

AWARD NO. 221

Name of the village: Basant Nagar.
Nature of acquisition: Permanent.
Purpose of acquisition: Planned Development of Delhi.

Land measuring 981 bighas 3 biswas and situated in village Basant Nagar was notified for acquisition under section 4 of the Land Acquisition Act, 1894 vide notification No. F.15(138)/61-LSG, dated the 24th May, 1961, issued under the authority of the Chief Commissioner, Delhi for a public purpose namely for the Planned Development of Delhi. Due publicity was given to this notification as required by law and objections received under section 5A were duly considered. After it, a declaration under section 6 of the Act was issued vide notification No. F.15(138)/61-LSG, dated the 27th July, 1961 in respect of 242 bighas 4 biswas. It was issued under the same authority and for the same purpose. Due wide publicity to this declaration was also given, and notices under sections 9 and 10 of the Land Acquisition Act, 1894 were issued to all the persons interested in the land under acquisition inviting claims for compensation. Claims filed by the persons interested are separately discussed under the heading "COMPENSATION, CLAIMS".

TRUE AREA:

The land was measured on the spot by the Acquisition Field Staff in conjunction with representatives of the Requiring Department. On measurement, the true and correct area was found to be 262 bighas 13 biswas, which the detail is given below:-

Field No.	Area		Quality.
	Big.	Bis.	
1	62	5	Government land
2	15	12	Bar
63/7	4	18	Bar

DNTD....

64/7	1	16	Banjar Qadim	
65/7	7	15	Banjar Qadim	n
66/7	2	0	Ghairmumkin (Rasta)	
67/7	2	16	Banjar Qadim	
174/68 to 70	8	0	Rosli	
173/68 to 70	3	4x	Rosli	tion
71/7	3	14	Rosli	ighas
80/10	1	19	Rosli	ical
81/10	6	11x	Rosli	ghas
196/82	6	0	Banjar Qadim	up into
72/8	3	10	Rosli	o/197/2
73/8	9	12x	Rosli	ing
74/8	9	10	Rosli	ghas
184/75/9	4	1	Rosli	d in th
185/75/9	4	7x	Banjar Qadim	ed as i
76/9	10	5	Banjar Qadim	on. Th
77/9	3	8	Banjar Qadim	under
78/9	1	2x	Banjar Qadim	the
79/9	1	6	Ghairmumkin (Rasta)	s on
83/10	8	15	Rosli	
14	17	12	Rosli	
16	8	18	Ghairmumkin (Khal)	ch na
15	2	3	Ghairmumkin	sect
87/17/1	9	6x	Banjar Qadim	
97/18	1	16	Rosli	
96/18	2	0	Rosli	
94/18	1	5x	Rosli	
95/18	4	6	Rosli	
93/18/1	10	18	Banjar Qadim	irve
200/19/102/19/1	1	15	Rosli	
200/197/10	11	19	Banjar Qadim	se,
201/197/10	3	19	Banjar Qadim	Bar absence rate
202/197/10	4	10	ntitled	mentio
Total:	262	13		

CONTD.... plus asands compensati

CLASSIFICATION OF THE LAND.

Rosli.	103 bighas 14 biswas
Banjer Qadim	81 bighas 17 biswas
Ghairmumkin	77 bighas 2 biswas
TOTAL:	262 bighas 13 biswas

There is some discrepancy in the draft notification under section 6. The area of field No.196/82 is 6 bighas which has correctly been notified but through a clerical mistake the area of field No.197/82, measuring 20 bighas 8 biswas could not be given. It has now been split up into 3 pars due to partition and each part is named as 200/197/82 measuring 11 bighas 19 biswas, 201/197/82/10, measuring 3 bighas 19 biswas and 202/197/82/10, measuring 4 bighas 10 biswas. Field No.197/81 has wrongly been printed in the notification under section 6, which should be deleted as it has been entered twice in the same draft notification. The owners of field No.197/82 were served with notices under sections 9 and 10 and they have full knowledge that the area of 20 bighas 8 biswas is being acquired. It is only a clerical mistake and so a fresh notification or a correction is not necessary as required by Standing Order No.28. Exactly similar is the case with field No.83/10 which has wrongly been printed as 84/10 in notification under section 6.

COMPENSATION:

CLAIMS: The following persons filed their written claims for compensation in compliance with notices under sections 9 and 10 of the Land Acquisition Act, 1894.

1. Shri J.S.Ahuja has filed a claim for one bigha of field No.1, which he purchased from Chhatter Singh Kirpa Ram. He has demanded compensation at the rate of Rs.15/- to 20/- per sq. yard but did not produce any documentary evidence to substantiate his claim. In the absence of any documentary evidence, he is not entitled to compensation. He is only entitled to the market value lands compensation under a separate heading.

2. Shri Tej Partap Singh s/o S. Shamsar Singh R/O 23- Baran Khamba Road has claimed compensation for field Nos. 76/9, 10 bighas 5 biswas, 77/9, 3 bighas 7 biswas, 87/17/1, 9 bighas, 6 biswas at the rate of Rs. 40/- per sq. yard but did not produce any evidence in support of his claim. Evidently the claim is exorbitant and fabulous. It is not substantiated by any documentary evidence. He is only entitled to the market value as determined by me under a separate heading.

3. Sikandar Lal Malhan s/o Sh. Harnam Dass Malhan R/O G/15/6, Malvia Nagar, New Delhi has put in a claim for 6 biswas out of field No. 1. He did not produce any evidence in support of his claim. Evidently the claim is very much exaggerated and is not supported by any instance. He is only entitled to the market value as determined by me under a separate heading.

4. Shrimati Savitri Man w/o Capt. K. S. Man, 25/27, Jodhpur Hostel, New Delhi has filed a claim for $\frac{1}{2}$ bigha in field No. 206/111 and $\frac{1}{2}$ bigha out of field No. 1. She did not produce any documentary evidence in support of her claim. Field No. 206/11 is not being acquired under this notification. Hence she is only entitled to the compensation in respect of $\frac{1}{2}$ bigha out of field No. 1.

5. Prem Chand Malhotra s/o Sh. Bal Kishan Malhotra of Katra Neel, Delhi has made a claim for compensation in respect of 2×1 bigha out of field No. 93/18 at the rate of Rs. 50/- per sq. yard but did not produce any evidence in support of his claim. The claim is exorbitant beyond description and is not based on any facts or figures. He himself purchased this land at a very low cost and it is improbable that the prices could have appreciated so much.

6. Hari Kishan Wattal s/o Sh. A. K. Wattal, Dholpur House, Agra has filed a claim stating that compensation at the rate of Rs. 40/- per sq. yard be paid to him. He has not mentioned any specific area in his claim for which he demands compensation.

At the time of payment of compensation, he will be required to submit an affidavit to show the area which is still in his possession and which has not been sold so far to any body else. The claim made by him is exorbitant beyond description and is not based on any facts or figures. He is only entitled to the market value as determined by me under a separate heading.

7. Col. Raghbans Kishore Tandon has claimed compensation for about 2 bighas out of field No. 93/18, at the rate of Rs. 50/- per sq. yard but did not produce any documentary evidence in support of his claim. The claim is exorbitant beyond description and so it cannot be accepted in full. He is only entitled to the market value as determined by me under this award under a appropriate heading.

8. Shri Ramesh Chander of 43-Indar Palace has claimed compensation at the rate of Rs. 10/- to 12/- per sq. yard for 2 bighas out of field Nos. 200/197, 201/197 and 202/197 and 196/82 but did not produce documentary evidence in support of his claim. His name does not exist in the revenue record so far and the question of title to the land will have to be proved by the claimant before receiving the compensation.

9. Smt. Swaran Sagar w/o Sh. O. P. Sagar has filed a claim for 10 biswas out of field No. 1. She herself purchased this for Rs. 2000/-. Mutation in her name has not been sanctioned so far. She will get compensation on production of satisfactory evidence of ownership.

10. Ganga Pershad, Ram Kishan ss/o Kundan Lal have filed a claim for 10 biswas out of field No. 1. Mutation does not appear to have been sanctioned in their name so far, hence before receiving the compensation, they will have to produce satisfactory evidence of ownership.

11. Capt. J.N. Chaudhary has filed a claim for compensation in respect of 2 bighas out of field No.1. He purchased it for Rs.8000/-. Copy of the registered Sale-deed has not been attached with the claim. Even mutation has not been sanctioned so far. Compensation will only be paid when the question of title has been settled.

12. Col. Sri Ram has claimed compensation for 1 bigha out of field No.1 at the rate of Rs.8/- per sq. yard but did not produce any documentary evidence in support of his claim. He will get compensation at the market rate.

13. Sarvshri Yajna Walkya Sharma, Jai Ram, Advocate, Delhi., Sri Ram s/o Pt. Uday Ram, Shrimati Kamla Devi w/o Pt. Jai Ram have all filed a joint claim for compensation at the rate of Rs.8/- per sq. yard but did not produce any documentary evidence in support of their claims.

14. Shrimati Pritam Devi w/o Basant Lal has claimed compensation at the rate of Rs.25/- per sq. yard in respect of 18 biswas out of field No.64/7/1 but did not produce any documentary evidence in support of her claim.

15, 21. Mrs. Kalwindar Kaur w/o Gajender Singh Jaspal has put in a claim for compensation for half bigha at the rate of Rs.20/- per sq. yard but did not produce any documentary evidence in support of her claim. The claim put in by the claimant is very much exaggerated and frivolous and so it cannot be accepted in full.

16. Mrs. Kamla Kumari D/o Sh. Basant Lal and Kapil Dev s/o Basant Lal have claimed compensation for one bigha out of field No.2 but did not produce any documentary evidence in support of their claim.

17 & 25. Satish Chander Malhotra has filed a claim at the rate of Rs.40/- per sq. yard but did not produce any documentary evidence in support of his claim. The claim made by him is exorbitant beyond description and it cannot be accepted in full. He will ~~xxx~~ only get the compensation at the market rate as determined by me.

18. Shri Gautam Dev Shori has claimed compensation for 1 bigha 9 biswas out of field Nos.93/18 and 136/27 at the rate of Rs.40/- to 50/- per sq. yard but did not produce any documentary evidence in support of his claim.

19. Shri Vidaya Nand Dixit has claimed compensation for 2 bighas at the rate of Rs.40/- to 50/- per sq. yard but did not produce any documentary evidence in support of his claim. He is only entitled to the market value as determined by me in this award.

20. Tej Partap Singh knew of the land acquisition proceedings but ~~did~~ not file any claim in support of his case.

21. Sh. D. R. Chopra had notice under section 9 of the Land Acquisition Act but did not file any claim in support of his case. He is only entitled to the compensation as determined in this award.

22. Tekan s/o Racchpal Singh has claimed compensation at the rate of Rs.15/- per sq. yard but did not produce any evidence in support of his claim.

23. Nawal Singh s/o Pt. Chhotu Ram has claimed compensation at the rate of Rs.20/- per sq. yard but did not produce any evidence in support of his claim.

24. Jot Ram s/o Roop Chand, Amar Singh s/o Sheo Dayal, Guria s/o Shiv Lal, Hukam Chand s/o Lachhman have claimed compensation at the rate of Rs.12/- per sq. yard but did not produce any documentary evidence in

support of their claim. The demand made for compensation is exorbitant beyond description and so it cannot be accepted in full.

26. Dr. Trilok Nath Mathura s/o Sh. Babu Lal Mathur Civil Hospital, Karnal has claimed compensation at the rate of Rs. 50/- per sq. yard but did not produce any documentary evidence in support of his claim. He is only entitled to the market value as determined by me.

27. Khazan Singh, Lambardar has claimed compensation at the rate of Rs. 20/- per sq. yard but did not produce any documentary evidence in support of his claim. The claim made by him is very-much exaggerated and so it cannot be accepted in full.

28. Kamla Vati Nayyar w/o Sh. Yash Pal Nayyar has objected to the proposed acquisition and claimed compensation for 14 biswas out of field No. 1.

29. Shrimati Lakhshmi Devi wd/o Shri Bhartendu, 43-Indra Palance, New Delhi has claimed compensation for 2 bighas out of field Nos. 200/197, 201/197, 202/197 and 196/82

30. Shri Ram Lal Khanna has claimed compensation for 1 bigha out of field No. 72/8 and 500 sq. yards out of field No. 1.

31. Kanahya, Lehri s/o Nathu, Gordhan, Lala ss/o Chitru, Tek Chand s/o Rachhpal, Mangli s/o Makhan have put in a joint claim demanding Rs. 10/- to 15/- per sq. yard as price of the land. They did not produce any documentary evidence to substantiate their claim of Rs. 10/- to 15/- per sq. yard.

MARKET VALUE:

We have to find out the market value of the land as prevailing on the date of notification under section 4 namely, the 24th May, 1961. During the last 5 years preceding the date of notification under section 4, a large

number of transactions took place which are listed in this file. The average of all these works out as under:-

S.No.	Year	Area sold		Consideration money	Average per bigha.
		Big.	Bis.		
1.	1956-57	248	- 7	Rs. 7,14,419.00	Rs. 2876.66
2.	1957-58	140	- 14	Rs. 4,75,910.00	Rs. 3388.44
3.	1958-59	70	- 18	Rs. 2,47,409.00	Rs. 3489.55
4.	1959-60	67	- 17	Rs. 2,52,345.00	Rs. 3718.16
5.	1960-61	31	- 1	Rs. 1,20,520.00	Rs. 3881.48 nP

The following transactions of sales took place within the land under acquisition during the year 1959-60 and 1960-61.

S.No.	Mutation number	Area sold		Field Nos.	Consideration money.	Average per bigha
		Big.	Bis.			
1.	517	0	- 10	Rs. 1500/- 1 pt.	Rs. 1500/-	Rs. 3000/-
2.	518	0	- 10	1 pt.	Rs. 1500/-	Rs. 3000/-
3.	534	0	10	1 pt.	Rs. 2000/-	Rs. 4000/-
4.	538	1	0	1 pt.	Rs. 6000/-	Rs. 6000/-
5.	539	0	10	1 pt.	Rs. 2000/-	Rs. 4000/-
6.	540	0	14	1 pt.	Rs. 2800/-	Rs. 4000/-
7.	541	0	10	1 pt.	Rs. 2000/-	Rs. 4000/-

There are some other transactions which took place in the immediate vicinity of the land under acquisition at the rate of Rs. 3500/- per bigha for example-see Mutation Nos. 485, 486, 487, 488, 491, 505, 506, 537, 554, 567, 568, and 576. Some transactions even at lower rates took place but considering a very large number of transactions in similar lands that took place in this village at the rate of Rs. 3500/- per bigha and taking into consideration a recent award for this very purpose in which the date of notification under section 4 was 17th May, 1961 and in which Rs. 3500/- per bigha was assessed as price of the land for similar land. I am of the firm view that the land under acquisition in this case

should be assessed at the same rate i.e. Rs.3500/- per bigha. I am assessing the compensation at the rate of Rs.3500/- per bigha keeping in view the fact that the land has somewhat potential value as building sites and there are some Government colonies in the vicinity of the land under acquisition and the land has gained some importance due to the construction of Shanti Path Road that passes through the revenue estate of Basant Nagar.

TREES: WELLS & OTHER STRUCTURES:

There are 2, 3 and 1 trees in field Nos.81/10, 830/10 and 97/18 respectively which are very small and are not assessed to any value.

There are 3 stone-crushers in field No.1 which are purely of temporary nature and the fixtures is of temporary nature. The owners of the stone-crushers have not put in any claim for compensation. They are at liberty to remove this temporary fixtures.

There are 8 kothas near the crushers which are assessed at Rs.100/- each. This amount will be paid to the owners of the Kothas after verification.

A P P O R T I O N M E N T:

Compensation will be paid on the basis of entries as exist in the revenue record till today. In case, any intimation is given by any persons interested about his title to the land under acquisition, then due notice will be taken, and he will be asked to substantiate his title by documentary evidence and compensation will be paid accordingly on the basis of registered sale-deed also. There are no tenants within the land under acquisition and compensation was not claimed by any person claiming himself to be a tenant.

4 The apportionment of the said compensation among all the persons known or believed to be interested in

land; of whom or whose claims, I had information, whether or not they have respectively appeared before me, is made in the statement attached with this file.

15% FOR COMPULSORY ACQUISITION COST:

As required by section 23(2) of the Land Acquisition Act, 1894, 15% shall be paid on account of compulsory nature of acquisition.

THE AWARD IS SUMMARISED AS UNDER:

S.No.	Area Big. Bis.	Rate per bigha	Amount of compensation
1.	262 - 13	Rs. 3500/-	Rs. 9,19,275.00
2.	Add price of 8 Kothas		Rs. 800.00
		TOTAL:	Rs. 9,20,075.00
3.	Add 15% towards its compulsory nature of acquisition.		Rs. 1,38,011.25
		GRAND TOTAL:	Rs. 10,58,086.25 NP

LAND REVENUE DEDUCTION:

The land under acquisition is assessed to Rs. 37.70 NP as land revenue which will be deducted from the Khalsa Rent Roll of the village with effect from the harvest in which the Department takes over possession of the land.

Mahinder Singh
(Mahinder Singh)
Land Acquisition Collector, Delhi.
25.11.1961

Submitted to the Collector, Delhi for information.

Mahinder Singh
(Mahinder Singh)
Land Acquisition Collector, Delhi.
25.11.1961

Seen. Aged
Muz
COLLECTOR, DELHI.

5-12-61

(To be published in part IV of the Delhi Gazette)

DELHI ADMINISTRATION: DELHI.

NOTIFICATION.

Dated the 24 May, 1961.

No.F.15(138)/61-LSG:- Whereas it appears to the Chief Commissioner, Delhi, that land is likely to be required to be taken by Government at the public expense for a public purpose namely, for the Planned Development of Delhi, it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Chief Commissioner is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within 30 days of the publication of the notification file an objection in writing before the Collector of Delhi.

SPECIFICATION.

Village.	Total Area		Field Nos. or Boundaries.
	Big.	Bis.	
Ant Nagar	981	- 3	46/2, 47/2, 48/3, 57/5, 63/7, 64/7, 65/7, 66/7, 67/7, 173/68 to 70, 174/68 to 70, 71/7, 72/8, 73/8, 74/8, 184/75, 185/75, 76/9, 77/9, 78/9, 79/9, 80/10, 81/10, 196/82, 200/197, 201/197, 202/197, 83/10, 13/1-3, 14, 15, 16, 96/18, 97/18, 88/17/1, 89/17/1, 91/17, 92/17, 93/18/1, 219/102/19/1, 220/102/19/1, 179/21-22, 207/111/1, 112/25/1, 129/27, 135/27, 134/27, 133/27, 131/27, 130/27, 198/144, 199/144, 150/27, 151/27, 152/27, 210/153, 211/153, 212/153, 192/154, 193/154, 155/27, 145/27, 147/27, 142/27, 141/27, 191/156/27, 209/190, 208/190/1, 28/1, 29/1, 165/39, 164/39, 163/39, 170/40, 169/40, 168/40, 167/40, 193/165, 180/38, 181/38, 195/166, 171/41, 172/41, 44, 45, 42, 160/36, 161/37, 159/36, 175/31, 176/31, 157/30, 32, 35, 33, 1, 87/17/1, 90/17, 94/18, 95/18, 206/111/1, 114/27, 115/27, 116/27, 117/27, 118/27, 119/27, 120/27, 121/27, 122/27, 123/27, 124/27, 125/27, 126/27, 127/27, 210/132, 211/132, 136/27, 137/27, 138/27, 139/27, 140/27, 143/27, 146/27, 148/27, 149/27, 158/30, 34, 162/37, 43, 128/27, .

By order,

Sd/-

(MAGMOHAN)
DEPUTY HOUSING COMMISSIONER,
DELHI ADMINISTRATION, DELHI.

Delhi.

be published in ^{Extra-ordinary} Part IV of Delhi Gazette.)

DELHI ADMINISTRATION, DELHI.

NOTIFICATION.

Dated

27 July, 1961.

Whereas it appears to the Chief Commissioner of Delhi that land is required to be taken by Govt. at the public expense for a 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 said land.

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

SPECIFICATION.

Locality or village.	Total area.		Field Nos. or boundaries.	
	Ms.	Ms.	Ms.	Ms.
Basant Nagar.	242	4	1	62
			2	5
				15
				12
				4
				18
			63/7	1
			64/7	16
			65/7	7
			66/7	15
			67/7	2
				0
				2
				16
			174/68 to 70	8
				0
			173/68 to 70	3
				4
			71/7	3
				14
			80/10	1
				19
			81/10	6
				11
			196/82, 197/82, 197/81.	6
				0
			72/8	3
				10
			73/8	9
				12
			74/8	9
				10
			184/75/9	4
				1

Mutation to
the Govt.
24/10

-: 2 :-

1	2	3
		Big. Bis.
	185/75/9	4 7
	76/9	10 5
	77/9	3 7
	78/9	1 2
	79/9	1 6
classical mistake it should be 83/10	84/10	8 15
83	14	17 12
10	16	8 18
	15	2 3
	87/17/1	9 6
	97/18	1 16
	96/18	2 0
	95/18	4 6
	94/18	1 5
	93/18/1	10 18
	219/102/ 19/1	1 15
	<u>Total.</u>	<u>242 4</u>

By order,

Sd/-

(JAGMOHAN)
Deputy Housing Commissioner,
Delhi Administration, Delhi.

No. F. 15(138)/61-LSC.

Dated 27 July, 1961.

Copy forwarded to:-

- 1) Recruitment & Services Deptt. (in duplicate)
for favour of publication in Delhi Gazette (Extra-ordinary)
- 2) Land Acquisition Collector III, Delhi, with
reference to his letter No. LAB(Rev)/6908,
dated the 17th July, 1961.
- 3) Engineer-Member, Delhi Development Authority,
New Delhi.

(JAGMOHAN)

Deputy Housing Commissioner,
Delhi Administration, Delhi.