

A W A R D No.

1465

Name of the Village:

Basaidarapur.

Nature of Acquisition:

Permanent

This is a case for the acquisition of land in the Estate of Basaidarapur required 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 13.11.1959. The substance the notification was given due publicity and objections were invited from the interested persons. The objectors were heard and a report was made by LAC (III), and the objections received in original were sent to the Delhi Administration. A big area of about 34,000 acres situated in several villages was sought to be acquired by means of this notification. Areas are being acquired out of this notification by means of publication of notification under section 6 of the Land Acquisition Act as the necessity arises. A declaration under section 6 of the Land Acquisition Act regarding this area was made vide notification No.F.7(80)/62-LSG dated 24.12.1962. Notice under section 9(1) of the Land Acquisition Act was given due publicity and notices under section 9(3) and 10(1) have been issued to the interested persons. Almost all the interested persons have responded to the notices.

MEASUREMENT AND OWNERSHIP.

According to the notification under section 6, the total area to be acquired was 22 Bighas 3 Biswas. From further verification made the area is found to be 22 Bighas 11 Biswas. The difference is due to the fact that the unbuilt area of khasra No.247 is 10 Bighas 19 Biswas instead of 10 Bighas 11 Biswas. No claimant has raised any objection against this measurement. I, therefore, hold this measurement to be true at 22 Bighas 11 Biswas. The ownership of the land under acquisition according to the Revenue Record is given below:

S.No.	Name of the Owner	Khasra No.	Area Big. - Bis.	Kind of land.	Claim Made.
1.	Shri Mohd. Ali Akbar s/o Gham Naziff.	3286/254 3289/255	0 - 17 0 - 17 <hr/> 1 - 14	Banjer kadin. "	Rs.85,00
2.	M/S Gulati & Co.	248 251	1 - 03 6 - 00 <hr/> 7 - 03	Banjer- kadin. gm. Factory.	Rs.1,67,

Note: They ~~further~~ stated that they purchased 9 Bighas 16 Biswas of land in the year 1948 for a sum of Rs.40,000/- plus expenses of Rs.1,634-13As, and they built the foundation of the factory on this land. They further stated that their plan was approved by Deputy Commissioner Delhi in the year 1948.

3. Shri Nau Ratan Chand 247/3 10 - 19 Bagh Nehri  
ad.s/o Phool Chand.

Note: He has claimed compensation of Rs.50/- per square yard for the land and ~~Rs.5/-~~ per sq. ~~foot~~ for the super structure and ~~Rs.5000/-~~ for the loss of good will. Structures have been raised on the land under acquisition after the date of notification under section 5. No compensation can, therefore, be paid for such structures. In the notification under section 6 only the non-built area was notified. He has filed ~~further~~ writ petition in the High Court and has got ~~dispossession~~ order. ~~Compensation of this land will be taken and payment will be made after the vacation of this order.~~

4. Gaon Sabha, 3282/250 2 - 09 Banjer Kadin No cl  
Basaidarapur. 3283/250 0 - 02 Chairmunkin Well  
3284/250 0 - 04 Banjer Kadin.

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Note: Shri Ram Chander s/o Bhura claims that he is a tenant in khasra No.247/3 for more than 12 years and he has been regularly paying for the land to the Owner. He has ~~produced~~ receipts against the payment of money to the Owner of the land. He has claimed Rs.6,125 as compensation for the standing trees and two kothas. The kothas are not being acquired. There are also Khacharu s/o Sukh Ram, Ram & Ram Krishan on this land, tenants in khasra No.3286/254. They have filed no claim.

#### MARKET VALUE

The land under acquisition is situated on the main Rohtak Road near the crossing of Lawrance Road and Rohtak Road. There are built up colonies round about this land. It has got, therefore, potential value for building purposes. The prices are quite high in this land for the last 15 years, No enhancement of prices has however taken place in this area. M/S Gulati & co purchased 9 Bighas 16 Biswas in the

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year 1948 for a sum of Rs. 40,000/- yielding an average of Rs. 4,000/- per Bigha. The same rate continues up to this time. Several awards for the land, near about, have been made in which the date of notification under section 4 is the same as in this case. In Awards No. 1553, 1554, and 1629, the land near about the land under acquisition, has been acquired and rate of Rs. 4,000/- per Bigha <sup>has been</sup> ~~is~~ given. This rate, therefore, holds good even in this case and I, therefore, award Rs. 4,000/- per Bigha for the land under acquisition. Since the price is being given on the basis of potential value for building purposes, therefore, there is no necessity to fix separate price for cultivated and non-cultivated land.

#### OTHER COMPENSATIONS

The foundation of khasra Nos. 248 and 251 has been assessed by the P.W.D. at Rs. 10,044/-. This is a reasonable assessment and I award Rs. 10,044/- as compensation for the structure. The Naib Tahsildar (DA) has assessed the price of wood of trees in khasra No. 247/3 at Rs. 1729-50. I consider this assessment to be correct, and award Rs. 1730/- as compensation for the trees. There is a broken down well in Khasra No. 3284/250 and no price is assessed for this well. There are some khokhas in the land under acquisition constructed after the date of notification under section 4. They cannot be allowed <sup>for</sup> ~~for~~ compensation for such structures. They will however, be allowed to remove their Malba from the land under acquisition, if they so like.

#### APPORTIONMENT.

The compensation for the land of M/S Gulati & Co will be paid after they bring a clearance certificate from the Income Tax Department. Compensation for the trees will be paid to the tenants if both <sup>the</sup> parties agree.

#### THE AWARDS SUMMARISED AS BELOW:

Compensation for 22 Bighas 11 Biswas of land @ Rs.4,000/- per Bigha.	Rs. 90,200.00
Compensation for structure.	Rs. 10,044.00
Compensation for trees.	Rs. 1,730.00
	<hr/> Rs. 1,01,974.00
15% of the above as solatium for compulsory nature of the acquisition.	Rs. 15,296.10NP
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G. Total	Rs. 1,17,270.10NP

The land is assessed to Rs.3.00 of Abyana well which will  
be deducted from the revenue roll from Rabi 1964.

*L*  
(Nand Kishore)  
Land Acquisition Collector I,  
DELHI.  
27.12.1963.

Submitted to the Collector of District for information  
and filing.

*L*  
(Nand Kishore)  
Land Acquisition Collector I,  
DELHI.  
27.12.1963.

*Seen*

*H. Kumar*  
ADM L A Delhi

*min. Pious of Collector*  
**COLLECTOR, DELHI** 1.16.4