

A W A R D No. 1554

Name of the Village: Shakurpur, Basai Dargah

Nature of Acquisition: Permanent.

This is a case for the acquisition of land in the estate of Shakurpur <sup>referred</sup> acquired by the Government at the Public expense for a public purpose namely for the Planned Development of Delhi. A declaration under section 4 of the Land Acquisition Act was made vide Notification No. F.15(111)/59-LSG dated 13.11.59. The substance of the notification was given due publicity and objections were invited. The objections were heard and a report was sent to the Delhi Administration by Land Acquisition Collector III. A huge area amounting to about 34000 acres was to be acquired according to this notification. Area is being acquired from the notification from time to time, by publication of notifications under section 6 of the Land Acquisition Act. A declaration under section 6 of the Land Acquisition Act regarding this area was made vide notification No. F.15(9)/61-LSG dated 15.11.62. Notices under section 9(1) of the Land Acquisition Act was given due publicity <sup>and</sup> as notices under section 9(3) and 10(1) were issued to the Interested persons. Almost <sup>all the</sup> the interestested persons have responded to the notices.

#### MEASUREMENT AND OWNERSHIPS

According to the notification the total area to be acquired is only 4 Bighas and 12 Biswas. The ownership of this land is given below:-

Name of the Owner.	Khasra No.	Area		Kind of soil.
		Big.	Bis.	
Tej Ram s/o Baldu and Krishan Singh s/o Sheo Ram in equal shares.	242	4	10	Garden.
	241	0	2	Well.
		4	12	

Note:- In the Revenue Record Khasra No. 241 is in the <sup>the name of</sup> Gaon Sabha. But Shri Tej Ram has produced a <sup>by judgment</sup> evidence of a Civil Court in which he has been declared as bhumidar of Khasra No. 241.

#### CLAIMS:

The owners have claimed compensations for the

land @ Rs. 30/- per sq. yard. and Rs. 3000/- for the well, Rs. 50,000/- for the structures and Rs. 5000/- for the boundry wall.

SarvShri Hari Gopal, Madhur Behari and Mahesh Chand, claimed to be the previous owners of this land <sup>and</sup> have stated that they have filed a civil suit for the dict<sup>er</sup>ation of the rights of bhumidnars in their favour. They have claimed compensation of Rs. 25/- per sq. yard for the land Rs. 50000/- for the trees and Rs. 25000/- for super-structure. They have given no evidence regarding their claim.

Shri Rosnan Lal is a tenant on this land and he has started a Poultry Form at this place. He has stated that he is paying Rs. 40/- per month as rent to the owner<sup>he</sup> Shri Tej Ram and demands Rs. 5000/- as compensation.

Sarv Shri Gyan Chand, Munshi Ram and Rawat Singh tenants in small kotharis @ Rs. 5/- per month each have claimed compensation of Rs. 2000/- each for improvement and loss of rights of tenancy.

#### EVIDENCE.

The owners have stated that the evidence given by them in case of Shakarpur should also be considered as evidence in this case.

#### MARKET VALUE .

The land under acquisition is a part of the garden acquired in the Estate of Shakarpur and similar in situation and kind. The market value for the land <sup>has</sup> been fully discussed in that award. Therefore, <sup>it</sup> award the same rate of <sup>Rs. 4000/-</sup> Rs. 400/- per bigha for this land.

#### OTHER COMPENSATION.

The Naib Tehsildar Land Acquisition has estimated the wood in the garden at 290 maunds. The wood is of soft type and can be used for fuel purposes. He has correctly assessed the weight of the wood and his suggestion of Rs. 2/- per maund for Dry wood is also correct. Therefore, <sup>it</sup> award Rs. 2 580/- <sup>on</sup> the price of trees.



No compensation can be paid for the flower~~s~~ plants as the price of the land have been assessed on the basis of the potential value.

STRUCTURE.

The structure on the land is very old and in a very broken down condition. The Naib Tehsildar Land Acquisition has assessed the value of the structure and the boundary wall at Rs. 5812/- . I have inspected the site and I find the assessment made by him correct. Therefore, award Rs. 5812/- for the structures.

WELL .

There is a well in Khasra No. 241 and is used for drinking purposes. It is in good condition and the Naib Tehsildar Land Acquisition has assessed its price at Rs. 1000/- . I have inspected the well and find the assessment made ~~xxxx~~ by him as correct. I, therefore, award Rs. 1000/- for <sup>the</sup> well.

APPORTIONMENT.

There is a dispute between the previous owner and the bhumidhar. According to the present condition, the previous owners have no rights on the land and are not entitled to any compensation.

The tenants are not on the land but only on the super-structure. I apportion a rent of one year to be paid to each tenant for the loss of their rights of tenancy out of the compensation of the owners.

The compensation of the bhumidhars will be sent to the Additional District Judge for adjudication.

THE AWARD IS SUMMARISED AS BELOW.

Compensation for 4 bighas 12 biswas of land @ Rs. 4000/- per bigha .	Rs. 18400.00nP
Compensation for structure.	Rs. 5812.00nP
Compensation for well.	Rs. 1000.00nP
	<u>Rs. 25212.00nP</u>
15% as solatium.	<u>Rs. 3781. 80nP</u>
	Rs. 28993.80nP

Compensation for trees.

Rs. 580.00nP

GRAND TOTAL: Rs. 29573.80nP

The land is assessed to No land revenue. Therefore, the question of deduction from the revenue roll does not arise.

(Nand Kishore)  
Land Acquisition Collector I,  
Delhi  
26.3.63

Submitted to the Collector of the District for filing of award.

(Nand Kishore)  
Land Acquisition Collector I,  
Delhi.  
26.3.63.

Seen

HP number

Adm LA Delhi

COLLECTOR, DELHI

30/3

Possession for the land acquired at  
Village Basaidara pur vide Award No. 1554 is  
to be transferred to the Delhi Administration on  
14.5.63. Necessary notice to the interested  
persons has been issued.

It may be reported that there  
are certain structures under the occupation  
of certain tenants. So long as they do not  
vacate their premises it is not possible to  
transfer physical possession. For this I  
may suggest that only 'Malkana' possession  
can be given. Regarding other area the  
physical possession can be transferred.  
For orders pl.

M. S. M.

14/5/63.

Govt. Secy

13/5/63

1ACI

In compliance with your order, the  
possession of the land acquired at Basaidara  
pur according to Award No. 1554 has been  
transferred to the Housing Dept. today. The proceeding  
of the transfer of possession can be pursued  
which are attached in the file (Page 'A').  
For the structures only 'Malkana' possession  
was given. For the vacant land, physical  
possession was transferred.  
For information pl.

M. S. M.

16/5/63.

14/5/63

2ACI