

WARD NO. 1825

NAME OF VILLAGE....TIHAR.

NATURE OF ACQUISITION.... PERMANENT.

PURPOSE OF ACQUISITION... PLAN DEVELOPMENT

In pursuance of notification No. F.1(20)/61-L&H dated 13th Feb. 1964, published u/s 4 of the Land Acquisition Act, 1894, it was proposed to acquire 4 bighas of land in Village Tihar of the Union Territory of Delhi. Subsequently an area of 4 Bighas of land situated in village Tihar was notified u/s 6 of the Land Acquisition Act, 1984 vide notification No. F.1(20)/61-L&H, dated 25th August 1964. In the aforesaid notification Khasra No. 2144 was included. According to the measurement done at the site and after scrutiny of the revenue record by the Field Staff, the actual area to be acquired comes to 4 bighas.

Notices under section 9 and 10 were issued to the owners and the interested persons requiring them to file their claims. Claims received will be discussed at the proper place.

OWNERSHIP

The details of the area under acquisition, ownership, Tenancy Kh.No & classification of soil is given in the statement as under:-

S.No.	Name of the owner.	Cultivation.	Kh.No.	Area	Kind of land.
1	2	3	4	5	6
1.	Anayat and others through custodian.	Allottee through Girdhari Non-occupancy tenant.	2144/2	4 big.	B.Qadim.

COMPENSATION CLAIMS.

In response to the notices issued under section 9 and 10 all the claimants have come forward with the objection that the land under acquisition was purchased by them in public auction held by the Rehabilitation Department ~~for~~ for Industrial purposes and had established a factory for making ammunition boxes for the Military.

As regards compensation, the claimants demands that the land should not be acquired and that if acquisition was ~~inevitable~~ ^{inevitable} compensation @ Rs. 40 per Sq. Yd. be awarded to them. Their main argument is that the land is close to Delhi Cantt R/Station Ring Road and also near the Abadi of Khajan Basti. The claims

submitted by them are discussed in seriatum as under:-

Shri Asa Nand s/o Shri Raghe Ram Gandhi r/o Tilak Nagar, New Delhi, has come forward with the claim in respect of Kh. No. 2144 (2 big. 9 bis) requesting that he may be paid compensation @ Rs. 40/- per sq.yd. He had filed a copy of the sale-deed which goes to show that the land under acquisition along with certain other piece of land was actually purchased by one Santa Singh s/o S. Sher Singh from the custodian Deptt. and the said purchaser later on sold 2 big. 9 bis to the claimant for Rs. 5733.34 nP.

As mutation does not appear to have been sanctioned in favour of Shri Asa Nand, compensation amount will remain disputed so long as the claimant does not produce a certified copy of the mutation order in his favour.

S/Shri Santa Singh, Banta Singh and Gian Singh have claimed compensation at the rate of Rs. 90/- per sq. yd in respect of land bearing Kh.Nos. 2144 min. measuring 3 big. 6 bis. situated in village Tihar. They have, however, stated that the above said land was purchased in the public auction at Rs. 14,000/- for building a factory and spend about Rs. 3000/- on filling and levelling of 2/3 of the land referred to above.

In support of their claims they have filed the following documents:-

- (a) An unattested copy of the sale-deed dated 30.12.63 according to which, it appears that an area of 1 big. 12½ bis. out of the Khasra No. 2144 was sold for Rs. 3822.22 nP.
- (b) Unattested copy of the sale certificate dated 15th April, 1965 regarding purchase of Kh.No. 2144 measuring 7 big. 6 bis. for Rs. 14000/- from the Ministry of Rehabilitation.

It is necessary to mention here that the sale deed referred to above at (a) goes to show that it was a transaction between the share holders. Thus no reliance can be placed on it.

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MARKET VALUE:

The market value is to be determined as on the date of notification under sec. 4 of the land Acquisition Act 1894 dated 14.2.59⁶⁴. With this end in view the Naib Tehsildar, Land Acquisition has furnished the following data[✓] about the break up of the average sale price for five years preceding the date of notification referred to above.

S.No.	Year	Area Big.Bis.	Consideration Money	Average per Bigha.
1.	1959-60	41-16	Rs. 10,0095-00	Rs. 2394-62
2.	1960-61	49-16	Rs. 1,51401-00	Rs. 3094-40
3.	1961-62	10-13	Rs. 5,0326-00	Rs. 4725-45
4.	1962-63	13-16	Rs. 40,888-00	Rs. 2948-41
5.	1963-64	33-01	Rs. 11,4740-33	Rs. 3471-72
		149-02	Rs. 45,7450-33	Rs. 3068-07

The average price of the land during the preceding year of the notification comes to Rs. 3068-07.

The following awards have already been announced in this village.

S.No.	Award No.	No & date of notification u/s 4 of L.A.Act.	Kind of land & rate per bigha.
1.	694	F.15(39)/51-MLT 31.12.64 ⁵⁷	Resli- 200-6 @ Rs. 300/- per bigha B.Qadim- 280-16 @ Rs.100/- per bigh. G,Mumkin- 306-2 @ Rs. 80/- per bigha.
2.	746	F.15(22)/63 MT&CE/ LSG 23.7.64 ⁵⁴	Resli & Dakar- 67-1/2 B.Qadim- 42-12 @ Rs. 485/- per bigha. ^{at 970/- per bigha}
3.	920	F.15(69)/59-LSG 4.7.57	19-4 @ 54/- per sq. yd.
4.	988	F.15(5)/57-LSG 19.1.59	Dakar 19-11 B.Qadim 64-12 G. Mumkin 46-9 @ Rs.1000/- per Bigha.
5.	1163	F.15(5)/57-LSG 19-1-57	14-10 @ Rs. 1500/- per bigha.
6.	1452	F.15(III)/59-LSG 13-11-59	B.Qadim 15-9 @ Rs. 6/75 per Sq. Yd.
7.	1223	F.15(III)/59-LSG 13-11-59	50-17 B.Qadim 2x8 @ Rs. 2500/- per bigha.
8.	1567	F.15(III)/58-LSG 13-11-59	B.Qadim 2-8 @ Rs. 2500/- per bigha.

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can be seen
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9.	1689	F.15(245)/60-LSG 24-10-61	Rs. 402/- per bigha 3 bis. land @ Rs. 1000/- per bigha 25 Bis. 5 bis @ Rs. 500/- per bigha.
10.	1696	F.15(III)/60-LSG 13-11-59	273-15 at flat rate of Rs. 3000/- per bigha.
11.	1758	F.1(20)/61-L&H 11.3.64	Block A Rs.3500/- per bigha. Block B Rs.3000/- per bigha.
12.	1766	F.15(III)/59-LSG 13.11.59	Flat rate Rs. 3500/- per bigha.
13.	1794	-- do --	Block A Rs. 3500/- per bigha. Block B Rs. 3000/- " " Block C Rs. 500/- " "

The land covered by award No. 1758 is adjacent to the land now under acquisition and it can be made a base for assessing Market Value in this case as the situation and potentiality of that land is the same.

The land in question is situated on both sides of the road recently constructed by the C.P.W.D. leading from Ring Road to Delhi Cantonment or Tihar Central Jail Road. This road crosses a part of the Naraina Village and a part of village Tihar. The land under acquisition is at a distance of about three to four furlongs from the Cantonment Railway Station, Tihar Jail, D.T.U.Colony and Khazan Basti. The entire land is covered by the factory.

The entire land which is the subject matter of this award was @vacuee property and it was auctioned by the Rehabilitation Department in public auction. The land around the land under acquisition relates to Award No. 1758. The claimants have demanded price ranging between Rs. 40/- to Rs. 90/- but they have failed to substantiate their claims fully. There is no denying the fact that the land has some potential value as it is nearer to the Delhi Cantonment R/Station and a small market on the Tihar Central Jail Road. which is in the process of development, and that prices have considerably gone up since 1955. In short after giving full consideration to the demands of the claimants concerned, the evidence produced adduced by them, the situation and quality of the land, the relevant awards already announed in the village and all other factors, I am

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of the opinion that a flat rate of Rs. 2500/- per bigha^{is} most reasonable and fair and award the same accordingly

15% of the value would be paid as solatium for compulsory acquisition charges.

WELLS TREES AND OTHER STRUCTURES

WELL: There is no well.

TREES: The details of the trees along with the compensation assessed by me is as under:-

4 Banna trees @ Rs. 1 Total = Rs. 4/-

2 gauver " @ Rs. 1 Total = Rs. 2/-

Total 6 Rs. 6/-

STRUCTURES

The structure on land keeping in view the condition material used, depreciation and other relevant factors are assessed by me as under:-

1. Room where oil engine has been installed of 15X13X7" with tin roof at Rs. 200/-
2. One water tank 15X3X14" with cement plastering at Rs. 100/-
3. One wall 8X5" at Rs. 20/-

The machinery and tin sheets will be removed by the party concerned and Rs. 200/- are allowed as transport charges for shifting it from the site. The structure are reported to be constructed prior to the notification u/s 4.

POSSESSION AND INTEREST:

As possession has not been taken over by the department no interest can be allowed.

LAND REVENUE:

The land under acquisition is assessed to Rs. 1.50 and this amount will be deducted from the Khalsa Rent Roll of this village from the harvest of taking over possession of the land.

APPORTIONMENT:

Khasra No. 2144 has been shown to have been hypothecated. This was actually done by the previous owners Alla Diya, presumably before the vesting of the land in the Custodian
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Department. It stands mortgaged in the name of Shri Bhikan s/o Kishan ^{Sakhi} r/o Khampur Raya but Shri Bhikan has not filed any claim for it. Compensation of these Khasra Nos. shall be remitted to the Addl. District Judge, Delhi for adjudication and payment to the parties entitled to receive it.

Shri Asa Nand s/o Shri Raghu Ram and Santa Singh, Banta Singh and Gian Singh ss/o Sher Singh have claimed compensation in respect of Kh.No. 2144. The said Khasra No. was purchased by Shri Santa Singh from the custodian department in public auction and later on a portion of it has been sold by him to the aforesaid claimants. Mutation is still pending. Under the circumstances the claimants are not entitled to compensation as mutation have not ^{been} sanctioned in their favour. The amount is held disputed and it may be sent to the A.D.J.

Subject to the above remarks, Award is as under:-

- | | | |
|----|--|--------------|
| 1. | Compensation for 4 bigha of land @ Rs. 3500/- per bigha. | Rs. 14000-00 |
| 2. | Add. 15% compulsory Acquisition charges. | Rs. 2100-00 |
| 3. | Compensation for trees. | Rs. 6-00 |
| 4. | Compensation for structures. | Rs. 320-00 |
| 5. | Transport charges for shifting machinery etc. | Rs. 200-00 |

Total Rs. 16626-00

(Rs. Sixteen thousands, six hundred twenty six only)

Sham Karan
(SHAM KARAN) 21/5
LAND ACQUISITION COLLECTOR (P)
DELHI:

Forwarded to the Deputy Commissioner (Collector of the District) for information and filing the award.

Sham Karan
(Sham Karan) 21/5
LAND ACQUISITION COLLECTOR (P)
DELHI.

with Powers of Collector, Delhi

24.5.65.
COLLECTOR, DELHI

Shri. Ram Bhan NT
Please prepare and put up necessary papers

Seen. 25/5
re-investing
A.D.M. LA.

DELHI ADMINISTRATION: DELHI:

NOTIFICATION.

Dated the February, 1964.

No.F.1(20)/61-LAH:- Whereas it appears to the Chief Commissioner Delhi, that land is likely to be required to be taken by the 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.

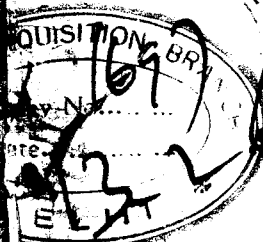
This notification is made, under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Chief 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 to 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.

Village or Locality.	Total Area. Bis. Bis.	Field Nos. or Boundaries
TEHAR	4 - 0	2144 Part.



By order,

Sd/-

(JAGMOHAN)

DEPUTY HOUSING COMMISSIONER,
DELHI ADMINISTRATION: DELHI:

No.F.1(20)/61-LAH.

Dated the 13 February, 1964.

Copy forwarded to:-

1. The Recruitment & Services Department (in duplicate) for favour of publication in Delhi Gazette.
2. Land Acquisition Collector 1/4 Delhi.
3. Engineer-Member, Delhi Development Authority, New Delhi.
4. Tehsildar, Land & Housing Deptt., Vikas Bhavan, New Delhi.

Sd/-

(JAGMOHAN)

DEPUTY HOUSING COMMISSIONER,
DELHI ADMINISTRATION: DELHI:

L. Ac 15/2/64

"Ratan"

ADM L 40

To N.P.L. Rana

No 1291/LAC 10

24/2/64

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To be published in part IV of Delhi Gazette.)

DELHI ADMINISTRATION, DELHI.

NOTIFICATION.

Dated the August, 1964.

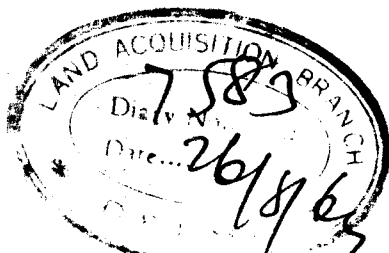
No.F.1(20)/61-L&H. Whereas it appears to the Chief Commissioner of Delhi that land is required to be taken by Govt. at the public expense for a public purpose namely for the Planned Development of Delhi, it is hereby declared that the land described in the specification below is required for the above 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.

Village	Total Area	Field Nos. or Boundaries.
Tehar.	4 - 00	2144 Part.



By order,

Sd/-

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

No.F.1(20)/61-L&H.

Dated the 25 August, 1964.

Copy forwarded to the :-

- 1) Recruitment & Services Deptt. (in duplicate) for favour of publication in the Delhi Gazette.
- 2) Land Acquisition Collector IV, Delhi.
- 3) ADM (Land Acquisition) Delhi.
- 4) Engineer Member, Delhi Development Authority, New Delhi.
- 5) Tehsildar, Land & Housing Department, Vikas Bhawan, New Delhi.

Sd/-

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

This clearance Singh palwan to forward papers immediately.

For signature

*cc of for
encl.*

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21/8

N. Rampr
h. h. phn

20/8

b-s-Ram

20/8
L.A.C. III
Haji