AWARD NO. 883

Mohd.Pur Munirka.

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of acquisition: Permanent.

In pursuance of Notification No.F.15(17)/51-LSG(i), the 8th March, 1957, under section 4 of the Land Acquisition Act, 1894, issued by the Chief Commissioner, Delhi, 889.65 acres of land is under acquisition for the "Housing Scheme" of the Ministry of Works, Housing & Supply, Government of India, at Mohd.Pur Munirka. The Declaration under section 6 of the Act was issued vide Notification No.F.15(17)/56-LSG(ii), of the even date, by the same authority, for the same purpose and area. Because of the emergent nature of acquisition Section 17 of the Act was applied vide Notification No.F.15(17)/57-LSG(iii), of the even date. Because section 17 of the Act could only be applied to the waste or arable land, therefore it was thought advisable to withdraw from certain lands, vide Notification No.F.15(17)/57-LSG(i), dated 9th August, 1958, bearing field Nos.28 min (5 Biswas), 54/3/2/1 (3 Biswas), 114 min (3 Bighas 10 Biswas), 116 min (2 Bighas), 115min (1 Biswa), 118 min (1 Bigha 17 Biswas), 174 (17 Bighas 9 Biswas), 175 (3 Bighas), 188 (6 Biswas 189 (10 Bighas 9 Biswas), 190 (12 Biswas), 191 (18 Biswas), 192 (3 Biswas), 193 (13 Biswas), 194 (1 Bigha-3 Biswas), 195 (1 Bigha), 196(16 Biswas), 197 (1 Bigha 9 Biswas), 198 (18 Biswas), 199 (8 Biswas), 201 (7 Bighas 12 Biswas), 1359/202 to 1371/202 (76 Bighas 1 Biswa), 217 part (2 Biswas), 1144/234 part (4 Biswas), 301 part (1 Biswa), 309 part (1 Biswa), 1256/725 (1 Bigha 7 Biswas), 1257/725m (2 Bighas), 1218/760 part (1 Biswas), 1219/760min (1 Biswa) and 791 min (1 Biswa), measuring 135 Bighas and 2 Biswas or 28.15 acres under stray structures.

A R E A.

| | |
|---|---|
| Notified under section 4 and 6 of the Act. | .... 889.65 acres. |
| Withdrawn u/s 48 of the Act | .... 28.15 acres. |
| Under Grave Yards, Idgah, Mosque & Tombs: Field No.602min (4 Biswas) 649min (7 Biswas), 595 min (2 Biswas), 632 (7 Biswas), 634 (5 Bighas 6 Biswas) and 638 (4 Biswas), totalling 7 Bighas.... | 1.46 acres. |
| Government Land including field No.112/2 .. | 10.96 acres. |
| Net area under acquisition | .....849.08 acres. |

contd..2.

somewhat removed from ... village Ab...

Bighas and 6 Biswas, of which a rate of ...

yard has been proposed by him.

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Block No.VI:

The rest of the area, measuring 2...
7 Biswas consisting of Chahi: 564 Bighas and ...
Rosli: 1617 Bighas and 1 Biswa, Sailab: 185 Bi...
10 Biswas, Banjar Zadid: 17 Bighas and 8 Biswas...
Qadim: 50 Bighas and 8 Biswas, and Ghairmumkin: ...
and 3 Biswas, has been classed as Block No.VI b...
which the rates proposed by him are given below...

Chahi...........@ Rs.3,000/- per bigha.
Rosli...........@ Rs.2,500/- per bigh...
Banjar Zadid
& Banjar Qadim..@ Rs.1,250/- per bigh...
Ghairmumkin.....@ Rs. 625/- per bigh...

DEPARTMENTAL REPRESENTATION:

The Executive Engineer, Central Public ...
Department, Construction Division No.1, New De...
his letter No.9559-61, dated the 28th August, ...
the following rates:-

Block No.I.

Partly developed land belonging to Life Insurance Corporation of India. ...Rs.4,...

Block No.II.

Un-developed land on the West & East of above. ...Rs.3,500

Block No.III(a).

Un-developed land adjoining Mohd.Pur Abadi. ..Rs.3,...

The rate does not apply to Nal... or ...
For Kiln area, rate under V(a) is reasona... yard.
Nallahas rate as under VI(c).

Block No.III(b).

Undeveloped land adjoining Munirka village.

Block No.IV(a)

Land belonging to Sarvoday...
adjoining plots and Porti...
of Brick Kiln (depth u...
with back of III(a).

...

statement or filed in writing by the perso
and the evidence (oral or documentary), prod
to the extent of its being relevant and worth-c
are given in Appendices "B" & "C" respectively.

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C H I E F   D A T A:

The Naib-Tehsildar, Land Acquisition has proposed the following rates, for the land under acquisition, vide his report, dated the 26th August.

Block No.I

Rs.12.50 per sq.yard for an area of 3 Bighas 16 Biswas sold out to the plot-holders as entered in the Revenue Records and a lump sum of Rs.3,44,723.88 for the rest of the area. This is about Field Nos.114 min and 116 situated towards the South of the Ring Road.

Block No.II.

It consists of field No.115 min, measu paid Bighas and 6 Biswas, for which he proposed a r Rs.5.50 per sq.yard.

*Block No.III-A.*

*It is about the area of 100 Bighas and 3 situated near the Abadi of Mohd.Pur, the rate of* thought to be reasonable at Rs.5.00 per sq.yard b

Block No.III-B.

It is situated near the Abadi of Muni measures 20 Bighas and 8 Biswas, of which a ra Rs.4.00 per sq.yard has been proposed by him.

Block No.IV.

This is situated towards the South *Road, adjoining it, measuring 445 Bighas* which the rate has been proposed at Rs.4.0

Block No.V-A.

It is the Brick Kiln area situated South of the Ring Road adjoining it and village Basant Nagar. It measures 717 B Its rate has been proposed at Rs.3.7

*Block No.V-B.*

*This again is the la*

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Excluding Brick Kilns areas, Nallahs and rocky area. The Brick kiln areas are recommended at the rate of V(a), Nallahs at the rate of VI(c) and rocky area at the rate of VI(a).

Block No.IV (b)

As in Block IV(a)..balance. .. ...Rs.1,000/- per bigha.

Excluding Nallah portion, which may be paid at VI(c) rate. Kiln area in this, will be payable at VI(a).

Block V(a)

Brick kiln areas adjoining Ring Road. ...Rs.1,000/- " "

Block No.V(b).

Uneven ground behind brick kiln and back of Mohd.Pur Abadi. ...Rs.1,000/- " "

The rate is exclusive of kiln area, which may be paid @ VI(a).

Block VI(a) @ Rs.3250/-

Levelled and cultivated land. ...Rs. 500/- Tek

Block VI(b)

Levelled and uncultivated land, ind uding paths. ...Rs. 400/- " "

Block VI(c)

Uneven and uncultivated land, including Nallahs. ...Rs. 200/- " "

Block VI(d)

Rocky Land ...Rs. 50/- " "

FAIR AND REASONABLE VALUE:

The land under acquisition has been inspected by me several times. It is bounded by the Ring Road and Government Quarters towards the North, the Abadi of Munirka and its other Agricultural land towards the South, the Boundaries of villages Humayunpur & Hauz Khas towards the East and the Boundry of village Basant Nagar and other Agricultural land of village Mohd.Pur Munirka towards the West. The land under acquisition is not of the same type or quality. It varies in kinds of soil, productive utility, irrigation facilities, advantageous position, special adaptability or potentiality for building purposes, pec liar natural

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characteristics and other distinctive features, which must be taken notice of. It appears to be necessary to categorize the land in question in Blocks of similar quality or type, the exact details of which are given in Appendix "A".

<u>Assessment of valuation of Block No.I.</u>

It is partly developed land situated by the Ring Road and divided into plots. Its development is to the extent of storm-water-drains and pucca roads. It bears field Nos.114 min and 116 min.

Field No.114, measuring 25 Bighas and 1 Biswa, was purchased through Registered Deed No.1124, executed on the 15 th May, 1951, for Rs.81,412.50, @ Rs.3,250/- per pucca Bigha from Servashri Tek Chand, Sri Lal ss/o Hardayal by the Sunlight Insurance Co, about which mutation No.1241, was attested on 20.3.52. Field No.116, measuring 23 Bighas and 12 Biswas, was purchased through Registered Deed No.1125, executed on the 15th May, 1951, for Rs.76,700/-, @ Rs.3250/- per pucca Bigha from Servashri Hukam Chand, Duli Chand, Tek Chand, Ude Ram, Kewal & Neki by the Sunlight Insurance Co, about which mutation No.1242 was attested on 20.3.52. The total area of these field Nos. comes to 48 Bighas and 13 Biswas. Its present position is given below:-

| | |
|---|---|
| Total area purchased, through mutation Nos.1241 & 1242. | ...48 Bighas-13 Biswas. |
| Acquired for the Ring Road, through Notification No.F.24 (1)52-LSG(i), dated 4.7.52. | ... 3 Bighas-18 Biswas. |
| Withdrawn through Notification No.F.15(17)/57-LSG(i), dated the 9th August, 1958. | |
| Field No.114 min. | ... 3 Bighas-10 Biswas. |
| Field No.116 min. | ... 2 Bighas. |
| Situated on the otherside of the Ring Road in the form of 114/2. | ... 0 - 1 Biswa. |
| Excess of araa by Tattima Process | ... 3 Bighas-3 Biswas. |
| Net area under acquisition | ... 42 Bighas-7 Biswas. |

Out of the land under acquisition 3 Bighas and 16 Biswas only is shown to have been disposed of by the Company according to the entries in the Revenue Records, while it

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provided a long list of plot-holders, to whom it is said to have sold out other plots. The details of the sale Transaction through which the plots were mutated in favour of the plot-holders are given below:-

| Sl.No. | Date of execution of Registered Deed. | Mutation No. | Field No. | Area Big-Bis. | Amount | Rate per sq.yard. |
|---|---|---|---|---|---|---|
| 1. | 28.11.52 | 1341 | 114-116/43 | 0 -8 | 5000/- | 12.50 |
| 2. | 22.11.53 | 1342 | 114-116/41 | 0 -4 | 2500/- | 12.50 |
| 3. | 10.1.53 | 1343 | 114-116/40 | 0 -8 | 5000/- | 12.50 |
| 4. | 28.11.52 | 1344 | 114-116/42 | 0 -8 | 5000/- | 12.50 |
| 5. | 28.11.52 | 1345 | 114-116/54 | 0 -8 - | 5000/- | 12.50 |
| 6. | 10.11.52 | 1346 | 114-116/31 | 0 -8 | 5000/- | 12.50 |
| 7. | 18.3.53 | 1368 | 114-116/29 | 0- 8 | 10,000/- | 12.50 |
| 8 | 10.3.53 | 1567 | 114-116/30 | 0 -8 | | |
| 9. | 11.8.53 | 1373 | 114-116/21 | 0 -8 | 5328.75 | 13.31 |
| 10. | 15.12.52 | 1540 | 114-116/57 | 0 -8 | 3200.00 | 8.00 |
| | | Total: | | 3 = 16 | | |

The average of the above sale Transactions comes to Rs.10.71 per sq.yard.

According to the account provided by the persons interested as laid down in Ex.C.W.9/1, the rate per sq.yard comes to Rs.8.67 nP., in respect of Field Nos.114, 116 and 124. This includes the price paid to the vendors, Registration Expenses, Legal Charges, Brokerage, Development Expenses, Demarcation, Establishment Charges, Conveyance, Repairs, Maintenance of vehicles, commission paid in sales and expenses on advertisement, postage, stationery, telegrams, printing etc. Field No.124 has been included in Block No.II. According to the evidence produced the plots were disposed of at the rates ranging from Rs.8/- per sq.yard to Rs.15/- per sq.yard. The copies of the Sale Deeds dated 19.5.52, at the rate of Rs.5040/- per bigha and dated 21.5.52 at the rate of Rs.5166/- per bigha in respect of the transfer of Field No.112/ Kh. 415 were also produced. This field No. is situated adjoining the land of this Block. It was subsequently acquired for the Delhi Road

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Transport Authority vide Award No.805, @ Rs.3250/- per bigha. Ex.C.W.3 contained information that the land of this Block was less developed, to the extent of pucca roads and storm water drains and the provision of sewage, water and electricity etc. had to be made at the expenses of the plot-holders on payment of Rs.1.50 per sq.yard, without which the construction of houses on this land was not permitted by the Delhi Improvement Trust. The persons interested also produced documents containing Sale prices of plots situated in Lajpat Nagar, Jangpura and Kalkajee etc.

This land has since vested in the Life Insurance Corporation of India,.The rates described by the witnesses produced by the persons interested are upto Rs.50/- per sq.yard. Several brokers dealing in land business and the officials of the Company were produced, who stated about the special adaptability of the land under acquisition for a colony and the justification at the rate of Rs.35/- per sq.yard, because of its comparison with the land situated in Vinay Nagar, Diplomatic Enclave, Moti Bagh, Medical Enclave, Defence Colony, Southern Extension Scheme of the Delhi Land & Finance, Green Park and Lajpat Nagar. The officials of the Company certified the account maintained by it. According to the ruling of the Calcutta High-Court the market value is "the price which it will bring when it is offered for sale by one who desires but is not obliged to sell and is bought by one who is under no necessity of having it", while the Bombay High-Court's view is "the price which would be obtainable in the market, for that concrete piece of land acquired with its particular advantages and particular drawbacks, both advantages and drawbacks being estimated rather with reference to commercial value than with reference to any abstract local rate. The Patna High Court held the view that "the market value of the land is "what value would be paid in the market by the purchaser of good ability and well qualified to put the land to the best advantage".

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According to Oudh High-Court the market value means "the price that would be paid by a willing buyer to a willing seller when both are actuated by business principles prevalent at the time that the transaction takes place in the locality in which it takes place". According to the Sind & Rangoon High-Courts the market value of the land may be roughly described as "the price that an owner who is willing but not obliged to sell the land might consistently without reason expects to get from a willing purchaser with whom he is bargaining for the sale and purchase of the land". The Privy Council held the view that in the case of land, its value in general can also be measured by a consideration of prices that have been obtained in the past in land of similar quality and position and this must be meant in general by the market value. The Naib-Tehsildar, Land Acquisition has proposed a rate of Rs.12.50 per sq.yard for 3 Bighas and 16 Biswas and a lump sum of Rs.3,44,723.88 for the rest of the area of this Block, while the Departmental Officer has quoted a rate of Rs.4,500/- per bigha. The rates prevelant in the Diplomatic Enclave, Medical Enclave, Moti Bagh, Vinay Nagar, Defence Colony, Southern Extension Scheme of the Delhi Land & Finance, Green Park, Lajpat Nagar etc. have no relevancy to this case because of their situation at far off places and difference in the position, hold (lease of free), quality and development of land.

This land was originally purchased in the year 1951 at the rate of Rs.1083.33 per bigha which is just over Re 1.00 per square yard. It was partly developed, which might have cost Rs.2/- per sq.yard, because the sewage, water and electricity etc. were to be provided at the time of the Notification under section 4 of the Act. There was some appreciation in the valuation of land in the year 1952 as compared with that of the year 1951. The prices were at the highest pitch at that time and afterwards declined due to the restrictions imposed by the Delhi Improvement Trust and

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The Delhi Development Authority. We are to assess the price of the land, what it was actually worth at the time of the Notification under section 4, rather than to see the ~~mad~~ rush of land-hungry people for throwing out their money without judging the real worth of the land. The Collector, Land Acquisition through his award No.717, assessed the price of a portion of this land, acquired for the Ring Road at Rs.3406/- per bigha. The relevant date in that award was 4.7.52, when the prices were high. Field No.112/2 was acquired for the construction of D.T.S. Staff-Quarters, through Notification No.F.15(85)/55-LSG, dated 12-5-55, at the rate of Rs.3250/- per bigha. This field No. adjoins the land of this Block and there appears to be no reason as to why this rate should be exceeded, except the reasonable margin for the development of this land. Keeping in view the original price at which the land in question was purchased in the year 1951, its subsequent part development, the claim of the Company (Life Insurance Corporation of India), the Evidence produced by it, the Chief-Data provided by the Naib-Tehsildar, Land Acquisition, the Departmental Representation its special adaptability or potential value for building purposes after observation of the spot and various principles adopted by the High-Courts and the Privy Council, I consider a rate of Rs.4.00 per sq.yard, as fair and reasonable and award accordingly.

<u>Assessment of valuation of Block No.II.</u>

This land is situated adjoining or near the Ring Road and is of similar quality. There is no special development in this land, ~~but~~ most of it is suitable for building purposes. It is generally un-excavated land and has distinctly marked features over the other land because of its situation Field No.115, measuring 32 Bighas and 7 Biswas, out of it was purchased through muation No.1489, attested on the 22nd September, 1956 by an oral transaction for Rs.1,77,925/- at the rate of Rs.5.45 per sq.yard. 1 Biswa out of it has been

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withdrawn because of its being under a structure. It was transferred by Servashri Jhandu, Lajjay Ram in equal shares in favour of the Hindustan Housing Company Ltd; Bombay. It was admitted by Shri G.B. Kriplani, a representative of the Company, through his statement; which is on the file that there was no special development in this land. An agreement, dated 25.7.1956, an account of extra costs, receipts of payment of different Bills, copies of Mutation Nos.1368, 1341, 1343, 1344, 1345, 1373, about the transfer of Field Nos.114 and 116 at the rate of Rs.12.50 per sq.yard, a map, a copy of the judgement of the Addl.District Judge, a document for the transfer of Field No.1343/137, measuring 1 Bigha for Rs.6,000/- and Mutation No.1489, for the transfer of the land in question for Rs.1,77,925/- have been produced in evidence. The price advanced for the purchase of this land in the year 1956 is obviously too high. It appears that due care and caution was not taken by the Company in its purchase. About the other land Sale Transactions are available from Rs.3,000/- per bigha to Rs.6348/- per bigha. Those, who took steps cautiously after tackling the owner of the land advanced less amount, while others who did not find time to investigate into the prices and mainly depended upon the Brokers, ~~advanced~~ offered very high rates. I have seen the place. It requires a lot of filling and levelling before it can be appropriated for building purposes. Many transactions took place in this area, of which the average comes to Rs.3900.28 per bigha or Rs.3.87 per sq.yard, with the exception of field Nos.112/2 and 115. The most recent of all these transactions, took place through mutation No.1541,1542 and 1553, on 3.3.57,3.3.57 and 30.1.57 respectively, at the average rate of Rs.4.21 per sq.yard. There must be some inflation in the prices to guard against pre-emption. The most recent award No.805, about the acquisition of land for the construction of D.T.S. Staff-Quarters at the rate of Rs.3250/- per bigha is available, the relevant date of which was 12.5.55. There

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appears to be no reason not to rely upon it especially when the land involved therein is surrounded on two sides by the land of this Block. The claims of the persons interested are exhorbitant. Keeping in view Award No.805, the position and situation of this land, the Chief-Data provided by the Naib-Tehsildar, Land Acquisition, the Departmental Representation and other factors, I consider a rate of Rs.3.75 per sq.yard, as fair and reasonable and award accordingly.

Assessment of valuation of Block No.III.

The position and situation of this Block is similar to that of Block No.II, except the difference that earth generally from 3 to 5 feet has been excavated for the Brick Kilns, which has made the surface level of this land lower than that of other land. The land towards the South West of the Brick Kiln area is better in position, but suffers in situation because of its being away from the Ring Road. Thus from valuation point of view the Block is similar. The prices have suddenly gone down in the other Block and therefore, this Block is distinctly different from Block No.IV. The average of the Sale Transactions took place within the last 5 years in this Block comes to Rs.3.45 per sq. yard. No transaction took place in the year 1957. Only 3 mutations were attested in the year 1952 in respect of 11 Bighas and 2 Biswas of land. One transaction took place in the year 1953 in respect of 1 Bigha and 17 Biswas of land. One transaction took place in the year 1954 in respect of the transfer of 3 Bighas and 4 Biswas of land. The r est of the transactions took place in the years 1955 and 1956, of which the average comes to Rs.3.60 per sq.yard. The average of sale transactions took place in the year 195[illegible] comes to Rs.3.97 per sq.yard. The worth of this land is certainly not more than the valuation of Block II. There must be some reduction in the price in view of the lower level of this land, which though mostly even still require

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much labour and expenses. The prices shown in the sale transactions appear to be inflated to defeat pre-emption suits. These are not in tune with the actual worth of the land. Keeping in view the principles laid down by the various High-courts and the Privy Council, the proposal made by the Naib-Tehsildar, Land Acquisition, the Departmental Representation and other factors, I think Rs.3.00 per sq.yard as fair and reasonable value of this land and award accordingly.

Assessment of valuation of Block No.IV.

The rest of the vast area from the boundaries of villages Humayunpur & Hauz Khas to the boundry of village Basant Nagar which is mainly agricultural contains various types of land. Some of it is well-irrigated, some of it is situated near the Abadi of Munirka, some of it is Sailab & Barani, some of it is Banjar, some of it is under i.e. even surfaced Brick-kilns, and some of it is Ghairmumkin- Mounds, Nullahs, Rocks, most uneven brick-kilns, paths, wells etc. The best land out of it is evidently the irrigated area, but no transaction has taken place in respect of the transfer of this land. Next in importance, on account of its productive utility comes Sailab & Barani land, which was mainly transacted during the period of 5 years subsequent to the date of the Notification under section 4 of the Act. The quinquennial average of this Block comes to Rs.2.35 per sq.yard. This gives the average of Barani & Ghairmumki land. The following transactions in respect of the transfe of Rosli land took place in this Block in the year 1955-56

| Sl.No. | Mutation No. | Rate per bigha. | year. |
|---|---|---|---|
| 1. | 1428 | 2000.00 | 24.3.55. |
| 2. | 1432 | 2000.00 | 30.1.55 |
| 3. | 1433 | 2000.00 | 12.1.55. |
| 4. | 1434 | 2000.00 | 12.1.55. |
| 5. | 1443 | 2547.17 | 19.8.55. |
| 6. | 1481 | 2500.00 | 26.12.55. |
| 7. | 1438 | 2500.00 | 1.4.56. |

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| Sl.No. | Mutation No. | Rate per bigha. | year. |
|---|---|---|---|
| 8. | 1440 | 2500.00 | 1.4.56. |
| 9. | 1482 | 2500.00 | 20.3.56. |
| 10 | 1483 | 5000.00 | 12.4.56. |
| 11. | 1538 | 2500.00 | 22.3.56. |
| 12. | 1538 | 2500.00 | 20.9.56. |

Out of the 12 transactions about the Rosli land took place in the years 1955-and 1956, 6 transactions took place at the rate of Rs.2,500/- per bigha. Out of the 6 transactions about Rosli land took place in the year 1956, the rate of 5 comes to Rs.2500/- per bigha. The rate of the 6th one comes to Rs.5,000/- per bigha, which is obviously abnormal and should be eliminated. No transaction took place in the year 1957, upto the date of the Notification under section 4 of the Act. The average of the sale transactions took place in the year 1956 comes to Rs.2572.39 per bigha. It includes a transaction at an abnormal rate of Rs.5,000/- per bigha and it is, therefore, not reliable. No transaction took place in respect of the transfer of Banjar land within the last 5 years, while only one transaction about purely Ghairmumkin land at the rate of Rs.1846.15 per bigha took place on 16.12.55, through mutation No.1480. It is not safe to rely upon a solitary transaction. The utility of this type of land is much less as compared with that of other lands. The rates recently awarded for the acquisition of land in villages Humayunpur & Hauz Khas, of which the boundaries adjoin with this Estate should also be taken into account. The main difference is that the land under acquisition in Hauz Khas is situated far away from its Abadi in a remote corner. The rate of Humayunpur at Rs.1060/- per bigha was the found from a the transaction ~~highest~~ in that area, while the land in question is situated between the two abadies of villages Mohd.Pur & Munirka of the same Estate. Moreover, there appears to be more demand of land for building purposes in this estate than in villages Humayunpur & Hauz Khas. The prevalent rate of

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of Rs.2500/- per bigha of Rosli land came into being due to the reason that a road to village Palam was under contemplation through its Western part. This invited a large number of persons to go in for transactions at high rates because of its future bright prospectus. This did not materialise. We are to take the land, what it was at the time of the Notification under section 4 of the Act and its actual worth at that time. If the people have advanced high rates because of some idea, the fault is theirs'. To apply the rate of Rs.2,500/- per bigha under these circumstances of the vast area, does not appear to be sound. These were the rates of a piece of land situated on one side of this Block. It is not at all reasonable to spread this rate over the rest of it without actually judging the worth of the land. The claims of the persons interested are exhorbitant. Keeping in view the rates awarded for the acquisition of land in village Humayunpur & Hauz Khas, the prices advanced for certain field Nos.under some idea, which did not materialise, the qualities of various kinds of soil, the chief-data provided by the Naib-Tehsildar, the departmental representation and my own observations of the spot I consider a rate of Rs.2.50 per sq.yard for the irrigated area and Gora Deh, Rs.2/- per sq.yard for Sailab & Barani land, Re.1.00 per sq.yard for Banjar & Brick Kiln area situated near Block No.III and the Abadi of Mohd.Pur and Rs.00.10 nP for the Ghairmumkin land, under most uneven brick kilns, nullahs, paths, rocks, mounds and Nals of wells etc., as fair and reasonable and award accordingly.

W E L L S:

There are in all 46 wells in the land under acquisition. All the wells were inspected by me at the spot. The Central Public Works Department Authoriti[illegible] provided the assessment of these wells. The [illegible] wells are given in Appendix "D". [illegible]

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the expert opinion of the C.P.W.D. Authorities except in the cases given below:-

| Sl.No. | Field No. | Remarks. |
|---|---|---|
| 1. | 20 min | A Taccavi Loan of Rs.2,500/- is generally advanced in this locality for sinking a wel and it is considered to be a substantial aid. This well has been assessed at Rs.1,900 by the C.P.W.D., while at the same time they described it as kacha well from top to water surface/to bottom. They have further added that it is not fit for use and is to be filled up. I quite agree with them and consider it as a useless well. Its value should not be assessed more than Rs.1,000/- in any case. |
| 2. | 28 min | This well is kacha from top to water surfac and is in stone masonry below water surface. It has been remarked by the C.P.W.D. Authorities that it is to be filled up being a kacha well on top. I quite agree with them so far as their opinion is concerned but find it difficult to agree with them regarding its assessment at Rs.2,530/-. It is in fact a useless well and should not be assessed at more than Rs.9,00/- |
| 3. | 29 min | This well is kacha from top to water surface and in stone masonry from water surface to bottom. It has a pucca platform and top masonry with 4 ft. high bricks. It is to be filled up being of no use. The remarks of the C.P.W.D. about the condition of the well are correct, but I find it difficult to agree with them as regards its valuation at Rs.2100/- is concerned, I consider its value at Rs.1,100/- as fair and reasonable. |
| 4. | 306 | Brick masonry in lime, cement mortar by cutting a rock upto 25 ft. It has been sunk recently and is in good condition are the remarks of the C.P.W.D. Authorities, but I find the well in ordinary condition without any plaster in its Nal. A well is ordinarily sunk with the aid of the Taccavi Loan of Rs.2,500/-, which is thought to be a substantial amount for that purpose. I find it difficult to agree with the C.P.W.D. Authorities about the valuation of this well at Rs.3,650/-. I think Rs.2,500/- is its fair and reasonable value. |

Some wells are in very good condition, others are above average or average or below average or far below average or bad or useless. Except the wells given just above I think the prices assessed by the C.P.W.D. Authorities are fair and reasonable and award accordingly.

TREES:

The details of the assessment of trees are Appendix "E", according to the propos which I think to be fair and reasonable and award accordingly.

B U N D S:

The details of the Bunds in the land under acquisition are given in Appendix "F". The assess made by the C.P.W.D. Authorities appears to be r and I award accordingly.

S E V E R A N CE:

No severance allowance is due to any per interested, nor any crop compensation is legitim

S O L A T I U M:

15% will be added to the amount of compensa land, wells, trees and Bunds, for its compulsory of acquisition, under section 23(2) of the Land A Act, 1894.

I N T E R E S T:

Interest at the rate of 6% P.A. would be r from 8.6.1957, in respect of the land, of which the possession was taken on that date upto 7.10.58, the date by which the payment is expected to be made to the pers interested after preparing the statements.

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

As the land under acquisition falls within the Municipal area, therefore, the Delhi Land Reforms Act does not apply to it.

The Life Insurance Corporation of India is sa have disposed of the remaining area also to certain holders, whose names do not exist in the Revenue Rec and therefore, for want of authentic evidence, the should not be made to them. Under these circumstanc the matter of payment of compensation to the Lif Corporation of India, will be referred to the Di for verification and disbursement to the right This could not be done here inspite of producing Registered Deeds in certain cases, because of that at the time of the attestat f the mut might possibly be some lacuna.

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It is for the Revenue officer to judge whet
transactions made are in order and I am not
assume those powers. The Corporation has provi
list of the persons, to whom they have sold out the
plots, which will be forwarded to the District Judge
for keeping this in view.

The position of field No.112 is given below:-

| | |
|---|---|
| Total Area. | ....73 Bighas and 3 Biswas. |
| Acquired for the Delhi Road Transport Authority. | ....52 Bighas and 12 Biswas |
| Situated towards the North of the Ring Road. | .... 4 Bighas and 15 Biswas |
| Acquired for the Ring Road... | 12 Bighas and 9 Biswas |
| Balance. | .... 3 Bighas and 7 Biswas. |

In the Tattima-Shajra made on Mutation No.14
dated 26.7.1958, no balance is left after making th
deductions for the D.T.S., Ring Road and area towar
North of Ring Road, as held by the Learned Land Acqu
Collector in award No.805, dated 5.3.56. I am not p
to rely on the report of the Naib-Tehsildar (Shri
dated 18.2.58.

The Dohlidars are defacto owners of the land
Dohli, therefore, they are virtually entitled to the
amount of compensation. The occupancy tenants hold
substantial status. There is a transaction about t
transfer of occupancy tenancy rights under sectio
the Panjab Tenancy Act, 1887, about field Numbers
1260/1235/491, 1261/1239/491 and 1234/491, measurin
Bighas, @ Rs.620.40 per bigha. This land is situated
outside the land under acquisition. But it is n
make it a basis or criterion to assess the lan
type relying on this solitary transaction, whi
appear to be truly representative. The Naib-
Land Acquisition has proposed a ratio of 10
apportionment of amount of compensation am
tenants and the owners. This has been fo
prevalent at the time of my general att

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records at the spot. Though the occupancy tenants on the one hand and the owners on the other hand demanded something much, but I think the ratio proposed by the Naib-Tehsildar, Land Acquisition to be reasonable and the occupancy tenants should have 10/16 share and the land-owners should have 6/16 share out of the amount of compensation for the land under the occupancy rights. The mortgagees are entitled to the amount of compensation to the extent of mortgage-money involved for the portion of the land under acquisition and the rest of the amount would go to the mortgagor. The Non-occupancy tenants and the Lease-holders are not entitled to any compensation. The compensation of the District Boar[illegible] Bunds would be paid to its successor, the Delhi Municipal Corporation. For the hypothecated lands the first charge wo[illegible] be of the Taccavi Loan and the rest of the amount of comp[illegible] tion, if any, for the hypothecated land would go to the owners of the wells. Within the holding the amount of compensation will be disbursed according to the shares and in case of any excess of his share the vendees would suff[illegible] There is no entry about an area of 1 Bigha-16 Biswas, situated in field No.329. The amount of compensation for this land will be deposited with the District Judge. Where a claimant's [illegible] [illegible]es not exist in the Revenue Records, his case will be referred to the Court. The details of the rights of the persons interested are given in Appendix "G".

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The award is summarised as below:-

| Sl.No. | Block No. | Area in sq. yards. | Rate per sq.yard. | Amount of compensat[illegible] |
|---|---|---|---|---|
| 1. | I | 42,702.92 | 4.00 | Rs. 1,70,811.68 |
| 2. | II | 5,82,665.42 | 3.75 | Rs. 21,84,995.33 |
| 3. | III | 7,23,731.25 | 3.00 | Rs. 21,71,193.75 |
| 4. | IV | | | |
| | Kind of soil | | | |
| | Irrigated & Gora Deh land. | 5,90,127.08 | 2.50 | Rs. 14,75,317.70 |
| | Sailab & Rosli. | 18,17,571.25 | 2.00 | Rs. [illegible]6,35,142.5[illegible] |
| | Banjar & Brick Kilns with even surface. | 2,22,942.50 | 1.00 | |
| | Other Ghairmumkin | 1,60,47[illegible] | 0.[illegible] | |

Reference overleaf: 1707 (371)

Award announced in the presence of the following interested persons and the rest will be informed individually.

Shri [illegible] Sub. Chhatter Singh, Gugan Lambardar, Sri Lal s/ Hardayal, Zalaie s/ Jas Ram, Pearey s/ Mohan Chand, Atli Ram s/ Sri Ram, Mansa s/ Mander, Prithi s/ Sukh Dev, Sub. Jhanda Singh s/ Asa, Fagiri s/ Jhumman, Lijja adopted s/ Ram Sarup, Jhandu s/ Jairam, Ram Singh s/ Bhop Singh, Jai Narain s/ Lachhman, Bhagawan s/ Hari, Sahi Ram s/ Hari, Mathu s/ Sukh Dev, Chhutti s/ Mohan, Puran s/ Udmi, Bhuni s/ Ghasa, Pearey s/ Shera, Rattan s/ Buja, Chhajju s/ Inder, Bhirli s/ Ranjeet, Tulsi s/ Surja, Lachman s/ Tola, Hanuwant s/ Jawahar, Nat Ram s/ Bhiggan, Dhara s/ Jhirmal, Bahale s/ Mitthan, Beli Ram s/ Inder, Sher Singh s/ Roop Ram, Har Bhaj s/ Kallu, Kanhaiya s/ Shib Dayal, Mundey s/ Ram Chand, Sobha s/ Sohan, Chhote s/ Sukh Dev, Man Singh s/ Mohan, Sohlu s/ Bhai Ram. A list showing the names of interested persons other than noted above is attached herewith.

[signature]
Land Acquisition Col.
[illegible]

7—10—58

Nihal s/o Harya – Marji s/o Harya – Lachhman s/o [illegible]
Rup Chand through Sobha Ram Son – Ram Phal s/o Chafma – [illegible]
Lekhan s/o Channa – Des Ram s/o Tara Chand – Lal [illegible]
Fateh Singh s/o Dale Ram – Ram Sahai s/o Dhuli Ram – Mir Singh [illegible]
[illegible] Singh s/o Nathwa – Dakki s/o Khan Singh – Kewal s/o [illegible]
[illegible] Chand s/o Mangi Lal – Chhaju Ram Chand s/o Khushali – Duli [illegible]
[illegible] Chand s/o Rampilat – [illegible] – Ram Sarup s/o Hans Raj
Khushali – Ram Chand s/o Hem Raj – Ram Sarup s/o Hans Raj [illegible]
Khushali – Ram Chand s/o Hem Raj – Risale s/o Daryela – Jit [illegible]
Pirthi s/o Jita through Pahlad Singh – Risale s/o Daryela – Jila [illegible]
Pirthi s/o Jita through Pahlad Singh – Mohan Lal through Mangtu his son – Tekam [illegible]
Ram Mehar s/o Dhan Singh – Mohan Lal [illegible] Amir Lal s/o Dayala – Mangi [illegible]
s/o Har Dayal – Hukam Ram s/o Hira Lal – Panna s/o Mitan [illegible]
Jhumman s/o Daulat – Chand s/o Sis Ram – Sanwalia Mst. Sarup M/o [illegible]
Mangi s/o Pohkar – Mir Singh s/o Sanwalia – Balbir s/o San[illegible]
[illegible] Chand s/o Khelar – Chandgi s/o Khelu – [illegible]
Advocate for Nar Ram Dittamal + Mst. Vai[illegible]
[illegible] s/o Bhar[illegible] s/o Tikkha – Mangi s/o [illegible]
[illegible] s/o [illegible] Kari [illegible]

Reference overleaf. 1707 (371)

Award announced in the presence of the following interested persons and the rest will be informed individually.

Shri Sub. Chhallar Singh, Gugan Lumbardar, Sri Lal s/ Hardayal, Zalam s/ Jas Ram, Peary s/ Mohan Chand, Jiti Ram s/ Sri Ram, Mansa s/ Mander, Prithi s/ Sukh Dev, Sub. Jhanda Singh s/ Asa, Faqiria s/ Jhumar, Lijja adopted s/ Ram Sarup, Jhandu s/ Jairam, Ram Singh s/ Bhup Singh, Jai Narain s/ Lachhman, Bhagawan s/ Hari, Sahi Ram s/ Hari, Mathu s/ Sukh Dev, Chhelli s/ Mohan, Puran s/ Udmi, Bhimia s/ Ghasi, Peary s/ Shera, Rattan s/ Buja, Chhajju s/ Inder, Bhirli s/ Ranjas, Tulsi s/ Surjan, Lachman s/ Tola, Hanuwant s/ Jawahra, Nat Ram s/ Bhoppan, Dhara s/ Dharma, Bahale s/ Mithan, Beli Ram s/ Inder, Sher Singh s/ Roop Ram, Har Bhaj s/ Kallu, Kanhu s/ Shib Dayal, Munshi s/ Ramchand, Sobha s/ Sohan, Chhotu s/ Sukh Dev, Man Singh s/ Mohan, Sobha s/ Bhai Ram. A list showing the names of interested persons other than noted above is attached herewith.

Land Acquisition Col.

7—10—58

Nihal s/o Harya – Marji s/o Harya – Lachhman s/o … Rup Chand through Sobha Ram Son – Ram Phal s/o Chunna – … Lekhan s/o Chunna – Des Ram s/o Tara Chand – … Fateh Singh s/o Dale Ram – Ram Sahai s/o Buli Ram – … Kewal s/o … Singh s/o Mathwa – … s/o … Singh – … Kanwar Chand s/o Khushali – … Tek Chand s/o Mangilal – … Ram Sarup s/o … Raj – Khushali – Ram Chand s/o Hem Raj – Risale s/o Daryalal – … Pirthi s/o Jita through Pahlad Singh – … Mohan Lal through Mangtu … – Tikaram – Ram Mohan s/o Dhan Singh – … Amilal s/o Dayal – … s/o Har Dayal – Hari Ram s/o … Lal – … Ram – Pamma s/o Molandu – Jhumman s/o Daulat – Chand s/o … Ram – … Singh s/o Sanwalia – Mst. Sarup w/o … – Nanu s/o Pokhar – … s/o Akhe – Balbir s/o San… – … Chand s/o Kholar – Chand s/o … – Advocate for Mrs. Ram Dittamal + Mrs. Vai… – … s/o Pokhar – Bhagat s/o Trikha – Manji s/o …

B/F.

| | | |
|---|---|---|
| | | Rs. 98,76,451.08 |
| Compensation for wells. | .... | Rs. 1,15,848.00 |
| Compensation for Trees. | .... | Rs. 3,991.25 |
| Compensation for Bunds. | .... | Rs. 8,074.00 |
| | | Rs. 1,00,04,364.33 |
| Add 15% towards compulsory nature of acquisition. | .... | Rs. 15,00,654.65 |
| Add interest @ 6% P.A. from 8.6.57 to 7.10.58 except in the case of land (including trees), of which the possession was not taken on 8.6.57, as given in Schedule "H". | ... | Rs. 9,04,229.98 |
| GRAND TOTAL:- | | Rs. 1,24,09,248.96 |

LAND REVENUE DEDUCTION:

An amount of Rs.648.19 will be deduced from the Khalsa Rent Roll of village Mohd.Pur Munirka, from Kharif, 1957, and about the rest of the amount of Rs.10.11 it will be deduded from the Khalsa Rent Roll of the same village from the harvest next following the date of possession.

Murari

( Murari Singh )
Land Acquisition Collector, Delhi.

Dated: 1st September, 1958.

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

Murari

( Murari Singh )
Land Acquisition Collector, Delhi.

3/9/58

Top Priority

LAA

For favour necessary action please
3.9.58

Field Nos.638 and 649 are
at the time of the last settlement, but a
by the local-owners. The land actually under
comes to 4 ~~Biswas~~ Bighas and 7 Biswas respectively. T
Tomb covering an area of 2 Biswas in field No
Grave-yards in field Nos.602 and 632. In no
the religious places of worship,tomb or gra
be acquired under para 9 of the Standing Order N
Even though possession has been taken of these pl
it is contrary to the instructions and the proce
in this respect are therefore, void. The discrep
the area has occured on account of the mis-calcula
of area and incorrect measurement at the spot. Sat
has been made about the meaaurement now. The detail
the field Nos. with area of the land under acquisit
are given in Appendix "A", in the shape of Bloc
for valuation purposes.

<u>C O M P E N S A T I O N.</u> (337)

The protected ancient monument in f
is in fact a Tomb and cannot be acquired und
the Financial Commissioner, Panjab Standing Orde
There is no need to write to the Archaeologic
in this respect. The un-protected ancient mo
shown as the property of individual land-owne
Revenue Records are Historical Treasure, over
persons had not spent anything. These are
too, therefore, no compensation is due f
unprotected ancient monuments, grave-yard
are being left out and a move about their
is being made separately. Field No.112,
Delhi Road Transport Authority, about
can be made by Book-Transfer. The att
Requiring Department is being drawn in this
separately.

Thi.

<u>CLAIMS & EVIDENCE:</u>

The details of the claims made thro

cont