

कर्मवाही कब्जा अर्बु नं० ११/१९६९ ग्राम मोहम्मदपुर मुनीरका ।

आज दिनांक १५/६/७६ वसुन्जब हुक्म जजाब भूमि अधिग्रहण अधिकारी (MSW) सहाय मौके पर बहमराह श्री बनवज्जिहराजा K. K. (L.A.), श्री वेद सिंह पटवारी L.A. ग्राम मोहम्मदपुर मुनीरका पहुंचा । सहकमा ८६८ Delhi Admn. की ओर से श्री जे० एन० सहलोत्रा Tehsildar ८६८ सय staff मुताबिक प्रोग्राम भी मौके पर मौजूद है । वास्तविकता में से बावजूद इतना कोई होजिए नहीं आया है । आरजी Acquiring शुदा कस्य MSW नं० ११/१९६९ ग्राम मुनीरका बशमला गम्बरान खसरा ८५२/३/१ (०-२), ८५२/३/२ (०-३) कुल लादादी ०-५ किस्से की मौके पर बजरीय जरीब अन्दाजी पैमाइश करके व बुजियात खसरा लमा कर निशान देही की गई । सामग आरजी मौके पर खाली है और इसका कब्जा वकई हासिल करके बजिगा ही हवाला श्री जे० एन० सहलोत्रा Tehsildar ८६८ किया गया । अवका कर्मवाही कब्जा मौके पर कोई मजहमत पैदा नहीं हुई । मुनादी व मुआतदवी बाबत तबदिली कब्जा मौके पर व देह देजा में बजरीय श्री वेद सिंह पटवारी (L.A.) बसवाज बुलन्द कराई गई । पटवारी हलका अवजय दिगार कार सरकार होजिए नहीं आ सका है मिहजा सय नकल कारवाई कब्जा उसकी बशये कमल दामद पर कागजात माल बजरीय Tehsildar सहाय Melrauli मिजवाइजाव व एक नकल सहकमा Acquiring को । कर्मवाही कब्जा पूरी हो चुकी है मिहजा रिपोर्ट आज है । १५/६/७६

Vsingh Patwari

15-6-76

बनवज्जिहराजा

काबूलगरी (अ० अ०)

15/6/76

Pant Singh

15/6/76

N. T. (L.A.)

Khazur Singh  
15/6/76

Jhal

15/6/76

Teh. (L.A.B.)

Seen

hewari

15.6.76



AWARD No.

:

11/1969

NAME OF THE VILLAGE

:

MOHD.PUR MUNIRKA

NATURE OF ACQUISITION

:

PERMANENT.

PURPOSE OF ACQUISITION

:

PLANNED DEVELOPMENT OF DELHI.

.....

Delhi Admn. issued a general notification u/s 4 of the L.A.Act, 1894 for 34070 acres of land in different villages vide No.F.15(III)/59-LSG dated 13.11.1959 for acquisition at the public expense for a public purpose namely for Planned Development of Delhi. Several declarations u/s 6 of the L.A.Act were issued as and when land was required for the Planned Development of Delhi. Similarly a declaration u/s 6 of the Act was issued in the present case vide notification No.F.7(49)/62-L&H dated 19th Sept, 67 for 5 big. 2 bis. land in village Mohd.pur Munirka

MEASUREMENT & TRUE AREA :-

The khasra involved in the present proceedings is No.852 of which a part is being acquired in the present proceedings. On scrutiny of the record, it transpired that out of the total area of 4 big. 12 b. of this Kh.No. an area of 7 bis. in No.852/1 was already acquired in Award No.1133 and an area of 4 big. 1 bis. in Kh.No.852/2/3 was acquired in Award No.1939. Thereby an area 4 big. 8 bis. out of the total area of 4 big. 12 bis. already stands acquired, leaving a balance of only 4 bis. in Nos. 852/2/1(0-02); 852/2/2(0-02).

Contd.....2





CLAIMS & EVIDENCE :

Notices u/s 9 & 10 of the L.A. Act were issued to the interested persons who in response filed following claims:

1. (i) Aji Ram: Dairy since 1962  
(ii) Baby Ram: Dairy since 1963  
(iii) Gopi Nath Stores. Prop. Mohan Prakash since 1964.  
(iv) Smt. Gurnam Kaur since 1967-running  
Commercial College since 1968

They have stated in the claim that they had rented shops in Kartar Market from Sh. Narain Singh r/o village Munirka. They have claimed no compensation except that they may be provided with alternative accommodation before eviction.

Evidence: Nil.

2. Jagge Ram, Zille Singh, Narain Singh ss/o Mahipat, Smt. Hanso, Smt. Misro dd/o Mahipat, Smt. Mano wd/o Mahipat through Sh. Zille Singh.

Kh. Nos. 852/2/1(0-02)  
852/2/2(0-02)

Rate: Rs 75/- per sq yd. for land.  
Rs 10,000/- for structures.

Evidence: Nil.

M A R K E T V A L U E :

In the present case the market value is to be assessed as prevailing during the year 1959 i.e the date of preliminary notification(13.11.59). In order to adjudge the trend of the market value, revenue record was consulted with regard to the sales during few years preceding the date of preliminary notification. The position is as below:-

Contd.....4



Year	Area Big. Bis.	Amount		Average per big.	
		Rs	Ps	Rs	Ps
1956-57	255-04	9,44,939	-62	3702	-74
1957-58	20-02	1,48,800	-00	7402	-99
1958-59	7-17	50,701	-00	6458	-73
	283-03	11,44,440	-62	4043	-90

With the above we find that there was an upward trend in the sales recorded during the year 1957-58, but again there was a drop during the year 1958-59. However, the above sales could give us only a rough idea of the market value as these sales of the land should be similarly circumstances and conditioned to the land under acquisition.

Various awards in connection with acquisition of the land in the past, in the village were consulted. Out of them only the following awards relate to the date of preliminary notification as 13.11.59.

Award No.	No. & date of Notification.	Area		Rate awarded per big.
		Rs	Ps	
1560	F.15(III)/59-LSG 13.11.59	273	-12	Rs 2500/-
1737	-do-	3	-11	Rs 2500/-
1939	-do-	270	-03	A Rs 3750/- B Rs 3000/- C Rs 1500/-
2122	-do-	2	-00	Rs 3750/-

Contd.....5



Out of the above awards, the land under acquisition is part of Kh.No.852 of which 4 big. 1 bis. land was acquired through award No.1939. This Kh.No. was placed in block 'B' of the said award and the classification of land was Rosli and a rate of Rs 3000/- per big. was awarded. In block 'C' of the said award the lands comprising of G.M.'Dher', Nala, Banjar - Qadim, Johar and Pahar were placed and the rate of Rs 1500/- per big. was awarded.

A scrutiny of the land classified in the said award revealed that the nearest Kh.Nos. to the land under acquisition are Kh.No.847 & 848/2. Part of Kh.No.847 was placed in block 'B' (area 4 big. 3 bis) Rosli and another part (0-08) 'G.M.Dher' in block 'C'. Similarly part of Kh.No.848/2(2-13) Rosli was placed in block 'B' and G.M.Dher(0-05) in block 'C'.

The land under acquisition is recorded as G.M.Dher in the Khasra Girdawri Kharif 1959 i.e at the time of preliminary notification and therefore it compares with the land acquired in block 'C' of Award No.1939. This award as such is the best guide in assessing the market value in the present case.

No decisions of the court are available in respect of the land acquired through award No.1939. However, the following decisions are in respect of land acquired through award No.1560, the date of preliminary notification of which is the same as that in the present case i.e 13.11.59.



: 6 :						
Sl. No.	Name of the parties.	Award No.	Rate awarded by LAC	Rate enhanced by ADJ	Kh.Nos.	Classification of land.
1	2	3	4	5	6	7
	Jalam, Khushia Vs. U.O.I	1560	Rs 2500/-	Rs 3750/-	477, 478 479, 480 482/2, 483, 486/2, 486/3, 670/2. ( 60-05)	Rosli
	Jhandu & others Vs. U.O.I	1560	Rs 2500/-	Rs 3750/-	1107/667/2 (0-11)	-do-
	Nihalu & others Vs. U.O.I	1560	Rs 2500/-	Rs 3750/-	446/2 (9-1)	-do-
	Raj Singh & others Vs. U.O.I	1560	Rs 2500/-	Rs 3750/-	1109/667 (0-14)	-do-

The kind of soil of the Kh.Nos. involved in the above cases is Rosli, while the land under acquisition is classified as G.M.Dher. Hence these enhancements could not help us in assessing the market value in the present case. The owners have also not furnished any evidence in support of the rate of compensation claimed.

Therefore, the only alternative is to rely in the assessment made in block 'C' of award No.1939 as said before.

Consequently I consider Rs 1500/- per big. to be fair market value of the land under acquisition and award the same accordingly.

OTHER COMPENSATION:

TREES & WELLS: There are no trees and wells in the land under acquisition, hence no compensation is assessable under this heading.

Contd.....7



STRUCTURES :-

There are the following structures on the land under acquisition:-

<u>Kh.No.</u>	<u>Area</u>	<u>Description of structures.</u>
852/2/1	0-02	Two rooms of pucca bricks.
852/2/2	0-02	Two rooms of pucca bricks.

The claimants Jagat Ram & others have demanded Rs 10,000/- as cost of the structures, but they have not furnished any evidence to show whether these structures were built up before the date of preliminary notification i.e 13.11.59. There are no entries in the Revenue Record in the year 1959 for these structures nor for the period preceding the same. However, as per entries in Khasra Girdawri Rabi, 1965, there is a mention of G.M.Ahta Makan in 4 bis. In view of the above it is presumed that these structures came up after the date of preliminary notification and as such no compensation is payable. The owners are at liberty to remove the malba.

INTEREST :-

The case falls within the purview of the land Acquisition (Amendment & Validation) 1967 as declaration u/s 6 of the L.A. Act was issued on 19.9.67 i.e three years after the date of preliminary notification which is 13.11.59. Interest would therefore be payable from 13.11.62 at 6% per annum on the market value of the land.

SOLITUM : 15% solitium will also be payable on the market value of the land.



Contd.....8



APPORTIONMENT :- Compensation would be payable according to the latest entries in the revenue record. ~~to ownership~~. The compensation of the land would be payable only after possession of the land on removal of structures.

LAND REVENUE :-

The land is assessed to 4 Ps per annum as Land Revenue and the same would be deducted from the Khalsa Rent Roll from the period the possession of the land is obtained.

SUMMARY :-

	Rs	Ps
1. Compensation of land measuring 4 bis. @ Rs 1500/- per big.	300-00	
2. Add 15% solatium	45-00	
3. Interest at 6% per annum w.e.f. 13.11.62 to 15.6.69 (6yrs 215 days) only on Market value of land.	118-60	

Grand Total

463-60

(Rupees Four <sup>hundred</sup> ~~thousand~~ sixty three and paise sixty only)

*Amad Ammar*  
*Today File*

*shalla*  
*23/6/69*

*shalla*  
(V.K.BHALLA)  
LAND ACQUISITION COLLECTOR(MSW)  
DELHI



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

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated the September, 1967

No.F.7(49)/62-L&H:- Whereas it appears to the Lt. Governor of Delhi that land is required to be taken by government at the public expense for a 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 or locality.	Total Area Big.Bis.	Field Nos. or boundaries.
Mehdipur Munriaka.	5 - 2	852/1, 852/2/1 & 852/2/2..

By order,

Sd/-

(M.L.Grover)

Deputy Secretary II (Land & Building)  
Delhi Administration, Delhi.

Dated the 19th September, 1967

No.F.7(49)/62-L&H

Copy forwarded to the:-

1. Public Relations Department, Delhi Administration, (in duplicate) for favour of publication in the Delhi Gazette.
2. Additonal District Magistrate (Land Acquisition), Delhi.
3. Land Acquisition Collector (Mehrauli Circle), Delhi.
4. Legal Adviser, (Land & Building Department), Delhi, Tis Hazari, Delhi.
5. Tehsildar (Land & Building), Delhi Administration, Vikas Bhawan, I.P. Estate, New Delhi.

(M.L.Grover)

Deputy Secretary (Land & Building)  
Delhi Administration, Delhi.

20.9.67

Nov 29 1967