

I agree with the above assessment and award the same accordingly.

In Kh.No.639/446/3 there are a number of mango trees. These trees are in a state of neglect and are virtually

[initials]

Contd.....16/-

undergoind a process of disintegration. The claimant has not adduced any statement to show the sale proceeds of these fruit-yielding trees in the preceeding years which should have been helpful in arriving the value through the method of capitalization. It appears that their yield, if any, is absolutely uneconomical and there is no other process, except to evaluate their timber value.

In the above mentioned Kh.No. there are also 70 guava trees The trees are comparatively younger though they have been kept in a positive state of neglect. The approximate age of these trees is at present as reported by the field staff, estimated to be 15 years and therefore it is reasonable to evaluate at the time of issue of the preliminary notification that they were not fruit bearing trees. This would, therefore, be fair and reasonable to assess their value at the rate of Rs. 10/- per tree.

The detail of the value assessed in respect of these mango guava trees is given as below:-

Kh.No.	Kind of trees.	No.of trees.	App.weight in quintal.	Rate per quintal.	Total value assessed.
639/446/3	Mango	1	12	5/-	60/-
	Mango.	16	192	5/-	960/-
	Mango(Small)	6	30	5/-	150/-
	Mango.	1	5	5/-	25/-
	Guava.	70	(Rs. 10 per tree)		700/-
		94			1895/-

STRUCTURE & WELL.

There are two pucca buildings in the shape of Bunglows. The one occupied by Shri Gurcharn Singh falls in Kh.Nos.640/446/1 and the other in occupation of Smt. Parbha Rabi Ukil and others is in Kh.No.641/446/1

Contd.....17/-

TheAsstt. Engineer(Valuation) D.D.A was requested to assess the value of these structres who vide his letter No.AE(V)/364/72 dated 4.3.72 has furnished the valuation statement. (Items shown at Sl.No. 1 to 5 in the statement for the premises in occupation of Sh. Gurcharn Singh and Items shown at Sl.No. 4 for the premises occupied by Smt. Prabh Rani and otheres do not form part of the present acquisition and as such the valuation in respect of these itemse is being excluded from the Award).

The valuation in respect of the two premises furnished by the Asstt. Engineer(Valuation) is reasonable and awarded accordingly. The details are as below:-

Kh.No.	Name of occupant.	Details of structures.	Compensation assessed.
640/446/1	Gurcharn Singh.	Labour hut, store, main building rooms, one staircase, verandah attached to rooms, flat brick flooring main building portion, compound wall and three water tanks.	71,200/-
641/446/1	Smt.Prabha Rani Ukil & others.	Main building portion compound wall and servant quarters.	30,970/-
			Rs.1,02,170/-

There is a well along with a Kotha and water channa falling in Kh.No.639/446/3. There are also eight kothas of very ordinary construction located in the same Kh.No. near th well. The Asstt. Engineer(Valuation) has omitted to assess t value of these structures and as such a supplimentary Award will be made lateron on receipt of valuation statement fr him.

Contd.....18/-

There are some jhuggies falling in Kh.No.639/446/3, which have been put up by unauthorised squatters after the date of notification U/S. 4 i.e. 15.9.62. No compensation is assessable on this account. The occupants of these jhuggies are at liberty to remove their malba within 15 days of the announcement of the Award.

The structure occupied by the Petrol Pump also came up after the date of preliminary notification. Therefore, no compensation is awarded for the same. There is stay dispossession order in respect of the premises, passed by the Hon'ble High Court on 23.11.1972 in C.W.No.1136/72. No action for dispossession or demolition in respect of the same will be taken till decision of the High Court.

SOLATIUM.

15% Solatium will be paid on the market value of the land in consideration of the compulsory nature of acquisition.

INTEREST.

In this case the notification U/S 6 L.A. Act was issued vide No.F.7(58)/62-L&H dated 5.12.68 i.e., on expiry of three years after the date of publication of notification issued U/s 4 L.A. Act vide No.F.7(58)/62-L&H dated 27.9.62 Therefore the case falls within the purview of the Land Acquisition(Amendment & Validation) Act, 1967. The interest at 6% per annum will be payable only on the market value of the land w.e.f. 27.9.65 to the date of announcement of Award which is tentatively fixed as 29.3.75.

However, no interest would be payable w.e.f. 23.11.1972 in respect of an area 1 big- 18 bis.(1920 Sq. Yds) in Kh.No. 639/446/3 due to stay dispossession orders passed by the Hon'ble

Contd.....19

High Court on 23.11.1972 in C.W.No.1136/72 Shanti Swaroop Bhatia S/O Shri Amar Chand Bhatia Vs. L.A.C. and others.

DAMAGES.

The claimant Shri Hira Lal Hiteshi at Sl.No. 27 in addition to his claim for compensation of the premises, has also stated that he had established business of Taxidermy and for which he installed machinery and equipment worth Rs. 20,000/-. The use of the same was also allowed by the petitioner to members of Delhi Hobby Club, a non profit, social registered society for their creative Hobbies. He further stated himself to be a permanent secretary of the said club. Compensation for machines, tools and equipment for the trade has been claimed amounting to Rs. 40,000/- along with a sum of Rs. 1,000/- for the power connection Another Rs. 20,000/- has been claimed for Hobby Club equipment and machines, and Rs. 20,000/- towards maintenance and other developments. A sum of Rs. 50,000/- has further been claimed towards loss of goodwill to the business.

The petitioner has neither adduced any evidence to substantiate his claim for investment in machines and tools etc. nor any accounts of the running business, produced. Therefore, no claim is maintainable on account of the above items including the claim for goodwill.

As regard the claim for a tubewell and the kitchen garden, the well does not form part of the present acquisition while no kitchen garden was observed by the field staff at site

It may not be out of place to mention that the field staff did not find any installation of machines etc. nor any activity with regard to the business as stated.

Contd.....20

As for claim of severance, it may be stated that the petitioner has only claimed himself as a tenant of the premises and as such no claim on this account is accruable in his capacity as a tenant of the premises. The portion of the open land has been left out of acquisition on the representation to the Government by the persons interested.

The claim of Shri Brij Kishore Gupta S/O Shri Om Prakash and others at Sl.No.29, for severance is also not maintainable, as the person interested in the land under acquisition whose portions of the land have been left out of acquisition, are different than this claimant.

~~Shri~~ claimant Smt. Sharda Devi Dang at Sl.No.33 and Shri Hari Kant Dang alongwith others at Sl.No.34 have also demanded compensation towards severance at the rate of Rs. 150/- per Sq.Yd. The claims are not maintainable as the built=up portion alongwith some open land, has been left out on their representation to the Government.

Smt. Prabha Rani Ukil and others at Sl.No.35 have claimed expenses amounting to Rs. 30,000/- to shift their residence to Roop Nagar, Delhi. According to the inquiries conducted by the field staff, the claimants are not occupying the premises as its front portion is in possession of Nursery School and the rear is in occupation of another person. Therefore, no claim is maintainable in this respect.

The claimant Sh. Shanti Swaroop Bhatia S/O AMAR Chand Bhatia At Sl.No.36 has demanded compensation for the site occupied by the petrol pump and service station and also for various equipments alongwith the loss of goodwill and

Contd....21/-

dislocation. The claim is not maintainable in view of the provision under section 24 of L.A. Act as all improvements a installations were made after the date of the preliminary notification.

Sh. Gurcharan Singh at Sl.No.38 claimed a sum of Rs. on lac towards severance. The claim is not maintainable as port of the land has been left out from acquisition on representat to the Government by the persons interested .

The claim for injuriously affecting his other property and his earnings of the workshop alongwith damages resulting from diminution of profits of the land, could not be consider as nothing in evidence has been tendered to substantiate the same.

However, a sum of Rs. 500/- is allowed towards expenses incidental for change of residence.

LAND REVENUE.

The land in question is not assessed to any land reve and as such the question of making deduction of land revenue in this case does not ~~xrxi~~ arise.

APPORTIONMENT.

The land vests in the Central Government and is under the management of Land And Development Officer, Ministry of Works and Housing, New Delhi. The land was orginally leased out to Sh. Ram Singh Kabli to hold the land in perpetuity. It changed hands afterwards. Since the property is subject to a lease, theoretically speaking the total compensation for the property should be the total of compensation payable in respect of the interest of the lessor and the lessee.

There are some unauthorised occupants as well as claimant other than recorded owners/occupants. There is, therefore, inter se dispute between the different categories of persons interested. As the title to receive the compensation is in dispute, the entire compensation will be sent to the court U/S 30-31 L.A. Act for apportionment.

SUMMARY.

(i)	Compensation for land measuring 52 bigh.02 bis. @ Rs. 6,300/- per bigha.	Rs.3,28,230.00
(ii)	Compensation for land (G.M.Gadda) measuring 35 big.19 bis. @ Rs. 5,300/- per bigha.	Rs.1,90,535.00
(iii)	Compensation for trees.	Rs. 4,775.50
(iv)	Compensation for structures.	Rs.1,02,170.00
	TOTAL:-	Rs.6,25,710.50
(v)	15% Solatium.	Rs. 93,856.57
(vi)	Interest @ 6% per annum w.e.f. 27.9.65 to 28.3.75(9 years 183days) only on the market value of the land (Rs.6,13,740.50)	Rs.3,49,882.52
(vii)	Interest @ 6% per annum w.e.f. 27.9.65 to 22.11.72(7 years 57 days) only on the market value of the land (11,970.00) under the stay order.	Rs. 5,139.56
(viii)	Damages(shifting charges)	Rs. 500.00
	GRAND TOTAL:-	Rs.10,75,089.15

(Rs. Ten lacs seventy five thousands eighty nine and paise fifteen only).

Compared please. Party Supd. N.T.(LA).

(signature) 29.3.75
(B.M.L. GAUMAT)
LAND ACQUISITION COLLECTOR(MSW)DELHI.

Announced & filed today.

(signature)
29.3.75
LAC (MSW)

(871)

आज दिनाँक 29/3/75 को अवार्ड नं० 20-A (Sulp.)/1974-75 ग्राम आरकपुर बाग मोची बराये सुनाने पेश हुआ। निम्नलिखित व्यक्ति हाजिर आये। उनको अवार्ड भली प्रकार पढ़कर सुनाया व समझाया गया। जो व्यक्ति हाजिर नहीं आये हैं उन्हें नोटिस u/s 12(2) ~~शिघ्र~~ तुरन्त जारी किये जावे। और N.T. (L.A) शिघ्र ही कब्जा कार्यवाही की कार्यवाही करे।

L.A.C (M&W)
Delhi
29.3.75

1. श्री हाकिम चन्द s/o श्री अमीर चन्द — दस्तखत करने से इन्कारी है। — He is present but refuses to sign.

2. श्री राम लाल s/o गनेश दास

3. " प्रबीर उकील s/o " शारदा उकील

4. बलवान s/o श्री टेकचन्द — He is present but refuse to sign.

5. Smt. कपूरी w/o श्री देवी प्रसाद — She is present but refuse to put her RTI.

6. Smt. फूलवती w/o श्री मौजी राम — She is present but refuses to put her RTI

7 श्री सोहराब अली s/o आजम अली — He is present but refuses to sign.

29/3/75

(to be published in part IV of Delhi Gazette)

DELHI ADMINISTRATION:DELHI

NOTIFICATION

Dated the November, 1968

No.F.7(58)/62-L&H:- Whereas it appears to the Lt. Governor of Delhi that land is required to be taken by Government at the public expense for a public purpose, namely, for the Planned Development of Delhi, it is 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.

SPECIFICATION

Village or Locality	Total Area Big. Bis.	Field Nos. or Boundaries.	Area big. bis.
Arkpur Bagh Mochi (Nazul Estate)	(a) 147-0	436	147-0
	(Nazul land leased out to the Development Corporation of India Ltd.Delhi on 18th January, 1921 for a Pottery Factory)		
	(b) 119-07	448 449	23-16
		639/446min	0.11
		639/446min	3-01
		639/446min	4-06
		639/446min	4-11
		639/446min	10-05
		639/446min	43-16
		639/446min	4-16
		639/446min	14-03
		640/446min	5- 01
		641/446min	5- 01

(Nazul land leased out to Sardar Ram Singh Kabli on the 19th March, 1924 for a Pottery Factory)

Compared
Sd/- Kgpl(...)
8/5/73

By order,
Sd/- (D.P.BHUGUNA)
DEPUTY SECRETARY (LAND & BUILDING)
DELHI ADMINISTRATION:DELHI
Dated 5-12-68

Attested True Copy

Contd-2.

No.F.7(58)/62-L&B Dated 5.12.196

Copy forwarded to the:-

1. Public Relations Department (in du;licate) for favour of publication in Part IV of Delhi Gazette.
2. Additional District Magistrate (LA) New Courts Delhi Building Tis Hazari, Delhi.
3. Land Acquisition Collector (M) Tis Hazari, Delhi.
4. Engineer Member, Delhi Development Authority, New Delhi.
5. Legal Advisor, L&B Deptt. Tis Hazari, Delhi.
6. Land & Development Officer, New Delhi.
7. Tehsildar, L&B Deptt,New Delhi.
8. Land record Cell.

Sd/-(D.P.BAHUGUNA)
DEPUTY SECRETARY LAND & BUILDING.
DELHI ADMINISTRATION:DELHI.

Compared
8/5/73

Attested True Copy

L.A.C. (

Delhi

/73

(To be published in part IV of Delhi Gazette)

DELHI ADMINISTRATION:DELHI

NOTIFICATION

Dated the ______ August, 1962.

No. F.7(58)/62-L&H;- Whereas it appears to the Chief Commissioner Delhi that land is likely to be required to be taken by Government at the public expense for a public purpose, namely for the Planned Development of Delhi, it is hereby notified that the land in the locality described below is likely to be required 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 Cheif Commissioner 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.

Any person, interested, who has any objection to the acquisition of any land in the locality may within 30 days of the publication of the notification file an objection in writing before the Collector of Delhi.

SPECIFICATION.

Locality or village. 1.	Total area 2.		Field Nos. or Boundaries. 3.		
	Big.	Bis.		AREA Big.	Bis.
Arkpur Bagh Mochi (Nazul Estate)	(a)147	0	436	147	0
			~~XXXXXXX~~ (Nazul land leased out to the Development Corporation of India Ltd, Delhi on 18th January, 1921 for a pottery Factpry.)		
	(b) 119	7	448		
			449	23	16
			639/446min	0	11
			639/446min	3	1
			639/446min	4	6
			639/446min	4	11
			639/446min	10	5
			639/446min	43	16
			639/446min	4	16
			639/446min	14	3
			640/446min	5	1
			641/446min	5	1
			(Nazul land leased out to Sarder Ram Singh Kabli on the 19th March, 1924 for a Pottery Factory)		

compared
[illegible] 8/5/73

Attested True Copy

Contd-2.

By order,

Sd/-
(JAGMOHAN)
DEPUTY HOUSING COMMISSIONER,
DELHI ADMINISTRATION: DELHI.

NO.F.7 (58)/62-L&H Dated 15-9-1962.

Copy forwarded to the:-

1. Recruitment & Services Deptt. (in duplicate) for favour of publication in Delhi Gazette.
2. A.D.M. (Land Acquisition), Delhi.
3. Land Acquisition Collector II, Delhi.
4. Engineer Member, Delhi Development Authority
5. Legal Adviser, L & H Department, DELHI.
6. Land and Development Officer, New Delhi.
7. Tehsildar, L & H Department, Delhi.

Sd/-
(JAGMOHAN)
DEPUTY HOUSING COMMISSIONER:
DELHI ADMINISTRATION :DELHI

compared
Kgo(L.A)
9/5/73

Attested True Copy

L.A.C. (N&W)
Delhi
8/5/73

कार्यवाही कब्जा बाबत अवार्ड नं. 20A/74-75
(Supplementary) ग्राम अरकपुर बाग मोची, नई दिल्ली

मुताबिक आदेश भूमि अधिग्रहण अधिकारी (MSW) आज दिनांक 29-1-1986 को बहमराह अमीराम kgo, रामशरण दास पटवारी भूमि अधिग्रहण शाखा मौके पर पहुंचे। भूमि तथा भवन विभाग की तरफ से इन्दर राज वर्मा (तहसीलदार), आर.पी. अग्रवाल (NT) मेहर चन्द गिरदावर उपस्थित मिले। DDA विभाग की तरफ से हरी राम N.T, नारायण स्वरूप गिरदावर उपस्थित मिले। अवार्ड नं. 20A/74-75 ग्राम अरकपुर बाग मोची मे 88 बिघा 1 बिस्वा भूमि अधिग्रहण की गई है। नम्बर खसरा 639/446/3 Min (1-18) अर्थात सिर्फ 20 वर्ग गज पर CW No. 1136/72 शान्त स्वरूप भाटिया V/s LAC व खसरा नं. 641/446/1 (3-07) CWP No. 2894/85 शान्तु ओलत V/s U.O.I व 640/446/1 (3-07) CMP No. 4259/85 गुरचरन सिंह V/s U.O.I कुल रकबा 8 Bigha 12 Biswa पर दिल्ली हाईकोर्ट से स्टे होने के कारण कब्जा नहीं लिया गया। खसरा नं. 639/446/3 Min (72-15) व 639/446/1 (6-14) कुल रकबा 79 Bigha 9 Biswas मौके पर Demolition Squad द्वारा झुग्गियां गिराकर खाली कब्जा प्राप्त करके भूमि तथा भवन विभाग के श्री इन्दर राज वर्मा तहसीलदार

P.T.O

1209

मौके पर निशानदेही करादिये मौका मौके पर

गांव स्टाफ मौके पर निशानदेही करादिये 79 Big 9 Biswa भूमि करके चाला लेकिन निशान स्वाम लगाकर कब्जा कार्यवाही को कब्जा उन्हें सौंपा गया। मौके पर कब्जा कार्यवाही LAC (MSW) की देख रेख में की गई। कब्जा कार्यवाही में कोई रुकावट नहीं आई। आज की कब्जा कार्यवाही की मुशालदी व मुनादी करादिये कानस्टेबल व अवाम। बुलन्द श्री शोभा राम चपरासी से कराई गई। मौके पर 34 स्थित स्टाफ के हस्ताक्षर लिये गये।

29/1/86 NT(LA)

29-1-86

MT DDA 29/1/86

29/1/86 M.T.(L&B)

Tehsildar(L&B) 29/1/86

29/1/86

29/1/86 B.O.(L.D GAN

L&DO

29.1.86

(Shobha Ram Peon LA 29/1/86)

29/1/8