कार्यवाही कब्ज़ा अवार्ड नं० 14/1969 ग्राम बसन्त नगर।

आज दिनांक 30/1/76 बमूजब हुक्म जनाब LAC (MSD) सहाब मौका पर बहमराह श्री बलवन्तसिंह कानूनगो LA, श्री ओमप्रकाश पटवारी LA व श्री महानन्द प्रकाश चपरासी LA ग्राम बसन्त नगर पहुंचे! मुताबिक प्रोग्राम महकमा L&B Delhi Admn. की ओर से श्री रामकिशन मंगल N.T मय staff व महकमा D.D.A की तरफ से Sh. गुलाब सिंह N.T मय staff हाजिर है। वासेदारान में से प० छत्तर सिंह s/o कृपाराम भी मौका पर मौजूद है। सालम आराजी Acquire शुदा बकये अवार्ड नं० 14/1969 वशमूला नं० ख० 147/min/2 तादादी 5 बिस्वा की मौके पर बजरीये जरीब अन्दाजी पैमाइश करके निशानदेही की गई और मकान को बजरीये सहायता Demolation Squad D.D.A व पुलिस साफ करा कर कब्ज़ा वाकई हासिल किया गया और बजिन्स ही मय मलबा हवाला श्री रामकिशन मंगल N.T. (L&B) किया गया। मौके पर बवक्त कार्यवाही कब्ज़ा कोई मजाहमत पेश नहीं आई। मुनादी व मुश्तहरी बाबत तबदीली कब्ज़ा मौका पर व देह हजा में बजरीये श्री महानन्द प्रकाश चपरासी LA बआवाज बुलन्द कराई गई। पटवारी हलका बवजह दीगर कार सरकार हाजिर नहीं आ सका है लिहाजा एक नकल कार्यवाही कब्ज़ा पटवारी हलका को बजरीये तहसीलदार सहाब महरौली बराये अमल दरामद दर कागजात माल भिजवाई जावे व एक नकल महकमा Acquiring को। कार्यवाही कब्ज़ा पूरी हो चुकी है लिहाजा रिपोर्ट अर्ज है। 30/1/76

Ram Kishan N.T. (L&B)
30/1/76

छत्तर सिंह
30/1/76

Balwant Singh Rao
Kgo (LA)
30/1/76

[signature] Singh
N.T. (LA)
30.1.76

ओमप्रकाश पटवारी
30.1.76

Mahanand Parkash
30/1/76 LA

G. Singh
N.T (D.D.A)
30.1.76

Chhatar Singh
30/1/76

मुनशीराम

[signature]
31.1.76

AWARD No. : 14/1969

NAME OF THE VILLAGE : BASANT NAGAR

NATURE OF ACQUISITION : PERMANENT

PURPOSE OF ACQUISITION : PLANNED DEV.OF DELHI.

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Delhi Admn. issued notification No. F.15(138)/61-LSG dated 24.5.61 u/s 4 of the L.A.Act for land to be required at the public expense for a public purpose namely for the planned development of Delhi, for land measuring 981 big. 3 bis. in village Basant Nagar. Declarations u/s 6 of the Act were issued from time to time as and when a certain area was required. Similarly a notification u/s6 of the Act was issued vide No.F.15(138)/61-L&H dated 23.12.68 in the present case for land measuring 5 bis.

Notices u/s 9 & 10 were issued to the interested persons. Claims filed in response to the notices would be discussed under the appropirate heading ' Claims & Evidence'.

MEASUREMENT & CORRECT AREA :

Measurement of the land was carried out by the field staff at the spot and the area was found correct as 5 bis. The detail of the land is as below:- Kh.No.147/27/2 Area 0-05 Classification of land. G.M.Gitwar & G.M.Abadi.

OWNERSHIP & OCCUPANCY :

Nameof the owner	Name of the occupant.	Kh.No.	Area Big.Bis.	Classification of land.
Bhagwan Sahai s/o Sewag Ram. 1/6 share.	Maqubuja Malikan.	147/27/2	0-05	G.M.Gitwar & G.M.Abadi.
Mst. Hukum Kaur wd/o Pirthi 1/6 share.				

Contd........2

Chhattar Singh
s/o Kirpa
1/3 share.

Mst. Manpholi
wd/o Ram Gopal.
1/6 share.

Chandgi Ram. s/o.
Maha Singh
1/6 share.

Caste Brahmn r/o
Village Basant Nagar.

CLAIMS& EVIDENCE :

Name of the claimant	Kh.No.	Rate claimed.	Evidence.
Chhattar Singh s/o Kirpa Ram. r/o V.Basant Ngr. N.Delhi. through Sh.Leela Dhar Advocate.	147/27/2 (0-05)	Rs 50,000/- for land & constructions.	1. Extract of copy of M.C.Delhi. Demand & Collection Register for the year 1959-60. 2. House Tax Bill for the period 1.4.63 to 31.7.65.

MARKET VALUE :-

The market value in the present case is to be adjudged according to the trend of the sales as prevailing during the period May,1961 i.e on 24.5.61 the date of preliminary notification. Revenue Record was consulted to find out the sales having taken place a few years preceding the date of preliminary notification.The position is as below:-

Year	Area Big.Bis.	Amount Rs Ps	Average per bi. Rs Ps
1956-57	253-06	7,21,569-00	2,848-67
1957-58	128-05	4,45,940-00	3,477-11
1958-59	78-08	2,57,409-00	3,283-28
1959-60	75-19	2,73,845-00	3,605-59
1960-61	57-16	2,23,570-00	3,867-99

Contd.......3

With the above we find that the prices during the year 1956-57 were about Rs 3000/- per big, but there was a gradual rise later on except during the year 1958-59 when there was a fall. The price range however, touched Rs 3900/- per big. during the year 1960-61. But these transactions cannot solely guide us in assessing the market value in the present case as they may not be similarly circumstanced and conditioned as the land under acquisition.

There have been the following awards in this village relating to the preliminarly notification dated 24.5.61 as in the present case:-

Award No.	No.& date of notification u/s 4	Area acquired. Big.Bis	Rate awarded per big.
1201	F.15(167)/55-LSG(III) G.I(S.IV) dated 24.5.61	4-04	Rs 3500/-
1226	F.15(138)/61-LSG 24.5.61	262-13	Rs 3500/-
1229	F.15(167)/55-LSG(I) G.I.(S.VI) dated 24.5.61	229-14	Rs 3500/-
1252	F.15(138)/61-LSG 24.5.61	52-01	Rs 3500/-
1331	-do-	34-14	Rs 3500/-
1332	-do-	0-05	Rs 3500/-
1563	-do-	5-00	Rs 3000/-
1879	-do-	296-03	Rs 4000/-
1880	-do-	1-05	Rs 4000/-

Out of the above awards, a scrutiny of Award No.1879 revealed that part of Kh.No.147/27 was acquired through this award and of which another part 147/27/2 is under the present acquisition. The above award would therefore, serve us as the best guide in arriving at the fair market value of the land under acquisition.

Contd.........4

As such it is not necessary to discuss the details of the other awards. The land Acquisition Collector in the said Award had awarded compensation at the rate of Rs 4000/- per big.

There have been the following decisions of the court in respect of the various Kh.Nos. acquired through the said award:

S.No. 1	L.A.Case No. 2	Name of the parties. 3	Award No. 4	Village 5	Rate awarded by LAC 6	Rate enhanced by ADJ 7	Kh.No. 8
1.	528/68	O,W.KhemChand & others Vs. the C.C.Delhi.	1879	Basant Nagar.	Rs 4000/-	[redacted] (Rs4750/- per big. market value plus Rs 665/- stamp charges)	89/17/1.
2.	464/66	Mam Chand & others Vs. U.O.I	1879	-do-	Rs 4000/-	Rs 4500/-	13/3/6,90/17, 114/27,138/27/2, 149/27, 140/27/1, 32/1/7,33/10, 35.
3.	386/67	Shibban & another Vs, U.O.I	1879	-do-	Rs 4000/-	Rs 4500/-	193/154, 191/156/127, 13/3/6 min, 114/27, 32/1/7,33/10 35 etc.
4.	466/66 364/67	Roop Chand & others Vs, U.O.I	1879	-do-	Rs 4000/-	Rs 4500/-	208/190/3, 192/154, 13/3/6 min, 114/27, 32/1/7, 33/10,35 et
5.	469/66	Ghariboo Vs U.O.I	1879	-do-	Rs 4000/-	Rs 4500/-	13/3/6,90/17, 138/27/2, 149/27,140/27/1,132/1/7 33/10,35, 145/27, 151/27.
6.	385/67	Bhagwani & Shankar Vs. U.O.I	1879	-do-	Rs 4000/-	Rs 4500/-	152/27, 211/132/11. 13/3/6,90/17, 33/10,and 35.
7.	480/66	Roop Chand & Devi Ram etc Vs.U.O.I	1879	-do-	Rs 4000/-	Rs 4750/-	13/3/6,90/17 114/27, 138/27/2.

Contd............... 5

In the case at S.No.1 above, the rate of as actual sale price
Rs 4750/- has been awarded by the court and also a sum of Rs 665/- as stamp charges. This case could not be a guide for the land under acquisition as Kh.No.89/17/1 is nearer to the road. In case at S.No.2 Kh.Nos. 149/27 & 140/27/1 for which the rate awarded is Rs 4500/- per big. are quite close to the land under acquisition. Other Kh.Nos. in the case are away. In case at S,No.3 the Kh.Nos. involved are also away from the land under acquisition.The same position is also in respect of the case at S.No.4. In case at S.No.5 the Kh.Nos. 149/27, 140/27/1,145/27 and 151/27 are the nearest to the land under acquisition than other Kh.Nos. involved in the case . In the case at S.No.6 Kh.No.152/27 is the nearest to the land under acquisition than other Kh.Nos. in the case.

In all the above cases, except in case at S.No.1 and in S,No.7 the rate awarded by the court is similar i.eRs4500/- per big.

In case at S.No.7 Kh.Nos. 138/27/2 and 114/27 are in a better location than the land under acquisition and out of these two the former is nearer to the road. The two other Kh.Nos. in this case i.e 13/3/6 & 90/17 are also near to the road. Therefore, all the ~~four~~ Kh.Nos. involved in this case do not comparewith the land under acquisition.

Judidical decisions are best guide in arriving at the market value since it has been held that there cannot be a clearer authority that previous decisions in Land Acquisition Cases are relevant in a subsequent case where the market value of the land in the same neighbourhood is in issue. Accordingly I assess the market value of the landin the present

Contd........7

case at Rs 4500/- per bigha and award the same.

OTHER COMPENSATIONS

TREES & WELLS :

There are no trees or wells in the land under acquisition. Hence no compensation is assessed under this heading.

STRUCTURES :-

There is a small structure on the land under acquisition .The Asstt. Engineer(Val) has communicated the value of the structure as Rs 1016/- vide hisletter No.AE(V)/II/29/69 dated 11.3.1969. I consider the same to be reasonable and award accordingly.

Compensation of the above structure will remain disputed since the claimant Chhattar Singh has claimed the entire amount of compensation for the same.

Compensation of the structure will be paid to the rightful owner on furnishing sufficient proof of ownership and also on establishing that the construction was made prior to the date of preliminary notification i.e. 24.5.61

SOLITIUM :

15%solitium will be payable on the market value of the land.

INTEREST :-

The case falls within the purview of Land Acquisition(Amendment & Validation)Act,1967 as the declaration u/s 6 of the Act was made three years after the date of notification u/s4 i.e. 23.12.68. Interest would therefore be payable at 6%.per annum on market value of the land w.e.f 24.5.64 to 22.6.69 i.e the date tentatively fixed for the announcement of the award.

Contd........7

APPORTIONMENT :-

Compensation would be paid according to the latest entries of the Revenue Record.

The claimant Chhattar Singh has claimed the entire compensation for the land and the structure, therefore the total compensation in this case will be kept disputed.

The amount will be sent to the court u/s 30-31 if the dispute is not resolved within a reasonable period.

LAND REVENUE :-

The land is assessed to a sum of 5 Ps. as land Revenue. The same will be struck out from the Khalsa Rent Roll from the date the possession is taken over.

SUMMARY

		Rs Ps.
1.	Compensation of land measuring 5 big. @ Rs 4500/- per big.	1125-00
2.	Compensation of trees & wells.	Nil.
3.	Compensation for structures	1016-00
	Total	2141-00
4.	Add 15% solitium	321-15
5.	Interest at 6% per annum on market value of the land (cost of land & structures Rs 2141) w.e.f 24.5.64 to 22.6.69 (5 yrs.30 days)-	652-86
	G.Total.	3115-01

(Rupees Three thousand One hundred fifteen and paise one only)

Award announced today.
File
V. Bhalla
30/6/69

V. Bhalla
(V.K.BHALLA)
LAND ACQUISITION COLLECTOR(MSW)
DELHI

(TO BE PUBLISHED IN PART IV OF THE DELHI GAZETTE.)

4/54 No F-15(138)/61 LSG dt 24-5-1961

DELHI ADMINISTRATION: DELHI.

NOTIFICATION

4/56

Dated the____December,1968.

No.F.15(138)/61-L&H: Whereas it appears to the Lt. Governor, Delhi that land is required to be taken by Government 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

Village or locality.	Area Big. Bis.	Field Nos. or Boundaries.
Basant Nagar.	0 -05	147/27/2.

By order,

sd/-

(D.P.BAHUGUNA)
Deputy Secretary III(Land & Building)
Delhi Administration, Delhi.

Received 11.45 AM. 27/12

No. LAC/MW/IV/1065, 28/12/68.
Shri Pandey for N.T.
28/12/68

No.F.15(138)/61-L&H. Dated the 23 December,1968.

Copy forwarded to the:-

1. Public Relations Department, Delhi Administration, (in duplicate) for publication in the Delhi Gazette.
2. Additional District Magistrate(LA) Delhi.
3. Land Acquisition Collector(MW) Delhi.
4. Legal Adviser, Land & Building Department, Delhi.
5. Tehsildar(Land & Building Department) New Delhi.
6. Central Record Cell(Land & Building Department) New Delhi.

LAC(MW)

S O No 178 N.T.LA 30-12-68

D P Bahuguna

(D.P.BAHUGUNA)
Deputy Secretary III(Land & Building)
Delhi Administration, Delhi.

LAND ACQUISITION BRANCH 19602 26.12.68 DELHI

Shri Lakhmir Singh K.g.o to prepare the relevant papers.
30.12.68

(TO BE PUBLISHED IN PART IV OF THE DELHI GAZETTE)
DELHI ADMINISTRATION: DELHI

NOTIFICATION

n/s 4

Dated the 24th 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,

n/s 4

In exercise of the powers conferred by the aforesaid sectio[n] 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 Big Bis	Field Nos. or boundaries
Basant Naga-r	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, 13/183, 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, 194/166, 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,

Compared
L.L. Ram
Kgo (L.A.)

Attested True copy
21/10/64