

AWARD NO. ¹¹⁶⁵ 2005.

Name of the village: Mohd. Pur Munirka.
 Nature of acquisition: Permanent.
 Purpose of acquisition: Extension of Shanti Path Road to Gurgaon Road.

Land measuring 1 bigha 8 biswas comprising of field Nos. 347 pt., 1145/358/2 pt., 919/8 pt. situated in village Mohd. Pur Munirka was notified for acquisition simultaneously under sections 4, 6 and 17 of the Land Acquisition Act, 1894 vide notifications No. F.15(17)/60-LSG(ii), (iii) and (v), dated the 16th September, 1960, issued under the authority of the Chief Commissioner, Delhi for a public purpose, namely, for the Extension of Shanti Path Road to Gurgaon Road. Due publicity was made to these notifications as required by law and public notices were issued under sections 9 and 10 of the Land Acquisition Act, 1894 inviting claims for compensation. The claims filed under section 9 of the said act were duly considered and are discussed below:-

TRUE AREA OF THE LAND:

The land was got measured on the spot by the land acquisition field staff in conjunction with a representative of the Requiring Department and the correct area was found as follows:-

<u>Field No.</u>	<u>Area</u>	<u>Kind of Soil.</u>
	<u>Big. Bis.</u>	
347/2	1 -1	Banjar Jadid
919/8/2	0 6	Banjar Qadim
1145/358/2/2	0 1	Rosli
Total:	1 8	

CONTD...2..

C O M P E N S A T I O N :

CLAIMS: The persons interested in the land under acquisition are shown in the statement 'B' attached with this file which has been prepared from the revenue record. In compliance ^{with} public notices issued under sections 9 and 10 of the Land Acquisition Act, 1894, Shri Jai Ram, advocate filed claim on behalf of Man Singh, Chhatar ss/o Mohan and Shrimati Manbhari, Pehlad and Brahm, minors claiming Rs. 10/- per square yard as compensation for the land but revenue entries show that this land has been sold by them, and actually Shri Inder Mohan Puri of 1-Matcalf House, New Delhi is owner. The note further shows that this land is attached by some civil court in satisfaction of a decree against Shri Inder Mohan Puri. Shri Inder Mohan Puri received notice but did ^{not} appear before me and filed no claim. No other person filed any claim.

MARKET VALUE:

We have to find out the market value as prevailing on the date of notification under section 4, namely, 16th September, 1960. The average of sales that took place in its vicinity during the last 5 years preceding the date of notification under section 4 are as follows:-

Year	Total area	Purchase money	Average per bigha
	Big. Bis.		Kham.
1955-56	195 - 11	Rs. 6,15,887/-	Rs. 3,297.04 nP
1956-57	297 - 15	Rs. 10,51,882/-	Rs. 3,535.73 nP
1957-58	8 - 3	Rs. 37,328/-	Rs. 4,518.77 nP
1958-59	- -	-	-
1959-60	4 - 16	Rs. 26,301/-	Rs. 5,479.38 nP Rs. 3,488.95 nP

The average for the last 5 years comes to Rs.3488.96 nP per bigha kham. In the immediate vicinity of field No.347, which is under acquisition, field No.359, measuring 1 bigha 5 biswas was sold for Rs.4000/- through Mutation No.1509 and the transaction was registered on 10.9.56. The average comes to Rs.3200/- per bigha. There is another instance in which through mutation No.1442, registered on 1.3.56, field No.364, measuring 4 bighas 4 biswas was sold for Rs.4500/-. The average of this transaction comes to Rs.1071/- per bigha kham. This field number is in the close vicinity of field No.347 which is under acquisition. Just adjoining field No.347, which is under acquisition, land comprised in field numbers 343, 344, 345, and 346 was acquired through award No.883 and in that award Rs.3,000/- per bigha was given as price for that land. That land is just touching the land under acquisition. Field No.347 alongwith 348 were purchased by the present vendees through a registered deed, dated 20.7.1956 and mutation No.1449 was sanctioned. The average comes to Rs.5161/- per bigha. The purchase money in this case appears to be exorbitant as the large number of instances quoted above indicate that no other land was sold at this price in the immediate vicinity of the land under acquisition. It is a fact that following the notification under section 4 issued on 13th November, 1959, in respect of 34070 acres, the prices of land in undeveloped areas have fallen down to some extent and actually there are hardly any buyer. The notification dated 13th November, 1959 ~~has checked the rise in~~ ^{has checked the rise in} ~~prices of undeveloped land, hence market value on the date~~ ^{prices of undeveloped land, hence market value on the date}

of notification under section 4 in this case, namely, the 16th September, 1960 was certainly lower than the price at which the land was purchased through registered sale deeds dated the 20th July, 1956. Considering the various transactions noted above, award No. 883 and other factors I hold that Rs. 3500/- per bigha kham is fair and just market value of the land under acquisition on 16th September, 1960.

TREES, WELLS AND OTHER STRUCTURES: 'NIL'.

A P P O R T I O N M E N T:

Field No. 919/8/2 was attached under the orders of some civil court and compensation in respect of this area will not be paid till the property is released from attachment by the civil court concerned. Compensation in respect of the remaining area will be paid to the persons shown as owners in the revenue record, unless there is something disputed which is brought to notice before announcement of the award.

The remaining area which comes under this scheme, had already been acquired through award No. 883, can be had by book transfer from the department concerned by negotiation.

15% FOR COMPULSORY ACQUISITION:

As required by section 23(2), 15% shall be paid on account of compulsory acquisition.

INTEREST:

The department took over possession on 6.10.1960, under section 17 of the Land Acquisition Act, 1894 and interest will be paid from that date upto the date the

the compensation is paid to the persons interested, which is likely to be 5.1.1961.

THE AWARD IS SUMMARISED AS FOLLOWS:

<u>S.No.</u>	<u>Area</u> Big. Bis.	<u>Rate per bigha</u>	<u>Amount of compensation.</u>
1.	1 8	Rs. 3500/-	Rs. 4900.00 nP
2.	Add 15% towards its compulsory nature of acquisition.		Rs. 735.00 nP
	TOTAL:		Rs. 5635.00 nP
3.	Add interest @ 6% P.A. from 6.10.60 to 5.1.61		Rs. 84.29 nP
	GRAND TOTAL:		Rs. 5719.29 nP

LAND REVENUE DEDUCTION:

The land under acquisition is assessed to Rs. 0.25 nP as land revenue which will be deducted from the Khalsa Rent Roll of the village with effect from Rabi, 1961.

Mahinder Singh
(Mahinder Singh) 21/12/60
Land Acquisition Collector, Delhi.
15.12.1960.

Submitted to the Deputy Commissioner (Collector of the District) for information.

Mahinder Singh
(Mahinder Singh) 21/12/60
Land Acquisition Collector, Delhi.
15.12.1960.

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

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated: 16th Sept., 1960.

No.F.15(197)/50(iii)LSG:--WHEREAS it appears to the Chief Comm. Delhi that land is required for a public purpose namely, for extension of Shanti Path Road to Gurgaon Road, 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.

<u>Locality or Village.</u>	<u>Total Area.</u>		<u>Field Nos. or Boundaries</u> <u>Boundaries.</u>	
	Big.	Bis.		Big.
Basant Nagar	57	7	13/2	8
			87/17/2	5
			88/17/2	0
			89/17/2	0
			93/18/2	2
			102/19/2	4
			101/19/2	0
			26/2	2
			208/190/2	4
			206/111/2	1
			207/111/2	7
			28/2	6
			xxxxxx	
			112/25/2	0
			29/2	12
			Total:	57
Mohd. Pur			347/2	1
Munirka.	1	8	919/8/2	0
			1145/358/2/2	0
			Total:	1

By order

(Jagmohan)

Under Secretary (LSG); Delhi Admn., Delhi

No.F.15(197)/60(iii)LSG:

Dated the: 16.9.60.

Copy forwarded to the:-

1. Recruitment & Services Deptt. (In duplicate) for
of publication in part IV of the Delhi Gazette.

Land Acquisition Collector, Delhi.

Executive Engineer, 'E' Division, P.W.D., New Delhi

sd/- (Jagmohan)

SA
(TO BE PUBLISHED IN PART IV OF THE DELHI GAZETTE)
DELHI ADMINISTRATION: DELHI.

NOTIFICATION:
Dated the: 16 Sep. 1960

No.F.15(197)/60(ii)LSG.:—Whereas it appears to the Ch.
Delhi that land is likely to be required to be taken
at the public expense for a public purpose, namely for
extension of Shanti Path Road to Gurgaon Road, it is
notified that the land in the locality described below
to be required for the above purpose.

This notification is made under the provisions
section 4 of the Land Acquisition Act, 1894, to all
concern.

In exercise of the powers conferred by
tion, the Chief Commissioner, is pleased to authorise
Officers for the time being engaged in under-taking
servants and workmen to enter upon and survey any
locality and do all other acts required or permitted
section.

The Chief Commissioner, being satisfied
provisions of sub-section (1) of section 17 of the
applicable to this land, is further pleased, under
(4) of the said section, to direct that the provisions
5 A shall not apply.

SPECIFICATION.

<u>Village</u>	<u>Total Area.</u>	<u>Field Nos. or Boundaries</u>
	<u>Big. Bs.</u>	
Basant Nagar	57 7	13 pt., 87/17 pt., 93/18 pt., 102/19 26 pt., 208/190 pt. 207/111 pt., 28 pt. 29 pt.

Mohd. Pur Mun- 1 8
irka.

347pt., 1145/358/2

By order.
Sd/-(Jagmohan)
Under Secretary (LSG); Delhi Ad.

Dated the: 16.9.1960.

No.F.15(197)/60(ii)LSG.

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 - Land Acquisition Collector, Delhi.
 - Executive Engineer, 'E' Division, P.W.D., New Delhi.

Sd/-(Jagmohan)
Under Secretary (LSG), Delhi

attested
mahinder
17-9-60