

AWARD No. 1/88-89.

Name of the village Keshopur  
Nature of acquisition Permanent  
Purpose of Acquisition Widening of outer Ringh  
Road under planned Development  
of Delhi.

These are proceedings for determination of compensation under section 11 of the L.A. Act. The land under acquisition is situated in vill. Keshopur and was notified u/s 4 of the L.A. Act vide notification No.F.10(4)/76/L&B dated 24.9.87 for a public purpose namely, for the widening of outer ring road under Planned Development of Delhi. After considering objections u/s 5-A, the Delhi Adminstration issued a declaration u/s 6 of the L.A. Act for an area measuring 2 bigha vide notification No.F.10(4)/76-L&B dated 23.3.88. In pursuance of the aforesaid notifications, notices u/s 9 & 10 of the L.A. Act were issued to all the persons interested in the land under acquisition. The claims filed by the claimants are discussed hereafter under the heading 'Compensation Claim'.

MEASUREMENT & CORRECT AREA: The land under acquisition was measured on the spot by the land acquisition field staff and area as given in the notification was found correct which is as under: Rect. No. 26 Kh. No. 4/2/2 Area 2.00 Bigha.

COMPENSATION CLAIMS: The following interested persons have filed their claims in response to notices u/s 9 & 10 of the L.A. Act, 1894.

<u>Sl No.</u>	<u>Name of the claimants</u>	<u>Kh.No.</u>	<u>Compensation claimed</u>
1.	Sh.Booti Ram & Sh.Bhoj Raj s/o Sh.Mool Raj R/o C-70 Ganesh Nagar, New Delhi	26/4/2/2 (2-0)	Claims Rs.10,000/- per sq.yd. for land; Rs.8,00,000/- for structure; Rs.1000/- per tree; Rs.20,00,000/- as permanent loss of earning and alternative land for business.

DOCUMENTARY EVIDENCE No documentary evidence was filed by any claimants. In the absence of documentary evidence, claims being highly exaggerated are not accepted.

MARKET VALUE: The market value of the land is to be determined with reference to the date of preliminary notification u/s 4 of L.A. Act with all its advantages and potentialities attached to the land. The best evidence available to arrive at the correct market value of the land would be the evidence of genuine sale transactions effected about the time of notification; either in respect of land under acquisition or a portion thereof or sale of land precisely parallel in all circumstances to the land under acquisition. The awards of the village and the judgements of the court of A.D.J. in reference u/s 18 of the Land Acquisition Act and any relevant judgement of the Higher Court can also offer use-full guidance in arriving at the market value of the land under acquisition.

The land under acquisition was notified u/s 4 of the L.A. Act on 24.9.87. No transaction of any transfer of land in the village was found recorded in the office of the Sub-Registrar for the last 5 years. A few recent transactions in village Tihar & Budhela adjoining Keshopur village as mentioned below were effected as per the record/<sup>of</sup> the Sub-Registrar but these transactions are of very small plots which existed in urbanised village colonies. Their market value ~~cannot~~ cannot be compared with the land under acquisition which is far bigger in size.

<u>Village</u>	<u>Registry No.</u>	<u>Area sold</u>	<u>Consideration</u>	<u>Average per bigha/sq. yd.</u>
Tihar	3114 dt. 2-3-88	160 (plot)	Rs. 45,000	Rs. 281.25 per sq. yd.
Budhela	15488 dt. 11-12-87	33.33 sq. yd. (plot)	Rs. 25,000	750/- per sq. yd.

It is, however, on record that land of this village Keshopur was earlier notified u/s 4 of the L.A. Act vide notification dt. 13-11-59 and various awards such as award No. 1845, 1860, 47/72-73 and 28/80-81 were announced for acquisition of land which surrounds the land under acquisition. In award No. 1845, the LAC had awarded Rs. 1000/-, Rs. 800/-, Rs. 600/- & Rs. 400/- for different blocks of land. A.D.J. in a reference under u/s 18 of the L.A. Act in case No. 404/66, 406/66, 391/66 & 393/66 linking block B & C to Block A enhanced the compensation to

Rs.3500/- per bigha. Following these judgements of the A.D.J., the Land Acquisition Collector allowed the same rate of Rs.3500/- per bigha in Award No. 47/72-73 of village Keshopur. Thereafter the Hon'ble High Court of Delhi in case No. R.F.A. 340/70 Ram Chander vs. U.O.I. enhanced the compensation to Rs.7000/- per bigha in award No. 1845 of village Keshopur.

Since the land under present acquisition is also located in the ~~near~~ vicinity of land acquired vide award No. 1845 and 28/80-81, the decision of the Hon'ble High Court of Delhi is the best evidence on record. To assess the market value of land acquired vide award No. 1845 as on 24-9-87, 9% interest on market value ~~and isolation~~ is added to Rs.7000/- for the period from 13-11-59 to 24-9-87 and which calculates to ~~approx~~ Rs.24,610-80/- per bigha. Since 1959, the surroundings of the land under acquisition have undergone many changes. It is now surrounded by developed colonies such as Vikas Puri, Tilak Nagar etc., and is just located on the outer ring road. Keeping in view the present situation it will be fair and just if the market value of the land is determined at Rs.35,000/- per bigha. So I determine it accordingly.

STRUCTURE: Inspection of the site of the land under acquisition revealed that there existed some simple pucca structure as given below:

- 1) 30' x 12' x 10' covered area divided into 2 rooms and one varanda (equal size).
- 2) 30' x 12' x 10' " " " " " " " " " " Each room fitted with two wooden doors and one wooden window, lantered roofs of rooms and varanda, with plastered walls.
- 3) One room 15' x 16' covered with tin sheets, mud work masonry and fitted with iron door.

- 4) one store 10' x 15' covered with tin sheets, mud work masonry and fitted with one wooden door.
- 5) one underground iron tank fitted with pipelines.
- 6) The site is surrounded by boundary walls having some gaps in between. It is 4' to 6' in height, 9" in width and 400' in length. It has been constructed with bricks and mud.

In the absence of any documentary proof submitted by the interested persons enquiries and observations of the field staff revealed that the structure was about 15-20 years old and taking into consideration the simple and plain structure and depreciation value of the structure, the compensation for item No. 1 & 2 above is assessed @ Rs.35/- per sq. feet for covered area. For items at Sl. No. 3 & 4 the compensation is determined @ Rs.20/- sq. feet for covered area.

The interested persons are free to remove the boundary-wall bricks and underground iron tank fitted with pipelines and no amount of compensation is assessed for these items. Only removal charges of Rs.200/- and Rs.300/- are allowed for item No. 5 & 6 respectively.

TREES

There are 5 neem trees, one shishm tree, one shahtoot tree and one mango tree in the front portion facing the outer Ring Road and 8 trees of neem, one shishm, and 3 jamun trees in the back portion of the land under acquisition. Keeping in view the size of the trees, neem trees are assessed @ 150/- per tree; shisham @ Rs.200/- per tree and jamun, shahtoot and mango trees, each @ Rs.200/-.

SOLATIUUM: As required by section 23(2) of the Land Acquisition Act, 30% solatium shall be paid on account of compulsory acquisition.

INTEREST: Since the possession of the land under acquisition has not been taken over, the question of payment of interest

therefore does not arise.

ADDITIONAL AMOUNT:

Additional amount @ 12% from the date of notification u/s 4 up to the date of award shall be paid on the market value.

APPORTIONMENT:

Compensation will be paid on the basis of the latest entries available in the revenue record. If there is a dispute which could not be settled here within reasonable time, then the matter will be referred to the court of A.D.J. for adjudication.

LAND REVENUE:

The land under acquisition was assessed to Rs. 0.72 paise as land revenue which will be deducted from the rent roll of the village from the date of possession.

SUMMARY OF AWARD:

1. Market value for land measuring 2 bighas @ 35,000/- P.B.	Rs. 70,000=00
2. Compensation for structure of 720 sq. feet covered area @ Rs. 35/- per sq. feet	Rs. 25,200=00
3. Compensation for structure of 390 sq. feet. covered area @ 20/- per sq. feet.	Rs. 7,800=00
Total	Rs. 103,000=00
4. Solatium 30%	30,900=00
5. Compensation for trees	Rs. 3,350=00
6. Additional amt. @ 12% from 24.9.87 to 5.5.88 for 225 days	Rs. 5,178=08
7. Removal charges	Rs. 500=00
	Rs. 142,928=08

Total

(Rupees one lac forty two thousand nine hundred and twenty eight and eight paise only)

*S. Singh*

(G.S. AUJLA)

Land Acquisition Collector  
(PN)

A.D.M. (LA)  
SEC. (REVENUE)

*Full*  
*u/s*

Approved

*hmt*

SECRETARY (REVENUE)

None of the interested persons present in spite of notice issued on 5.5.88.

Award announced in the official gazette in the interest of the LA Act. All interested persons should file their objections u/s 12(ii) of the LA Act.

*S. Singh*  
6/5/88 LAC (PN)

कंठा कोपे नरेश बाबत खोस नं 1/88-89  
गांव केशवपुर

आज दिनांक 19/7/88 को बहुकम जगव 2 A.C (PH) बाबत  
देन कंठा नं खसरा 26/4/2/2mm तादादीन विस्वा  
जोकि रोड के लिए जरुरी है जिस के बारे में महकमा  
D.D.A की जानव से एक प्रमारा पुन मिला है।  
यह कुल नं 2 Bigha का है पुन High Court के  
आदेश के अनुसार केवल जो सत रोड में जरुरी  
है उसी का कंठा दिया जाता है। और उस  
को कोपे नरेश के लिए बहुमरा श्री राम सिंह कागुनगा  
श्री राजेन्द्र सिंह पटवा 1-A मौके पर पहुंचा। मौके  
पर महकमा 2 & B की तरफ से श्री राम रतन कागुनगा 2 & B  
को इस के शर्मा पटवा है। और D.D.A की तरफ से  
श्री कलता सिंह मं. D.D.A. श्री सुरेंद्र सिंह पटवा।  
D.D.A. के श्री H.N.C Sharma Dy. Director 2-P.B  
होतर है मौके पर जानव पुन सदकमें जो  
शुन जरुरी है नोप कर 15 Bigha दिया गया  
किया। एक विस्वा सैलर और लेन में Building का  
कुल हिस्सा आता था और कुल हिस्सा  
बाहर रहता था और 2-A.C. के आदेश के  
अनुसार केवल 15 Bighas का कंठा खोस  
करा कर दिया गया व वक्त कोपे नरेश को कंठा। विसा  
किस्म की माह मजादत नही है। इस सत में



193

कोई मकान नहीं है और केवल चार दिवसों के अन्दर  
 खाली रकबा पड़ा है और उस में जो सामान  
 मालका का है उस हटवाकर खाली करा लिया  
 गया है और चार दिवसों में हटा दिया गई है  
 इस बात में श्री लाल राम और शक्ति शरण के  
 पड़ है जो कि उसी हालत में कब्जे में रखा गया है  
 वकई  
 कब्जा मकान लका के दे दिया गया है जिस में  
 आगे D.D.A को कब्जा सौंप दिया है। इस कार्य  
 को श्री लाल पर और जीव में भरोसे दूरी बनाया  
 बजले क-सवर का आवाज बल्लू की रास में  
 गपड़ा सी R.A की माफ़ी करा दी गई है। इस  
 का शक्ति पर लुकाई हलका को भेज दी  
 जावेगी ताकि कागजात माल में आगल  
 हो सकें।

Rajinder Singh  
 19/7/88  
Alleen  
 NR (D.D.A)  
 KARTAR SINGH  
 H.T.  
 19.7.1988.

Rajinder Singh  
 Pat. DDA  
 अतिरिक्त पता  
 19-7-88

Rajinder Singh H.T.

Rajinder Singh Pat (L.A)  
 19/7/88  
H. Sharma  
 H.R. Sharma  
 Dy-Director (L.A)

Rajinder Singh  
 19/7/88 (128)

( TO BE PUBLISHED IN PART IV OF DELHI EXTRA ORDINARY GAZETTE )  
Land & Building Department : Delhi Administration : Delhi

NOTIFICATION

Dated the 24th September, 87

No.F.10(4)/76-L&B:- Whereas it appears to the Lt.Governor, Delhi that the land is likely to be required to be taken by the Government at the public expense for widening of outer Ring Road under Planned Development of Delhi 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 provision of Section 4 of the Land Acquisition Act, 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.

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

Name of village	Total Area Bigha-Biswa	Rect. No.	Khasra No.	Area Bigha-Biswa
Keshopur	2 - 00	26	4/2/2	2 - 00

By order,

( MRS. NEERU SINGH )  
JOINT SECRETARY (LAND & BUILDING)  
DELHI ADMINISTRATION : DELHI.

Sh. Ramesh Singh

prepare the file + return

5/10

Ram Singh (19)  
Sh. Ramesh Singh (21)

1539 / WAC (Pn)  
5/10/87



No.F.10(4)/76-L&B/ 35672-94

Dated the 24th Sept., 87

Copy forwarded to:-

1. Secretary to the Govt. of India, Ministry of Urban Development, Nirman Bhawan, New Delhi.
2. Vice-Chairman, Delhi Development Authority, Vikas Sadan, I.N.A., New Delhi.
3. Deputy Director(NL), Delhi Development Authority, Vikas Sadan, I.N.A., New Delhi.
4. Addl. District Magistrate(LA), Tis Hazari Courts, Delhi.
5. Land Acquisition Collector(ME), (MW), (PN), (PS), (DS), (N), Tis Hazari Courts, Delhi.
6. Accounts Officer(Fin), Land & Building Department, Vikas Bhawan, New Delhi.
7. Legal Adviser(L&B), Tis Hazari, Delhi.
8. Tehsildar(L&B), (in duplicate), Vikas Bhawan, New Delhi.
9. Tehsildar(Notification), Tis Hazari Courts, Delhi.
10. Tehsildar(Mehrauli), Mehrauli, New Delhi.
11. Tehsildar(Delhi), Tis Hazari Courts, Delhi.
12. Central Record Cell(L&B), Vikas Bhawan, New Delhi.
13. Sub-Registrar, Shahdara, Kashmere Gate I/II, Asaf Ali Road, New Delhi.
14. Revenue Asstt., D.C.Office, Tis Hazari Courts, Delhi.
15. Commissioner(Lands), D.D.A., Vikas Sadan, INA, New Delhi.
16. Writ Cell(L&B), Vikas Bhawan, New Delhi.

( MRS. NEERU SINGH )  
Joint Secretary(Land & Building)  
Delhi Administration, Delhi.

( DELHI ADMINISTRATION : DELHI )(LAND & BUILDING DEPTTMENT)

NOTIFICATION

Dated : 23.3.88

No.F.10(4)/76-L&B: Whereas the Lt.Governor, Delhi is satisfied that the land is required to be taken by Govt. at the public expense for a public purpose, namely, widening of outer Ring Road under Planned Deveopment 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, 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.

This declaration is with reference to this Administration Notification No.F.10(4)/76-L&B dated 24.9.87 issued under sub-section(i) of section 4 of the aforesaid Act.

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

SPECIFICATION.

Name of village	Total Area Big- Biswa.	Rect.No.	Kh.No.	Area. Bigha-Biswa.
Keshopur	2 - 00	26	4/2/2	2 - 00

By Order,

(MRS. NEERU SINGH)  
JOINT SECRETARY (LAND & BUILDING)  
DELHI ADMINISTRATION : DELHI

LAC 821  
m.

DC

4000/PB  
24/3/88

in Rtda Dtd (24/

831 / use 1241  
27/3/88

3

No.F.10(4)/76-L&B/LA/9685-9708 Dated: 23.3.1988

Copy forwarded to:-

1. Secretary to the Govt. of India, Ministry of Urban Development, Nirman Bhavan, New Delhi.
2. Vice-Chairman, D.D.A., Vikas Sadan, INA Colony, New Delhi.
3. Dy. Director (NL), DDA, Vikas Sadan, INA Colony, New Delhi.
- ✓ 4. Addl. Distt. Magistrate (LA), Tis Hazari Courts, Delhi.
5. Land Acquisition Collector (ME) (MW) (PN) (PS) (DS) (N), Tis Hazari Courts, Delhi.
6. Accounts Officer (Fin) (L&B), Vikas Bhavan, New Delhi.
7. Tehsildar (L&B), (In duplicate), Vikas Bhavan, New Delhi.
8. Tehsildar (Notification), Tis Hazari, Delhi.
9. Legal Adviser (L&B), Tis Hazari, Delhi.
10. Tehsildar (Mehrauli), Mehrauli, New Delhi.
11. Tehsildar (Delhi), Tis Hazari, Delhi.
12. Central Record Cell (L&B), Vikas Bhavan, New Delhi.
13. Sub-Registrar, Shahdara, Kashmere Gate I/II, Asaf Ali Road, New Delhi.
14. Revenue Asstt., D.C. Office, Tis Hazari Courts, Delhi.
15. Commissioner (Lands), DDA, Vikas Sadan, INA Colony, New Delhi.
16. Wrn. Cell (L&B), Vikas Bhavan, New Delhi.

( MRS. NEERU SINGH )  
JT. SECRETARY ( LAND & BUILDING )  
DELHI ADMINISTRATION : DELHI