

AWARD NO.

12/84-85

NAME OF THE VILLAGE : BADUSRA

NATURE OF ACQUISITION : PERMANENT

PURPOSE OF ACQUISITION : INCREASING THE CAPACITY OF
NAJAFGARH DRAIN.

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land measuring 35 bighas 18 biswas situated in village Badusra was notified u/s 4 of the L.A. Act, 1894 read with section 6 and 17 of the L.A. Act vide notification No.F.7(108)/79(1) dated 13.1.1981 for a public purpose namely Increasing the Capacity of Najafgarh Drain. Notices u/s 9 & 10 of the L.A. Act were issued to the persons interested and claims filed by them are discussed hereafter under the heading 'COMPENSATION CLAIMS'

TRUE AND CORRECT AREA

The land was measured on the spot by the land Acquisition field staff and the ^{details of} available area for acquisition at present on the spot ^{are} as follows:-

Rect. No.	Field No.	Area	Kind of soil
8	21/1min	0-09	
	22/2min	0-19	
20	1/2min	0-16	
21	4min	0-01	
	4/2min	1-00	
	5/1min	1-02	
	5/2min	0-10	
	7min	0-03	
	8/1min	0-09	
	8/2min	0-13	
	8/3min	0-03	
	9/2min	1-04	
	10/1min	0-12	
	10/2min	0-14	

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22	6/2min	1-04
	7/2min	1.00
	14min	0-04
	13/1min	0-14
	8/1min	0-12
	12/1min	1-04
	9min	0-02
	11/2min	1-04
23	13/1min	0-06
	14/2min	1-04
	15/2min	1.04
	18/2min	1-01
	19/2min	1-04
	22/1min	Less than biswa
	21/1min	0-17
	20/1min	0-04
24	24min	0-03
	25/2min	1-05
28	4/1min	0-01
	4/2min	0-01
	4/3min	0-01
	4/4min	0-01
	5min	0-02
	6min	1-02
	7min	0-17
29	5min	0-08
	6min	0-16
	4/1min	Less than biswa.
	7/1min	0-08
	7/2min	0-13
	7/3min	0-03
	8/1min	0-07
	8/2/1min	0-11

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29	8/3/1min	0-05
	8/4/1min	0-03
	9/1min	0-15
	9/2/1min	0-09
	10/1min	1-04
30	1/1min	0-13
	1/2min	0-12
	2/2min	1-05
	3/2min	1-05
	4/1min	0-17
	5min	0-02 0-02
	45/2min	0-08
	48/1min	0-08

Total

35-18

CLAIMS

The following persons have filed their claims for compensation:-

<u>S.No.</u>	<u>Name of the claimant</u>	<u>Compensation claimed</u>
1.	Shri Hari Ram Sharma s/o Chunna r/o Badusra Delhi	Claimed compensation @ Rs.15000/- per bigha for land and Rs.1000/- per bigha for crops.
2.	Rugh Nath s/o Shri Ram Village Badusra, Delhi	-do-
3.	Paltu s/o Phullu village Badusra, Delhi.	Claimed compensation @ Rs.10,000/- per bigha for land and Rs.500/- per bigha for crops.
4.	Meer Singh s/o Lala, Ram Kala s/o Lala Smt. Nathiya Wd/o Lala all r/o Badusra.	-do-
5.	Mange Ram, Mukhtiar Singh Om Parkash Ss/o Shri Chand r/o Badusra	-do-
6.	Gabdu s/o Mangat r/o Badusra, Delhi	-do-
7.	Khajan, Rattan Ss/o Chhajju r/o Badusra	-do-
8.	Hari Singh, Har Narain Ss/o Marey Smt. Kanto d/o Marey r/o Badusra	-do-

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As at S.No.3.3.

9. Surtey s/o Ganeshi,
Bhola s/o Ram Lal
Ram Sarup s/o Ram Lal
Shera s/o Ganeshi
Het Ram s/o Molar Singh
Risal Singh s/o Raghu Nath
Azad Singh s/o Rugh Nath
Karam Singh s/o -do- All r/o Badusra.
10. Sultan Singh s/o Shiv Lal
r/o Badusra Delhi -do-
11. Badlu s/o Jawahar Singh r/o -do- -do-
12. Ram Singh, Narain Singh Ss/o
Bhartu r/o Badusra, Delhi -do-
13. Smt. Nathu Wd/o Jawahar Singh
Ram Mehar, Badlu Ss/o ~~***~~ Jawahar Singh
Claimed @ Rs.10000/- per
bigha for land and
Rs.500/- per bigha for
crops.
14. Sh. Mehar Singh, Chand Ram, Ram Kala
Sardarey Ss/o Jeet Ram r/o Badusra -do-
15. Smt. Tejo d/o Bhola Jeewni d/o Bhola
Bhagwan s/o Bhola Parma, Devi Ram
Ss/o Jangli all r/o Badusra, Delhi. -do-
16. Ram Kishan s/o Chandgi Ram Nath
Ramji Lal, Kashi Ram Ss/o Phullu Ram
Ram Chan der s/o Chandgi, Chandro d/o Phullo
Ganga Dei d/o Phullu, Bhagwani Wd/o Chandgi,
Santra, Anguri, Dd/o Chandgi, Nanak s/o Lekhi
Ram all r/o Badusra, Delhi. -do-
17. Nanak Ram s/o Lekh Ram r/o
Badusra. Claimed Rs.10000/- per bigha for
land and Rs.800/- per bigha for
crops.
18. Hazari Lal s/o Chhuttan, Anaro
Wd/o Sis Ram, Nathu s/o Chhuttan
Lekhmi Chand s/o Chhuttan
Claimed compensation @
Rs.10000/- per bigha for
land and Rs.500/- per bigha
for crops.
19. Smt. Tulsi Wd/o)
Chhoto d/o)
Kala Wati d/o) Mukmi
Budo d/o)
Chhotu s/o)
Basanta s/o) -do-
~~Hukmo s/o~~
Hukmo Wd/o)
Chameli d/o) Phoolu
Tara Chand s/o)
Pyarey s/o)
20. Sh. Chuni Lal s/o Maman
through Jai Bhagwan
Claimed compensation @
Rs.10000/- per bigha.

DOCUMENTARY EVIDENCE

None of the claimants have produced any documentary evidence in support of their claim.

POSSESSION

The possession of the land has been taken over by the Department on 27.2.81.

MARKET VALUE

The market value of the land is to be assessed after keeping in view the situation, advantages and potentialities attached to the land on the date of notification u/s 4 of the Land Acquisition Act. The land use is also to play an important role in deciding the market value of the land. It has been seen that the provisions of the Delhi Land Reforms Act are applicable and thus restrictions contemplated under section 22 and 23 of the Delhi Land Reforms Act are applicable and land can only be used for agriculture, horticulture or animal husbandry etc.

The land owners have claimed compensation ranging from Rs.10000/- to Rs.15000/- per bigha but have not produced any documentary evidence in support of their claim. Hence, no reliance can be placed on their claims. According to the report of the field staff, an area of 4 bighas 1 biswa was sold for Rs.1700/- on 30.6.66 i.e. at an average rate of Rs.419.60 per bigha. This sale deed was executed about 15 years ago and hence cannot be considered in the present case. No sale deed is reported to have been executed in this village in the vicinity of the date of notification u/s 4 nor any award is reported to have been drawn in this village. It is, therefore, worthwhile to consult the sale deeds and the awards in the neighbouring village. The land in the present case was notified for Increasing the Capacity of wajafgarh Drain. Similar notifications were also issued in the neighbouring villages for the same purpose. A perusal of the record shows that Award no.25/82-83 of village Kanganheri was drawn in which the date of notification u/s 4 is the same as that in the present case. The land of this village also adjoins the land of that village and in my opinion, it would be in the fitness of things if the same market value of the land is fixed in the present case as was done in village Kanganheri. A sum of Rs.2500/- per bigha was awarded in the above award. As stated above, the date of notification u/s 4 in both the cases is the same. Having relied upon the

above award no. 25/22-23, the market value of the land in the present case is determined @ Rs. 2500/- per bigha and I award the same accordingly.

TREES WELLS AND STRUCTURES

There is no tree, well or structure on the land now under acquisition.

SOLATIU

15% solatium is payable over and ^b above the market value of the land.

INTEREST

The Department has already taken the possession of the land under acquisition and a drain has already been widened. Consequently interest @ 6% per annum is payable to the interested persons from the date of possession till the date of announcement of award.

APPORTIONMENT

The persons interested~~h~~ shall 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 shall be made after an amicable settlement between the parties concerned failing which the matter shall be referred to the Court of Additional District Judge, Delhi for adjudication.

LAND REVENUE DEDUCTION

The land revenue worked out to Rs. 2.89 shall be deducted from the Khalsa rent roll of the village from the date of taking over possession of the land.

SUMMARY OF THE AWARD

Compensation for land measuring 35 bighas
18 biswas @ Rs. 2500/- per bigha. Rs. 89,750.00

15% solatium

Rs. 13,462.50

Interest @ 6% per annum from 27.2.31
to 10.5.33 (2 years 73 days)

Rs. 13,624.05

GRAND TOTAL

Rs. 1,16,836.55

(Rupees One lac, Sixteen Thousand Eight Hundred Thirty Six
and Paise Fifty Five only)

Amount in cash

16/6/33

(D.B. KUBBA)
LAND ACQUISITION COLLECTOR (N)
DELHI. 16/6/33

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25-13 (2) of the L.A. Act
is to those persons who are not
present.

16/6/33

Dated 16/6/33

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