

A W A R D No.

1649

Name of the Place:

Roop Nagar.

Nature of the Acquisition:

Permanent.

This is a case for the acquisition of plots in the locality named Roop Nagar required by the Government at the expense of Municipal Corporation for a public purpose, namely for the construction of Staff Quarters and other purposes. A declaration under section 4 of the Land Acquisition Act was made vide Notification No.F.15(76)/59-DSG dated the 18th January, 1960. The substance of the Notification was given due publicity and objections were invited from the interested persons. Only one objection, from Sh. Man Singh s/o Sh. Karan Singh, was received. The objection was heard and the objection in original was sent to the Chief Commissioner for taking a decision on the objections. The objection was rejected and a declaration under section 6 of the Land Acquisition Act was made vide Notification No.F.(76)/59-DSG dated 19.2.60. Notice under section 9(1) of the Land Acquisition Act was given due publicity, while notices under section 9(3) and 10(1) have been issued to the interested persons.

MEMORANDUM & OWNERSHIP.

According to the Notification under section 6 of the Land Acquisition Act the total area to be acquired was 2255 sq.yds. From verification made under section 8 of the Land Acquisition Act the area is found to be only 2137.70 sq.yds.

There is a minor difference of only 37 sq.Yds. which is ignored. The measurement is, therefore, held to be correct at 2197.70 sq.yds. The ownership of the land under acquisition is given below:-

Sl.No.	Name of the owner	Plot No.	Area sq.yds.	Claim made
X1.	Bhagwan Dass s/o Shana Ram Smti Prem Vati w/o Bhagwan Dass	91	225.30	Rs.200/- per sq.yd.
2. ✓	Madan Gopal s/o Lal Chand	18 102,103.	266.66 433.54	do Rs.175/- per sq.yd.
3. X	Smt. Shanti Devi w/o Malik Chand	90	224.40	Rs.200/- do
4. ✓	M/S Girdhari Lal Karan Singh	22,23, 24.	784.50	Rs.275/- do
5. X	Magsudan Lal and Gurcharan Lal s/o Bhagwan Dass	21	263.50	Rs.85,400/-

Note:- There are some tenants on the Land under acquisition.

The details of these tenants are given below:-

Sl.No.	Name of the tenant	Plot No.	Rent per month.	Claim made
1.	Jannoo Ram s/o Dayal Dass, Bhim Singh s/o Dayal Singh.	18	Rs.25/-	No claim.
2.	Kuldip Singh Proprietor of M/S Delite Paints & Hardware Stocks.	21	Rs.100/-	Rs.23,000/-
3.	Kailash Nath Mehra s/o Kidar Nath.	21	Rs.100/-	Rs.6,000/-
4.	Lal Chand s/o Chela Ram.	21	Rs.200/-	Rs.9,000/-

Note:- From the verification made on the spot and from

Municipal Corporation register Sh. Lal Chand is found to be paying a rent of Rs.100/- per month.

5.	Lal Chand s/o Chola Ram.	22	Rs.60/-	12,000/-
6.	Smti Gulab Devi	22	No rent	Alternative accommodation.
7.	" Ram Payari wd/o Brij Lal.	22	do	Alternative plot.
8.	Gulab Chand s/o Siya Ram.	22	do	Rs.5,000/-
9.	Umar Chand s/o Mohan Lal.	22	Rs.20/-	No claim.

Note:-He has put up a Motor Workshop.

10.	Jagpat Ram Gupta	23	Not ascertain- able.	No claim.
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Note:- This man has left the place and an other man,
Ambika Parshad has occupied his kacha very recently.

11.	M/S Amar Nath, Banarsi Dass.	24	Rs.55/-	Alternative accommodation.
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Shri Bhugwan Dass etc. have stated that they purchased their plot in the year 1956 for a sum of Rs.13,460, including all the expenses. They have produced no copy of the registered deed. By this transaction a rate works out to be Rs.60/- persq.yd. They further, have produced a copy of sale certificate, according to which plot No.24/156 in Shakti Nagar measuring about 260 sq.yds., was sold for a sum of Rs.49,000/- , against claims. The rate, according to this transaction, works out to be about Rs.190/- per sq.yd. The date of auction is 8.2.58. Another sale by the Custodian regarding plot no.24/155 in Shakti Nagar has been made, according to which an area of about 160 sq.yds., was auctioned against the claims of Rs.39,750 on 5.2.58 and the average of this transaction works out to be about Rs.245/- per sq.yd. These two transactions

were made against the claims by displaced persons. These are, therefore, no reliable transactions for arriving at the market value of the land under acquisition.

MARKET VALUE

The land under acquisition is situated in Kooz Nagar. Plot Nos. 18, 21, 22, 23 and 24 are situated on the Grand Trunk Road just near the traffic island of Shakti Nagar and are placed in Block A on account of good situation. Plot Nos. 102 and 103 are situated in a lane behind the front line and plot Nos. 90 and 91 are in the next lane, these are therefore, placed in Block B.

Block A.

Property named Palm Villa on the Grand Trunk Road, in front of the land under acquisition, was sold on 22.3.50 at a rate of Rs.91 per sq.yd. This property had some structures on it, while the front line plots except plot No.21 have no structures. This sale transaction is of a date 7 months after the date of notification under section 4 of the Land Acquisition Act. Moreover, there were no squatters on the land of Palm Villa, while these plots are squatted upon. The market price of these plots is, therefore, much less than the price of Palm Villa. The Municipal Corporation of Delhi purchased plot Nos. 13 to 17 adjacent to these plots on 5.10.59 at a rate of Rs.53/- per sq.yd. for the Delhi Development Authority. These plots are in similar situation as the plots in this Block. It appears that at the time of sale by the Delhi Development Authority in favour of the

Municipal Corporation the squatters were sitting on that land ⁱⁿ ~~agreed~~. The position of the two areas is, therefore, similar. The date of notification is January, 1981, that is about 3 months after these transactions. I consider this transaction to be a very true indication of the market value of the land on the relevant date and award Rs.55/- per sq.yd. for the plots in Block A.

Block B.

The Municipal Corporation also purchased plots Nos. 104 and 105 adjacent to plot No.103 at a rate of Rs.36/- per sq.yd. on the same date from the Delhi Development Authority. These plots are similar in situation as the plots of Block B. Since the date of notification is only 3 months after the date of this transaction, I consider the rate of Rs.36/- per sq.yd. to be reasonable for the back lane plots, that is plot Nos.90,91,102 and 103 and award this rate for these plots.

OTHER COMPENSATIONS

There is a well built structure in plot No.21. This structure was constructed after the date of notification under section 4 of the Land Acquisition Act and, therefore, no compensation can be given for the structure. The structures in the other plots are purely temporary and are of the such material which can be easily removed. No compensation is, therefore, awarded for these Jhugis. Plot No.90 has got a boundary wall about 4 ft. high and the Maib Tehsildar (D.A.) has assessed its price at Rs.190/-. I consider this price to be reasonable and award Rs.190/- as the cost of boundary wall.

to the tenants and squatters, before clear possession can be given to them except in the case of a new tenant Ambika Parshad at plot No.23. If suitable alternative accommodation is provided then the tenants and the squatters are not entitled to any compensation for the displacement.

APPORTIONMENT

There is no dispute regarding the ownership of the land. The compensation will, however, be paid after the perusal of the original sale deeds.

THE AWARD IS SUMMARIZED AS BELOW:-

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|----|---|--------------------------------|
| 1. | Compensation for plot Nos. 13 and 21 to 24 of Block A at the rate of Rs.53/- per sq.yd. | 1314.66 sq.yds. Rs.69,676.98np |
| 2. | Compensation for plot Nos. 90,91,102 and 103 of Block B at the rate of Rs.36/- per sq.yd. | 383.04 sq.yds." 31,784.44np |
| | | <u>Total "101,446.42np</u> |

Value of the structure in plot No.90.

Rs. 190.00np

Rs.101,636.42np

15% on the above as solatium for compulsory nature of acquisition.

Rs. 15,246.46np

Grand Total. Rs.116,904.88np

The land is assessed to no land revenue. The question of deduction of land revenue does not arise.


(Nand Kishore)
Land Acquisition Collector-1,
D E L H I.

Submitted to the Collector of the District for information and filing.


(Nand Kishore)