

**AWARD NO. 58/1970-71 DATED 23.12.1970 - PITAM PURA**

A W A R D No. 58/1970-71

Name of the village: PITAMPURA

Nature of acquisition: PERMANENT

Purpose of acquisition: PLANNED DEVELOPMENT OF DELHI

A W A R D

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act. This area was put under general notification issued u/s 4 on 24.10.1961 bearing No. F.15(245)/60-LSG/L&H ~~at~~ at the public expense for public purpose namely, for Planned Development of Delhi. The Delhi Administration issued declaration u/s 6 of the said Act for the acquisition of area measuring 1154 bighas 12 biswas including khasra No.327. The Hon'ble High Court while deciding Civil Writ No.54-D/1966 on 23.11.66 quashed the notification u/s 4 in respect of this khasra number. A fresh notification u/s 4 bearing No.F.4(5)/63-L&H(ii) dated 5.12.66 was issued for the acquisition of kh.No.327 measuring 4 bighas 8 biswas. The Delhi Administration issued declaration u/s 6 of the said Act for the acquisition of the same area of kh.No.327 vide notification No.F.4(5)/63-L&H(i) dated 15.5.67. In pursuance of the above declaration notices u/s 9 & 10 of the said Act were issued to the persons interested in the land now under acquisition. According to the revenue record the total area of this kh.No. is 4 bighas 18 biswas and a corrigendum bearing No. F.4(5)/63-L&H dated 8.10.69 for this correction was issued. The claims filed by the claimants will be discussed hereafter under the head 'CLAIMS'.

*Rev. J. J.*

MEASUREMENT

Area given for acquisition in declaration u/s 6 is 4 bighas 8 biswas but a corrigendum for this correction was issued as stated above and at present area measuring 4 bighas 18 biswas is being acquired which is quite correct according to the entire of revenue record.

CLASSIFICATION OF LAND:

Only one khasra No.327 measuring 4 bighas 18 biswas (4-13 G.M.Gher & 0.05 G.M.Chah) is being acquired.

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POSSESSION:- The possession of this area has not so far been taken by the department concerned.

CLAIMS : Shri Ram Kala etc. have claimed compensation @ Rs.60/- per sq.yd. for land, Rs.25000/- for levelling and Rs.10,000/- for a well. They have also requested for release of this khasra number.

Have produced one uncertified copy of sale deed in support of their claim which cannot be relied upon. Hence the compensation shall be fixed according to facts and figures collected from the revenue record.

MARKET VALUE

The land of this village is governed under the Delhi Land Reforms Act, 1954, and cannot be used for purposes other than agriculture without the prior sanction of the prescribed authority,

At present only one khasra No. is being acquired and the quality of whole of the area is the same i.e. Chairmumkin. Hence the market value of this area will be fixed at flat rate

In calculating the amount of compensation to be awarded, certain points as mentioned u/s 23(1) of the L.A. Act are to be kept in view. In order to determine the market value many other factors enter into reckoning which are also necessary, for instance, the sale transactions in the village concerned, nearness of the land to any pucca road, rise and fall in price due to demand of it in the market and the market value of the land acquired previously in the village concerned.

Land has already been acquired under several awards in this village. The date of notification u/s 4 alongwith price fixed at that time is given against each award in the following statement:

S.No.	Award No.	Date of notification u/s 4	Price fixed per bigha
1.	895	28.7.55	Nehri Rs.624/- Rosli Rs.312/- G.Mumkin Rs. 76/-

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2.	1052	22.2.60	Rosli	Rs.1400/-
3.	1073	13.1.60	Nehri Rosli B. Qadim G. Mumkin	Rs. 624/- Rs. 312/- Rs. 194/- Rs. 76/-
4.	1344	24.10.61	Block 'A' Block 'B' Block 'C'	Rs. 2500/- Rs. 1750/- Rs. 1000/-
5.	1948	-do-	Block 'A' Block 'B' Block 'C'	Rs. 1200/- Rs. 800/- Rs. 400/-
6.	2224	-do-	Block No. I Block No. II Block No. III Block No. IV	Rs. 1200/- Rs. 800/- Rs. 400/- Rs. 300/-

The above table shows that the last notification u/s 4 in respect of above mentioned awards was issued on 24.10.1961. The perusal of the record also shows that land placed in 'A' block acquired under award No.1948 is adjacent to it and this award was drawn under notification issued u/s 4 on 24.10.61 and the notification u/s 4 for the acquisition of the present area was issued on 5.12.1966. Thus there is a gap of more than 5 years in between the publication of both these notifications. Being dis-satisfied with the awarded amount several applications u/s 18 for making reference to the Addl. District Judge were put ~~in~~ up by the persons interested who vide his judgement dated 3.11.69 enhanced the compensation amount to Rs.3000/- & Rs.2250/- per bigha for the area placed in 'A' & 'B' blocks respectively in L.A. Case No. 461/68 - Smt. Resala etc. Vs. Union of India. The area now under acquisition is equal to the area placed in 'A' block while drawing award No.1948.

The perusal of the record also reveals that only one kh.No.379 measuring 5 bighas 19 biswas was sold for Rs.10000/- vide registered deed dated 25.2.65 during 5 years preceding the date of publication of notification u/s 4 and the average price per bigha comes to Rs.1680.67. This area is adjacent to the western boundary of this village and is far off from the area now under acquisition. Keeping this fact in view the price fetched by this sale-deed cannot be made a base

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for fixing the market value of the land in question.

As discussed above the price of an adjacent land placed in block 'A' had been enhanced by the learned A.D.J. and the price of land now under acquisition can be fixed after taking into consideration the time in between the publication of both the notifications u/s 4. It is an admitted fact that the price of agricultural products had a rising trend since the publication of notification u/s 4 under which award No. 1948 was drawn. A reasonable margin for this will have to be given while fixing the market value of the land now under acquisition.

Keeping the above mentioned facts in view I think that Rs.2500/- per bigha is the fair and reasonable price for the land now under acquisition. I assess the same.

TREES: WELLS & OTHER STRUCTURES:

TREES:- There are 20 Qabli Kikars over the land now under acquisition which can only be used as fuel wood. The tendency of the persons is to remove trees even after the fixation of price. In order to safeguard the public interest and not to keep the owners in any doubt it is quite reasonable that they should be given opportunity either to remove these trees or to receive compensation. The Naib Tehsildar (LA) has proposed Rs.50/- for all these trees. I have no reason to differ with the proposed value of the Naib Tehsildar (LA). Hence I also assess Rs.50/- for all the 20 Qabli Kikars.

In case the interested persons will desire to have the compensation then they will have to apply in writing to this effect that no tree has so far been removed from the site & the compensation shall be paid after verification from the Naib Tehsildar concerned failing which they will be at liberty to remove them within 30 days from the announcement of the award and nothing shall be paid to them.

WELLS:- There is only one well of average quality over the land now under acquisition. The Naib Tehsildar (LA) has proposed

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Rs.800/- for this well. I have no reason to differ with the proposed value of the Naib Tehsildar. Hence I also assess Rs.800/- for this well.

OTHER STRUCTURES:- There are two pucca rooms of the size 15'x10'x10' & 12'x11'x10' respectively and three side boundary wall over the land now under acquisition. The Naib Tehsildar has proposed Rs.600/-, Rs.400/- & Rs.400/- for two rooms and boundary wall respectively. In the absence of any evidence regarding these structures I also agree with the proposed value of Naib Tehsildar and assess Rs.600/-, Rs.400/- & Rs.400/- for two rooms and boundary wall respectively.

MAUFI AND JAGIR:- There is no Maufi and Jagir over the land now under acquisition.

APPORTIONMENT:- The persons interested will be paid compensation according to the latest entries in the revenue record of the land now under acquisition. In case of any dispute the payment will be made after any amicable settlement between the parties concerned failing which the matter shall be referred to the competent court for adjudication.

LAND REVENUE DEDUCTION:- An amount of Re.1.57 is payable to land revenue which will be deducted from the Khatauni of the village with effect from taking over the possession of the land not so far

INTEREST:- As the possession of this land has been ~~stayed~~ <sup>taken</sup> ~~not so far~~ so no interest shall be paid to the interested persons.

The aforesaid land will vest absolutely in the Govt. from all encumbrances from taking over the possession.

Subject to above remarks, the award is summarised as

under:-

1. Compensation for land measuring 4 bighas 18 biswas @ Rs.3500/- per bigha.	Rs. 17,150-00
2. Compensation for Trees.	Rs. 50-00
3. Compensation for Well.	Rs. 800-00
4. Compensation for Structures.	Rs. 1,400-00
5. 15% for compulsory acquisition.	Rs. 2,910-00
Total:	Rs. 22,310-00

( K. N. Joshi )  
Land Acquisition Collector: (N): Delhi.

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**KABJA KARYAWAHI DATED 04.12.1991**  
**AWARD NO. 58/1970-71 - PITAM PURA**

कार्यवाही काला ०५५ पीतमपुरा अवार्ड नं० ५८/७०-७१

श्रीदेवागुप्तार LAC (N) के आज दिनांक ५-१२-९१ को बहराए  
Sh. के के गहावन LAC Sh लेखराम कावुगुगी LA Sh. मजबीरीहि  
पुवारी LA मुकन्द लाल परवारी LA, कुलदीप कुमार यशरानी  
LA के ~~पहले~~ मीके पर पहुँचे, मीके पर गह्वना भूमि व  
गहन अजाज की मीके से भी मिलेयन किहेयन गह्वना सी/सी  
की मीके से भी ए.बी. जे. लाम्बा DD(NL) II व LPB(N)  
तथा Sh. विवेका कुमार ना (NL) अरजेंद्र सिंह ना तथा  
श्री कुलदीप सिंह कावुगुगी सी/सी एमराए डेमोलेशन (कनास)  
व लोकल पुलिस मीके पर हाजिर मिले।

मीका पर KH.No 327 तदावी (५-१८) जो की अवार्ड नं०  
५८/७०-७१ के फुवारे है चुका है। मीके पर मीके  
नामापज लागीरत को सी/सी कंरा लगे गये डेमोलेशन  
कनास से अरवाबर काला वाकई लिखा गया मीके  
हवाले Sh. मिलेयन किहे गये व तहालीलदार मीके गये  
अजाज अजा गदा मीका पर इन कार्रवाही के अम कंई  
करिवाई नही की। इन कार्रवाही की मुवावरी व मुकाफी  
मीका पर तथा गंवे के काकावाज कुलन्द वजरिम Sh.  
कुलदीप कुमार यशरानी द्वारा करई गई।

मीका पर परिवारी हलवा किरी सरकारी कमी के कारण  
हाजिर नही मिले। कारण इन कार्रवाही की एक प्रतिरपी  
वसाम अमल दशमक 'कागवात माल वजरिम' तहालीलदार  
लिमि लिजवा की जोरुगी।  
कार्यवाही काला पूर्ण है।

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DD(NL) II  
LPB-NOT/022

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NT LA (wasela)  
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4.12.91  
N.T. (L&B)

K. Jambh  
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D.D.A  
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LAC(N)

**AWARD NO. 58/1970-71 DATED 05.10.1968 - PITAM PURA**

**SECTION 4 NOTIFICATION**

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

**DELHI ADMINISTRATION DELHI.**

**NOTIFICATION**

Dated the 5 December, 1968.

No. F.4(5)/63-LAN(11) whereas it appears to the Lieutenant Governor Delhi that land is likely to be required to be taken by Government at the public expense for a public purpose, namely, for the planned development of Delhi, it is hereby notified that the land in the locality described 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, 1954 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor is pleased to authorize the officers for the time being engaged in the undertaking with their workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

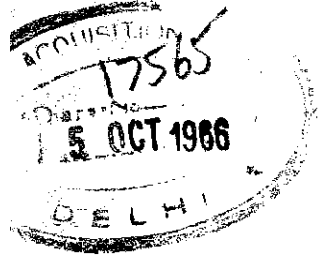
Any person, interested, who has any objection to the acquisition of any land in the locality may within 30 days of the publication of the notification file an objection in writing before the Collector of Delhi.

**ACQUISITION**

Name of the Village or Locality	Area		Field Nos. or Boundaries
	Sq. Yds.	Sq. Fts.	
Pitambara	4	8	327.

By order,  
sd -

( JAGDEEP )  
Special Secretary, Land & Building Department, Delhi Administration, Delhi.



No. F.4(5)/63-LAN(11) Dated the 5 December, 1968.

Copy forwarded to these:

1. Public Relations Department, Delhi Administration (in duplicate) for publication in part IV of the Delhi Gazette.
2. Additional District Magistrate (Land Acquisition) Delhi.
3. Land Acquisition Collector (Delhi & Shahdara) Delhi.
4. Legal Advisor (Land & Building Department) Delhi.
5. Treasurer (Land & Building Department) New Delhi.
6. File No. F.4(5)/63-LAN.

*Ram Lal Singh*

( JAGDEEP )  
Special Secretary, Land & Building Department, Delhi Administration, Delhi.

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**AWARD NO. 58/1970-71 DATED 15.05.1967 - PITAM PURA**

**SECTION 6 NOTIFICATION**

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

**DELHI ADMINISTRATION, DELHI.**

**NOTIFICATION**

Dated the 15 May, 1967.

No.F.4(5)/63-LAH(11): whereas it appears to the Lieutenant 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.	Area		Field Nos. or Boundaries.
	Hrs.	Bhs.	
Pitampura.	4	-08	327.

By order,

*sd/-*

(Jagmohan)

Secretary (Land & Building)  
Delhi Administration, Delhi.

No.F.4(5)/63-LAH(11)

Dated the 15 May, 1967.

Copy forwarded to the:-

1. Public Relations Department (Delhi Administration, Delhi) (in duplicate) for publication in the Delhi Gazette.
2. Additional District Magistrate (Land Acquisition) Delhi.
3. Land Acquisition Collector (Delhi & Shahadra) Delhi.
4. Legal Adviser (Land & Building Department) Delhi.
5. Tehsildar (Land & Building Department) New Delhi.

*JyK*

(Jagmohan)

Secretary (Land & Building)  
Delhi Administration, Delhi.