

AWARD NO. 31/81-82

Name of Village : MAHIPAL PUR

Nature of Acquisition: PERMANENT

Purpose of Acquisition: PLANNED DEVELOPMENT OF DELHI

These are the proceedings for determination of compensation under section 11 of the Land Acquisition Act in respect of land measuring 14 bigha 08 biswa situated in village Mahipal Pur notified under section 4 of the L.A. Act vide notification No. F4(98)/64-L&H dt. 23.1.65 and under section 6 vide notification No. F4(98)/64-L&H dt. 26.12.68. The land is required by the Government, for a public purpose, namely, for the Planned Development of Delhi at public expense. Due publicity was given to the notifications and notices under section 9 & 10 of the aforesaid Act were issued to the interested persons to file their claims. The claims filed by the interested persons are discussed under the heading 'claims'.

Measurement

An area measuring 14 bigha 08 biswa is being acquired in the present case. According to our record, this area was shown as under 'status-quo'. However, after checking the files from the High Court it revealed that order of the High Court was regarding 'stay for dispossession', as such supplementary award in respect of following khasra Nos. is being drawn. Measurement was found to be correct at site.

| <u>Khasra No.</u> | <u>Area</u> |
|-------------------|-------------|
| 776 | 4 - 16 |
| 781 | 4 - 16 |
| 792 | 4 - 16 |
| | <hr/> |
| | 14 - 08 |
| | <hr/> |

Claims :

The following interested persons have filed their claims :-

| <u>sl.No.</u> | <u>Name of the claimant</u> | <u>Khasra Nos.</u> | <u>compensation claimed</u> |
|---------------|-----------------------------|--------------------|--|
| 1. | Mahphool Singh; | 776 | Rs. 60/- per sq.yds for land; |
| | Sohan Singh and | 781 and | besides it solatium and interest demanded |
| | Sube Singh ss/o | 792. | and also states that notices u/s 9 & 10 may be with- drawn. |
| | Bhagmal. | | |

(a)

-2-

Market Value

Market value is to be assessed keeping in view the prices prevailing on the date of notification under section 4 and other factors viz., situation, quality and nature of soil etc. The interested persons claimed compensation @ Rs.60/-per sq. yds for land but did not produce any documentary evidence in support of his contention. Hence, no reliance can be placed on his claim.

The field staff was directed to consult the revenue record. According to their report, One Award No. 30/72-73 was announced which relates to the notifications u/s 4 & 6 involved in the present case. A sum of Rs.2850/-P.B. was assessed for Block 'A' and Rs.1900/-P.B. was assessed for Block 'B' in the above award. As stated in the present case, the land in the present case is part of notification u/s 6 which was acquired in the above award. The date of notification under section 4 is the same in both the cases. Thus, it will be fair and justified if the same rates are applied in the present case. The nature of land in the present case is similar with that of block 'A' of the above Award No. 30/72-73 in which a sum of Rs.2850/-per bigha was assessed. It further appears that some of the land owners had filed a reference under section 18 before the court of ADJ in L.A. Case No. 38/73 - 'Jat Ram Vs. Union of India'. The court of ADJ has enhanced the compensation of Block 'A' from Rs.2850/-per bigha to Rs.4650/-per bigha. The Legal Adviser, Land & Building Department however, concurred with the rates upto Rs.3750/-per bigha and had advised to file appeal over and above Rs.3750/-per bigha. Taking all the above facts in view, I feel that the rates of Rs.3750/-per bigha would be reasonable and justified and assess the same for the land under acquisition.

Structures

No structures u/s reported to be in existence at the time of notifications/4 as per entries in the khasra girdawari and as such no amount is assessed on this account.

Wells

There is reported to be no well on the land under acquisition and as such no compensation is assessed.

Trees

There is reported to be no tree on the land under acquisition as such no compensation is assessed.

Solatium

As provided under sub-section 2 of Section 23 of the Land Acquisition Act, the interested persons will be paid 30% solatium *me*3/-.

on the market value due to compulsory nature of acquisition as per provisions of the Land Acquisition (Amendment) Act, 1984.

Interest

Since there is a difference of more than three years between the dates of notifications u/s 4 & 6, the interested persons are entitled for interest @ 6% u/s 4(3) of the L A Act after expiry of three years from the date of notification u/s 4.

Additional Amount

The interested persons are entitled for additional amount @ 12% from the date of notification u/s 4 till the date of award or date of possession whichever is earlier.

It appears from the record that court had issued 'status quo' order on 20.5.83 in civil writ No. 1007/83 in case of 'Manphool Singh etc. Vs. Union of India' which was later on modified to the extent of 'stay dispossession' on 12.9.83. Thus, the interested persons are ~~not~~ entitled for additional amount @ 12% as well as interest u/s 4(3) @ 6% from the date of notification u/s 4 i.e. 23.1.65 till the date of order of the court.

Land Revenue

The land under acquisition is assessed to land revenue amounting to Rs. 3.34 which will be deducted from the khalsa rent roll of the village by which time possession under the award would be taken by the Government.

The Award is summarised as Under:-
Summary of Award

| | |
|--|-----------------|
| 1. Land measuring 14 bigha 08 biswa @ Rs.3750/-per bigha. | Rs. 54,000-00 |
| Solatium @ 30%. | Rs. 16,200-00 |
| Interest @ 6% w.e.f. 23.1.68 to 19.5.83 i.e. 15 Yrs. 117 days. | Rs. 49,638-57 |
| Additional Amount @ 12% w.e.f. 23.1.65 to 19.5.83 i.e. 18 Yrs. 117 days. | Rs. 1,18,717-14 |
| Grand Total | Rs. 2,38,555-71 |

(Rs. Two Lacs, Thirty Eight Thousand, Five Hundred, Fifty Five & Paise, Seventy One Only).

DC, in his capacity as Secretary(Revenue), is requested to kindly approve the above Award.

APPROVED
SECRETARY OF STATE
16 JANUARY

(D.B. KUBBA)
Land Acquisition Collector
Delhi.

(E) *Artemesia* in open court of
fins. 44686 |
names of all 2) of the 4 species seen
taken very who were first. 44687

DRAFT NOTIFICATION UNDER SECTION R 4 ACT, IOF 1894.

No. F. 4 (98) / 64 - 184. — Dated the 23 January, 1965.

Whereas it appears to the Lt. C. Delhi, that land is likely to be required to be taken by Government at the public expense for a public purpose namely for, 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.

The 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 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.

Map showing the boundaries of land covered by this notification is available for inspection the office of the Collector, Delhi.

SPECIFICATION.

| VILLAGE | TOTAL AREA BIG. & BIS. | FIELD NOS. OR BOUNDARIES. |
|---------|---------------------------|---------------------------|
|---------|---------------------------|---------------------------|

Mehhalpur 6241-12 1, 2/1, 2/2, 2/3, 3/1, 3/2, 4 Min, 5, 6, 7/1, 7/2
8/1, 5 8/3, 9/1, 9/2, 9/3, 10/1, 10/2, 11 to 15

Area No:- 16/1, 16/2, 17/1, 17/2, 18/1, 18/2, 19/1, 19/2, 20/1, 20/2, 21 to 24, 25/1, 25/2, 25/3, 26/5
28, 30 Min, 31 to 38, 39/1, 39/4, 40, 40/1, 41/2, 42/1, 42/2, 43 to 48, 50 Min, 51 M, 52 M.
53 to 58, 59 Min, 60 min, 61, 62/2 M, 62/2 M, 63 M, 64 M, 65/1, 65/2, 66 to 68, 69/1,
69/2, 70 to 76, 77 M, 78/1 M, 78/2, 79 to 86, 83/1, 83/2, 83 M, 85 M, 86/1, 86/2, 87
88, 89/1, 89/2, 89, 90 Min, 91, 92 M, 93 M, 94, 95/1, 95/2, 96 to 100, 101/1, 102/1, 102 to 104
105/1, 105/2, 106, 107/1, 107/2, 108 to 111, 112 M, 113 M, 114, 115 M, 116/1, 116/2, 117 M, 118
119, 120/1, 120/2, 121/1, 121/2, 122, 123/2, 123/1, 124 to 130, 131/1/1, 131/1/2, 131/2, 132,
132/1, 132/2/2, 133 to 136, 137/1, 137/2, 138/1, 138/2, 139 to 146, 147 M, 148 to 155
156/1, 156/2, 157/1, 157/2, 158/1, 158/2, 159 to 170, 171 Min, 172 M, 173 M, 174 M, 175 M.
175/2 M, 176/1, 176/2, 177 Min to 180 M, 181 to 183, 184/1, 184/2, 185 to 190, 191 M, 192, 193
194 M, 195/1 M, 195/2 Min, 196/1 M, 196/2 Min, 197/1 M, 197/2 Min, 197/3 Min, 197/4 Min
198/2, 199, 200 Min, 201 to 204, 205/1, 205/2, 206, 207/1, 207/2, 207/3, 208/1, 208/2, 209,
210/1 Min, 210/2 M, 210/3 Min, 211/1 Min, 211/2 Min, 212/1, 212/2 Min, 213, 214 Min, 215 M
to 219 Min, 220 to 226 Min, 227/1, 227/2, 228, 229, 230/1, 230/2, 231 to 235
236/1, 236/2, 237 to 244, 245/1, 245/2, 246/1, 246/2, 247, 248, 249, 249/2
250/1, 250/2, 251, 252, 253/1, 253/2, 254 to 256, 266/1, 266/2, 267, 272

~~LAND ACQUISITION COLLECTOR (P.D.)~~

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Kharra No. 273/1, 273/2, 274 to 282, 288/1, 288/2, 289/1, 289/2, 290/1, 290/2, 291/1, 291/2, 292, 293/1, 293/2, 294
 295, 296/1, 296/2, 297 to 299, 300/1, 300/2, 301, 302, 303/1, 303/2, 304, 305
 306/1, 306/2, 307, 308/1, 308/2, 309/1, 309/2, 310 to 312, 313/1, 313/2, 314
 to 326, 327/1 to 327/2, 328 to 336, 337/1, 337/2, 337/3/1, 337/3/2
 338/1, 338/2, 339 to 345, 346/1, 346/2, 347/1, 347/2, 351, 352/1, 352/2, 353
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 392/2, 393, 394 to 396, 397/1, 397/2, 398/1, 398/2, 399 to 404, 405/1
 405/2, 406 to 414, 415/1, 415/2, 416 to 418, 419/1, to 419/2, 420 to 432
 433/1, 433/2, 434 to 446, 447/1, 447/2, 448 to 450, 451/1, 451/2
 452 to 484, 486 to 506, 507/1, 507/2, 508 to 521, 522/1, 522/2, 523
 to 532, 533/1, 533/2, 533/3, 534, 536 to 538, 539/1, 539/2, 541
 to 548, 549/1, 549/2, 549/3, 549/4, 550 to 556, 558 to 561, 563/1
 564/1, 565/1, 567 to 570, 571/1, 571/2, 572 to 576, 577/1
 577/2, 578/1, 578/2, 579 to 582, 583/1, 583/2, 584 to 587, 588/1
 588/2, 589/1, 589/2, 590/1, 590/2, 591 to 597, 598/1, 598/2, 599 to
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 614 to 624, 625/1, 625/2, 626/1, 626/2, 627/1, 627/2, 628, 629/1, 629/
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 669/2, 670 to 682, 683/1, 683/2, 684/1, 684/2, 685/1, 685/2, 686 to
 689, 690/1, 690/2, 691, 692/1, 692/3, 693, 694/1, 694/2, 695 to 702
 703/1, 703/2, 704/1, 704/2, 705, 706/1, 706/2, 707/1, 707/2 to 708/1,
 708/2, 709/1 to 709/3, 710/1, 710/2, 711/1, 711/2, 712/1, 712/2, 713 to
 724, 725/1, 725/2, 726 to 736, 736/1, 736/2, 737 to 741, 742/1, 742/
 743 to 746, 754, 755, 756/1, 756/2, 757 to 760, 761/1, 761/2, 762/1, 762/
 762/2

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Khar No: 763 to 770, 771/1, 771/2, 772 to 784, 785/1, 785/2, 786, 787/1, 787/2
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 812/1, 812/2, 812/3, 813/1, 813/2, 814 to 823, 824/1, 824/2, 825, 826/1
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 839/2, 840, 841/1/1, 841/1/2, 841/2 M., 841/3, 843/1 to 843/5, 844
 845/1, to 845/4, 846, 847/1, 847/2, 848, 849/1, 849/2, 850
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 982/2, 983/1, 983/2, 984 to 990, 991/1, 991/2, 992, 993/1, 993/2, 994 to 1000, 1001/1, 1001/2
 1002, 1003, 1004/1, 1004/2, 1005/1, 1005/2, 1006, 1007/1, 1007/2, 1008/1, 1008/2, 1009/1, 1009/2
 1015, 1016/1, 1016/2, 1017/1, 1017/2, 1018, 1019, 1020/1, 1020/2, 1021, 1022/1, 1022/2, 1023/1
 1023/2, 1024, 1025/1, 1025/2, 1026 to 1157, 1158/1, 1160, 1162 to 1490

By order

sd/-.

(M.L. Nathoo)

Housing Commissioner, Delhi
Administration Delhi

Dated: 23 January 1965.

Copied by:
Rajendra Pratap

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DRAFT NOTIFICATION U/S 6 OF THE LAND ACQUISITION ACT, 1894.

No F9/98/64-L211 dated the 26 December, 1968.

Whereas it appears to the L.G. Delhi that land is required for a ~~xxx~~ public purpose, namely for the Planned Development of Delhi.

it is hereby notified 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 Acres | FIELD NOS. Or Boundaries |
|---------------------|----------------|--------------------------|
| <u>Bigh. Bawa</u> | <u>1659 18</u> | <u>Boundaries.</u> |

| | | |
|------------|---------|---|
| Mahipalpur | 1659 18 | 559 to 561, 563 $\frac{1}{4}$, 564 $\frac{1}{4}$, 565 $\frac{1}{2}$, 566 $\frac{1}{2}$, 567, 571 $\frac{1}{2}$, 572 to 576, 577, 578 $\frac{1}{2}$, 579 $\frac{1}{2}$, 580 to 582, 583 $\frac{1}{2}$, 584 to 587, 588 $\frac{1}{4}$, 589 $\frac{1}{2}$, 589 $\frac{1}{4}$, 590 $\frac{1}{2}$, 591, 592 $\frac{1}{4}$, 593 to 597, 598 $\frac{1}{4}$, 599 $\frac{1}{2}$, 599 to 604, 605 $\frac{1}{4}$, 606, 607 $\frac{1}{4}$, 608 $\frac{1}{2}$, 609 $\frac{1}{4}$, 610 to 612, 613 $\frac{1}{4}$, 614 $\frac{1}{2}$, 615 $\frac{1}{4}$, 616 $\frac{1}{2}$, 617, 618, 624, 624 $\frac{1}{2}$, 625 $\frac{1}{4}$, 626 $\frac{1}{2}$, 627 $\frac{1}{4}$, 628 $\frac{1}{2}$, 629 $\frac{1}{4}$, 630 $\frac{1}{4}$, 634 $\frac{1}{2}$, 631, 632, 633, 634, 634 to 646, 647 $\frac{1}{4}$, 647 $\frac{1}{2}$, 648 to 651, 652 $\frac{1}{4}$, 653 $\frac{1}{4}$, 654 $\frac{1}{2}$, 654 $\frac{1}{4}$, 654 $\frac{1}{2}$, 654 $\frac{3}{4}$, 655 to 658, 658 $\frac{1}{4}$ to 659 $\frac{1}{4}$, 659 $\frac{1}{2}$, 659 $\frac{3}{4}$, 660 to 663, 664, 664 $\frac{1}{2}$, 665 to 668, 669 $\frac{1}{4}$, 669 $\frac{1}{2}$, 670 to 682 683 $\frac{1}{4}$, 683 $\frac{1}{2}$, 684 $\frac{1}{2}$, 685 $\frac{1}{4}$, 685 $\frac{1}{2}$, 686 $\frac{1}{4}$, 687, 689 $\frac{1}{4}$, 689 $\frac{1}{2}$, 691, 692 $\frac{1}{4}$, 692 $\frac{1}{2}$, 693 $\frac{1}{4}$, 693, 694 $\frac{1}{4}$, 694 $\frac{1}{2}$, 695 to 702, 703 $\frac{1}{4}$, 703 $\frac{1}{2}$, 704 $\frac{1}{4}$, 704 $\frac{1}{2}$, 705, 706 $\frac{1}{4}$, 706 $\frac{1}{2}$, 707 $\frac{1}{4}$, 707 $\frac{1}{2}$, 708 $\frac{1}{4}$, 708 $\frac{1}{2}$, 709 $\frac{1}{4}$ to 709 $\frac{3}{4}$, 710 $\frac{1}{4}$, 710 $\frac{1}{2}$, 711 $\frac{1}{4}$, 711 $\frac{1}{2}$, 712, 712 $\frac{1}{2}$ to 715, 716, 717, 718, 724, 725 $\frac{1}{4}$, 725 $\frac{1}{2}$, 726 to 735, 737 $\frac{1}{4}$, 741, 742 $\frac{1}{4}$, 743 $\frac{1}{4}$, 743 to 746, 747, 755, 762, 763 $\frac{1}{4}$, 764 $\frac{1}{4}$ to 774, 774 $\frac{1}{4}$, 774 $\frac{1}{2}$, 775 to 784 |
|------------|---------|---|

Land Acquisition Collector (P.D.)

Delhi

785 $\frac{1}{4}$, 785 $\frac{1}{2}$, 786, 787 $\frac{1}{4}$, 787 $\frac{1}{2}$, 788, 789 $\frac{1}{4}$,
 789 $\frac{1}{2}$, 790 to 792, 793 $\frac{1}{4}$, 793 $\frac{1}{2}$, 794, 795,
 796 $\frac{1}{4}$, 796 $\frac{1}{2}$ to 797 $\frac{1}{4}$, 796 $\frac{1}{2}$, 796 $\frac{3}{4}$, 797

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By Order,
Sd/-

(D.P. BAHUGUNA)

Deputy Secretary M/H and 2 Building)
Deli Administration, Delhi

Dated the 26 December 1968.

E4(70)/64-L9 H.

by from award No 30/72-73.

Collected by:- Ray Kumar
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