

GOVERNMENT OF INDIA
MINISTRY OF HOUSING AND URBAN AFFAIRS

LOK SABHA
UNSTARRED QUESTION NO. 5146
TO BE ANSWERED ON 27 MARCH, 2018

ALTERNATE LAND

No. 5146 DR. UDIT RAJ:

Will the Minister of URBAN DEVELOPMENT be pleased to state:

- (a) whether the Department of Land and Housing, Government of NCT of Delhi has complied with the Ministry of Home Affairs Order Number 37/16/60-Delhi(1) dated 2.5.1961 in which it was recommended to the Delhi Development Authority compensation for those farmers whose entire lands were not acquired;
- (b) if so, whether alternative plots allotted to farmers have been seized back under the orders of the Supreme Court dated 14.9.2011 in the case of Jai Singh Tomar vs. Union of India;
- (c) whether the eligibility criteria for allotment of alternative plots have been framed as per guidelines of the Supreme Court and if so, the details thereof;
- (d) whether applications for allotment of alternate land is rejected if the aggrieved party has individual land holdings within the same village or as part of a cooperative and if so, the details thereof; and
- (e) the further steps proposed to be taken by the Government in this regard?

ANSWER

THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE
MINISTRY OF HOUSING AND URBAN AFFAIRS

(SHRI HARDEEP SINGH PURI)

- (a) Yes, Madam. The Land & Building Department of Government of National Capital Territory of Delhi (GNCTD) has informed that it

recommends alternate plot for the applicants in lieu of acquired land to Delhi development Authority(DDA) as per the policy i.e. "Large Scale Acquisition Development and Disposal of land in Delhi, 1961" approved by the Government of India, Ministry of Home Affairs vide Order No. F.37/16/60-Delhi(1) dated 02.05.1961.

(b) The Land & Building Department of GNCTD has informed that no such case titled as Jai Singh Tomar has been found. However, in the case of CA No. 8289/2010 titled as DDA Vs Jai Singh Kanwar, the Hon'ble Supreme Court vide judgement dated 14.09.2011 has interpreted the policy. The Land & Building Department of GNCTD has further informed that pursuant to this judgement, no communication was sent to DDA for seizure of plot already recommended.

(c) Yes, Madam. The Land & Building Department of GNCTD has informed that the Hon'ble Supreme Court vide judgement dated 14.09.2011 in case of CA No. 8289/2010 titled as "DDA & Ors Vs Jai Singh Kanwar" has interpreted the policy as follows "the object of the Scheme is that when the land owned by a person is taken away in entirety and he is left without any house or plot, he should be allotted a plot. The scheme, therefore, provided that only a person who does not own a house/residential plot/flat will be entitled to apply". The Land & Building Department of GNCTD has further informed that after pronouncement of the aforesaid judgement, it is following the judgement.

(d) The Land & Building Department of GNCTD has informed that if the aggrieved party has individual land holdings within the same village or as part of a Co-operative Housing Society, then applications for allotment of land are rejected.

(e) The Land & Building Department of GNCTD has informed that no further steps are required to be taken.
