

AWARD NO. 2182-E (suppl.)

NAME OF VILLAGE : MAHIPALPUR
NATURE OF ACQUISITION: PERMANENT
PURPOSE OF ACQUISITION: PLANNED DEVELOPMENT OF DELHI.

These are proceedings u/s 11 of the L.A. Act, 1894 for acquisition of land in Village Mahipalpur which is required by the Govt. at public expense for a public purpose namely for the Planned Development of Delhi. This land was notified u/s 4 of the L.A. Act vide notification No.F.4(98)/64-L&H dated 23.1.1965. The substance of this notification was given due publicity in the locality and the objections from the interested persons were invited. After hearing the objection a report u/s 5-A was submitted to the Delhi Administration. Thereafter a declaration u/s 6 of the said Act was issued vide notification No.F.4(98)/64-L&H(i) dated 7.12.66 for the land measuring 4769 Bigha 1 Biswas.

Out of land notified u/s 6 of L.A. Act, an area measuring 2 bigha 15 biswas is being acquired at present. The land measuring 144 Bighas was acquired through award No. 2182, area measuring 2437 bighas acquired through Award No. 2182-B, land measuring 61 bigha 2 biswas acquired under award No. 2182-C and an area of 971 bigha 7 biswas acquired through award No. 2182-D. An award for the land measuring 413 bighas 9 biswas has ~~also~~ also been drawn. The rest of the area measuring 739 bigha 8 biswas will be acquired through Supplementary award as and when required by the Government. Notices u/s 9 & 10 of the L.A. Act were also issued to the interested persons for filing their claims who have responded to the notices and have filed their claims which will be discussed under a separate heading "Claims & Evidence.". This award is supplement to the previous proceedings.

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MEASUREMENT

The field staff has carried out measurement on the spot as required under section 8 of the said Act. The area was found correct. The detail of which is as under:-

<u>Kn. No.</u>	<u>Area Big-Bis</u>	<u>Kind of soil</u>
✓ 338/1/2 ✓	0-5	G. Abpash
✓ 338/2/2 ✓	0-4	-do-
✓ 339/1 ✓	0-4	-do-
340/2/2 ✓	0-4	-do-
✓ 391/2 ✓	0-5	-do-
392/1/1 ✓	0-6	-do-
395/2 ✓	0-12	-do-
398/2/2 ✓	0-7	-do-
399/2 ✓	0-8	-do-
Total:-	2-15	

OWNERSHIP & OCCUPANCY

<u>S.No.</u>	<u>Name of owner</u>	<u>Name of occupants</u>	<u>Kn. Nos.</u>	<u>Area</u>
1.	Karan Singh, Piarey Lal, Raj Karan, Ragh Nath ss/o Jot Ram in equal share 2/5 share. Inder s/o Mamm Chand 1/10 share in 1/2 share Malkhe s/o Sarjeet 1/2 share	Azad Singh, Ved Parkash, Suraj Bhan ss/o Kanwar Lal in equal share Qabiz on 0-3 Sn. Babul Banik s/o Pran Hari, Banik, Flora Aketa w/o Babul Banik Qabiz on 0-2	392/1/1	0-6
2.	Girdhar, Ammi ss/o Har Pal in equal share	Self	398/2/2	0-7
3.	Charan Dass s/o Roop Ram	Self	338/2/2	0-4
4.	Chhattar s/o Kishan Lal 1/2 share Suraj-Hargyan-Jai Lal, Naurang, Jagdish, Chhote- Lal ss/o Dharam Singh equal share 1/2 share	Self	340/2/2	0-4

Contd....3....

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5. Pirthi s/o Faqira	Self	399/2	0-8
6. Yudhbir Singh, Anil Kumar, Pawan Kumar, Vijay Kumar ss/o Smt. Urmila Devi, Nirmala Devi ds/o Prem Wati wd/o Ved Prakash equal share 1/5 share. Om Parkash s/o Smt. Shanti, Sukhma, Om Wati ds/o Siri Ram equal share 4/5 share in 1/2 share. Mange s/o Incna Ram 1/2 share.	Self	395/2	0-12
7. Vir Bhan, Uday Bhan ss/o Siri Chand equal share in 1/3 share. Hanuwant Singh s/o Desh Ram 2/3 share	Self	338/1/2 339/1 391/2	0-5 0-4 0-5
			<u>0-14</u>

CLAIMS & EVIDENCE

The following persons interested have filed their claims in response to notices u/s 9 of the L.A. Act.

Sr.No.	Name of the claimants	Kh.No.	Compensation claimed
1.	Om Parkash, Shanti, Sukhma, Yudhvir Singh, Mange Ram, Prem Vati, Urmila, Nirmila, Pawan Kumar, Sanjay Kumar, Om Rati, Anil Kumar.	395/2 (0-12)	Have claimed compensation @ Rs. 200/- p. sq. yds Rs. 50,000/- per bigha for injurious effectation, severance for the remaining ck land of the claimant, solatium & Instt. are also prayed under the law.
2.	Hanuwant Singh s/o Des Ram, Udal Bhan, Vir Bhan ss/o Siri Chand.	338/1/2 (0-5) 339/1 (0-4) 391/2 (0-5)	Have claimed compensation @ Rs. 200/- per sq. yds -do-
3.	Girdhar, Ami ss/o Bar Pal	398/2/2 (0-7)	-do-
4.	Chhatter s/o Kishan Lal, Suraj, Hargian, Jai Lal, Naurang, Jagdish, Chhotey Lal ss/o Dharam Singh	340/2/2 (0-4)	-do-

Contd..4....

6. Pirthi s/o Paquira

399/2
(0-8)

Has claimed compensation @ Rs. 150/- p. sq. yds. Rs. 20,000/- per bigha is claimed for injurious effect for the remaining land of the applicant. Solatium & Instt. are also prayed for under the law.

E.

6. Malkhey s/o Surjit,
Karan Singh, Raj Karan,
Ragnu Nath ss/o Jot Ram,
Inder s/o Mam Chand,
Dharam Bir, Mahabir ss/o
Piarey

392/1/1
(0-6)

Have claimed compensation @ Rs. 200/- p. sq. yd. Rs. 50,000/- is claimed for injurious effect. Severance for the remaining land of the claimants and solatium + Instt. are also prayed for under the law.

MARKET VALUE

The market value of the land has to be assessed with respect to the date of preliminary notification which in this case is 23.1.1965. The market value has to reflect the potential of the land, which depends on its quality, location as well as the shape and size of the land. There have been awards in the past in the area, as such in order to arrive at a definite conclusion various factors have to be given consideration which includes sale deeds executed for similar pieces of land close to the date of notification and the Awards already announced. Since, no evidence or proofs have been submitted by the claimants, as such no help is available from this aspect in calculating the market value and therefore the aforesaid two documents are to be taken as guidelines in this regard.

The Revenue Field Staff after consulting the records of the Sub Registrar office, New Delhi has quoted the following information so far as the sale deeds are concerned. Information based on the previous Awards is also given below:-

: 5 :

AWARDS : The following awards have been made in the Village:-

Sl.No.	Award No.	No.& date u/s 4	Area Big-Bis per bigha	Rate awarded
1.	1242	F.15(144)/55-LSG dt. 27.5.61	74-19	A Rs. 1600/- B Rs. 1000/-
2.	2182	-do-	144-00	Rs. 600/-
3.	2182-B	-do-	2437-00	A Rs. 2850-00 B Rs. 1900-00 C Rs. 600-00
4.	2182-C	-do-	61-02	Rs. 1900/-p.b.
5.	2182-D	-do-	971-07	A Rs. 1900/- B Rs. 600/-

References u/s 18 had been filed by aggrieved interested persons.
and the same have also been considered. Details are as under:-

S.No.	Award No.	LAC No.	Parties	Awarded	Enhanced	Considered	Appeal
				Amt.	by Court	money	on file
1.	2182-B	331/73	Ram Nath Vs. UOI, Kh.No.269	Rs. 600-C	B-Rs. 1000/-	Rs. 850/-	Rs. 150/-
2.	-do-	99/73	Hoshnar Singh Vs. UOI	-do-	B-Rs. 1200/-	Rs. 850/-	Rs. 350/-
3.	-do-	211/79	Ran Singh etc Vs. UOI	Rs. 1900/- B-Block	Rs. 3100/-	Rs. 2500/-	Rs. 600/-
4.	-do-	27/73	Mam Chand Vs. UOI	-do- Rs. 2850/- A-Block	-do- Rs. 4650/-	Rs. 3750/-	Rs. 900/-

The Khasra Nos. now under acquisition form part of Block 'B' as per the definition of land and blocks given in Award No. 2182-supplementary 'B'. For this in the said Award compensation was assessed @ Rs. 1900/- per bigha but as a result of appeal by the aggrieved interested persons the lower Court enhanced the amount from Rs. 1900 to Rs. 3100/-. We have considered Rs. 2500/- as reasonable rate and for Rs. 600/- an appeal has been filed and the same is awaiting decision. Taking all this into consideration I also feel that the rate of Rs. 2500/- is reasonable and justified and assess the same for the land under acquisition.

Contd...

TREES & WELL :- There are no trees & Wells on the land under acquisition. Hence no compensation is assessed.

STRUCTURE :- There is no structure on the land under acquisition. The question of assessment of compensation does not arise.

INTEREST :- No interest is assessable to the land under acquisition of the persons interested as the possession of the land has not been taken over so far on record, but the Deptt. has dug the drain with the consent of the owners. No interest is payable u/s 4(3) in this case, because the declaration u/s 6 was made before three years from the date of notification u/s 4 i.e. 23.1.65. Supplementary award of interest u/s 324 will be drawn later on after the receipt of the date of digging drain from the concerned Deptt. (Flood Control Division No.1)

SOLATUM :- 15 % solatium would be payable on the market value of the land being charges of compulsory acquisition of land.

LAND REVENUE :- The land revenue under acquisition is assessed to Rs. 0-72. The same will be deducted from the Khalsa Rent Roll of the Village from the date of taking over possession.

APPORTIONMENT :- Compensation will be paid to the recorded owners on the basis of latest entries in the revenue record. In case of dispute, if the parties do not reach an amicable settlement within a reasonable time, the compensation will be sent to the Court of ADJ for adjudication.

SUMMARY

The Award is summarised as under:-

1. Compensation for land measuring	
2 bigna 15 biswas @ Rs. 2500/- per bigna	Rs. 6,875-00
2. 15 % Solatium	Rs. 1,031-25
GRAND TOTAL:-	Rs. 7,906-25

(Rupees Seven Thousand Nine Hundred Six and Paise Twenty Five only)

(J.M.L. BHAINAGAR)
LAND ACQUISITION COLLECTOR (MSW)
DELHI.

*Amended
To do by
18/4/83*

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE).

DELHI ADMINISTRATION :DELHI?

NOTIFICATION.

Dated the _____ December 66.

No.F.4(98)/64 I&H (i) Whereas it appears to the Lieutenant Governor of Delhi that land is required to be taken by Government at the public expense for the 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 of Locality	Total Area Big. Bis.	Field Nos. or boundaries.
1.	2.	3.
Mahipal Pur.	4769 01.	1,2/1/1,2/2,2/3, 3/2,3/2/2,4/2,5, 6,7/1,7/2,8/1, to 8/3,9/1 to 9/3,10/1, 10/2,11 to 15, 16/1, 16/2,17/1,17/2,18, 19,20/1,20/2,21 to 23 30mh,31,32,33 min, 34 to 38,39/2,to 39/4, 40,41/1,41/2,42/1, 42/2,43 to 48, 50/1, 50/2,51/1,52/1,53 to 58, 59/1,60/2,62/1/2, 63/1,64/1,65/1,65/2,

Attested True Copy.

L.A.C. (msw)
for Delhi
N.T.(LA)

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89/, 90/1, 91, 92/1, 92/3, 94,
95/1, 95/2, 96 to 100, 101/1,
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132/1, 132/2/2, 133 to 136,
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139 to 146, 147/1, 147/3,
148 to 155, 156/1, 156/2, 157/1,
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A. C. (msw)
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By Order.

Sd/-

(JAG MOHAN).
Special Secretary (Land & Building),
Delhi Administration Delhi.

Dated the 7 December 1966.

No. P.4(98)/64-L&B (1)

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4. Legal Adviser, Land & Building Department, Delhi Admn. Delhi.
5. Tensildar, Land Building Delhi Administration Delhi.

Sd/-

(JAG MOHAN).
Special Secretary (Land & Building)
Delhi Administration Delhi.

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