

AWARD No. 1133

Name of village - Mohammadpur Munirka.

Nature of acquisition - Permanent

Purpose of acquisition - Completion of roads & Ring Road.

Land measuring 32 bighas and 19 biswas situated in village Mohammadpur Munirka and as detailed below was notified for acquisition simultaneously under sections 4, 6 and 17 of the Land Acquisition Act, 1894, vide notifications Nos. F.15(136)/60-LSG(Vii) dated 14.2.1961, notification No. F. 60-LSG(VIII) dated 14.2.61 and F.15(136)/60-LSG(ix) dated 14.2.61 respectively issued under the authority of the Commissioner, Delhi for a public purpose, namely for completion of roads south of the Ring Road. Due publicity was given to these notifications as required by law and notices under sections 9 and 10 of the Land Acquisition Act, 1894, were issued to all the persons interested in the land under acquisition. The claims filed by these persons were duly considered and are discussed below under the heading "Compensation, Claims".

TRUE AREA OF THE LAND.

The land was measured on the spot by the Land Acquisition field staff. True and correct area was found as follows:-

<u>Field No.</u>	<u>Area</u>		<u>Kind of soil.</u>
	<u>bigha</u>	<u>biswa</u>	
✓782/2	1	8	Rosli
✓783/2	3	12	"
✓1380/785/1	-	11	gair mumkin dhair
✓1381/785/2	3	1	Rosli
✓1382/785/3/1	9	-	Rosli
✓786/1	-	2	Rosli
✓787/1	2	7	Rosli
✓788	4	12	Rosli
✓1290/1184/789/1	-	14	Chahi
✓1291/1184/789/2/1	1	5	Chahi
✓1185/789/1	1	14	Chahi

✓ 800/1	-	15	Chahi
✓ 1377/838/2/1	1	3	Chahi
✓ 848/1	-	11	Rosli
✓ 849/1	1	6	"
✓ 850/1	-	11	"
✓ <u>852/1</u>	-	7	"
	<u>32</u>	<u>19</u>	

The land is classed as under :-

	<u>Bigha</u>	<u>Biswa</u>
Rosli -	26	- 17
Chahi -	5	- 11
G.M.dhair-	-	- 11
	<u>32</u>	<u>- 19</u>

COMPENSATION.

CLAIMS. In compliance with notices u/ss 9 & 10, Sarvshri Ch. Chhutan Singh, Beli Ram s/o Inder, Mange Ram s/o Bhola, Chandgi Ram s/o Bhola, Chandgi Ram s/o Jawahra, Mir Singh s/o Chandgi, Sukhi Ram s/o Chandgi, Jage s/o Mahipat, Likhan s/o Chuna, Lajje Ram s/o Chhanna, Manphul s/o Harsukh, Shrimati Surti widow of Manphool Singh and Dalpat Singh s/o Behari Lal appear before me and made statements on oath claiming Rs. 15/- per s yards as price for the land under acquisition. In proof they only produced copies Ex D.1 and D.2. Ex D.1 is not a duly certified copy of the original document as is required under the Indian Evidence Act. However it shows sale of a small bit of land measuring only 10 biswas for Rs. 20,000/-. This transaction has no relevancy to the point in issue in this case as the land under acquisition is purely agricultural land and it is rebutted by the admission of the oral statements of the claimants themselves who have claimed Rs. 15/- p.s.y for the land under acquisition. While the transaction involved in Ex D.1 works out to be at the rate of Rs. 40/- p.s.y. This transaction appears altogether manipulated as it is between the persons of the same village who might have manipulated it to inflate the prices and to set a precedent just to get much more value for their land.

10 which were under acquisition under the various schemes. Similarly, Ex.D2 is a transaction in which field No.851 measuring 2 bighas 20 biswas was sold for Rs.22,000/-. The contents of Ex.D 2 itself show that this transaction includes constructions and other built-up area along-with the land and thus cannot be a correct guide to assess the market value for the land involved in this case. The rate comes to about Rs.8,800/- per bigha kham and is wholly inflated. This piece of evidence also nulifies the evidence contained in Ex.D 1 in which it is alleged that 10 biswas were sold for Rs.20,000/-. Thus these two instances cannot be a guide to assess the market value on the date the notification under section 4. The claims are fabulous and very much exaggerated and are not supported by any satisfactory documentary evidence. Guggan Singh, Lambardar claimed compensation at the rate of Rs.40/- per sq. yard but did not produce any proof in respect of his claim. Hence this exorbitant claim cannot be accepted in full.

MARKET VALUE:

We have to assess the market value of the land under acquisition as prevailing on the date of notification under section 4, namely, 14.2.1961. On the basis of a large number of transactions which are entered in the mutation register of this village and extracts from which have been placed on this file, the average of sales for the preceding 5 years preceding from the date of the notification under section 4 is worked out as follows:-

S.No.	Name of year	Area sold		Amount for which sold	Average per bigha.
		Big.	Bis.		
1.	1956-57	320	- 2	Rs.10,95,907/-	Rs. 3,423.00
2.	1957-58	311	- 4	Rs. 9,08,119/-	Rs. 2,918.00
3.	1958-59	2937	- 0	Rs.1,05,11,411/-	Rs. 2,669/-
4.	1959-60	2	- 6	Rs. 4,301/-	Rs. 2,000.00

In this village, the following awards have been given in the recent years which are detailed as follows:-

CONTD...4.....

S.No.	No. of award	No. & date of notif. u/s 4	Quality of land involved	Average rate per sq. verd.
1.	889	<u>F.15(17)/57-LSG</u> 26.10.1957	-	Rs. 3/-
2.	985	<u>F.15(17)/57-LSG</u> 10.11.1957	Block 'A' " 'B' Chahi Ghairmumkin Rosli	Rs. 3.75 nP Rs. 3.00 nP Rs. 0.50 nP Rs. 0.10 nP Rs. 2.00 nP
3.	883	<u>F.15(17)/57-LSG</u> 8.3.59	Block 'I' " 'II' " 'III' Chahi Sailab & Rosli Banjar Ghairmumkin	Rs. 4.00 nP Rs. 3.75 nP Rs. 3.00 nP Rs. 2.50 nP Rs. 2.00 nP Rs. 1.00 nP Rs. 0.10 nP
4.	1076	<u>F.15(17)-LSG(i)</u> 10.4.1958		Rs. 2000/- per bigha Kham.

I have seen the land under acquisition and have also compared it with the other lands involved in other transactions as well as land involved in various awards noted above. At present it is agricultural land which is not fertile and is of average quality but has attained some potential value due to various housing schemes of the Government. Land residential quarters have been completed by the Govt near the land under acquisition but the owners cannot build their houses on this land at present as the essential services have not been provided in the land and it has not been developed so far for construction of houses. The Govt. cannot allow construction in an haphazard manner. Last award No. 1076 was in respect of land adjacent to the land under acquisition, but the date of notification in that award was 10.4.1958, while in the present award it is 14.2.1961. Prices have somewhat appreciated since 10.4.1958, as the land under acquisition has assumed some importance due to various development activities in the immediate neighbourhood. Thus considering averages of sales that took place since 1956 and various awards ~~mixt~~, I am of the firm view that Rs. 2500/- per bigha kham is the correct market value for the land under acquisition.

TREES, WELLS AND OTHER STRUCTURES:

There is one abandoned well in field No. 783/2, which is assessed at Rs. 200/- only. There are six trees in the

land under acquisition as detailed below:-

<u>Field No.</u>	<u>No. of trees</u>	<u>Value.</u>
1382/785/3/1	2	Rs. 50/-
783/2	2	Rs. 25/-
782/2	1	Rs. 10/-
1381/785/2/1	10	Rs. 25/-
		<u>Rs. 110/-</u>

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

Compensation will be paid on the basis of latest entries in the revenue record and statement 'B' which is prepared from the revenue record. Those who have since died, their heirs, will get compensation on the basis of mutation as sanctioned by the revenue officer. Mortgagees will get mortgaged money out of the compensation due to owners.

15% FOR COMPULSORY ACQUISITION COST:

As required by section 23, sub-para 2, 15% shall be paid on account of compulsory acquisition.

THE AWARD IS SUMMARISED AS UNDER:

<u>Area</u>	<u>Rate per bigha</u>	<u>Amount of compensation.</u>
Big. Bis. 32 - 19	Rs. 2500/-	Rs. 82,375.00 nP
Cost of trees.		Rs. 110.00 nP
Price of well		Rs. 200.00 nP
	Total:	Rs. 82,685.00 nP
15% for compulsory acquisition.		Rs. 12,402.75 nP
	GRAND TOTAL	<u>Rs. 95,087.75 nP</u>

LAND REVENUE DEDUCTION:

The land under acquisition is assessed to Rs. 5.90 nP as land revenue which will be deducted from the Khalsa Rent Roll of the village from the harvest in which the department takes over the possession.

Mahinder Singh 20/4/61
(Mahinder Singh)
Land Acquisition Collector, Delhi.

Submitted to the Collector, Delhi for information.

Mahinder Singh 20.4.61
(Mahinder Singh)
Land Acquisition Collector, Delhi.

Seen. *[Signature]*

COLLECTOR, DELHI.

21/4/61

write to the Dept: Concerned to place
the Compensation money at my disposal
for payment to the persons concerned
2 x N.T.L.A to keep the various statements
ready to enable me to pay the
Compensation.

Nakhindhy
LAC

22.4.61

Acctt.

آورد و ملاقاتی که بیلی ارمادله اندر - مائیک ولد یولا - چندین ولد لورلا -
نوکس ولد لادس - نفیول ولد سر شیک - جیت شت ولد وید فید - چندین ولد
میرین ولد چندگ - اعلی ولد چندگ - اعلی ولد چندگ - دلپا ولد اندر
ماده سرتا بیره نفیول - لیکن ولد چنا - بیلی ولد درتا ارم -

عبدالله جعفر شت - جاورش - الودر شتا - 29/5/61

Nakhindhy
LAC

امثال غری 1987 دی 11 مور لقیق دیوا 19/8/61
for N.T.L.A
19/8/61

(To be published in Part IV of Delhi Gazette.)

DELHI ADMINISTRATION, DELHI

NOTIFICATION.

Dated

14th Feb.

1961.

No. F.15(136)/60-100(viii) 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 completion of road south of Ring Road,

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.

Locality or village.	Total Area.		Field Nos. or boundaries.
	Sis.	Sis.	
Chakpar Bunirka.	32	19	800/1, 1377/830/2/1, 1185/789/1, 1291/1184/789/2/1, 1290/1184/789/1, 788, 787/1, 786/1, 1382/785/1/1, 783/2, 782/2, 1301/785/2, 1380/785/1, 846/1, 849/1, 830/1 and 852/1.

By order,

(J. CHAKRAVARTY)

UNDER SECRETARY (LOCAL SELF GOVT.)
DELHI ADMINISTRATION, DELHI.

No. F.15(136)/60-100(viii)

Dated

14th Feb.

1961.

Copy forwarded to:-

- 1) Department & Services Deptt. (in duplicate) for favour of publication in Part IV of Delhi Gazette.
- 2) Land Acquisition Collector, Delhi, with reference to his letter No. 175/145(Evt), dated the 3rd January, 1961.
- 3) Executive Engineer, Construction Division No. 1, Central, P.W.D. New Delhi.
- 4) Secretary to the Govt. of India, Ministry of Works Housing and Supply, New Delhi, with reference to Mr. Mittal's letter No. L-10(7)57, dated the 30th December, 1960.

J. Chakravarty

(J. CHAKRAVARTY)

UNDER SECRETARY (LOCAL SELF GOVT.)
DELHI ADMINISTRATION, DELHI.

File No. 8.3.61.

(To be published in Part IV of Delhi Gazette)

DELHI ADMINISTRATION, DELHI.

NOTIFICATION.

Dated 14/1 January, 1961.

No. 15(136)/60-LSG(vii) Whereas it appears to the Chief Commissioner, Delhi that land is likely to be required to be taken by Government at the public expense for a public purpose namely for the **completion of roads South of Ring Road,**

it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

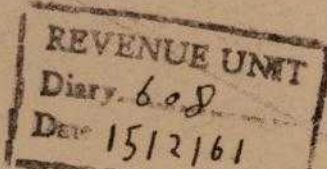
This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the 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 do all other acts required or permitted by that section.

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

SPECIFICATION.

<u>Village.</u>	<u>Total Area.</u>		<u>Field Nos. or boundaries.</u>
	<u>Bg.</u>	<u>Bis.</u>	
Mohdpur Munirka.	32	19	800/1, 1377/838/2/1, 1185/789/1, 1291/1184/789/2/1, 1290/1184/789/1, 788, 787/1, 786/1, 1382/785/3/1, 783/2, 782/2, 1381/785/2, 1380/785/1, 848/1, 849/1, 850/1, 852/1.



By order,

sd

(JAGMOHAN)

UNDER SECRETARY (LOCAL SELF GOVT.)
DELHI ADMINISTRATION, DELHI.

No. F.15(136)/60-LSG(vii) Dated 14/1 January, 1961.

Copy forwarded to the:-

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JAGMOHAN