# W A W A R D No. 1165

Name of the Village:

Basaidhara Pur.

Nature of Acquisition:

Permanent.

This is a case for the acquisition of land required by the Government at the public expense for a public purpose, namely, for the re-sectioning of Nazafgarh Drain. A declaration regarding this acquisition was made vide notification No.F.15(156)/60-LSG(xx) dated 20.6.60. This area was withdrawn from the acquisition vide notification No.F.15(156)/60-LSG(i) dated 2.1.61. A fresh declaration for the acquisition of this land under section 4 of the Land Acquisition Act was made vid notification No.F.15(156)/60-LSG(ii) dated 2.1.61. In the same notification, the Chief Commissioner, Delhi waspleased to wave the provisions of section 5(A) of the Land Acquisition Act Simultaneous declaration under section 6 and 17 of the Land Acquisition Act 1894 were made vide notification of even number and even date. Notice under section 9(1) of the Land Acquise Act was published on 28.1.61 requiring interested parties to file their claims upto 14.2.61. Notices under section 9(3) 10(1) of the Land Acquisition Act were served on most of the interested parties on 10-3.61 inviting claims upto 4.4.61. Possession of the land under section 17 of the Land Acquisition Act was transferred on 14.2.61. Most of the interested per have responded to the notice under section 9 and 10.

## MEASUREMENT & OWNERSHIP.

According to notification, the total area to be smounted to 84 bighas follows: From further to from the record to assurement on the spot area.

3 bighas 17 biswas hatealready been acquired for the Ring Road and is in the custody of the P.W.D. If the acquiring department wishes to have this land, then they should get it by department negotiations with the P.W.D. The area of Khasra No.2495/1909 was mentioned at 1 bigha 1 biswa in the notification while actually it is only 18 biswas. On account of this reason, the total area is reduced by 4 bighas. Hence the total area constituted against this measurement. This measurement is, therefore, held to be correct. The ownership of the under acquisition is shown as follows in the revenue record.

Name of the owner.

Khasra Area number. Bigha-Biswa Kind of

16 Chahi.

Mahabir Singh, Dharam Singh sons of Khazan Singh 1/2, Chhajusingh s/o Chuni 1/12, Jag Ram, Hari Singh sons of Phula. 1/12, Ramphal s/o Beg Raj 1/4, Dina Ram, Bhagwan Sahai & Shish Ram sons of Sher Singh 1/4, Balkishan Tilak Ram s/o Hukam 1/4.

Note: - This khasra number has been exchanged by. Chhaju one of the land owners with Rachhpal and Lakshmi Chand s/o Balwan 1/2, Raghunath s/o Phool Singh 1/2.

Sagwa Yasmin & Malkhan s/o

663/1 0 - 15 Chahi

Than Singh, Kahihia Singh, Beg Raj & Partap Singh, solo agat Singh.

3252/640/1 1 - 14 mineri Shm. Sona Wati d/o Kalu Singh. 3267/671/1 0 - 16 Cha

Goral Chand & Dharambir sons sons of Sham Singh 1/3, Shiv Tath Singh & Shobha Ram sons of Rhim Singha 2/3.

3266/671/1

0 - 15

h. Hari Ram, Gobind Pershad am Kumar sons of Bhure, \$1205 3265/671/1 ociety; Ltd.

```
fugee Housing Cooperative
                                    118/1
                                                    0
                                                            12
                                                                 Gairmumkin
                                    119/1
                                                    0
                                                            14
                                                                    -do-
                                    3026/123/1
                                                    0
                                                            12
                                                                    -do-
                                    2879/124/1
                                                    0
                                                            12
                                                                    -do-
                                   3008/128/1
                                                    1
                                                            10
                                                                    -do-
                                   129/1
                                                            10
                                                                    -do-
                                   135/1
                                                             4
                                                                    -do-
                                   3259/136/1
                                                   0
                                                            11
                                                                    -do-
                                   137/1
                                                             4
                                                                    -do-
                                   138/1
                                                   0
                                                                   -do-
                                                             9
                                   1731/1
                                                   0
                                                           12
                                                                   -do-
                                   1732/1
                                                            2
                                                                Banjarkadiņ.
                                   1738/1
                                                   1
                                                            8
                                                                   -do-
                                 J1739/1
                                                            6
                                                                   -do-
                                 1743/1
                                                                   -do-
                                  1744/1.
                                                           16
                                                                   -40-
                                  1745/1
                                                                 18
                                  1749/1 -
                                                          14 Getrauskin.
                                  2909/1750/1
                                                          10
                                                                  -do-
                                  2910/1750/1.
                                                          10.
                                                                  -do-
                                  1754/1.
                                                           2 .
                                                                  -do-
                                  1755/1 -
                                                          12 · Banjarkadi
                                 1756/1.
                                                          12.
                                                                  -do-
                                 1757/1.
                                                           0 -
                                                                  -dp-
                                 1760/1
                                                          10.
                                                                  -do-
                                 1761/1
                                                 0
                                                          10 0
                                                                  -do-
                                 1762/1-
                                                           9 .
                                                                  ...
                                1765/1.
                                                 0
                                                          8 -
                                 1766/1:
                                                 0
                                                         10.
                                                                  -do-
                                 1767/1.
                                                 1
                                                          6
                                                                  -do-
                                 1770/1
                                                 2
                                                          6.
                                                                 -do-
                                1771/1 ...
                                                1
                                                         16.
                                                                 -do-
                                1772/1.
                                                         14:
                                                0
                                1773/1
                                                         12.
                                                                 -do-
                                1774/1 -
                                                0
                                                         15:
                                                                 -d4-
                                1808/1
                                                          1
                                                                 -do-
                                1809/1:
                                                1
                                                        12 .
                                                                 -do-
                                1812/1
                                                2
                                                         8
                                                                -do-
                                1814/1
                                                1
                                                        12.
                                                                 -do-
                                 Total ...
                                               39
```

Parsandi widow of Richhpal ghbir sons of Prithi.

681/1 -

e Lal Raghbar Dayal Des Ramch

	0540/4000/4 X				
Sirath, Balkishan, Harswroop, Singh, Harpal sons of anda 1/8, Khushi Ram s/o Jita	2518/1862/1 1 2518/1862/2 1 2518/1862/4 <b>-7</b>	1		5	Chahi.
8, Mehar Singh s/o Nanda 1/4, thu s/o Ghisa 1/2.	1640/1	1	_	0	Chahi.
•	1641/1	1		1.	
	2478/1863/1	0	-	1	Chami.
	Total	3	_	7	
				<del></del>	- 4
Shudhi s/o Ranjit.	1910/1	0	-	18	Chahi.
manna s/o Hira.	1914/1	0	-	15	Chahi.
Banwari s/o Prashadi.	1915/1	1.		1	Chahi.
Beg Ram s/o Ramjilal, Prem Raj	18 <b>24/</b> 1/1 1820/1	1	-	<b>4</b> 1	
		2	_	5	
Lal Singh, Ram Kishan, Mehar Chand sons of Tilak Ram 1/2, Tek Chand s/o Kehri 1/2.	1821/1	0	- -	18	Chahi.
Chhatar Singh Rattan Lal s/o Surat Singh 1/2, Chhote Lal, 290	1816/1 17/2603/1670/1	1 0	- <b>±</b>	18 1 <u>4</u>	Chall. Chall.
Ram Dass, Shiv Charan sons of Ghisa 1/2.		2	-	12	
Mohan Lal s/o Bhagwana. 2908/2	1824/2/1 2603/1670/1	1		1 15	Chahi. Chahi.
		1		16	
Chhote Lal s/o Bharta, Mangat Ram s/o Sunder Lal.	1830/1	0	-	14	Chahi 🌲
Bhagwana, Baldeva sons of Jagat 1/4, Banshi Lal s/o Anup Singh,	1712 1713/1	0	-	12 3	Chahi.
Khazan Singh s/o Shish Ram 1/4, Singh, Nathu s/o Ram Swroop 1/4, Shm. Jaggi widow of Harkesh 1/4.	Hari —	0	-	15	
Dalip s/o Shankar.	1829/1	0	· -	18	Chahi.
Vishambhar, Bhagwana s/o Binda 1/3, Ram Chander s/o Bhoop 1/3, Dharambir adopted son of Lal	1825/1	0	<b></b>	15	Chahi.
Singh 1/3.	1861/1	1	_	6	Chahi.
Dharam Singh, Jai Singh sons of Manghe. 251	8/1862/25/1	1	-	6	Chahi.
	1711/1 1710/1	0	-	. 1	Chahi.
		3	6.	14	Chahi.
	*1687/1 8/1862/28/1	0	, · <u>*</u>	14 0	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
		1	_	14	
Laje Ram s/o Heera 1/2, Tara 251 Chand, Balkishan s/o Rajaram 1/2	24 (1/,1002/1	0	-	2	0
	1685/1	1	-	V	

Parshad, Banwari Lal sons Bhagwar Dass 1/3, Nihal Singh, hunath Singh, Jet Singh, war Singh sons of Baldev 1/3,	1011/			10	Chiabi.	ではいい
ram Singh s/o Ganga Sanar.	-					34.0
bhu, Kehri sons of Kishan	2518/1862/ 30 to 35/1	Q			Chahi.	
3/5, Dharam Singh s/o der Lal, Raghunath s/o	2494/1908/1	0	_		Chahi.	
n 2/5.	1686/1- 2495/1909	Ó	_		Chahi.	
		2	-	2		
pa Ram s/o Fateh 1/2, Sohan , Mohan Lal sons of Hari 1/2.	1727/2/1	1	-	2	Chahi.	Yes Light
sigh Singh s/o Ram Chander	1728	0		18	Chahi.	
ram Singh s/o Bhagwana.	1651/1	·		14	Chell.	
a, Chuni sons of Dipu.	어른 사람들은 그런 생활 수입니다.	1	 	12	Obski.	2
thi, Prem Raj sons of Diwan.	1650/1	0	<b>-</b>	14	Chahi.	
		2		6		
am Lai Pati Bayal.	1920/1	0		9		1
om Lat Pati Tagal 1/2, Sham	1729/1	0		3	Padroti	Ì
Pati layal 1/2.	1123/1					
					TIP SECURE	182
Parker (1997), september 1998, kan persentah sebagai kecamatan sebagai kecamatan sebagai kecamatan sebagai keca Kanada sebagai kecamatan sebagai kecamatan sebagai kecamatan sebagai kecamatan sebagai kecamatan sebagai kecam				10		
GRA	ND TOTAL	. 80		10		Sept No.
			,			
Che	hl	40		7		
Gairmumki:		11	_	14		
		27			5	
Banjar <b>kad</b> :						
Gair <b>munkt</b> Tho <b>r</b> ough	n Nala & fare	. 1				
						ر ار الاشاران
		80	)	- 1	0	7. ·

### CLAUMS & EVIDENCE.

The claimants have stated that the land is situated just near the Punjables colony and rear other inhabitation colonies. They have stated that this land has got potential value for the construction of houses. The prices of the should, therefore, be given on the basis of the potential the land owners except the Refugee Cooperative in

Society have filed their claim through Shri H.S. Tyagi, Advocate. They claim compensation @ Rs.12/- per sq.yd. The Refugee Co-operative House Building Society have made a claim of Rs.30/- per sq.yd. In evidence they have produced three registered deeds, the details of which are given below:-

tation imber.	Date of registeration.	Khasra number.	Area Bigha-Biswa.	Total money.	Average Pe
78	10.1.58	2753/738 min.	0 - 4	Rs.2200/-	Rs.11/-
1979	17.9.58	-do-	122 sq.ydd.	Rs.1830/-	Rs.15/-
<b>2</b> 586	31.10.58 2	777/738.	1 - 10	Rs.14000/-	Rs.9-25

On the basis of these mutations, the land owners claim Rs.12/- per sq.yd. Sale-price of these khasra numbers is. however, not relevant in this case because these khasra numbers are situated far away from the land under acquisition. This r is on the main road. Moreover, the sale has taken place in the small plots and the rates of small plots cannot apply in the case of large scale transactions. Moreover the land under acquisition is situated on the bank of the Nazafgarh Drain and is flooded almost every year. These rates are not, therefore, applicable to the land under acquisition. The Refugee Cooperative House Building Society has claimed @ Rs. 30/- per sq.yd. stating that they have converted the area into plots and plots are being sold in Shivaji Park which is adjacent to the colony @ Rs. 30/- per sq. yd. The land belong House Building to the Refugee Cooperative/Society is very low lying and have not included this land in the plots. This land has out of the plotted left/was according to the scheme of the society. therefore, cannot claim compensation of the pl

developed colonies.

#### MARKET VALUE.

on the border of the Refugee Cooperative House Building Society which is under development. There are also colonies round about this land. Therefore, their demand that the price of the land should be assessed by taking into consideration its potential value as building site is correct. The land is, however, liable to be flooded every year. Unless a great amount of money is spent, houses cannot be built upon this land. The value of this claim is less than the value of other potential building in the locality. Moreover, this land is being used for agricultural purposes. The following transactions have taken place in the land under acquisition in the year 1960.

Mutation number.	Date of registeration.	Khasra number.		tal are	ea Sale-price of va. land.
2589	18.2.60	1583	1	<b>- 1</b> 19	Rs.9850/
2597	31.5.60	234	2	- 1	Rs. 5000/-
2604	2.1.60	2504/1936//1	0	- 12	Rs.2900/-
2605	23-3-60	1309,2303, 2327,2300, 1427,1392.	22	- 3	Rs.67000/-
2606	20.2.60.	3174 .	2	_ 10	) Rs.2560/4 4
2611	25.5.60	217	0	- 4	. ( <b>R</b> 2000/-
2612	16.6.60	1383mkn	1	- C	Re <b>. 3000/-</b>
2613	22.8.60	1383min.	Ο,	16	Re. 2823/-
2614.	24.8.60	1382	1		Rs. 4540//
2615	8.9.60	1395,1418, 1420,1421, 1580,2318,	29	- 1	
	•		61	10 - 10	

Prom the above sale transactions, it is clear that many sal transactions in this village have taken place during the year The relative date in this case is 2.1.61 when the notification under section 4 of the Land Acquisition Act was made. The rates of sale vary from Rs.2500/- to Rs.4500/- per bigha, but most of these transactions concern the area which is situated on the main road or near the developed plots. Moreover, the area involved in the transactions except khasra No. 234 is liable to floods, while the area under acquisition is flooded every year by most dirty water of the Nazafgarh Drain. The Government is acquiring this area for the purpose of widening the Nazafgarh Drain to protect the are from floods. The rates of the land under acquisition, therefore, should he much less than the average price of Rs. 3766/-. The Naib Tehsilder, Level Acquisition has suggested a rate of Rs. 2500/- per bigha. The acquiring department has made nox departmental representation as to what the value should be given to land under acquisttion. I have inspected the spot and I find that the prices suggestee by the Naib Tehsilder is a bit low. I consider Rs. 3000/\* to be a reasonable market value of the land under acquisition const ing its potentiality together with the defect of its being floc I, therefore, award a rate of Rs. 3000/- per bigha for the land under acquisttion except for Nala land a the path. Refugee Cooperative House Building Society might claim that they are developing this area into plots but from their please it is clear that they have given up the idea of developing it into plots because it was liable to floods. According to law the Refugee Cooperative House Building Society cannot state thet wheir area will be developed when advantage ste scheme of widening the Nametgarh Drain is well and Path are absolutely of no use to the Land own

## OTHER COMPENSATION.

In addition to the prices of the land, the land owners will get 15% of the value of the land for compulsory nature of acquisition. The possession of this land was taken on 14.2.61 and the money is likely to be paid by 13.7.61. The land owners will, therefore, get interest @ 6% for the period of 5 Months from 14.2.61 to 13.7.61. The compensation for the standing crops was fixed by the Naib Tehsildar, Land Acquisition but the parties have agreed that they will harvest the crops and no compensation for standing crops will be paid to them. The price of the trees has been fixed by the Naib Tehsildar, Land Acquisition as below:-

number. of trees.  683 min 1 keeker.	5	Rs. 2/-	Rs.10/-
000 min			
1820/1 1 keeker.	5	Rs.2/-	Rs.10/- Rs.100/-
1920/1 6 keeker.	50	Rs2/-	Rs.120/-

I have inspected the ppot and I find that the prices assess
by the Naib Tehsildar one correct. I, therefore, award Rs.120/
as compensation for trees. There is no other structure on the
land, therefore, no other compensation is necessary.

## APPORTIONMENT.

they come to a compromise as to the amount to be paid to each of the interested parties. If the compromise is not effected between the parties within a period of three months, the compensation will be sent to the District Judge for disbursement according to the rights of each party.

# THE AWARD IS SUMMARISED ASBELOW.

ompensation for 79 bighas 6 biswas of and @ Rs.3000/- per bigha. compensation for 1 bigha 4 biswa of land compensation for 1 bigha 4 biswa of land	Rs. 600/- L
ompensation for 1 bigha 4 bissa of per bigha. Iala & Path land @ Rs. 500/- per bigha.	Rs.2,38,500/
15 % as solatium for compulsory nature	Ra. 35,775/-
of acquisition.	Rs. 2,74,275/-
	Rs. 120/-
Compensation for trees.	Rs.2,74.305.00
Interest @ 6% from 14.2.61 to 13.7.61.	Re. 6,8 <b>59.</b> 96
	Rs 2,81,254-9
Total Compensation	

This land is assessed to a land revenue of Rs. 31. 58 I Since the land is being acquired for the purpose of the Companion that is amount will be deducted from the Khalsa rent therefore, this amount will be deducted from the Khalsa rent toll of the village from Kharif 1961.

Land Kishore )

Land Acquisition Collector

DELHI

29.6.61.

Submitted to the Collector of District for information

approval pleas

OLLECTOR DELLE

Legad Acquisation Co.

595 em for

(To be published in Part IV of Delhi Gazette)

DELHI ADMINISTRATION, DEIHI.

NOTIFICATION.

Dated

2-1-6

No. F.15(156)/60-LSG(ii) Whereas it appears to the Chief Commissioner, Delhi that land is likely to be required to be taken by Government at the public expense for a public purpose namely for the Resectioning of the Najaf Carh Drain,

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 aforesaid section, the Chief Commissioner is pleased to authorise the Officers for the time being engaged in the undertaking 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 provisions of sub-section (1) of section 17 of the said Act are applicable to this land, is further pleased under subsection (4) of the said section, to direct that the provisions of section 5A shall not apply.

#### FLECTATE VALUE OF THE PARTY OF

Manual Barrapeer, && 10 15:16/1. 18:12/1. 1809/1. 1779/1. 1799

order,

WIER SECRETARY (LOGAL SEL. P. COVT.) DELHI AUMINI STRATION, DELHI.

Ho. F. 15( 156)/60-LSG(11)

Dated

Copy forwarded to:-

- 1) Recruitment & Services Depts. (in duplicate) for Publication in Delm Genette.
- 2) Land Acquisition Collector, for further
  - 3) Shri G.D. Kapur, Socretary, Delhi Floods Co-erdinating Committee, Man Singh Read, New Dall
  - 4) Shri S.R. Joshi, Executive Engineer, Constru tion Division No. III, Control, P.V.D. New P James

( JAGNONAN)

MINE SECREDAY LOCK SELF CO. DELHI ADMINISTRATION, DELHI.

\*KIRAR#29.12.60.

٠1

(To be published in Part IV of Delhi Gazette) DEIHI ADMINISTRATION, DELHI.

NOTIFICATION.

Dated

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

## Najaf Garh Drain,

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 of the said Act, the Collector of Delhi is hereby directed to take order for the said land. 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.

belbi.

P.T.C.

3

2906/260 \ 1670/1, 1671/1, 2907/260 \ 1670/1, 1671/1, 1710/1, 1605/1, 1606/1, 1607/1, 1711/1, 1713/1, 1712, 1727/1, 1728, 1729/1, 623/1, 649/1, 3266/671/1, 3252/640/1, 3265/671/1, 670/1, 669/1.

By order,

Sel

(JAGMOHAN) UNDER SECRETARY (LOCAL SELF GOVT.) BELHI ADMINI STRATION, BELHI.

No.F.15(136)/60-LeG(111)

Inted

December, 1960a

Copy formarded to:-

- 1) Recruitment & Services Deptt. (in deplicate) for publication in Delmi Gasette.
- 26 land Acquisition Collector, for further measury action.
- 3) Shri G.B. Kapur, Secretary, Belhi Floods Co-ordinating Committee, Man Singh Road, New Belki.
- 4) Shri S.R. Joshi, Executive Engineer, Construction Division Mo.III, Jostmi, 7.W.D. New DelM.

James ...

(JAGMORAN) UNDER SECRETARY (LOCAL SELF GOVY.) BELHI ADRINISTRATION, DELHI.

\*KIRANG9.12.60.

1000/12/1. 1000/1.

Same of the