

(9)

AWARD NO. 33A/1969-70 *suppl.*

Name of Village Bassidarapur.

Nature of Acquisition Permanent

Purpose of Acquisition Planned Development of Delhi.

These are supplementary acquisition proceedings for determination of compensation u/s 11 of the Land Acquisition Act in respect of land measuring 4 bighas and 16 biswas situated in village Bassidarapur. As this land was not required while finalising the main award it was left out. Now, since the land is originally required for planned Development of Delhi on priority basis the acquisition proceedings are being finalised. The land were notified U/s 4 of L.A. Act vide notification No.F.15(iii)/59 LSG dated 13.11.59 and the subsequent declaration u/s 6 of the Act was issued vide notification No.F.4(35)/65-L&H dated 28.1.66. In pursuence of above said declaration notices u/s 9 & 10 of the Act were issued to all the interested persons and the claim filed by them are hereafter discussed under separate heading 'Compensation Claim'.

TRUE AND CORRECT AREA:

The land was measured on the spot by Land Acquisition field staff and the area found that acquisition is as under:-

Field No.	Area		Kind of soil.
	Big.	Bis.	
2599/1181	2	10	G.M.Khata.
2600/1181	2	06	G.M.Khata.
Total	4	16	

Compensation Claim:

The claim filed in pursuence of notices issued U/s 9 & 10 of the Act is as under:-

<u>Name of the Claimant.</u>	<u>Kh.No.</u>	<u>Compensation claimed.</u>
S/Sh. Khajan Singh s/o Khan Chand $\frac{1}{4}$ share, Sh. Ram Mehar $\frac{1}{4}$ share, Sh. Shiv Charan $\frac{1}{4}$ share sons of Munshi, all the residents of village Bassidarapur.	2599/1181	Joint claimed has been filed by all these persons wherein they have claimed compensation at the rate of Rs.25 per ac Contd...

yd. alongwith interest U/s 4(3) and the permissible solatium. They have also claimed Int. from the year 1971 as per their contention the possession of the land was taken in they-ear 1971 when the possession of the land acquired vide main award was taken.

S/Sh. Gokal Chand, Bram 2600/1181
Prakash, Satya Prakash,
Satto Devi Satya Wati,
Parkash Wati, Dev Par-
kash, Jawala Devi w/o
Sobhan Ram, Sawatri Devi,
Ishwar Devi, Kama Wati,
Kela Vati d/o Late Sobha
Ram died on 18.9.77.

They have claimed compensation at the rate of Rs. 30/- per sq. yd. alongwith solatium and the permissible interest. They have also claimed Rs. 200 per meter has damaged for the unauthorised possession of the land by D.F.A.

DOCUMENTARY EVIDENCE:

Claimants mentioned at Sl.No.1 have produced a copy of judgement delivered in L.A.C. case No.175/71 Than Singh etc. Vs. Union of India. They have also produced a copy of judgement delivered in R.A.A. No.719 of 1963 decided on 2.4.72 in Union of India Vs. Brij Mohan Gupta.

MARKET VALUE:

The market value of the land is to be found out as prevailing in the date of notification u/s 4 of the Land Acquisition Act namely 13.11.59. The best evidence to arrive at the market value would be to examine the awards that has been announced so far in the land in which the date of notification U/s 4. Same or is close to the date of notification of the present land. The scrutiny of the award in village Bassidarapur has revealed that there has been following awards in the village for which the date of notification u/s 4 of the Act is same as that of the present land under acquisition. The land under present acquisition is surrounded by the land award vide award Nos 1415 and 1600. The land is in the shape of pits (Khadas) of the depth from 8 ft. to 12 ft. which could be fill after incurring a lot of expense. In the revenue record also the land has been indicated as G.M. Khadas.

- 3 -

I have inspected the site and have found that the land acquired by the other awards mentioned at Sl.No.2,3,5,6,7,8, 9 are at considerable distance and have better location and potentiality to the land under present acquisition. The land under present acquisition is quite far off from the village abadi and is surrounded by the land of low potential. Therefore, no definite guideline can be drive from the awards other than award No.1 and 4 it would be appropriate to consider the market value of the land under acquisition based on these awards. In both these awards while determining the market value of the land, the Land Acquisition Collector has assessed the compensation for G.M.Khadra at the rate of 600 per bigha. These Khadas had been welldefined in the relevant awards and after having taken into account the and the low potential value of these lands the Land Acquisition Collector has arrived at the market value. The land under present acquisition is identical in all respect to the G.M. Khadas acquired by these two awards. For determining the market value of the land under acquisition I think it reasonable to reliance on the market value awarded for the G.M.Khadra in award No.1600 which is still closed compared to that of award No.1415. The interested persons being agrieve by the rate awarded by the Collector went in the court of Addl.District Judge and the Addl.District Judge has enhanced the compensation for these G.M.Khadra from Rs.600/- per bigha to 6000/- per bigha.

As the Union of India has filed an appeal in the Delhi High Court against the enhancement over and above Rs.5000/- per bigha so I assessed the same i.e. +Rs.5000/- per bigha.

TREES:- Therefore are no trees on the land under acquisition

WELLS:- Nil.

STRUCTURES:- Nil.

Contd. ...4/-

mentioned above.

Since the land under acquisition is surrounded by the awards mentioned at Sl.No.1 and 4

; 15% Solatium:-

15% solatium will be paid over and above the market value of the land.

INTEREST

The land under acquisition was notified u/s 4 on 13.11.59. According to Sub-section 3 of the Land Acquisition (Amendment & Valuation) Act, 1967 a simple interest at the rate of 6% per annum is payable after the expiry of 3 years from the date of preliminary notification i.e. 13.11.59, and hence the interest is payable from 13.11.62 to 31.3.78.

POSSESSION

The land in respect of Kh.No.2599/1181, 2600/1181 falls in between the area acquired, Through award No.1415. As per information received from DDA vide letter No.F.14(29)/69 CRC/DDA dated 29.8.78 the possession of these khasra numbers has already been taken by DDA on 20.5.1976. The person interested are, therefore, entitled to interest u/s 28 of the LA Act till the tender of payment of compensation.

APPORTIONMENT

The compensation will be paid according to the latest entries of the revenue records in the presence of the parties and in case of dispute it will be sent to ADJ for disbursement.

LAND REVENUE

The land revenue for the land under acquisition comes to Rs.00.43P. which will be deducted from the khasra Rent Roll of the village w.e.f. Kharif 1979.

SUMMARY

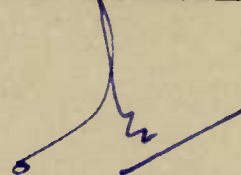
The Award is summarised as under:-

Compensation for the land measuring 4 Bigha and 16 biswas @ Rs.5000/- P.Bigha	Rs.24000/-
15% of the solatium for compulsory nature of acquisition	Rs.3600/-
	<hr/> Rs.27600/-
	Contd....5/-

Interest @ 6% on (24000/- w.e.f. Rs. 29463.61
13.11.62 to 19.5.76) 13 years
189 days.

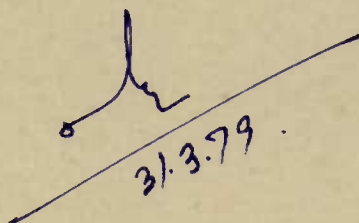
Interest @ 6% on (Rs. 27600 w.e.f. Rs. 4745.69
20.5.76 to 31.3.79) 2 years 316 days.

Rs. 51809.30

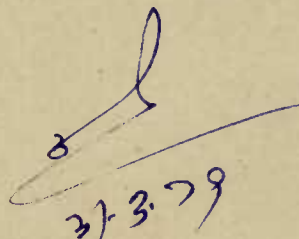


(NATHU SINGH)
Land Acquisition Collector (DS):
Delhi.

Announced in the open court.


31.3.79

*Those who are absent notices under sec
12(2) be issued to them.*


31.3.79

(TO BE PUBLISHED IN P. IV OF DELHI GAZETTE)

DELHI ADMINISTRATION : DELHI.

NOTIFICATION.

Dated January 28th, 1966.

No.F.4(35)/65-L&H:- areas it appears to the Chief Commissioner of Delhi that land is required to be taken by Government at the public expense for public purpose, namely, for the Planned Development of 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 acquisition of the ~~xxx~~ said land.

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

SPECIFICATION.

Village or Locality.	Total Area.		Field Nos. or Boundaries.
	Big.	Rs.	
Basai Dara-pur.	522	8	4013/2703/697, 4006/2704/597/2, 2706/597/2, 3707/597/2, 2708/597, 601/2, 602/2, 608/604/2, 605/2, 606 to 608, 613, 2740/616, 2974/2749/616, 626 min, 627/2, 628/2, 629, 630, 2975/631, 2976/631, 632/2, 634/2, 2977/635, 29, 635, 638, 637, 628, 639/2, 3252/640/2, 3253/640, 641 to 644, 2558/645, 3659/645 646 to 656 min 657 to 660 661/2, 662/3, 663/2, 664/2, 665 to 668, 669/2, 670/2, 3968/671/2, 3266/671/2, 3267/671/2, 672 to 675, 676 min, 677/2, 695 to 697, 699, 700, 712 min, 713, 3301/714, 715 min, 716, 726, 727, 3012/718, 3813/728, 729, 730, 3046/731, 3047/731, 3048/731, 732, 4023/733, 4026/2785/734, 4027/2785/734/min ² 735, 736, 3611/737, 3612/737 min, 2783/738 min, 4030/2784/738/2, min, 3537/3008/1515, 1520 min, 1521 min., 4064/1522, 4066/1523, 1524, 1525, 3538/1526, 3539/1626, 1527 min., 1528, 1529, 3614/2882/1530 min, 1532 min, 1533 min, 1534, 1535, 1536, 1537, 1538, 1539, 1542 to 1544, 1561/2, 1562/2, 1563, 1565 to 1570, 1571 min, 1573 min, 1574 min, 1575 min, 1576, 2906/1579, 2907/1579, 1580 min, 1619 to 1625, 1627, 1628, 3603/1629, 3604/1629, 1630, 1631, 1634, 1635/2, 3949/1636, 3950/1637, 3947/1643, 3944/1644, 3941/1645, 1657, 3939/1658, 1659, 1660, 1665, 1666, 3897/1708, 3856/1920, 1923, 1926, 2964/1924, 3996/2496/1929 min, 3895/1930 min,

Village or
locality

Total area.

Field Nos. or Boundaries.

2829/1930, 1931, 3978/1932, 3979/2498/
1933, 3982/2499/1933, 3984/2500/1934/
3988/2502/1935, 3975/1950, 3970/1951,
✓ 3741/3221/2752/734, 2599/1181 and
2600/1181.

By order,

Sd/-

(Jagmohan)

Deputy Housing Commissioner,
Delhi Administration, Delhi.

No.F.4(35)/66-L&B

Dated Jan. 28th, 1966.

Copy forwarded to the:-

1. Appointments(B) Department, Delhi Admn. (in duplicate)
for favour of publication in part IV of Delhi Gazette.
2. A.D.E. (Land Acquisition), Delhi.
3. Land Acquisition Collector (Delhi & Shahdara), Delhi.
4. A.F.A.? Delhi Administration, Delhi.
5. Legal Adviser, Delhi Administration, Delhi.
6. Tehsildar, L&H Department, Delhi Admn., Delhi.

Sd/-

(Jagmohan)

Deputy Housing Commissioner,
Delhi Administration,
Delhi.