

AWARD NO. 1452

NAME OF VILLAGE: TIHAR:
NATURE OF ACQUISITION: PERMANENT:
SCHEME: PLANNED DEVELOPMENT:

In pursuance of Notification No.F.15(III)/59-LSG, dated 13.11.59 published U/s 4 of the Land Acquisition Act, 1894 it was proposed to acquire 34070 acres of land in different villages of Delhi State for public purpose namely Planned Development of Delhi at public expense. Village Tihar is one of those villages. Out of this 15 Bighas 9 Biswas was further notified for acquisition U/s 6 of the Land Acquisition Act, 1894 vide notification No. F.15(51)/62-LSG, dated the 20th Oct. 62. Notices U/s 9(i),(ii),(iii) and 10 ^{were} issued on 3.11.62 requiring all the interested persons to file their claims by 20th November, 62. The claims would be discussed at their proper place.

MEASUREMENT & OWNERSHIP:

The land notified U/s 6 of the Land Acquisition Act, 1894 is 15 Bighas 9 Biswas. On actual measurement this area was found correct. The ownership, tenancy, field Nos. and classification of soil in respect of the land under acquisition are given in the statement below:

S.No.	Name of the Owner	Name of the tenant.	'Field' No.	'Area' No.	'Classification'
1.	Sh. Sarup Lal s/o Shri Hari Ram.	Khud-kast.	1328	4-16	Bnj.Kdm
			1834	3-15	Dakar::
					:::2-10
					Banjar Kdm: 1-05
			1835	4-01	Dakar:
					:::3-00
					Bnj.Kdm: 1-01
		* One Sh. Chaman Shah s/o Kalandar	1833	2-17	Bnj.Kadim
		Shah is mentioned as a Muafidar of Kh.No.1833.			Total: 15-09

CLAIMS & EVIDENCE:

- Shri Raj Gopal s/o Shri Sarup Lal general attorney of his Father Shri Sarup Lal has filed a writt claim on 8th November, 1962 in which he has claimed compensation for the land @ Rs 20.00 per Square Yard

as fair market value for their land. He has stated that the land under acquisition is situated amidst various developed Colonies and therefore, it has lost its agricultural status. He has further stated that the plots of the land in the vicinity are at present being sold @ Rs 16.00 per Square Yard to Rs 20.00 per Square Yd. It has further been contended that the land is developed and amenities like electricity, water and sewerage etc. are available in the locality. In support of his claim Shri Raj Gopal has produced the following sale deeds:

Sale Deed No.'	Area'	Considera- tion money.	Rate per Sq.Yd.
1164 dt.3.6.60	355 Sq. Yds.	Rs 5000.00	Rs 14.50NP
1159 dt.27.6.60	355 Sq. Yds.	Rs 5000.00	Rs 14.50NP
2537 dt.10.5.61	153 Sq. Yds.	Rs 1375.00	Rs 9-16N P
7008 dt.23.12.58	204 Sq. Yds.	Rs 1900.00	Rs 9.50NP
1429 dt.16.4.62	233 Sq. Yds.	Rs 4194.00	Rs 18.00
2896 dt. 23.8.61	200 Sq. Yds.	Rs 5000.00	Rs 25.00
2897 dt. 23.8.61	200 Sq. Yds.	Rs 5000.00	Rs 25.00
2895 dt.30.8.61	200 Sq. Yds.	Rs 3300.00	Rs 17.00
2894 dt.23.8.61	200 Sq. Yds.	Rs 3400.00	Rs 17.00

It is correct that this piece of land is surrounded by developed Colonies where all the amenities of life like electricity, water and sewerage etc. have been provided. A perusal of the copies of Registered Deeds produced by the claimant reveals that the rates in these Colonies ranges between Rs 9.16 to Rs 25.00 per Square Yard. The claim of Rs 20.00 per Square yard is however, excessive.

MARKET VALUE:

This land was notified for acquisition on 13.11.59. The statement showing the average price of sales in the preceding five years is as follows:-

Name of Year'	Area'	Consideration 8' money.	Average per Bigha
1956-57	46-07	Rs 15849.50NP	Rs 342.00
1957-58	57-07	Rs 99760.00	Rs 1739.40NP
1958-59	25-16	Rs 35000.00	Rs 1356.60NP
1959-60	38-08	Rs 82500.00	Rs 2148.40NP
1960-61	33-12	Rs 67800.00	Rs 2018.00NP

The following Awards were announced in this village previously:

S.No.'	No.of Award'	Date of notification.	Rate Awarded.
1.	920	30.4.59	Rs 5.00 per Sq. Yard which was enhanced to Rs 5.50NP by the Distt. Judge.
2.	1163	13.11.59	Rs 15.00 In this case claimants did not put in any claim.
3.	1223	13.11.59	Rs 25.00 per Bigha. The land Acquisition Collector had held that the land was low-lying and a good amount was required for levelling to the road level. The land was acquired for the construction of D.T.U. depot.

The above data is however, not dependable for arriving at the present market price of the land under acquisition because it is surrounded by developed Colonies. Keeping in mind the situation of the land which abuts on Metal Road and is surrounded by developed Colonies where all amenities of life like electricity, water and sewerage etc. have been provided, it would not be proper to award these prices specially in view of price prevalent for the plots range between Rs 9.16 to Rs 25.00 as provided by the production of copies of Registered Deeds produced by the claimant. In view of it I award Rs 6.75NP per Sq. Yard as fair market value. 15% of this value would be paid as solatium for compulsory acquisition.

OTHER COMPENSATIONS:

There is no well, structure or tree on the land under acquisition. Hence, the question of any compensation for any of these things does not arise.

INTEREST:

The possession of the land has not been taken over so far. The question of any interest, therefore, does not arise.

ALLOTIONMENT:

In the revenue record field No. 1833 is shown as Muafi which vested in one Shri Chaman Shah s/o Kalandar Shah. He was not traceable in the village. Possibly, he has migrated to Pakistan after the partition of the country. As such his rights would, therefore, vest into the Custodian. The compensation of this field would be treated as disputed.

THE AWARD IS SUMMARISED AS UNDER:

Compensation for 15 Big. 9 Bis, of Banjar Kadim & Dakar land @ Rs 6.75NP per Square yard. Rs 105117.75NP

15% as solatium for compulsory acquisition. Rs 15767.66NP

Total: Rs 120885.41NP

This land is assessed to Rs 4.10NP as land revenue. As the land is acquired by Government Rs 2.89NP would be deducted from the Khalsa Rent roll of village Tiha from Rabi, 1962 and the remaining Rs 1.21NP will be adjusted towards the MUAFI:

(Sampurn Singh)
Land Acquisition Collector,
Delhi. 19.11.62

Forward to the Collector for information & filing.

19/12/62

Secy. Jt.

18.12.62

COLLECTOR, DELHI.

براری بنی آ فاری ریفہ 29/12/62

Interest information
28.12.62

175

مندی سردی و بستر در شری نهی را ام کار سیر -

29-12 - 1911

Συμμετοχή ⁰²

AC 17 29.12.62

سر محمد علی

30/6/68 4892 V/V, 4/2/68

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17

توضیح بر پیشانی در باب تصدیق L و H و دیگر حکم که مجموع

آنها در این دانشگاه طی سالیان ۱۸۲۸ و ۱۸۳۰ و ۱۸۳۴ و ۱۸۳۵ میلادی

نہیں ہے۔ یہاں تک کہ یہ کتاب تصدیق شدہ ہے۔

میں نے یہ حال دیکھ کر ہنس رہا تھا۔ یہ کہہ کر اس نے ہنس کر کہا کہ اس کا وہاں دیکھنا

[illegible]

موجودہ محال کو علم ہیہ کچھ اگر کسی کار و الا ذیل ہذا کی فہرست و تفسیر

نبدایه آواز بلند و صغیر بنده ای که در خدمت حضرت محمد بن عبد الله ۴۴۸ هـ کرامت

موسم پرستی قسم کی فرائض - کبیر مولا

L-A 13/5/63

~~Shash~~
~~13/5/63~~

Handy

135
63

~~As known~~
for 13/5/63

CS

(To be published in Part IV of Delhi Gazette.)

DELHI ADMINISTRATION, DELHI.

NOTIFICATION.

Dated the ____ October, 1962.

No.F.15(51)/62-LSG :- Whereas it appears to the Chief Commissioner 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 hereby declared that the land described in the specification below is required 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.

Locality or village.	Total area.		Field Nos. or boundaries.
	Big.	Bis.	
Tehar.	15	9	1828, 1833, 1834 and 1835.

By order,

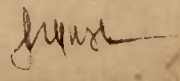
(JAGMOHAN)
Deputy Housing Commissioner,
Delhi Administration, Delhi.

No.F.15(51)/62-LSG.

Dated the 20 October, 1962.

Copy forwarded to the:-

- 1) Recruitment & Services Deptt. (in duplicate) for favour of publication in Delhi Gazette.
- ✓ 2) Land Acquisition Collector, Delhi, with reference to his letter No.3999-4000/LAB/Rev, dated the 23rd April, 1962.
- 3) Harijan Welfare Officer, Delhi, with reference to his demi-official letter No.F.8(65)/HWO/61-62/1091, dated the 29th March, 1962.
- 4) Tehsildar, Land & Housing Department, Delhi.


(JAGMOHAN)
Deputy Housing Commissioner,
Delhi Administration, Delhi.