

Name

h. Bar

OFFER No. 969

Sh. Village:

BASAIDARAPUR.

Nature of acquisition;

Permanent

In pursuance of notification No.F.1(136)/48-L.S.G.(i) dated the 15th January, 1949, under section 3 of the Resettlement of Displaced Persons (Land Acquisition) Act, 1948, issued by the Chief Commissioner, Delhi, 1,407 bighas 12 biswas or 293.25 acres of land was notified for acquisition for the resettlement of displaced persons by the Government at the public expense at Basaidarapur.

MEASUREMENT:

The offer about the land was prepared by Shri A.R. Malhotra, Lands Officer of the then Delhi Improvement Trust on the 21st March, 1951. He did not assess the valuation of other items in the land, such as brick-kilns, wells, structures, etc., therefore the question of the measurement of the land at this stage does not arise.

COMPENSATION:

The matter of assessment of compensation about the items other than the land in the land under acquisition has come up now. The evidence of the persons interested is over. According to the note of Shri Amin Lal, the then Naib-Tehsildar of the defunct Delhi Improvement Trust dated the 3rd March, 1949, the list of lessees or non-occupancy tenants, mostly brick-kiln owners is given at serial No.135 to 161. But, there are others, who also have their interests in wells, structures, brick-kilns, owned by the Trust. The details of the persons interested, who filed their claims are given below:-

Name of the claimant.	Amount claimed.
Sh. Charan Singh	Rs. 95,500.00
Sh. Rama Nand.	Rs. 1,19,500.00
	Rs. 2,57,000.00
	Rs. 71,500.00
	<u>Rs. 5,43,500.00</u>
	Rs. 36,998.00
	Rs. 1,31,586.00
	Rs. 30,908.56

Name of the claimant.	Amount claimed.	ord in
Sh. Ram Nath.	Rs. 1,09,200.00	ten in
Sh. Panna Lal c/o M/s. Panna Lal	Rs. 88,300.00	
Sh. Anand Chand.	Rs. 1,84,367.75 nP.	ement.
M/s. Delhi Bhata Syndicate.	Rs. 11,670.19 nP.	ut, l in rick
Sh. Sagar Chand.	who claimed himself.	l in er.
Sh. Krishan Sarup, Panna Lal (Sold to Charan Singh)	Rs. 48,100.00 nP.	led rick -
M/s. Wool Chand Chuni Lal.	Rs. 40,000.00	
Sh. Saidu Mal.	Rs. 36,975.00	ment.
Sh. Sunder Singh Dhoopia (M/s. Ujjal Singh & Sons).	Rs. 11,000.00	ed in
Sh. Hans Raj.	Rs. 61,500.00	
Sh. Binari Lal.	Rs. 2,000.00 (If the Govt. wants to give).	d in ck-
M/s. Punjab Bhata Co.	Rs. 2,500.00	

16. Sh. Brij Nath.
 In their statements and evidence, produced by the persons interested, they made still higher claims, which are obviously exorbitant. Lists of such persons interested were drawn up by the village Patwari on the 11th February, 1949 and 30th September, 1954, on the basis of which, a list was sent to the Executive Engineer, Development Division, C.P.W.D., New Delhi (prepared by Sh. Jai Narain, Naib-Tehsildar, on the 21st July, 1955) vide letter No. LA.9(3)/48, dated the 29th July, 1955 of the then Competent Authority, the details of which are given below:-

Sd Nos.	Name of the person interested.	Items recorded.
1/920	M/s. Delhi Bhata Syndicate.	1 pucca office, 46 tin-sheds, 2 thatched huts, 1 brick-kiln
1/929	Sh. Sohan Singh s/o Budhava Singh	1 pucca kotha, 11 pucca 4 thatched huts, 1 pucca IAC
1/928	(Case already referred to the Arbitrator).	compound wall.
8/2930	Lahori Swami Chela Swami Net Ram	1 pucca kotha.
1/29	(Akbara Udasian).	54 thatched huts, 1 other 1 brick kiln.
15/922	Sh. Devi Dayal s/o Shri Kishan Dass.	supplied
17/925	M/s. Tandon Engineering Works	t
19/2		11
17/34/1		nabi, 19/

Ltd.	Court-yard without roof 2 rooms under construction (This field No. was subsequently denotified).
6 Sh. Dewan Singh.	1 pucca office, 4 huts, 1 brick kiln.
M/s. Prem Raj & Sons.	75 thatched huts, 35 huts 1 office having tin roof, 1 brick kiln.
9 M/s. Ujjal Singh & Co.	1 office with tin roof, 46 huts, 1 brick kiln.
c. Sh. Krishan Sarup s/o Panna Lal. his entire concern to M/s. Charan ama Nand).	1 pucca office, 31 thatched huts, 1 pucca shop, 1 garage, 1 brick kiln.
1 m Sh. Sagar Chand s/o Bhichaya Mal.	1 pucca office.
1 m Sh. Brij Nath s/o Ram Richhpal.	1 pucca boundary wall.
M/s. Charan Singh, Rama Nand s/o Bharat Singh.	2 pucca offices, 1 pucca 58 thatched huts.
Sh. Ram Nath s/o Bhagta.	1 thatched office huts, 1 brick kiln.
1/1 Sh. Bihari Lal s/o Her Bhagwan Das.	1 room-office 1 pucca office,
Sh. Kasturi Lal s/o Amar Nath.	1 pucca office, 1 pucca 67 thatched huts.
Sh. Mool Chand s/o Chuni Lal.	1 pucca office, 14 thatched huts, 3 brick-kilns.
Sh. Panna Lal s/o Goda.	2 pucca offices, 1 pucca garage.
1/2 m Sh. Makhan Lal s/o Basheswar Nath. (already sent in arbitration).	1 glass factor 4 rooms, 22 thatched 11 other structures.
1/2, M/s. Sunder Bhata Co.	1 brick kiln.
1/1, Sh. Saidu Mal.	1 brick kiln.
1,877, 380,884 1/2, 1/2	
Sh. Khazan & others.	one katcha well, recorded 1st time in Rabi, 1949.
Sh. Ram Niwas & others.	1 pucca well for drinking recorded for the 1st time Rabi, 1948.
-do-	1 katcha well, recorded in Rabi, 1949.
min Sh. Sunder Lal & others.	1 katcha well
1 m Sh. Khazan Singh & others.	1 pucca well recorded Rabi, 1949.

- min Sh. Khazan Singh & others. 1 pucca well, 1st record in Rabi, 1945.
- do- 1 pucca well, 1st written in Kharif, 1945.
- ng to the report of the Patwari there was a pucca parchha and trough (25' x 4').
- Sh. Ram Mehar & others. 1 pucca well -pre-settlement.
- min M/s. Bholia & Co. 1 katcha well, 1st recorded in Rabi, 1945 -was sunk for brick kiln.
- do- 1 pucca well, 1st recorded in Rabi, 1948 for drinking water.
- do- 1 katcha well, 1st recorded in Rabi, 1948, sunk for brick-kiln use.
- Sh. Ram Niwas & others. 1 pucca well - pre-settlement.
- do- -do-
- 2 min Lahori Swami (Naya Akhara Udasian) 1 katcha well- 1st recorded in Rabi, 1948.
- Mst. Piari. 1 katcha well, 1st recorded in Kharif, 1948 -sunk for brick-kiln use.
- Sh. Amar Singh. 1 katcha well, 1st recorded in Rabi, 1949, sunk for brick-kiln use.
- Sh. Kabool Singh, Bijan Singh. 1 katcha well, 1st recorded in Rabi, 1949, sunk for brickkiln use.
- Sh. Than Singh etc. 1 pucca well - pre-settlement.
- Sunder Lal & others. 1 pucca well - was recorded in Kharif, 1946 in good condition.
- Sh. Chanda & others. 1 pucca well- pre-settlement

well in existence, sunk by Sh. Dewan Singh, which was inspected by me July, 1959. It was complete on that day and was of ordinary type.

The persons interested claimed for many items. The ones recorded by the Patwari and verified by the Naib-Tehsildar and the one inspected by me are alone taken into account. The matter was referred to the C.F.W.D. for supplying rates of standard brick-kilns, wells, and structures, through this office letter No. LA.9(3)/48-LAC (Rev)/7385, dated 1.10.1959. In reply, thereof, the Executive Engineer, Development Division, C.F.W.D., New Delhi, through his letter No. DD/CB/RM-1/16294-100 dated the 3rd December, 1959 supplied the following valuation assessment of the brick-kilns and other

structures:-

Sl. No.	Item.	Assessment by the C.P.W.D.
1.	Katcha well.	Rs.4.00 each.
2.	Sirki Jhugi.	Rs.56.00 each.
3.	Tin-shed Jhugi or office pucca.	Rs.138.00 (Excluding cost amounting to Rs.164.00 of Sal Wood Chokhats, Shutters, C.G.I. Sheets, battens presumed to have been removed by the claimants.
4.	Circular kiln which can burn.	
	a. 8 lac bricks.	Rs.4,700.00 excluding cost amounting to Rs.558.00, Rs.420.00 of two
	b. 6 lack bricks.	Rs.3,525.00 Chimneys presumed to have been removed by the claimants.
5.	Road Track 10 Rft.	Rs.24.00
6.	Water Course(4" open surface drain).	@ Rs.1.37 per Rft.
7.	Garage size 18'x 10'	Rs.262.00 each excluding cost amounting to Rs.153.00 of battens and corugated sheets presumed to have been removed by the claimant.
8.	Boundary wall.	@ Rs.2.62 per Rft.

Through his another letter No.DD/CB/RN-1/361-64 dated the 13th January, 1960, he further supplied the estimates of Rs.820.00 only for a pucca well - 10 feet diameter inside. He further added that his Assistant Engineer informed him that there was no pucca well in the area.

There are items, the valuation estimates of which are fantastic and the expert opinion of the Executive Engineer needs looking into, such as the estimate of Rs.4.00 for a katcha well. Even by stretch of imagination this is never possible to get the digging done for a well in such a small amount. There are persons who demanded less than Rs.56.00 each for their Sirki Jhugis, such as Sh.Prem Raj and partner submitted an estimated rate of Rs.15.00 each, for this type of Jhugis. For the tin-shed Jhugis, the Executive Engineer proposed Rs.138.00 each, which appears to be reasonable. The Executive Engineer proposed Rs.3,525.00 for 6 lakh brick-capacity kiln and Rs.4,700.00 for 8 lakh-brick-capacity kiln excluding the cost of Rs.558.00 and Rs.420.00 respectively for 2 t

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Acctt. (Sh. Balbir Singh).

C.A. 23.2.60.

Chimneys presumed to have been removed by the claimants. The Naib-Tehsildar, Land Acquisition proposed rates of Rs.3,000/- for the former and Rs.3,500.00 for the latter, keeping in view the depreciation, as the proposals of the C.P.W.D. are about the present prevalent rates. He also proposed Rs.4,000.00 for a kiln of 10 lakh brick capacity. His proposals appear to be reasonable. He (Executive Engineer) has further added that there was no pucca well in the area. This does not appear to be correct. The revenue records show that there were many pucca wells in this area as included in the list prepared by the Patwari and verified by the Naib-Tehsildar. No doubt, Rs.820.00 should not be assessed for the katcha wells. I saw 5 wells on the 5th September, 1958. Some out of these were most ordinary and nals of two were broken. But in all probability, they might be in useable condition at the time of the notification. There is no complete note to show the particulars about each well, structure, brick-kiln etc. In the circumstances, the valuation in all cases has to be assessed according to the C.P.W.D. rates, where these are reasonable. In the case of pucca wells, the proposal appears to be sound. There is no denying the fact that the claims of the persons interested are exorbitant. The rates at the time of the notice under section 3 of the Act were definitely high as compared with the rates prevalent on the 1st September, 1939. The latter, therefore, should be adopted. The appreciation in the prices since 1939 up to the date of notice is about 40%. Therefore, the level of prices at that time with 40% comes to the same as it was on the date of the notice under section 3 of the Act. From the material available on the file, I consider the following rates as reasonable and offer accordingly:-

Sl.No.	Item.	Rate.
1.	Katcha well.	Rs. 118.00
2.	Pucca well.	Rs. 820.00 each.

I allow Rs.178.96 for water trough and pucca parchha. Their estimates were not provided by the C.P.W.D. The rate of boundary wall of Rs.2 per Rft. is applied to it, even though the walls of the water trough are thicker. It comes to Rs.151.96 per ft. The bed of the water trough and the parchha will

incces

Not cost less than Rs.27.00

Sirki Jhugi/Sirki Office.

Rs.45.00 except in the case of Prem Raj & Sons, who claimed only Rs.15.00 each for 50 Jhugis.

Tin-shed office/kotha/shop/tin-shed Jhugi.

Rs.138.00 each.

Pucca Office.

Rs.302.00 each.

Garage.

Rs.262.00 each.

Boundary Wall.

Rs.2.62 per Rft. But the particulars of such boundary wall are not available.

Water-course.

Rs.1.37 per Rft. But the particulars of such water-courses are not available.

Road Track.

Rs.24.00 per 10 RFT. But the particulars of such road-tracks are not available.

10.6 lakh brick capacity kiln.....Rs.3,000.00 each.

8 lakh brick capacity kiln.....Rs.3,500.00 each.

10 lakh brick capacity kiln....Rs.4,000.00 each.

No exact description about the capacity of the kilns is available, therefore, the average of these rates i.e. Rs.3,500.00 is hereby adopted.

Several persons interested demanded compensation for bricks and brick-bats, coal, ashes, etc., saying that their material was utilised for levelling the land. The correspondance about the removal of the material is available on the file. The C.P.W.D. Authorities gave notice to the persons interested and those, who could avail of themselves, did so. At the time of my inspection of the spot on 3.7.59, I saw a large number of bricks or brick-bats scattered near about the well of Shri Dewan Singh, bearing his Trade Mark, but could not ascertain the quantity claimed by them. I also saw the bricks and brick-bats scattered at other places, though in a small quantity. The spots were inspected in the presence of the representatives of the Delhi Bhata Syndicate, Shri Dewan Singh and others. Nothing is certain in this respect. Moreover, an opportunity was given to them by the requiring department, for the removal of the material, therefore, no compensation is allowed to them. No compensation is due for the unexpired leases, according to the lease-deeds produced except in the case of Delhi Bhata Syndicate, which is entitled to the compensation of land according to the lease-deed,

already assessed and referred to the arbitrator. For the advances made to the labour, there is no provision in the Act to consider. The loss of profit worth recognition has already been taken into account.

INTEREST:

Interest would accrue at the rate of 6% P.A. from the date of possession, noted against each item in the summary of the offer, upto the 16th March, 1960, the anticipated date of offering compensation.

APPORTIONMENT:

The compensation of brick-kilns and allied structures would go to the brick-kiln owners. The compensation of wells situated in field numbers 778, 617, 786, 805, 1302, 2718/616, 619 and 3075/922 part, would go to the owners of the land, while the compensation for the rest of the wells would go to the brick-kiln owners. Compensation for water trough and parchha in field number 2718/616 min would also go to the owners.

The offer is summarised as below:-

of the person interested.	Items.	Rate per unit of item.	Amount of compensation.
Delhi Bhata Syndicate.	1 brick-kiln.	Rs. 3,500.00	Rs. 3,500.00 nP.
	1 pucca office.	Rs. 302.00	Rs. 302.00
	2 Sirki Jhugis.	Rs. 45.00	Rs. 90.00
	46 tin-shed Jhugis	Rs. 138.00	Rs. 6,348.00
			Rs. 10,240.00
			Rs. 5,341.07
Interest @ 6% P.A. from 10.7.1951 to 16.3.1960.			Rs. 15,581.07 nP.
Smt. Udasian Kankhal.	1 pucca kotha.	Rs. 138.00	Rs. 138.00
	Interest @ 6% P.A. from 11.3.49 to 16.3.60.		Rs. 91.28
			Rs. 229.28 nP.
Smt. Dayal s/o Sh. Man Dass.	1 brick-kiln.	Rs. 3,500.00	Rs. 3,500.00
	1 pucca office.	Rs. 302.00	Rs. 302.00
	54 Sirki Jhugis.	Rs. 45.00	Rs. 2,430.00
			Rs. 6,232.00
Interest @ 6% P.A. from 24.1.52 to 16.3.60.			Rs. 3,047.71
			Rs. 9,279.71 nP.
Dewan Singh s/o Nain Singh.	1 brick kiln.	Rs. 3,500.00	Rs. 3,500.00
	1 pucca office.	Rs. 302.00	Rs. 302.00
	43 Sirki Jhugis.	Rs. 45.00	Rs. 1,935.00
	1 pucca well.	Rs. 820.00	Rs. 820.00
			Rs. 6.00
Interest @ 6% P.A. from 24.1.52 to 16.3.60.			Rs. 6.00

2	3	4	5
Raj & Sons.	1 brick-kiln.	Rs. 3,500.00	Rs. 3,500.00
	50 Sirki Jhugis.	Rs. 15.00	Rs. 750.00
	1 tin-shed Jhugi.	Rs. 138.00	Rs. 138.00
			Rs. 4,388.00
			Rs. 2,145.91 nP.
			Rs. 6,533.91 nP.
Interest @ 6% P.A. from 24.1.52 to 16.3.60.			

Singh & Co.	1 brick-kiln.	Rs. 3,500.00	Rs. 3,500.00
	46 tin-shed Jhugis	Rs. 138.00	Rs. 6,486.00
	1 tin-shed Office	Rs. 138.00	Rs. 9,986.00
			Rs. 6,605.53 nP.
			Rs. 16,591.53 nP.
Interest @ 6% P.A. from 11.3.49 to 16.3.60.			

Chand s/o Mal.	1 pucca office.	Rs. 302.00	Rs. 302.00
			Rs. 147.69
			Rs. 449.69
Interest @ 6% P.A. from 24.1.52 to 16.3.60.			

Man Singh Rama	5 brick-kilns.	Rs. 3,500.00	Rs. 17,500.00
	3 pucca offices.	Rs. 302.00	Rs. 906.00
	2 pucca shops.	Rs. 138.00	Rs. 276.00
	1 Garage.	Rs. 262.00	Rs. 262.00
	89 Sirki Jhugis.	Rs. 45.00	Rs. 4,005.00
			Rs. 22,949.00
			Rs. 11,223.00
			Rs. 34,172.00
Interest @ 6% P.A. from 24.1.52 to 16.3.60.			

Nath s/o Bhagta.	1 brick kiln.	Rs. 3,500.00	Rs. 3,500.00
	44 Sirki Jhugis.	Rs. 45.00	Rs. 2,025.00
	1 Sirki Office		Rs. 5,525.00
			Rs. 2,701.95
			Rs. 8,226.95
Interest @ 6% P.A. from 24.1.52 to 16.3.60.			

Shari Lal s/o Heran.	1 pucca office.	Rs. 302.00	Rs. 302.00
	30 Sirki Jhugi.	Rs. 45.00	Rs. 1,350.00
			Rs. 1,652.00
			Rs. 861.66
			Rs. 2,513.66 nP.
Interest @ 6% P.A. from 10.7.51 to 16.3.60.			

asturi Lal s/o Amar Nath.	1 pucca office.	Rs. 302.00	Rs. 302.00
	1 pucca Garage.	Rs. 262.00	Rs. 262.00
	67 Sirki Jhugis.	Rs. 45.00	Rs. 3,015.00
			Rs. 3,579.00
			Rs. 1,866.76 nP.
			Rs. 5,445.76 nP.
Interest @ 6% P.A. from 10.7.51 to 16.3.1960.			

ol Chand s/o Chuni Lal.	3 brick-kilns.	Rs. 3,500.00	Rs. 10,500.00
	1 pucca office.	Rs. 302.00	Rs. 302.00
	146 Sirki Jhugis.	Rs. 45.00	Rs. 6,570.00
			Rs. 17,372.00
			Rs. 8,495.62
			Rs. 25,867.62
Interest @ 6% P.A. from 24.1.52 to 16.3.60.			

Panna Lal s/o Goda Mal.	2 pucca offices	Rs. 302.00	Rs. 604.00
	1 pucca garage.	Rs. 262.00	Rs. 262.00
			Rs. 262.00
			Rs. 604.00
Interest @ 6% P.A. from 24.1.52 to 16.3.60.			

others 100 pt). @ 6% P.A. from 11.3.49 to 16.3.60. made to Sh. Devi Dayal s/o Sh. Kishan (owner).	1 katcha well. Rs.	Rs. 78.05 <u>Rs. 196.05</u>
& others. 1 pucca well. part). @ 6% P.A. from 24.1.52 to 16.3.60. made to M/s. Rama Nand, Charan -kiln owners).	Rs. 820.00	Rs. 820.00 <u>Rs. 401.01</u> <u>Rs. 1,221.01</u>
& others. 1 katcha well. part). @ 6% P.A. from 11.3.49 to 16.3.60. made to M/s. Ujjal Singh & Co, (owner).	Rs. 118.00	Rs. 118.00 <u>Rs. 78.05</u> <u>Rs. 196.05</u>
Lal & others. 1 katcha well. part). @ 6% P.A. from 24.1.52 to 16.3.60. made to Sh. Fanna Lal s/o Goda Mal, (kiln owner).	Rs. 118.00	Rs. 118.00 <u>Rs. 57.71</u> <u>Rs. 175.71</u>
an Singh s/o Khan Chand. 1 pucca well ... 1/2 1 water ... 1/2 trough & ... 1/2 parchha.	Rs. 820.00 Rs. 178.96	Rs. 820.00 <u>Rs. 178.96</u> <u>Rs. 998.96</u> <u>Rs. 619.40</u> <u>Rs. 1,618.36</u>
an Singh & others. (2797/740/1) interest @ 6% P.A. from 24.1.52 to 16.3.60. made to Sh. Brij Nath, lessee).	Rs. 820.00	Rs. 820.00 <u>Rs. 401.01</u> <u>Rs. 1,221.01</u>
an Singh & others. 1 pucca well. (844 part). interest @ 6% P.A. from 11.3.49 to 16.3.60. made to Brick-kiln owner).	Rs. 820.00	Rs. 820.00 <u>Rs. 542.41</u> <u>Rs. 1,362.41</u>
ola & others. (2732/616). interest @ 6% P.A. from 24.1.52 to 16.3.60. made to the brick-kiln owner).	Rs. 118.00	Rs. 118.00 <u>Rs. 57.71</u> <u>Rs. 175.71</u>
ola & others. (869 part). interest @ 6% P.A. from 11.3.49 to 16.3.60. made to brick-kiln owner.	Rs. 118.00	Rs. 118.00 <u>Rs. 78.05</u> <u>Rs. 196.05</u>
ola & others. (831 part). interest @ 6% P.A. from 11.3.49 to 16.3.60. made to brick-kiln owner).	Rs. 820.00	Rs. 820.00 <u>Rs. 542.41</u> <u>Rs. 1,362.41</u>

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Rs. 820.00) Rs. 820.00)	Rs. 1,640.00
Rs. 1,084.81 Rs. 2,724.81	
Rs. 118.00	
Rs. 78.05 Rs. 196.05	
Rs. 820.00	
Rs. 542.41 Rs. 1,362.41	
Rs. 118.00	
Rs. 78.05 Rs. 196.05	
Rs. 118.00	
Rs. 78.05 Rs. 196.05	
Rs. 118.00	
Rs. 78.05 Rs. 196.05	
Rs. 820.00	
Rs. 542.41 Rs. 1,362.41	
Rs. 820.00	
Rs. 508.44 Rs. 1,328.44	
Rs. 820.00	
Rs. 542.41 Rs. 1,362.41	
Rs. 1,63,244.90 nP.	

GRAND TOTAL:

(Murari Singh)
COMPETENT AUTHORITY: DELHI.
17.2.1960.

Please check up the account thoroughly and in case you find it correct, ask for the compensation money forthwith. Inform the persons interested also about 16.3.60.

(Murari Singh)
C.A. 23.2.60.

Acctt. (Sh. Balbir Singh).