

AWARD NO. 1531

Award No. 38 for the year 1962-63 by Shri M.L.Mongia,  
P.C.S., Collector Land Acquisition, Delhi.

C A S E No. 38.

Acquisition of land for the " PLANNED  
DEVELOPMENT OF DELHI ".

VILLAGE :- T U G L A K A B A D

A W A R D

In pursuance of Delhi Administration Notifi-  
cation under section 4, No. F.1(23)/61-L & H (iii) dated  
the 28th December, 1961 made under the provisions of the  
Land Acquisition Act, 1894 and as declared vide Notification  
No. F.1(23)/61-L & H dated the 21st December, 1962 under  
section 6 of the Act, the Delhi Administration acquired  
2 Bighas 3 Biswas of land in village Tuglakabad Tehsil &  
District Delhi at a public expense for a public purpose,  
namely, for the Planned Development of Delhi.

2. MEASUREMENT

The area under acquisition as given in the  
Notification under section 6 of the Act is 2 Bighas 3  
Biswas, while that found on measurement by the Field Staff  
at the spot is the same. The acquisition file has, there-  
fore, been prepared for 2 Bighas 3 Biswas. The land under  
acquisition lies in one filed in village Tuglakabad as  
detailed in Form 7 L.A as prepared under paragraph 55 of  
the Financial Commissioner's Standing Order No. 29.

The detail of Khasra Numbers and the ownership  
is as under :-

S.No.	Name of the owner	Khasra No.	Area	Kind of land
1.	2.	3.	4.	5.
*1.	Messrs. Hamdard Dawakhana Wakf, Delhi through Haji Abdul Hamid, New Delhi.	2600/711	2	3 Rosli 2 - 0 Ghair Mum- kin 0 - 3

Total :- 2 3

*Handwritten signature and date: 9/12*

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The measurement and classification of the land have been accepted by the land owners concerned. No objection was received from the Department either. I, therefore, agree with the classification of the land as proposed by the Naib-Tehsildar ( Land Acquisition ) on the basis of the entries of the latest Khasra Girdawri ( as it stood on 28.12.1961 ) which is as under :-

<u>Class of land</u>	<u>Area</u>	
	<u>Big.</u>	<u>Bis.</u>
Rosli	2	00
Ghair Mumkin	0	03
Total :-	2	03

3. POSSESSION

The possession of the land has not been taken over as yet.

4. MARKET VALUE

Messrs. Hamdard Dawakhana ( Wakf ) Delhi the owner and the interested person who appeared in pursuance of the notices issued under section 9 & 10 of the Land Acquisition Act, was examined for the measurement of the area quality of the land and the assessment of compensation. They requested compensation @ Rs. 5000/- per Bigha but did not

*to support of their claim.*

The Department was not represented.

The demand of the land owner and the interested person concerned is abnormally high and exaggerated. The rate of Rs. 5000/- per Bigha claimed by them cannot be made a basis for the calculation of the price of the land under acquisition specially when they have not produced any documentary/oral evidence in support of their claim.

The Notification under section 4 of the Land Acquisition Act in this case was issued on 28th December, 1961 since the land was a trust property and was not covered by the Notification dated 10.11.1960 which was acquired in

By *Susmita* 9/18

Contd.....3.

Award No. 1297.

The year-wise statement of average sale price for the quinquennium immediately preceding the date of Notification under section 4 of the Land Acquisition Act has been worked out as under :-

S.No.	Year	Area	Amount	Average per Big.
1.	2.	3.	4.	5.
1.	1956-57	-	-	-
2.	1957-58	54	7 Rs. 30128/-	Rs. 554.33 nP
3.	1958-59	991	16 Rs. 350625/-	Rs. 353.52 nP
4.	1959-60	198	6 100925/12	Rs. 520.77 nP
5.	1960-61	618	6 Rs. 371540/-	Rs. 600.91 nP

The average sale price for the five years comes to Rs. 458.04 nP per Bigha, while that for the year 1960-61 it comes to Rs. 600.91 nP per Bigha.

Award No. 1297 of the adjoining land was given at the following rates :-

Banjar Qadim @ Rs. 500/- per Bigha.  
Ghair Mumkin @ Rs. 300/- per Bigha.

Since the land under acquisition is Rosli and Ghair Mumkin, I think the average sale price for the year 1960-61 i.e Rs. 600/- per Bigha would be quite reasonable for Rosli Land and Rs. 300/- per Bigha for Ghair Mumkin land as already given in Award No. 1297.

After giving full consideration to the demand of the land owner and the interested person concerned, the situation and quality of the land, average sale price for the year 1960-61, Award No. 1297 and all other factors, I am of the opinion that the following rates would be quite reasonable and fair market price in this case :-

Rosli @ Rs. 600/- per Bigha.

Ghair Mumkin @ Rs. 300/- per Bigha.

#### 5. TREES, WELLS & OTHER STRUCTURES

There is no tree, well or other structured in the land under acquisition. Hence no compensation is due on that account.

*Signature*

9/1/5

Contd.....4.

6. By applying the rates mentioned above, the price of the land works out to be :-

Class of land	Area.		Price	Total
	Big.	Bis.		
Rosli	2	00	@ Rs. 600/- per Bigha.	Rs. 1,200.00 nP
Ghair Mumkin	0	03	@ Rs. 300/- per Bigha.	Rs. 45.00 nP
<b>Total :-</b>	<b>2</b>	<b>03</b>		<b>Rs. 1,245.00 nP</b>

7. COMPULSORY ACQUISITION CHARGES

The owners and the interested persons will be entitled to 15% in consideration of the compulsory nature of acquisition on the market value of the land which comes to Rs. 186.75 nP.

8. INTEREST

The owners and the interested persons are not entitled to get any interest on the amount awarded as compensation, since the possession of the land has not been so far taken.

9. MODE OF PAYMENT

The owners and the interested persons will be paid compensation according to the shares as entered in the Jamabandi of the village. In case of dispute the amount of compensation due to the owners will be kept in deposit till they came to an amicable settlement or the dispute is decided by the Competent Court. In respect of the land mortgage with possession, the amount of compensation due will go towards the amount of debt on the land and the balance, if any, will go to the owner unless otherwise agreed upon.

10. LAND REVENUE REDUCTION.

Khalsa amount of reduction from the Land Revenue due on account of land acquired works out to Rs. 0.48 nP. There will be a reduction of Rs. 0.48 nP from the Khalsa Rent Roll of the village with effect from the date of taking over possession.

21/11/10 9110

11. The land, aforesaid, will vest absolutely in the Government, free from all encumbrances, from the date of taking over possession.

12. Subject to the above remarks, the Award stands as follows :-

1.	Price of land	Rs. 1,245.00 nP
2.	15% for compulsory acquisition.	Rs. 186.75 nP

Total :-	Rs. 1,431.75 nP
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*M. L. Mongia*  
 ( M.L.Mongia ) 25.3.63  
 Collector Land Acquisition,  
 Delhi.  
 ( 25.3.1963 )

Forwarded to the Collector, Delhi for favour of information please.

*Seen*

*ADML (A)*  
*Collector*  
 COLLECTOR, DELHI.

*M. L. Mongia*  
 ( M.L.Mongia ) 25.3.63  
 Collector Land Acquisition,  
 Delhi.  
 ( 25.3.1963 )