

OFFER Amended No. 711

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Subject:- Acquisition of land for the construction of shops for the displaced persons at Darya Ganj.

Under the authority of the Chief Commissioner's Notification

No.F.6(3)/50-R&R dated 15.12.50, the land measuring 2360 sq.yds.

comprising of plots Nos 64,65,66 and 67 situated in L. Block,

Darya Ganj, Delhi is to be acquired u/s 3 of the Resettlement of

Displaced Persons (Land Acquisition) Act 1948 for the construction

of shops for the displaced persons in this locality. The

notification in question was given wide publicity in the locality

and the notices u/s 4 of the Act were served on the leasees

of the plots concerned through Tehsil peon as the land belongs to

Delhi Improvement Trust. The leasees filed objections

against the acquisition vide their application dated 2.2.51.

51, and 31.1.51. The objections were duly considered and

disposed by the collector on 24.4.51.

Claimants. The following are the claimants.

Shri Ram Nath s/o L. Balram Vaish Aggarwal of Mandi Rui Sadar Bazar, Delhi.

Shri Mohan Lal s/o Shri Munshi Lal Aggarwal, Cloth Merchant, Chowri Bazar, Delhi.

Shri Ram Pershad s/o Kanshi Nath Vaish Aggarwal resident of Mohalla Dassan, Delhi.

Term of the lease commences from 1st September, 1939.

The aforesaid leasees have put in their claims vide

statement dated 26.3.53. Shri Ram Nath lessee of plot

has claimed a compensation of Rs. 1,02,411/12/- as

and below:-

Value of land measuring 500.1 sq.yd.

at the rate of Rs. 125/- per sq.yd. 73762/8/-

15% compensation in lieu of compulsory acquisition Rs. 11064/6/-

Ground rents from 13.8.41 to 30.9.50

Rs. 1872/6/6

Municipal taxes upto 31.3.52.

Rs. 117/15/6

Stamp duty & other expenses.

Rs. 331/-/-

Cost of preparing plans.

Rs. 150/-/-

Rs. 87298/4/-

at the rate of 7 1/2% from

to 25.3.53

Rs. 15113/8/-

Rs. 1,02,411/12/-

He was called to put evidence in support of his claim.

that he got this land from the Delhi Improvement Trust.

~~He got this land from the Delhi Improvement Trust.~~

on 10-2-1942 and his actual expenses are as below:-

1. Premium paid at the time of registration	Rs. 1029/-
2. Paid as six monthly premium to Delhi Improvement Trust	Rs. 102/8
3. Ground rent paid to Delhi Improvement Trust for the period upto 30.9.50	Rs. 1872/6
4. Municipal Taxes paid to D.M.C. upto 31.5.52	Rs. 117/1
5. Stamp duty...	Rs. 331/-

Total Rs. 12,716/13/6.

No. 2. The claimant No. 2 is the lessee of plot No; 65. He has claimed a compensation amounting to Rs. 100915/2/8 as detailed below:-

Area of land:-	590.1 Sq. Yd.
1. Value of the land @ Rs. 125/- per sq. yds.	Rs. 73762-8
2. 15% for compulsory acquisition	Rs. 11064-6
3. Development charges paid to the Delhi Improvement Trust	Rs. 175-8
4. Registration and other charges incurred for Registration.	Rs. 466-1
5. Half yearly premiums paid to the D.I.T.	Rs. 1881-1
6. Land tax paid to D.M.C.	Rs. 94-0
7. Sanitary charges paid to D.M.C.	Rs. 48-0
8. Paid to the draftsman for preparing the plan.	Rs. 250-0

He was asked to produce evidence in support of his claim. He produced evidence to show that he got this plot by auction from the Delhi Improvement Trust. The amount spent by him is as detailed below:-

1. Auction money:-	Rs. 10,621-1
2. Development charges paid by him to D.I.T.	Rs. 175-8
3. Registration charges:-	Rs. 466-1
4. Lease premium paid upto 30.9.50	Rs. 1881-1
5. Land tax paid to D.M.C.	Rs. 94-0
6. Sanitary charges paid to D.M.C.	Rs. 48-0
7. Payment towards the preparation of building plans of the plot:-	Rs. 250-0

Total Rs. 13,536-1

He has further stated that he has claimed the minimum compensation

Shri Ram Pershad the lessee of plot No. 66, 67 has put up his claim under the following different headings.

Area of the land of plot No. 66 & 67	67.	590.1 Sq. Yd.	590.1 Sq. Yd.
Value of the land at Rs. 125/- per sq. yd.	Rs. 73762-8-0	77762-8-0	
15% for compulsory acquisition	11064-6-0	11064-6-0	
Registration & other charges.	298-8-0	9-3-0	
Half yearly premium paid to D.I.T.	1342-4-0	967-0-0	
Paid to the draftsman for preparing the plan	Rs. 300-0-0	Rs. 300-0-0	
Registration & other charges incurred for registration approximately.	Rs. 466-10-0	Rs. 466-10-0	
Brokerage.	Rs. 166-14-0	Rs. 147-0-0	
Total	Rs. 87400-2-0	Rs. 86516-11-0	

23/4
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He has stated on 26.5.53 that he paid the lease rights of the land under plot No. 67, from One H.P. Gupta for Rs. 14752/8/- and the same was mutated in his favour vide mutation No. 158 dated 1.5.42.

1. Premium paid by him for plot ~~Max~~ No. 67 Rs. 767-0-0
2. Brokerage paid:- Rs. 147-14-0
3. Amount spent on the preparation of building plots:- Rs. 300-0-0
4. The other plot No. 66 was paid by him from D.I.T. Rs. 1669-13-0
5. On the resitration lease deed dated 10-2-43 Rs. 29840-0
Costs of registration
6. Premium paid half yearly to D.I.T. Rs. 1342-4-0
7. On Commission Rs. 166-14-0
8. Amount spent on the preparation of plan Rs. 300-0-0

In this way he spent Rs. 34,764/15/- on the two plots.

CONCLUSION.

As already observed the claimants have held the land from after 1.9.39 and before 1.4.48. As provided in provision II of section 7 (e) of the Resettlement of Displaced Persons (Land Acquisition) Act 1948, the compensation is to be assessed by the Competent authority as the amount actually spent by the claimants on the land in question. The actual price alongwith other expenditures incurred by claimant No. 1 is Rs. 12,716/13/6. The same may be offered to him as compensation

Claimant No. 2 has spent Rs. 13556/13/6 on plot No. 65 and the same may be offered to him. Claimant No. 3 has spent Rs. 34764/15/- on the two plots. The same may be offered to him. In this way the amount to be offered to them would be as:-

No. 1 Rs. 12,716/13/6
No. 2 Rs. 13,556/13/6
No. 3 Rs. 34,764/15/-

Rs. 61,038/10/- ✓

The possession of the land in question was taken over by the Ministry without informing this office and when this office directed the Tehsildar to take over the possession he informed that the Ministry was already in possession and he could not say the exact date of possession. The claimants have claimed interest from the date of notification i.e. 5.12.50. The interest is to be allowed at the rate of 6% per annum on the compensation money from the date of possession to the date of payment, and it will be intimated later on.

True Copy attached

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Small Chaudhary, Delhi

Sd/- Illegible
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