

AWARD NO. 685

Village:

Purpose:

MOHD. PUR MUNIRKA.

Housing Scheme of the Ministry of Works, Housing & Supply, Government of India.

Nature of acquisition: Permanent.

Notification u/s 4: F.15(17)/57-LSG(i), dated 10-9-1957.

Notification u/s 6: F.15(17)/57-LSG(ii), dated 10-9-1957.

Notification u/s 17: F.15(17)/57-LSG(iii), dated 10-9-1957.

A R E A:

These pieces of land escaped through oversight to be included in the main notification of even number, dated the 8th March, 1957. The details of field Nos. with area and kind of soil are given below:-

<u>Field No.</u>	<u>Area</u>		<u>Kind of soil.</u>
	<u>Big.</u>	<u>Bis.</u>	
933/68/2	1	- 2	
934/68/2	0	- 17	Ghairmunkin Pahar
935/68	2	- 9	Ghairmunkin Pahar
936/68	3	- 12	do.
937/68/1	1	- 14	do.
937/68/2	4	- 0	do.
938/68	5	- 17	do.
939/68	4	- 4	do.
940/68	7	- 9	do.
1274/69	16	- 2	do.
1275/69	15	- 15	Ghairmunkin Bhatta
347/1	0	- 5	do.
404/1	6	- 4	Rosli.
404/2	2	- 4	do.
1007/432	1	- 14	do.
1008/432	0	- 8	Ghairmunkin.
1009/432	2	- 10	Ghairmunkin Pahar.
1010/432	2	- 7	do.
433	3	- 6	do.
1016/575	8	- 16	do.
1318/602/1	2	- 13	Rosli.
	0	- 16	Rosli.
			Chahi.
Total:-	94	- 4	or 19.62 acres.

According to the Notifications the area is 18.16 acres, but by actual measurement at the spot it works out to be 19.62 acres. The area involved in field No. 402 was disputed by the claimants (Panch-Shil Society). The area entered in the Revenue Records is 3.18 Biswas, while the claimants claimed 4 Bighas. The change in area took place due to Tittama-Shaji which was reduced by 2 Biswas on that account. The objection is, therefore, frivolous. There is no other objection to the measurement of the area, of which the classification is as follows:-

contd....



given below:-

Kind of Soil	Area.	
Chahi.	Big-Bis.	
	0 - 16	
Rosli.	20 - 2	
Ghairmunkin	73 - 6	Out of which 4 3/4 Biswas of 1/4 Ghairmunkin 1/4 31 Bighas and is under Brick

# COMPENSATION.

(a) CLAIMS: The following persons interested. ch  
filed their claims, of which the details are given below  
Holding No. Claims made.

- 18 Rs.7,752/- on account of purchase price  
@ Rs.3230/- per bigha, Rs.2,500/- on account  
of compound interest @ 9% P.A. for 6 1/2 yrs.
- 45 Rs.75/- per sq.yard plus 15% on account of  
compulsory nature of acquisition.
- 51 Rs.75/- per sq.yard plus 15% thereon on  
account of compulsory nature of acquisition.
- 66 Rs.15/- per sq.yard plus 15% thereon on  
account of compulsory nature of acquisition.
- 69 Rs.42/- per sq.yard plus 15% on account of  
compulsory nature of acquisition plus  
6% P.A. on account of interest.
- The Indian Financial Association of Seventh  
day Adventists claimed compensation for land  
@ Rs.12000/- per bigha plus 15% u/s 23(2)  
and 6% interest.
- The society also claimed in the main file  
Rs.500/- and Rs.100/- on account of Architect-  
ural land and petition expenditure.
- 71 Rs.15/- per sq.yard plus 15% thereon on  
account of compulsory nature of acquisition  
and 6% on the total sum as interest.
- 75 Rs.15/- per sq.yard plus 15% on account of  
compulsory nature of acquisition plus  
6% on account of interest.
- Vendees Shri Ratan Lal & Shri Janki Dass  
filed no claim.
- 87 Rs.75/- per sq.yard.
- 106 Rs.150/- per sq.yard.
- 108 Rs.15/- per sq.yard plus 15% on account of  
compulsory nature of acquisition and 6%  
interest.
- 109 Rs.12/- per sq.yard plus 15% on account of  
compulsory nature of acquisition and 6%  
on account of interest.

.III,

cc. 5.

ack No.

as or 806.66 sq.

contd



Holding No.

Claims made.

- 112 Rs.15/- per sq.yard.
- 112 Rs.25/- per sq.yard plus 15% u/s 23(2) <sup>as in file no 149/63.</sup>  
Claimed a rate of Rs.12/- per sq.yard  
for land through statement of Shri  
Fateh Singh on the 28th May, 1958.
- 119 Rs.15/- per sq.yard for land.  
Panch Shil Co-operative Society for  
Smt.Vidya wanti etc. claimed Rs.15/-  
per sq.yard plus 15% for compulsory  
nature of acquisition plus Rs.18412/26 nP.  
towards miscellaneous expenditure.
- Servashri Sarbjit Singh <sup>and</sup> others through  
Panch Shilla Society claimed as above. ch
- Smt.Smitra Devi Share-holder..1/23  
filed no claim.
- Sh.Daya Sarup Nehra shareholder..1/23  
demanded compensation prevailing on the  
relevant date or land for land. n
- Shri Bhartu & Sh.Chhajju.owners demanded  
Rs.15/- per sq.yard for land plus 15% for  
compulsory nature of acquisition plus  
6% towards interest. June, ard.

In fact most of the persons interested filed their claims  
in respect of the acquisition of land of about 1100 acres, e  
in which these pieces of land escaped notice. They have value  
mentioned in their claims that the claims and evidence allowed  
already filed and produced by them be considered in this for  
file also. ntal

CHIEF DATA: The Naib-Tehsildar, Land Acquisition, main file

his chief-data, dated the 15th September, 1958 suggested 1, Naib-  
adopt the same rates, which were awarded in the main file, according to spot on  
grouping these scattered bits of land in consonance with lldar, Land  
Blocks already formed in the main file, according to him. This  
field Nos.933/68/2, 934/68/2, 935/68, 936/68/, 937/68/ent out of it  
37/68/2, 938/68, 939/68 and 940/68, measuring 31 Bighas  
Biswas or 31,460.00 square yards, because of their ; the thir  
akin to Block No.II should be classed as such. Becausee 4th one i  
situation and adaptability similar to Block No.III, of the lar  
s.1274/69, 1275/69 and 347/1, measuring 32 Bighas ...5.  
was or 32,367.50 sq.yards be classed as Block No.  
rest of the land measuring 16 Biswas or 806.66



yards of Chahi, 19 Bighas and 17 Biswas or 20,015.42 sq. yards of Rosli and 10 Bighas and 5 Biswas or 10,335.42 sq. yards of Ghairmunkin Pahar & Nullah, totalling 30 Bighas and 18 Biswas or 31,157.50 sq.yards be classed with Block No.IV, on account of its similarity with that. He further suggested that for the purposes of this award the land under acquisition be re-grouped as under:-

<u>Group "A"</u>	..... 31,460.00 sq.yards.
<u>Group "B"</u>	..... 32,367.50 sq.yards.
<u>Group "C"</u>	..... 31,157.50 sq.yards.

The relevant date of the previous Notification was the 8th March, 1957. The relevant date with reference to which market value of this land is to be assessed differs from the relevant date of the main Scheme.

This Notification was the result of omission occurred during the preparation of the main notification and possession of this land was also taken on the 8th June, 1957 alongwith the land, subject matter of the main award. It was advisable that value of this land might also be determined on the same basis and rates, the market value was assessed in the main award. That the rates to be allowed for Block Nos.II, III & IV might be made applicable for the land grouped as A, B & C here.

3. DEPARTMENTAL REPRESENTATION: The Departmental Officer has already made his representation in the main file which also inculdes *This land.*

4. FAIR & REASONABLE VALUE: I inspected the spot on the 17th September, 1958, with Servashri Amin Lal, Naib-Tehsildar, Land Acquisition and Jai Narain, Kanungo, Land Acquisition. The proposal made by the Naib-Tehsildar, Land Acquisition is sound and I generally agree with him. This land is situated in scattered pieces. One fragment out of it is situated towards the South of the Ring Road adjoining it. One bit is situated near the Abadi of Mohd.Pur; the thir one is situated near the Abadi of Munirka; the 4th one is situated on the extreme North Western Corner of the lar

contd.....5.



under acquisition and the rest are situated adjoining the boundry of Basant Nagar. The Eastern part of fragment No.1 is situated on a high level and is similar to Block No.II of the main scheme. The Western part of it is under the brick kilns and is similar to Block No.III. So, is the case with field No.347. The rest of the area is situated within Block No.IV and is similar to that. None of these <sup>pieces</sup> is Gora Deh or under brick kilns of even surface. <sup>Neefm</sup> ~~Other~~ classwise rates of that Block are applicable to these pieces of land, according to their kind of soil. The matter has been discussed at length in the main award i.e. Award No.883. The Notification under section 4 of the Land Acquisition Act, 1894 in that case was issued on the 8th March, 1957, while in the present case the Notification under section 4 of the Act was issued on the 10th September, 1957. There is a margin of 6 months during which no considerable appreciation of valuation took place. Hence, keeping in view the claims of the persons interested together with their evidence, the Chief-data provided by the Naib-Tehsildar, Land Acquisition and other factors I consider a rate of Rs.3.75 per sq.yard for Group "A", Rs.3.00 per sq.yard for Group "B" and Rs.2.50 per sq.yard for the irrigated area, Rs.2.00 per sq.yard for Rosli land and Rs.00.10 nP per sq. yard for Chairmunkin Land of Group "C", as fair and reasonable, which I award accordingly.

COMPENSATION FOR STRUCTURES:

There is a kotha, which is simply a pile of bricks and can hardly be called a structure. It was constructed after the date of the Notification in an unauthorised manner, about which no entries exist in the Revenue Records, up to that time. This is situated in Burma-Shell Company's land. No compensation thereof is legitimate. There is no well or structure worth consideration in the land under acquisition.

COMPENSATION FOR TREES:

There is 1 Kikar tree weighing 2½ maunds in field

contd....6.



No.936/68 and there are one Ronjh & 1 Neem trees weighing 2 and 8 maunds respectively in field No.939/68, belonging to Noat Ram s/o Bhajan & Dhare s/o Dharma ..owners. As recommended by the Naib-Tehsildar, Land Acquisition, with whom I agree, they are entitled to Rs.18.75 as compensation of these trees. x

SOLATUM

15% on the amount of compensation for land and trees should be added under section 23(2) of the Act.

COMPENSATION FOR SEVERANCE:

Parts of field Nos.347 and 1318/802 have been included in the land under acquisition. The other part of field No.347 is <sup>ear</sup>marked for acquisition for a different purpose; therefore the question of severance in this case does not arise. About the severance of the other part of field No.802 from the one included in this Notification, no hard-ship is likely to be caused to the land-owners to render it inconvenient for them to make full use of it; therefore no case of severance is made out.

INTEREST:

The possession of the land under acquisition was taken and handed over <sup>to</sup> the Department on the 8th June, 1957; therefore, interest at the rate of 6% P.A. would accrue from that date on the amount of compensation upto the anticipated date of payment, which is fixed for the 7th October, 1958 (for the announcement of the main award).

APPORTIONMENT:

Holding-wise details of the persons interested are given below:-

Sl.No.	Holding No.	Owners	Field No.	Area	Kind of soil
				Big-Bis.	
1.	18	Ram Nath s/o Madho Das	935/68	2 - 9	Ghairmunkin Pahar.
2.	45	Sultan s/o Prabhu & Naurang s/o Bodal in equal shares.	1318/802/1	0 - 16	Chahi.
3.	51	Ram Mehar s/o Kirpa	1007/432	0 - 8	G.M. Pahar.

contd...7.



Holding No.	Owners	Field No.	Area	Kind of soil.
			Big-Bis.	
66	Ram Pat & Jai Narain ss/o Lachhman. in equal shares.	1008/432	2 - 10	G.M. Pahar.
69	Sobha & Bhagwana ss/o Bhairam in equal shares.	1009/432	2 - 7	G.M. Pahar.
-do-	Indian Financial Association of Seventh Day Adventists.	433	8 - 16	Rosli.
71	Ram Phal s/o Chunna, Khem Chand, Jai Ram, Bhim Singh & Hari Singh ss/o Ghasi. in equal shares.	1010/432	3 - 6	G.M. Pahar.
75	Bhagwana, Sahi Ram, Ram Parshad ss/o Hira in equal shares.....1/6 Ram Pat, Jai Narain ss/o Lachhman in equal shares.....1/6 Sobha & Bhagwana ss/o Bhairam in equal shares.....1/6 Ram Phal s/o Chhunna.1/8 Khem Chand Jamadar, Jai Ram, Bhim Singh Hari Singh ss/o Ghasi in equal shares.....1/8 Shiv Sahai, Ragnath, Hanwant, Jai Lal & Mansa Ram ss/o Jawahar in equal shares.1/4 Vendees: under Shive Sahai etc. etc. ss/o Jawahara shareholders:- Sh. Ratan Lal s/o Mohan Lal Kaushak.....1/3 Sham Sunder s/o Rikhi Kesh Vashist. ....1/3 Sh. Janki Dass s/o Ganda Mal Aggarwal.....1/3	347/1	0 - 5	Rosli.
87	Mst. Manbhari m/o Chet Ram, Man Singh, Nihala & Chhattar ss/o Mohan Lal in equal shares.	1016/575	2 - 13	Rosli.
106	Burmah-Shel Co-operative Housing Society Ltd., New Delhi.	933/68/2	1 - 2	G.M. Pahar.
108	Not Ram s/o Bhajan & Dhara s/o Dharma in equal shares.	936/68 939/68 1274/69 1275/69	3 - 12 4 - 4 16 - 2 15 - 15	G.M. Pahar. G.M. Pahar. G.M. Bhatta G.M. Bhatta.
			39 - 13	
109	Smt. Daljit Kumari Pal w/o Sh. Rajinder Singh Pal.	934/68/2	0 - 17	G.M. Pahar.
112	Mauji Ram s/o Ghansham	937/68/1	1 - 14	G.M. Pahar.
	Fateh Singh, Capt. Nihal Singh, & Ram Sahai ss/o Dula Ram in equal shares.	937/68/2	4 - 0	G.M. Pahar.



Khevat No.	Owners	Field No.	Area Big-Bis.	Kind of soil
119	Har Narain Gopal Das, Devinder Kumar Her Narain, Kailash Chand Harnarain, Arun Kumar Harnarain, Attal Kumar Harnarain all in equal shares. ....1/2	938/68	5 - 17'	G.M.Pahar.
	Raja Ram, Gopal Dass, Ramesh Chander Raja Ram, Suresh Chander Raja Ram all in equal shares. ....1/2			
do	Smt. Vidya Wanti w/o Sh. Barkat Ram, Samba. ....2/15			
	Sh. Ajudhia Nath Khosla. ....2/15	404/1	6 - 4	Rosli.
	Smt. Satya Wati Mehta w/o Sh. Prithvi Raj Mehta. ....2/15			
	Sh. Prem Nath Thappar. ....2/15			
	Sh. Karnail Singh, General Manager. ....2/15			
	Sh. Ganga Bishan Batra. ....2/15			
	Sh. Rajinder Nath Marwaha. ....1/15			
	Sh. Tirlok Singh. ....2/15			
119	Sh. Sarabjit Singh s/o Raghbir Singh. ....2/23	404/2	2 - 4	Ghairmunkin.
	Sh. Gurdian Singh. ....2/23			
	Sh. P. N. Nanda. ....1/23			
	Sh. P. L. Kapur s/o Mehra Ram Kapur. ....2/23			
	Sh. Daya Sarup Mehra. ....1/23			
	Smt. Smitra Devi w/o Kapur Chand .....1/23			
	Shri Siri Ram s/o Het Ram. ....2/23			
	Smt. Shakuntla Devi w/o S. Saran. .....1/23			
	Sh. Narhari Rao. ....2/23			
	Smt. Lajjya Sarin w/o Balbir Singh Sarin. ....1/23			
	Sh. Kanwar Sen. I. S. F. ....1/23			
	Sh. R. P. Burman I. S. F. ....1/23			
	Kumari Sanah Burman d/o R. P. Burman. ....1/23			
	Smt. Tripta Sharma w/o Major D. N. Sharma. ....1/23			
132	Bhartu s/o Tirka & Chhajju s/o Inder in equal shares. ....1/23	940/68	7 - 9	G.M.Pahar.

The land under acquisition is not Governed by the Delhi Land Reforms Act, 1954 because of its being included in the Improvement Trust Town Expansion Scheme in the jurisdiction of Municipalities. There is one mortgagee in field No. 935/68. Proportionate redemption money would be the first charge for payment to the mortgagee, while the balance, if any, would go to the mortgager-owner. Compensation for

contd....9.



field No.1116/575 owned by Smt.Manbhari will be paid in accordance with the decision to be taken on Mutation No.1402, which is pending. If it is not decided by the time the award is announced, the amount of compensation shall have to be deposited with the District Judge. Similarly all disputed cases, if any, would be referred to the District Judge along with the amount of compensation under section 31(2) of the Act. The rest of the amount would be disbursed to the persons interested according to their recorded shares."

The award is summarised as below:-

Sl.No.	Name of group	Area in sq.yards.	Rate per sq.yard.	Amount of compensation
1.	"A"	31,460.00	3.75	Rs. 1,17,975.00 ✓
2.	"B"	32,367.50	3.00	Rs. 97,102.50 ✓
3.	"C"			
	Chahi.	806.66	2.50	Rs. 2,016.65 ✓
	Rosli.	20,015.42	2.00	Rs. 40,030.84 ✓
	Ghairmunkin.	10,335.42	0.10	Rs. 1,033.54 ✓
Total:-				Rs. 2,58,158.53
Compensation for trees.				Rs. 18.75
Total:-				Rs. 2,58,177.28
Add 15% on account of compulsory nature of acquisition.				Rs. 38,726.59
Total:-				Rs. 2,96,903.87
Add interest @ 6% P.A. on Rs.2,96,903.87 from 8.6.57 (the date of taking over the possession) upto 7-10-58 (the anticipated date of payment).				Rs. 23,768.57
GRAND TOTAL:-				Rs. 3,20,672.44

# REDUCTION IN LAND REVENUE:

An amount of Rs.9.62 will be deducted from the Khalsa Rent Roll of village Mohd.Pur Munirka, from Kharif, 1957.

Dt.20.9.1958.

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

(Munari Singh)  
Land Acquisition Collector, Delhi  
(Munari Singh)  
Land Acquisition Collector, Delhi



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

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

No.F.15(17)/57-L.S.G.(i).

Dated the 10/8 August, 1957

Whereas it appears to the Chief Commissioner of Delhi that land is likely to be required to be taken at the public expense for a public purpose, namely for Housing Scheme it is hereby notified that the land described in the Schedule 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 concerns.

In exercise of the powers conferred by the aforesaid section, the Chief Commissioner of Delhi 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 authorised by that section.

The Chief Commissioner of Delhi being of opinion that the provisions of section 17(1) of the said Act, are applicable to the land is further pleased, under Sub-Section 2 of the said section, to direct that the provisions of section 17 of the said Act shall not apply.

SPECIFICATION.

<u>S.No.</u>	<u>Distt</u>	<u>Tehsil</u>	<u>Village</u>	<u>Approximate Area.</u>	<u>Kh Nos</u>	<u>when plan Insp</u>
1.	Dolhi	Delhi	Mohd Pur Munirka	18.16 acres	933/68/2 934/68/2, 935/68/ 936/68 937/68, 938/68 939/68, 940/68 1274/69 1275/69 347pt 404, 1007/ 1008/432, 1009/432 1010/432, 433, 1011/ 802 pt	Offi the

By Order,

( SHAM SUNDAR )  
ASSISTANT SECRETARY (LOCAL SE)  
DELHI ADMINISTRATION: DELHI

No.F.15(17)/57-L.S.G.(i).

Dated the 10/8 August,

Copy forwarded to the:-

1. Recruitment & Services (in duplicate) for fav publication in Part V of the Delhi Gazette.
2. Assistant Secretary, Delhi Development (Provi) Auth, Regal Building, New Delhi with reference to his No. 4/57 dated the 28th May, 1957,
3. Land Acquisition Collector, Delhi
4. Deputy Secretary to the Government of India, Ministry Health, New Delhi.

P.T.O.