

Flat No. G 1,
Indraprastha College Staff Flats
Delhi 110 054
Ph: 011 2391 4448 / Mob: 092120 50902
Email: vishesh.singh@gmail.com

To

Director (Plng) MPR,
6th Floor, Vikas Minar
IP Estate, New Delhi 02
Tel: 011 23379731

Director (Plng.) MPR/TC,
J.D.A. Vikas Minar N. DELHI-2
Dy.No. 3308
Dated 21/5/12

Subject: Suggestions for mid-term correction/amendment in MPD 2021 to assign land use to "the built up area which was not acquired for planned development of Delhi for it being built up at the time of Award" and not acquired later on also through any supplementary Award.

Respected Madam/Sir,

On the subject cited above, please allow me to submit a few facts regarding those innocent and poor farmers/landowners of villages of Delhi whose land was acquired but some built up areas were not acquired due to built up at relevant point of time i.e. at the time of acquisition of land of villages of Delhi and thereafter no land use was assigned by the government/DDA. The magnitude of the problem is summarized as follows:

Background: Around 60 years ago, there use to be about 350 rural villages in Delhi. Almost 90% of the land of villages of Delhi was under agricultural-cultivation. The landowners lived in their respective villages as well as some used to reside away from their village also, on their agricultural land. Such residential establishments on agricultural land were usually called "Dhanis".

Later on, the Delhi Land Reforms Act of 1954 and the Delhi Development Act of 1957 were enacted. The Land Acquisition Act of 1894 was already being implemented in India including Delhi for the purpose of Land Acquisition.

The acquisition proceedings of land of rural villages of Delhi had started under Land Acquisition Act of 1894 for about last 60 years and since then the Land Acquisition collectors preceded for land acquisition for the planned development of Delhi.

During the proceedings the respective Land Acquisition collectors notified the land for planned development and exhausted various channel for acquisition i.e. Sections 4, 5, 6, 9, 10 and 11 etc of Land Acquisition Act 1894. The respective LAC heard the objections submitted by the land owners regarding their respective claims i.e. cost of land, cost of tube well, cost of water channel, cost of trees, and cost of built up on their agricultural land (which is usually called *Dhanis*), as mentioned above, wherein, such land owners were living along with their family and also along with their cattle, such built up area (*Dhanis*) used to be residential units of land owners to stay to supervise their crops. During acquisition proceedings, compensation claims were submitted to concerned LAC by

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landowners in respect of that built up area. The LAC decided this issue in the respective Award of the respective village and made a provision in the Award itself regarding their compensation claims in respect of built up area as follows

“ ... compensation claims submitted by persons in respect of built up areas have not been considered, since this area has been left out of acquisition from this Award and the same will be acquired at a later date through a supplementary Award on receipt of instructions of Land & Building Department of the Delhi Administration, Delhi. ”

- as mentioned in one of the Award decided by LAC.

It is worthwhile to mention here that such Award as mentioned above were declared for last more than thirty years ago in respect of many villages and acquired open land was subsequently entrusted to DDA through appropriate notifications under section 22 of The Delhi Development Act of 1957 for “Planned Development”.

Since then the government neither issued any supplementary Award regarding such built up area (Which was left out of the Award) nor the government has given any land use which could meet the means of livelihood of those unfortunate and poor land owners / farmers whose land was acquired.

In view of the above facts and circumstances these “built up areas” which could not be acquired due to built up at relevant point of time of Award should be assigned fruitful land use so that these land owners after losing their entire agricultural land could live in those built up areas peacefully and also could earn their livelihood out of such left out built up area.

With great hope for redressal of their grievances and request to make legitimate provision in the MPD 2021.

Thanking you,

Yours sincerely,

MOHAN SINGH

Flat No. G 1,
Indraprastha College Staff Flats
Delhi 110 054
Ph: 011 2391 4448
Mob: 09891 444 448
Email: vishesh.singh@gmail.com