AWARD NO. 1978

Award NO.______________for the year 1967 by Shri Bishan Singh P.C.S., Land Acquisition Collector, Delhi.

Case No.______________

Acquisition of land for the Execution of the Interim General Plan for Greater Delhi.

Village: B A S A I D A R A P U R

A W A R D

Delhi Administration issued notification No.F.15(84)/57-LSG dated 3.9.1957 u/s 4 of the Land Acquisition Act for acquir area at public expense for a public purpose, namely, for the Execution of the Interim General Plan for Greater Delhi,in many villages and this village is one of them. Seperate notification u/s 6 of the above mentioned Act are being issued by the Delhi Administration as and when any necessity arises for acquisition. After considering objections u/s 5A, a notification No.F.1(20)/6 L&H(ii) dated 29.7.63 of the said Act was issued for the acquisi tion of this area alongwith other area but this khasra No. which is now under acquis tion was deleated vide notification No.F.1(/62-L&H dated 24.3.66. Again vide notification No.F1(20)/62-L&H(i) dated 24.3.66 u/s 6 of the said Act this khasra No. was notified for acquisition. Notices u/s 9(i) & 10 were also issue to the concerned persons and claims have been filed in pursuance of those notices by the persons concerned which will be discusse seperately under head 'CLAIMS'.

1. M E A S U R E M E N T :

The area under acquisition as mentioned above is 2 bighas 17 biswas and is found correct at site even on measurement by th field staff. The acquisition file has so far been prepared for this area. The land under acquisition lies in village Basaidara pur. Details of khasra Nos. under form 7A have been prepared under paragraph 55 of Financial Commissioner's standing order No 28 which are as under:-

Khasra No.	Area Big.Bis.	Kind of soil
2916/2397	2 - 17	Rosli

The measurement and classification of land has been accepted by the land owners. I, therefore, agree with the

contd...2....

classification as proposed by the Naib Tehsildar, Land Acquisition on the basis of entries of Khasra Girdqwari at the time of notification us/.4 which is as under:-

Kind of land	Area Big.Bis.
Rosli	2 - 17

2. C L A I M S :

The interested persons have filed their claims against acquisition of the land and have also mentioned regarding the high price now prevailing in the locality and have demanded the same. The claims of all the interested persons are as under:

1. Shri Bhola s/o Mohan:

C L A I M	R E M A R K S
Claims that as this land has wrongly been entered in the name of Shri Ramesh Chander s/o Bulaqi. The correction be now made according to entries of the record kept by the revenue Patwari. Demands @ Rs. 50/- per sq. yd. as compensation on account of its surrounding by well developed colonies like Ramesh Nagar, Mansarover Garden, Sarswati Garden, Kirti Nagar Industrial area, Delhi Milk Scheme etc.	The claimant has not produced any evidence in support of his claim. The compensation shall be fixed according to facts and figures available from the revenue record and shall be paid to the right persons according to the entries of the revenue record.

3. P O S S E S S I O N:

This area is being acquired at public expense for public purpose namely, for the execution of the interim plan for greater Delhi and possession has not so far been taken by the department concerned.

4. M A R K E T - V A L U E :

This village is of Urban nature. The whole of the area now under acquisition is Rosli and the market price of this area can be fixed at flat rate because the area is not very vast and is of the same quality.

In calculating the amount of compensation to be awarded, certain points as mentioned under section 23(1) of the Land Acquisition Act, are to be kept in view. In order to determine the market value, many other factors enter into reckoning which are also necessary, for instance, the sale transaction of the village concerned that took place during first 5 years preceding

contd...3.....

to the date of publication of notification u/s 4 of the Act, i.e. 3.9.57, nearness of the land to any pucca road, the size and shape of the land now under acquisition, all the previous transactions, situation and use to which it can be put to, rise and fall in prices due to demand of the land in market and the land acquired previously in the village concerned. It is a fact that exact market value is not likely to be fixed in any case, but it cannot be denied that every possible effort should not/be made to fix up the correct market value prevailing on the date of notification u/s 4. The claims of the right-holders already discussed are also to be kept in view for fixing up the market value.

The year-wise statement of the average sale price for the 5 years immediately preceding the date of notification i.e. 3.9.57 u/s 4 has been worked out as under:-

S.No.	Year	Area Big.Bis.	Amount	Average per bigha.
	~~1952-53~~			
1.	1952-53	99 - 16	Rs.2,18,105.00	Rs. 2185.42
2.	1953-54	68 - 17½	Rs.1,49,050.00	Rs. 2164.07
3.	1954-55	123 - 04	Rs.4,04,720.94	Rs. 3285.07
4.	1955-56	171 - 6¾	Rs.5,54,746.30	Rs. 3237.80
5.	1956-57	392 - 7¾	Rs.9,58,307.61	Rs. 2442.17
Total:		855 - 11 11/12	Rs.22,84,929.85	Rs. 2670.56

The above mentioned table shows that the average sale price during 5 years preceding to the date of notification u/s 4 comes to Rs. 2670-56 per bigha but it is also a fact that the price of land per bigha remained during the year 1953-54 less than the price prevailing during the year 1952-53. During the year 1954-55 the price per bigha of the land was highest i.e. 3285-07 while in 1955-56 there was a slight ~~trend~~ downward trend and the price per bigha comes to Rs. 3237-80. During the year 1956-57 the average price per bigha was considerably less than the price during the year 1954-55 and 1955-56.

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1952-53 & 1953-54:

No Area was sold in the vicinity of the area now under acquisition in these years. Hence it is of no use to discuss the transactions which took place during the period.

1954-55:

During this year 36 transactions took place and the price of the land per bigha is the highest. The main reason for this is that area measuring 4 bighas 3 biswas was sold for Rs. 27562-00 vide 17 transactions involving area up to the extent of the 10 biswas only. The average price per bigha of this area comes to Rs. 6641-45 and it has ultimately resulted in rising the price per bigha of whole of the land sold during this year.

1955-56:

During this year 136 mutations were entered. Out of them 100 mutations were entered regarding the area up to the extent of 10 biswas for Rs. 1,64,393-04. The average price per bigha of the land sold vide these transactions comes to Rs. 7695-40 which has resulted in rising the price of the other land while working out the average price for the area as whole. During this year area measuring 4 biswas out of Khasra No. 1289 was sold vide mutation No. 2966 for Rs. 1500/- on the basis of registered deed dated 18.4.56 and the price per bigha comes to Rs. 7500/-. Area measuring 5 biswas out of Khasra No. 1291 was sold for Rs. 1955-00 vide mutation No. 2982 entered on the basis of registered deed dated 8.4.56 and the price per bigha comes to Rs. 7820/. Out of Khasra No. 1290, 1292, 1293 area measuring 1 bighas 19½ biswas was sold for Rs. 5850/- vide mutation No. 2979 entered on the basis of registered deed dat 27.[illegible].56 and the price per bigha of this area comes to Rs.2962-0 Similarly area measuring 2 bighas 16 biswas and 5 bighas 1 bisw entered on the basis of registered deed dated 29.3.56,& 16.3.56 vide mutation No. 2980,& 2921 for Rs. 3000/- and 14003/- respecti vely. The average price of the land per bigha sold vide these mutations comes to Rs. 1071-43 & 2772-87 respectively. All the above mentioned mutations relate to the land which is situated

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near the land now under acquisition. The difference in the price of land per bigha is very noticeable and is mainly due to the fact that where the price is very high the land involved is in the shape of small patches. It can now safely be said that the land when sold in small patches, fetches high price and the price is low in those cases where the area involved is in the shape of big plots. Hence for acquisition purposes price of land sold in the shape of small plots cannot be made a base for fixing the market value because a sufficient land is acquired under a singal notification.

1956-57:

During this year the price of land per bigha remained down as compared with the price of the preceding year. As no land was sold during this year round about the area now under acquisition so it is useless to discuss unnecessarily the transactions which are away from it.

The following awards were announced in this village with regard to other area against notification u/s 4 of the Land Acquisition Act, mentioned against each award.

S.NO.	Award No.	Date of notification under section 4	Rate per bigha.
1.	850	22.9.52	Block'A' - Rs. 3800/- Block'B' - Rs. 2800/- Block'C' Rs. 800/-
2.	891	24.4.57	Rs. 3½ per sq.yd-
3.	996	3.9.57	Block'A' Rs. 3500/- Block'B' Rs. 3000/- Block'C' Rs. 2500/-
4.	1272	3.9.57	Block'A' Rs. 3500/- Block'B' Rs. 3000/- Block'C' Rs. 2500/-
5.	1680	3.9.57	The land other than Nallah & G.M.Rasta Rs. 3000/-
			Nallah & G.M.Rasta Rs. 1000/-
6.	1757	3.9.57	Rs. 3000/-
7.	1910	13.11.59	Chahi Rs. 3100/- Ghairmumkin Rs. 3000/-

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The land acquired vide award Nos. 850, 891, 996, 1272, 1757 is away from the land now under acquisition. Hence it is of no use to discuss the base on which market price of the land per bigha was fixed while drawing these awards. Vide award No. 1910 area was acquired very recently and the compensation of the land per bigha is given in the above table but this area is also not very close to the area now under acquisition. Hence it cannot be made the only base. Under award No. 1680 a portion of Khasra No. 2916/2597 which is now being acquired was also acquired. It can now safely be said that the price of land fixed at that time can easily be made a base for fixing the price of the land now under acquisition. It would also be not out of place to mention here that all the applications of several right-holders who were dis-satisfied with the awarded amount their references have already been forwarded to the A. D.J. against award No. 1680 and 1910 but no judgement has so far been passed on any of those references. After careful examination of the average price per bigha of the land though away from the site during the pridd shown in the table and the upward trend in the price of land, location of the land now under acqubtion the price of land sold near the area now under acquisition during the year 1955-56 in the shape of small plots as well as in the shape of big plots and the price per bigha fixed while drawing the award No. 1680 which involved also a portion of the Kh. No. now under acquisition I am of the view that fair and reasonable price for the land now under acquisition at that rate is Rs. 2000/- per bigha which I also assess.

TREES, WELLS AND OTHER STRUCTURES:

TREES:- There is no tree on the land now under acquisition.

WELLS:- There is no well on the land now under acquisition.

OTHER STRUCTURES:- There is no structure on the land now under acquisition.

COMPULSORY ACQUISITION CHARGES:

The owners and other interested persons shall be entitled to 15% in consideration of Compulsory nature of acquisition of the market value of the land under section 23(2) of the Land Acquisition Act, 1894.

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I N T E R E S T :

As the possession of the land has not been taken by the acquiring department, the owners and interested persons are not entitled to have any interest on this basis. However, according to the provisions of the Land Acquisition (Amendment & Validation) Act, 1967 simple interest @ 6% per annum is allowed on the market value of the land from the date of expiry of three years from the date of publication of the notification U/s 4 of the L.A.Act. In this case notification U/s 4 of the said Act was published on 12.9.57 and payment of compensation is likely to be made on 26.7.67 The interested persons will get the amount of interest for the above period @ Rs. 6% per annum as indicated above.

LAND REVENUE DEDUCTION :

Khalsa amount of reduction from the land revenue dues on account of land acquired is to Rs. 1.16. There will be deduction of this amount from the Khalsa Rent Roll of the village w.e.f. the date of taking over the possession of the land.

The aforesaid land will vest absolutely in the Government free from all encumbrances from the date of taking over possessio

Subject to above remarks, the award is summarised as under

1.	Compensation for the land measuring 2 bighas 17 biswas @ Rs. 3000/- per bigha.	Rs. 8,550-00
2.	15% compulsory acquisition charges.	Rs. 1,282-50
3.	Interest @ 6% per annum from 12.9.60 to 26.7.67	Rs. ~~4,052-68~~ 3,524-94
	Total:	Rs. ~~14,911-32~~ ~~13885-18~~ 13,357-44

(Bishan Singh) 31/5/67
Land Acquisition Collector (N): Delhi.

Forwarded to the Collector, Delhi, for information and fili

(Bishan Singh) 31/5/67
Land Acquisition Collector (N): Delhi.

Seen. Filed.
N S Warne
20.7.67

COLLECTOR, DELHI

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27/7/67

آج مثل پیش ہوئی آج ایوارڈ سنانا تھا مورخہ

ڈیمانڈ متعلقہ اشخاص کو مطلع کیا جائے بعد ازاں تیار کی

گئی ڈرافٹ نقشہ متضمن وغیرہ Statement A: اور آج سنانے

ایوارڈ مورخہ 27/7/67 کو پیش ہو

L.A.C.
20/7/67

آج مثل پیش ہوئی۔ ایوارڈ سنایا گیا۔ مندرجہ ذیل اشخاص حاضر ہیں۔

L.A.C.
27/7/67

(1) شری رامچندر ولد بلاقی ساکن بی دارہ پور

نشان انگوٹھا رامچندر

(2) شری رامچندر ولد بھجو رام ساکن بی دارہ پور

27-7-67

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قبضہ کارروائی ایوارڈ ء 1978 موضع بی داره پور صوبہ دہلی -

بحکم جناب کلکٹر صاحب بہادر حصول اراضی حلقہ سرکل شریلہ بذریعہ چٹھی نمبری L.A.B/19218 مورخہ $\frac{27/11}{1967}$ بمراد دلانے قبضہ موقعہ پر ہمراہ شری دیو پال پٹواری ایل - اے پہنچا محکمہ ہاؤسنگ کی طرف سے شری H.L. Chathaau نائب تحصیلدار صاحب و شری امراؤ سنگھ گرداور موقعہ پر موجود ملے اراضی خسرہ نمبر $\frac{2916}{2397}$ تعدادی 12 موقعہ پر خالی پائی گئی۔ اس لئے اس کا قبضہ واقعہ شری H.L. Chathaau نائب تحصیلدار کو حسب ضابطہ کے چاروں طرف گھوم کر دلا دیا گیا - موقعہ پر کوئی شخص مزاحم نہیں ہوا - مالکان کی طرف سے کوئی حاضر نہیں پایا - موقعہ پر مستری منیادی بذریعہ شری کشن لال جیبن میں (L+B) سے کرائی گئی - پٹواری مال بھی حاضر نہیں ملا اس لئے ایک کاپی قبضہ کارروائی بمراد عمل درآمد کاغذات مال بوساطت تحصیلدار صاحب دہلی بھیجی جا دی گئی - $\frac{16-12}{67}$

H.L. Chathaau 16/12/67

Narain Singh Naam
Kgo. L.A.
16.12.67

Dewi ? Patwari
16.12.67

Umrao Singh
Kgo. L.A.B.
16/12/67

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE)

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated the March, 1966

NO.F.1(20)/62-L&H(i):- Whereas it appears to the Chief Commissioner of Delhi that land is required to be taken by Government at public expense for a public purpose, namely for the Execution of the Interim General Plan for Greater Delhi, 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 whom it may concern and under the provisions of section 7 of the said Act, the Collector of Delhi is hereby directed to take order for the acquired of the said land.

A plan of the land may be inspected at the office of the Collector of Delhi.

SPECIFICATION.

Locality	Total area Big.	Bis.	Field Nos. or Boundaries.
Basai Darapur	2	17	2916/2307

By order,

Sd/-

(JAGMOHAN)
DEPUTY HOUSING COMMISSIONER
DELHI ADMINISTRATION: DELHI.

NO.F.1(20)/62-L&H(i) Dated the 24 March, 1966.

Copy forwarded to:-

1. Recruitment & Services Deptt(in duplicate) for favour of publication in Delhi Gazette.
2. Engineer Member, Delhi Development Authority, New Delhi.
3. General Manager, Engg. Northern Rly, H.Q.Office, Baroda House, New Delhi.
4. A.D.M.(Land Acquisition), Delhi.
5. Land Acquisition Collector (Narela Circle), with reference to his letter No.340/LAN/Rev dated 12-1-66.
6. Tehsildar, Land & Housing Deptt, Delhi.

A.C.N.
H.
14/3

Sd/-

(JAGMOHAN)
DEPUTY HOUSING COMMISSIONER.
DELHI ADMINISTRATION.

714/LAC(N)
12-11-66
180. N.F.L.A.
15.4.66