

SUPPLEMENTARY AWARD "o.1548-A to AWARD No.1548
OF VILLAGE BASAIDARAPUR:/

Name of the village: Basaidarapura.

Nature of acquisition: Permanent.

Intro duction:

Vide the award No.1548 an area measuring 151 bighas and 13 biswas was acquired under the Planned Development of Delhi. As discussed under the head 'Measurement & Ownership' in the said award, the khasra Nos.676(0-15) and 1556(0-04) was not included in the award, as they were not required immediately. Similarly the khasra No.3887/1729/3 measuring 6 bighas and 3 biswas which is a thoroughfare was also not acquired.

Now the Assistant Housin-g Commissioner(II), Delhi Administration vide his D.O.Letter No.P.19(64)/65-L&H dated 5.4.1966 has informed that the khasra No.3887/1729/3 measuring 6 bighas 3 biswas which connects ² the Ring Road with the village abadi of village Basaidarapur, ~~but~~ ^{traverses} the plot of land since allotted by the Housing Department to the Employees State Insurance Corporation for construction of a General & Maternity Hospital. As the area wanted by the Employees S tate Insurance Corporation was holding up the construction work, the Assistant Housing Commissioner desired that a supplementary award in respect of the said area may be drawn. But as stated above sin ce the other khasra Nos.676 & 1556 had been left unacquired in the award No.1548, these two khasra Nos. are also ~~are~~ being included in the present supplementary award.

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As can be seen from the Award No.1548 the notices under section 9(3) and 10(1) of the Land Acquisition Act were served upon the interested persons in respect of the khasra No.3887/1729/3 and the interested persons had also filed their claims. But their claims were not discussed in the award because of the exclusion of the said khasra No. from the award. So there was no necessity to issue fresh notices under section 9(3) and 10(1) in respect of the khasra No.3887/1729/3. However fresh notices were issued in respect of the remaining khasra Nos.676 and 1556 to the interested persons, who have responded to the notices. The claims thus received in respect of the khasra Nos. under acquisition are discussed in the present award as below under the head 'claims and evidence'.

Thus the total area to be acquired under the present supplementary award is 7 bighas and 2 biswas, the ownership of which according to the Revenue Record is as given below:-

Sl.No.	Khasra No.	Name of the owners.	Area. Big.Bis.
1.	676	Shmt.Raja Dai, Kela - wati, Kalawati, dts/o Pirbhu Singh in equal shares.	0 - 15 Chahi.
2.	1556	Shamlat Thok Budha (10,240 shares).	0 - 04 Gm.Puk
3.	3887/1729/3.	Shamlat patti Taigal 1/2 share, Shamlat patti Rayal 1/2 share.	6 - 03 Gm.Rast

'Claims & Evidence'

In respect of khasra No.676, a joint claim petition has been filed through Shri Harbans Singh Tyagi ^{Advocate} ~~Shmt.Kamawati~~ on behalf of Shmt. Raja Dai, Shmt.Kalawati and Shmt.Kamawati daughters of Pirbhu Singh, in which they ^{have} declared themselves to be the full owners of the land and claimed compensation at the rate of Rs.15/- per sq.yd. plus the usual solatium of 15% on the plea

that the land is surrounded all round by populated modern colonies.

With regard to khasra No. 1556 three separate claim petitions have been received as follows:-

Sarvshri Hari Singh s/o Parbhu, Kehri s/o Kishan Lal, Raghunath s/o Mohan and Dharam Singh s/o Sunder Lal have jointly stated that there is a well in khasra No. 1556 since past several years, and they ^{have 2} claimed compensation of the land at Rs.50/- per sq.yd. and for the well Rs.6000/- . Sarvshri Kirpa Ram s/o Fateh, Amar Singh s/o Raja Ram, Beg Ram s/o Bansi, Sohan Lal and Mohan Lal s/o Hari Ram and Jagdish s/o Ram Chander have in their joint claim petition demanded compensation of the land at Rs.50/- per sq.yd. and Rs.6000/- as compensation for the well.

Sarvshri Jagdish Singh and Dharam Singh ^{have 2} challenged that the shares of the claimants as mentioned in the Revenue Record ^{were 2 and 2} was wrong, ~~have~~ stated that according to the order dated 20.2.1965 of the A.D.J; Delhi, the shares of the claimants in the land was 1161/7053, and they ^{have 2} claimed compensation to this extent at Rs.50/- per sq.yd. and Rs.6000/- for the well, plus the usual solatium of 15%. In another application the same claimants ^{have 2} prayed that till the dispute of shares was finally decided the compensation due to the other claimants namely, Hari Singh Kehri; Raghunath etc. should be stayed.

Regarding the khasra No.3887/1729/3 the claims as already filed in the original award No.1548 are as follows:-

- 1) On behalf of the D.L.F. Housing & Construction (P) Ltd; its Secretary & General Attorney has stated that the claimant company is a share holder in the land holding regular Title Deed, and ² ~~he~~ claimed compensation at the rate of Rs.15/- - per sq.yd. besides the legal 15% solatium on that amount for compulsory acquisition.
- 2) Shri Dharam Singh s/o Bhagwana through Shri S.N.Mathur

Advocate in his claim petition has objected to the joint shares in the land of Sarvshri Hari Singh, Kehri, Raghunath etc. ^{and 2} he requested that the compensation should be paid after verification of the shares. He ² has further demanded the market price of the land at Rs.25/- to Rs.30/- per sq.yd.

- 3) Sarvshri Banwari Lal s/o Bhagwan Das, Dheram Singh s/o ² Ch. Ganga Sahai, Nawal Singh, Jit Ram & Bhanawar Singh ss/o ² Ch. Baldev Singh, ² ~~Raghunath~~ ^{Ram 2} and ² Pratap claiming themselves to be the full owners of the land ² demanded compensation @ Rs.15/- per sq.yd. on the plea that the land is surrounded by colonies like Moti Nagar, Ramesh Nagar, Raja Garden etc.
- 4) Sarvshri Laje Ram s/o Hira and Bal Kishan have jointly stated that they are the owners and in possession of the Shamlat land and demanded the compensation at Rs.15/- per sq.yd. plus 15% solatium.
- 5) Sarvshri Dharam Singh and Jai Singh s/o Mange Ram have stated that they are the owners of the land and claimed the market value of the land at Rs.15/- per sq.yd.
- 6) Sarvshri Ram Chander, Hari Singh, Chhotey Lal ss/o Bulaqi have also in capacity as owners in possession, requested for the compensation at Rs.15/- per sq.yd. and in addition 15% solatium.
- 7) Similary Sarvshri Kirpa Ram s/o Pateh, Sohan Lal and Mohan Lal ss/o Hari Ram have claimed as above.
- 8) Sarvshri Hari Singh s/o Parbhu etc., Kehri s/o Kishan Lal etc. have stated that they are the shareholders in the land to the extent of 7072 shares, and requested ^{pay the 2} to compensation accordingly.
- 9) Sarvshri Jaswant Singh & others s/o Tulsi Ram ² have claimed the market value of land at Rs.40/- per sq.yd.
- 10) Sri Bishambar himself and on behalf of Bhagwana has claimed compensation at the rate of Rs.25/- per sq.yd.
- 11) On behalf of Sri Sunder Singh s/o Sobha Ram, his

son Shri Harinder Kumar s/o Inder Singh ^{have} filed an application requesting to pay the compensation.

The claimants have not produced any evidence in support of their claims although due opportunity was given to them. The rate of compensation as demanded by them ranges from Rs.15/- to Rs.40/- per sq.yd. but they have not substantiated their plea by any oral or documentary evidence.

'MARKET VALUE'

As explained above under the head 'Introduction' the khasra numbers under acquisition were already covered under the notifications under sections 4 and 6 of the Land Acquisition Act, but they were excluded from the original award No.1548. The present award is a supplement to the award No.1548. In view of this fact the rate already allowed in the said award shall automatically apply to the present award. In the said award the market value of the land was fixed at the flat rate of Rs.3500/- per bigha. From the site plan attached in the file it is seen that the khasra numbers under acquisition are surrounded by the khasra numbers already acquired for which the rate of Rs.3500/- per bigha was awarded. I, therefore, allow the rate of Rs.3500/- per bigha as market value for the khasra numbers under acquisition. Khasra No.3887/1729/3 measuring 6 bighas 3 biswas is entered in the record as a Ghairmumkin Rasta since last settlement, and it is used as a thoroughfare for the common use by general public. However, compensation has been assessed for this khasra No. also. The compensation of this land will be paid to the parties establishing their ownership rights.

'OTHER COMPENSATIONS'

WELL: There is one well in the land under acquisition for which Rs.500/- has been assessed which I consider to be very reasonable and I award accordingly.

COMPENSATION FOR TREE:

There is only one tree (Pipal) in the land under acquisition for which Rs.40/- has been assessed which I consider to be very fair and reasonable and I award accordingly.

COMPENSATION FOR STRUCTURE:

There is one room in the khasra No.676 for which no compensation has been assessed as it was raised recently, ^{ie,} after the date of notification under section 4 of the L.A. Act. The owners are allowed to remove their malba if they so desire.

'APPORTIONMENT'

The compensation will be paid on the basis of the latest entries in the Revenue Record. The compensation regarding khasra No.676 and 1556 will be held as disputed as in the former case the land has been sold in the form of plots and in the later the claimants have stated that the entries regarding their shares in the revenue record have been wrongly entered. Similarly as discussed under the head 'Market value' the compensation of the khasra No.3887/1729/3 will be treated as disputed. The compensation of the entire area will be sent to the A.D.J. Delhi for disbursement if the parties do not come to mutual settlement.

'THE SUPPLEMENT- AWARD IS SUMMARISED AS BELOW:

Compensation for land measuring 7 bigs. Rs.24,850.00
02 biswas @ Rs.3500/- per bigha
(khasra Nos.676 & 1556, 3887/1729/3).

Compensation for well. Rs. 500.00

15% of the above as solatium
for compulsory acquisition charges. Rs. 3,802.50

Compensation for trees. Rs. 40.00

G.Total..... Rs.29,192.50

*Checked and
found correct.*

*Done
17/10/66
N.T. (L.A.)*

The land is assessed to a land revenue of Rs.0.69ps. which will be deducted from the Revenue Roll of Rabi, 1967.

[Signature]
(Zal Nowsherwanji)
Land Acquisition Collector(DS),
Delhi/17.10.1966.

Submitted to the collector, Delhi for information and filing.

[Signature]
(Zal Nowsherwanji)
Land Acquisition Collector(DS)
Delhi/17.10.1966.

P.T.O

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The D.C. has seen this award
on 24.10.66 and the amount
of compensation has been
placed at the disposal of
this court - by the A.D.M. (LA)
vide his letter No. F.A.D.M./LA/PA/W
-8/66 / dated and received today.
The award will be announced
on 31.10.66. Prepare Taghla
Mamrozgami and A's Subsequent
and inform all concerned.

~~25.10.66~~
(M.C. JS)

Shri Ramful NT

2.8.66 / S. Lalch Singh
Mr. Hadi

To Comply & Report by

27-10-66 positively pl.

Ramful
25/10/66

3493
15/10/67
3494
15/10/67