

AWARD NO. 1069.

Nature of Acquisition..... Permanent.

Name of Village:- Budhela.

Purpose of Acquisition:- Resectioning of
Najafgarh Drain Phase

.....

By virtue of notification No.F.15(156)/60-LSG(XII) dated the 20th June, 1960 under section 4 of the Land Acquisition Act, 1894 issued by the Chief Commissioner, Delhi 35 bighas 19 biswas of land is under acquisition for a public purpose namely for the Resectioning of the Najafgarh Drain Phase II at Budhela. He was further pleased to issue simultaneously notification No.F.15(156)/60-LSG(XIV) of the even date under section 6 of the said Act for the acquisition of the same area for the same purpose. Because of the emergent nature of acquisition he was pleased to direct the Land Acquisition Collector, Delhi to take over possession of the land specified in the notification under section 6 vide notification No.F.15(156)/60-LSG(XV) of the even date.

TRUE AREA.

On actual measurement at the spot by the Land Acquisition field staff the area has been found to be 36 bighas 2 biswas. The discrepancy of 3 biswas as compared with the notifications under sections 4 and 6 is minor and negligible which happened on account of area calculation. The details of the field numbers are given below:-

Sl.No.	Field No.	Area.		Kind of soil
		Bigha	Biswa.	
1.	1/14/1	2	16	Sailab.
2.	1/15/1	0	2	sailab.
3.	1/18/1	2	11	Chahi.
4.	1/22/1	2	1	Chahi.
5.	1/23/1/1	0	3	Chahi.
6.	3/1/1	1	9	Chahi.
7.	3/2/1	0	12	Chahi.

Contd

8.	3/10/1	1	6	Chahi
9.	4/15/1	2	18	Chahi.
10.	4/16/1/1	0	0	Sailab.
11.	4/17/1	2	0	Sailab.
12.	4/23/1	2	5	Sailab.
13.	4/24/1/1	0	4	Sailab.
14.	5/15/1	1	17	Sailab.
15.	5/16/1	2	8	Chahi.
16.	5/24/1	2	12	Sailab.
17.	6/2/1	2	6	Sailab.
18.	6/3/1	0	9	Chahi.
19.	6/9/1	0	13	Chahi.
20.	6/10/1	1	18	Chahi.
21.	6/11/1	0	13	Sailab.
22.	10/3/1	1	7	Sailab.
23.	10/9/1	0	11	Sailab.
24.	13/4/1	0	5	Sailab.
25.	13/8/1	0	11	Sailab.
26.	13/20/1	0	6	Sailab.
27.	13/12/1	0	14	Sailab.
28.	12/25/1/1	0	12	Sailab.
29.	12/25/2/1	0	7	Sailab.
30.	24/4/1	0	5	Sailab.
31.	24/8/1	0	1	Sailab.

total:- 36 2

The class wise details are given below:-

Chahi

Sailab.

16 bighas 8 biswas.

19 bighas 14 biswas.

Satisfaction about the area has been made by the Land Acquisition field staff. It has also been admitted as correct by the persons interested.

COMPENSATION.

Sarvshri Man Singh, Dharam Singh, Lakhmi Chand, Siri Chand, Raju, Narain Singh, Baljit Singh, Bhola, Lakshmi Narain, Ram Niwas, Behari, Hazari, Murari, Om Parkash,

Ganga Parshad, Rameshwar, Sagwa and Hardwari through their written claims dated the 7th July, 1960 demanded compensation for their land at the rate of Rs. 2000/- per bigha.

Sarvshri Nand Lal, Hazari, Bal Mukand, Lachhman, Hari Ram, Govind Parshad, Hardwari, Man Singh, Dharam Singh, Lakshmi Narain, Raju, Narain Singh and Ram Phal through their statements before me on the 24th September, 1960 demanded compensation for their land ranging from Rs. 2000/- per bigha to Rs. 2/- per sq. yard, Rs. 100/- to Rs. 150/- per bigha for Juwar crop and Rs. 250/- to Rs. 400/- per bigha for sugar-cane crop.

CHIEF DATA.

The Naib Tehsildar Land Acquisition vide his report dated 24th September, 1960 proposed the rate of Rs. 600/- per bigha for Chahi and Saklab lands.

DEPARTMENTAL REPRESENTATION.

The Executive Engineer, Construction Division No.III, vide his letter No.C.III/60-WK-4/5057, dated the October 1, 1960 agreed ^{with} ~~with~~ the rates proposed by the Naib Tehsildar.

FAIR AND REASONABLE VALUE.

I inspected the spot on the 27th September, 1960 and found that the land under acquisition is situated towards the S-outh-west of the area of village Keshopur about which Award No. has been drawn up at the rate of Rs. 600/- per bigha for Chahi and Sailab Lands. Village Keshopur is situated comparatively nearer the built up area. There is a Joint Water and Sewage Board Tank.

The following sale transactions are available in this village:-

Sl. No.	Number of Mutation.	Date of Registration.	Area Bigha	Biswa	Consideration money.
1.	567	11.7.55.	30	12	Rs. 5440.00
2.	568	24.11.55	11	4	Rs. 4480.00
3.	571 Oral transaction.	25.5.56	10	18	Rs. 6000.00
4.	573 Oral	7.7.56	19	11	Rs. 9000.00
5.	574	24.10.56	11	13	Rs. 4748.00

6. 582	16.2.59	9	12	Rs. 5000/-
7. 583	3.6.59	4	16	Rs. 2400.0
8. 586	27.10.58	9	12	Rs. 12500.
9. 588	21.11.58	3	4	Rs. 3160.0
10. 589	30.9.59	9	13	Rs. 24000.
11. 590	23.7.59	5	3	Rs. 10815.
12. 591	17.9.59.	1	0	Rs. 2000.0
13. 593	27.11.59	14	8	Rs. 28800.
14. 594	29.12.59	3	0	Rs. 3500.0
15. 595	29.12.59	9	19	Rs. 16000.
16. 596	29.12.59	5	1	Rs. 7500.0
17. 598	2.2.60	19	14	Rs. 12000.

The year wise break up of the above transactions is given below:-

<u>Sl.No.</u>	<u>Year.</u>	<u>Average rate per bigha.</u>
1.	1955-56	Rs. 445.94 nP.
2.	1956-57	Rs. 440.64 nP.
3.	1957-58	Nil.
4.	1958-59	Rs. 864.56 nP.
5.	1959-60	Rs. 1540.72 nP.

Of all the above transactions the ones took place through mutation Nos. 574, 594, 595, 596 and 598 partly relate to the area situated near the drain. The lands involved in the remaining mutations are situated at scattered places mostly in the colony area and have no bearing on this case. The rates per bigha of mutation Nos. 574, 594, 595, 596 and 598 are about Rs. 400, 1167, 1600, 1500 and 609 ^{respectively} per bigha. The average rate of these transactions comes up to a high level on account of ^{the portion of} valuable land situated in the colony area. The evidence produced by the persons interested relate to the sale of small plots for abadi purposes in colony area. The demand made by them is too exorbitant. The proposal of the Naib Tehsildar appears to be some what reasonable. The departmental officer agreed with him. The land under acquisition in this estate should not be classed as a better type than that of Keshopur for the reasons given above. There is no need of categorising

Chahi and Sailab lands separately. Though there is some difference in the produce but that is minor and negligible. For valuation purpose both the kinds of soil are classed as one. The area adjoining the Najafgarh Drain generally inundates during the heavy rain falls. At that time its kharif crop is damaged while there is no security to the rabi harvest. This land can at best be utilised for agricultural purposes as nobody is going to take a risk to erect any structure there because of its being subject to the drain action. Keeping in view the claims of the persons interested, the evidence produced by them, the chief date provided by the Naib Tehsildar, the departmental representation, the material on the file and my own observations of the spot I consider a rate of Rs. 500/- per bigha for Chahi and Sailab kinds as fair and reasonable and award accordingly.

CROPS.

Possession over the land under acquisition was taken over and handed over to the department on the 11th July, 1960. Crop was standing as reported by the field staff, in ~~which~~ the field numbers given below:-

Sl. No.	Field No.	Area	Crop	Compensati
1.	1/14/1	2 bigha	Biswa	Juwar.
2.	4/15/1 Min	0	6	Juwar.
3.	3/10/1	0	10	Juwar.
4.	1/22/1	2	1	Juwar.
5.	3/1/1	1	9	Juwar.
6.	3/2/1	0	3	Juwar.
7.	1/23/1/1	0	3	Juwar.
8.	6/3/1	0	3	Sugar-cane.

The Naib Tehsildar Land Acquisition proposed Rs. 676.40 for damage to crops. The persons interested demanded the rate of Rs. 100/- to Rs. 150 for Juwar crop and Rs. 250/- to Rs. 400/- for Sugarcane crop per bigha. The yield according to the last settlement standard of Juwar comes to ⁵⁰⁰ ~~100~~ maunds per bigha and of Sugarcane 7 maunds per bigha. The whole-sale rate of stalks of dry juwar as given in the Delhi Gazette of ^{August 11} ~~July 21~~, 1960 is Rs. 150 per 100 maunds.

prevalent on the 11th July, 1960, the date of taking over possession, was Rs. 5/- to Rs. ⁷/₈/- per maund. The average rate thus comes to Rs. ^{6.00}/_{5.50} nP per maund. The whole-sale rate of desi Gur at that time was from Rs. 18/- to Rs. 19/- per maund and its average comes to Rs. 18.50 nP. *It will be for the benefit of the people of the area, generally, a cheaper rate of this* From the calculations thus arrived at will be deducted 10% towards nourishing and watching of the crops and the land revenue and cesses. The net amount arrived at will be given to the persons interested with interest from 11th July, 1960. By the above method the amount comes to Rs. 515.26 nP which is hereby awarded.

There is no tree or structure in the land under acquisition, no case of severance is made out. 15% will be added to the amount of compensation for its compulsory nature of acquisition except the compensation for damage to crops.

Interest at the rate of 6% per annum will be added to the amount of compensation including the damage to crops from the 11th July, 1960 upto the 10th November, 1960 the anticipated date of payment to the persons interested.

APPORTIONMENT.

Hardwari son of Badlu claimed compensation for the land standing in the name of Sagwa in field Nos. 4/15/1, 5/16/1 and 3/10/1. Unless the correction is got made in the revenue papers by him the amount will be with-held and paid to neither of them. Lachhman son of Moti stated himself to be the person entitled to the amount of compensation for field numbers 4/23/1 and 4/24/1/1. Prabhu Singh son of Bahal Singh the previous owner has sought his remedy in the Civil Court and the case is sub-judice. The amount of compensation shall, therefore, be with-held till the final decision of the case by the Court. In other cases payment will be made to the persons entered in the revenue records on their recorded shares or to their legal heirs.

The award is summarised as below:-

Sl. No.	Kind of soil.	Area		Rate per bigha	Amount of compensation
		BIGHA	BISWA.		
1.	Chahi	16	8	Rs. 500/-	Rs. 18050.00
2.	Sailab.	19	14		

Add 15% towards compulsory nature of acquisition. Rs. 2707.50 nP.

Add compensation for damage to crops..... Rs. 515.26 nP.

Add interest at the rate of 6% per annum from 11th July, 1960 to 10.11.60 Rs. 425.45 nP.

Grand Total:- Rs. 21698.21 n

LAND REVENUE DEDUCTION.

An amount of Rs. 10.23 nP will be deducted from the Khalsa Rent Roll of village Budhela from Rabi, 1961.

(MURARI SINGH)
LAND ACQUISITION COLLECTOR,
DELHI. 12.4.60

Submitted to the Deputy Commissioner (Collector of the District), Delhi for information.

(MURARI SINGH)
LAND ACQUISITION COLLECTOR,
DELHI.

Recd. 15/7/60

Subd.
In v. cert. n/a V. 11/15.60

11/ published in part IV of the Delhi Gazette on 20.6.60 at p 15.

(To be published in Part IV of the Delhi Gazette)

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated 20 June, 1960.

No.F.15(156)/60-LSG(XIV):- Whereas it appears to the Chief Commissioner of Delhi that land is required for a public purpose, namely for the Resectioning of the Nazafgarh Drain (Phase II),

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.

P.T.O.

under the provisions of the said section, so far as the provisions of section 5(A) shall not apply.

By order,

Jagmohan

(JAGMOHAN)

UNDER SECRETARY (LOCAL SELF GOVT.) DELHI ADMIN. DELHI.

No.F.15(156)/60-LSG (XIV)

Dated 20 June, 1960.

Copy forwarded to the:-

- 1) Recruitment & Services Deptt. (in duplicate) for favour of publication in Part IV of the Delhi Gazette.
- ii) Land Acquisition Collector, Delhi, with reference to his letter No.384/15920-LAC/60/Rev, dated the 11th June, 1960.

Jagmohan

(JAGMOHAN)

UNDER SECRETARY (LOCAL SELF GOVT.) DELHI ADMIN. DELHI.

(To be published in Part IV of the Delhi Gazette)

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated 20 June, 1960.

No.F.15(156)/60-LSG(xiv):- Whereas it appears to the Chief Commissioner, ~~that~~ that land is likely to be required to be taken by Govt. at the public expense for a public purpose, namely for the Resectioning of the Nazafgarh Drain (Phase II), 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, 1894, to all whom it may concern.

In exercise of the powers conferred by the afore-said section, the Chief Commissioner is pleased to authorise the officers for the time being engaged in the under-taking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

The Chief Commissioner, being of opinion that the provisions of sub-section (1) of section 17 of the said Act are applicable to this land, is further pleased, under sub-section (4) of the said section, to direct that the provisions of section 5(A) shall not apply.

NOTIFICATION

~~Under Secretary (Local Self Govt.) Delhi Admin. Delhi.~~

~~1/15/1, 1/16/1, 1/17/1, 1/18/1, 1/19/1, 1/20/1, 1/21/1, 1/22/1, 1/23/1, 1/24/1, 1/25/1, 1/26/1, 1/27/1, 1/28/1, 1/29/1, 1/30/1, 1/31/1, 2/1/1, 2/2/1, 2/3/1, 2/4/1, 2/5/1, 2/6/1, 2/7/1, 2/8/1, 2/9/1, 2/10/1, 2/11/1, 2/12/1, 2/13/1, 2/14/1, 2/15/1, 2/16/1, 2/17/1, 2/18/1, 2/19/1, 2/20/1, 2/21/1, 2/22/1, 2/23/1, 2/24/1, 2/25/1, 2/26/1, 2/27/1, 2/28/1, 2/29/1, 2/30/1, 3/1/1, 3/2/1, 3/3/1, 3/4/1, 3/5/1, 3/6/1, 3/7/1, 3/8/1, 3/9/1, 3/10/1, 3/11/1, 3/12/1, 3/13/1, 3/14/1, 3/15/1, 3/16/1, 3/17/1, 3/18/1, 3/19/1, 3/20/1, 3/21/1, 3/22/1, 3/23/1, 3/24/1, 3/25/1, 3/26/1, 3/27/1, 3/28/1, 3/29/1, 3/30/1, 3/31/1, 4/1/1, 4/2/1, 4/3/1, 4/4/1, 4/5/1, 4/6/1, 4/7/1, 4/8/1, 4/9/1, 4/10/1, 4/11/1, 4/12/1, 4/13/1, 4/14/1, 4/15/1, 4/16/1, 4/17/1, 4/18/1, 4/19/1, 4/20/1, 4/21/1, 4/22/1, 4/23/1, 4/24/1, 4/25/1, 4/26/1, 4/27/1, 4/28/1, 4/29/1, 4/30/1, 5/1/1, 5/2/1, 5/3/1, 5/4/1, 5/5/1, 5/6/1, 5/7/1, 5/8/1, 5/9/1, 5/10/1, 5/11/1, 5/12/1, 5/13/1, 5/14/1, 5/15/1, 5/16/1, 5/17/1, 5/18/1, 5/19/1, 5/20/1, 5/21/1, 5/22/1, 5/23/1, 5/24/1, 5/25/1, 5/26/1, 5/27/1, 5/28/1, 5/29/1, 5/30/1, 5/31/1, 6/1/1, 6/2/1, 6/3/1, 6/4/1, 6/5/1, 6/6/1, 6/7/1, 6/8/1, 6/9/1, 6/10/1, 6/11/1, 6/12/1, 6/13/1, 6/14/1, 6/15/1, 6/16/1, 6/17/1, 6/18/1, 6/19/1, 6/20/1, 6/21/1, 6/22/1, 6/23/1, 6/24/1, 6/25/1, 6/26/1, 6/27/1, 6/28/1, 6/29/1, 6/30/1, 7/1/1, 7/2/1, 7/3/1, 7/4/1, 7/5/1, 7/6/1, 7/7/1, 7/8/1, 7/9/1, 7/10/1, 7/11/1, 7/12/1, 7/13/1, 7/14/1, 7/15/1, 7/16/1, 7/17/1, 7/18/1, 7/19/1, 7/20/1, 7/21/1, 7/22/1, 7/23/1, 7/24/1, 7/25/1, 7/26/1, 7/27/1, 7/28/1, 7/29/1, 7/30/1, 7/31/1, 8/1/1, 8/2/1, 8/3/1, 8/4/1, 8/5/1, 8/6/1, 8/7/1, 8/8/1, 8/9/1, 8/10/1, 8/11/1, 8/12/1, 8/13/1, 8/14/1, 8/15/1, 8/16/1, 8/17/1, 8/18/1, 8/19/1, 8/20/1, 8/21/1, 8/22/1, 8/23/1, 8/24/1, 8/25/1, 8/26/1, 8/27/1, 8/28/1, 8/29/1, 8/30/1, 8/31/1, 9/1/1, 9/2/1, 9/3/1, 9/4/1, 9/5/1, 9/6/1, 9/7/1, 9/8/1, 9/9/1, 9/10/1, 9/11/1, 9/12/1, 9/13/1, 9/14/1, 9/15/1, 9/16/1, 9/17/1, 9/18/1, 9/19/1, 9/20/1, 9/21/1, 9/22/1, 9/23/1, 9/24/1, 9/25/1, 9/26/1, 9/27/1, 9/28/1, 9/29/1, 9/30/1, 10/1/1, 10/2/1, 10/3/1, 10/4/1, 10/5/1, 10/6/1, 10/7/1, 10/8/1, 10/9/1, 10/10/1, 10/11/1, 10/12/1, 10/13/1, 10/14/1, 10/15/1, 10/16/1, 10/17/1, 10/18/1, 10/19/1, 10/20/1, 10/21/1, 10/22/1, 10/23/1, 10/24/1, 10/25/1, 10/26/1, 10/27/1, 10/28/1, 10/29/1, 10/30/1, 10/31/1, 11/1/1, 11/2/1, 11/3/1, 11/4/1, 11/5/1, 11/6/1, 11/7/1, 11/8/1, 11/9/1, 11/10/1, 11/11/1, 11/12/1, 11/13/1, 11/14/1, 11/15/1, 11/16/1, 11/17/1, 11/18/1, 11/19/1, 11/20/1, 11/21/1, 11/22/1, 11/23/1, 11/24/1, 11/25/1, 11/26/1, 11/27/1, 11/28/1, 11/29/1, 11/30/1, 12/1/1, 12/2/1, 12/3/1, 12/4/1, 12/5/1, 12/6/1, 12/7/1, 12/8/1, 12/9/1, 12/10/1, 12/11/1, 12/12/1, 12/13/1, 12/14/1, 12/15/1, 12/16/1, 12/17/1, 12/18/1, 12/19/1, 12/20/1, 12/21/1, 12/22/1, 12/23/1, 12/24/1, 12/25/1, 12/26/1, 12/27/1, 12/28/1, 12/29/1, 12/30/1, 12/31/1.~~

13/1/1.

Shri. R. K. Saini

Please check
at stake no. 11

Wd/11.

By order,

Jagmohan

(JAGMOHAN)

UNDER SECRETARY (LOCAL SELF GOVT.) DELHI ADMIN. DELHI.

No.F.15(156)/60-LSG (xii)

Dated 20 June, 1960.

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Jagmohan

(JAGMOHAN)

UNDER SECRETARY (LOCAL SELF GOVT.) DELHI ADMIN. DELHI.

no. 2761/200/10-60