Name of the Progerty:- House No.14/41,
Gali Nathan Singh,
Pahari Diraj, Delhi.

Nature of acquisition; Permanent.

This is a case for the acquisition of the aforesaid property situated in Gali Nathan Singh, Pahari Dhiraj, Delhi, required by the Municipal Corporation for a public purpose namely for running a school at its own expenses. A notification under section 4 of the Land Acquisition Act was made vide notification No.F.15(85)/64-LSG dated 17.11.1964. The substance of the notification was given due publicity and objections were invited from the interested persons, and a report was made to the Delhi Administration along with the objections in original vide this office letter No. F.LAB/Rev-441 dated 8.1.1965. Subsequently a declaration under section 6 of the Land Acquisition Act was made vide the notification of even number dated 23.1.1965. Notice under section 9(1) was given due publicity and notices under section 9(3) and 10(1) of the Land Acquisition were served upon the known interested persons. Almost all the interested persons have responded to the notices given to them.

'MEASUREMENT AND OWNERSHIP'

According to the notification under section 6, the total area under acquisition of the property to be acquired was 261.4 sq.yds. From further verification made onthe spot under section 8 of the Land Acquisition Act, the area of the property under acquisition was found to be correct. I, therefore, hold the area under acquisition to be true at 261.4 sq.yds. the ownership of which according to the Municipal Corporation's vide their letter No. 1(3)/64-Acq/L&E/1614 dated 10.8.1964 vests in Shmt.Surya Kri.

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Shakti Nagar, Delhi.

Note: The land owner has made objections to the measurement which has been held to be true at 261.4 sq.yds. According to the land owner the actual area of the property under acquisition is 265sq.yds. A site plan was also sent to this office by the Dy. Housing Commissioner, Delhi vide their letter No. F.15(85)/64-LSG dated 7.10.1964. According to the above site plan the area comes to 256.4, but however the field staff made survey on 16.10.1964to verify the difference of the area, and the area was found to be corr ect at 261.4 sq.yds.

'CLAIMS AND EVIDENCE'

The following claims have been received from the claimants the detail of which is as given below:-

Sh.No.	Name of the claimant.	Compensation demanded.	Remarks.
1.	Shmt.Surya Kumari alias Suraj Kaur w/o Sh.Dharamendra verma.	Rs.300/- per sq.yds. and Rs.80,000/- for the structure.	The claim is exhorbitant and fabulous.
2.	M/S Ram Chand Badlu Ram.	Requested for the allotment of alternative shop.	--
3.	Kewal Krishan, s/o Pt. Dewan Chand.	-do-	--
4.	Kashmiri Lal s/o Swaran Dass.	-do-	--
5.	Shri Jawala Prashad s/o Gokul Chand.	-do-	--

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produced by the claimants in support of their claims:-

Sl.No.	Name of the producer.	Documents produced.
1.	Shmt. Surya Kumari w/o Dharamendra Verma. (Land Lady).	1. Copy of the sale deed regarding House No.4579-80 of Pahari Dhiraj, Delhi in which the land measuring 85 sq.yds. has been sold for Rs.35000/- yielding an average of Rs.411.76

The tenants have not produced any evidence in support of their claim. The evidence produced by the land lady cannot be considered relevant for arriving at the correct market value of the land of the property under acquisition as the same includes the value of the structure also.

'MARKET VALUE'

The property under acquisition is surrounded on its north by the House No.XIV/4582, south by Gali Mandi Chara, east by Gali Nathan Singh, and west by Gali and House No.XIV/5030, and is situated at a distance of about one furlong from the main Pahari Dhiraj Road and is quite near to Sadar Bazar which is an important commercial & residential area. It has the privilege of being within the Abadi of Pahari Dhiraj which is centre of the city. It is also situated in a thickly populated area and is open by two sides.

I have inspected the site. The field Staff has collected the following data of the sale transactions taken placed near and in the vicity of the property under acquisition:-

Year.	Area	Total amount.	Average per sq.yd
1960	322 sq.yds.	Rs.28,000/-	Rs.86.96

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1962.	75 sq.yds.	Rs. 1275/-	Rs. 17.00
1963.	249 sq.yds.	Rs. 70,000/-	Rs.281.12
1964	362 sq.yds.	Rs. 20,000/-	Rs. 55.25
	1468 sq.yds.	Rs.2,32,903/-	Rs.158.65

Thus the average of the above mentioned sales comes to Rs.158.65 per sq.yd. As this price includes the price of the land as well as of the super structures it is difficult to find out the price of the land seperately. As stated under the head 'Claims & evidence' the land lady has produced a copy of the sale deed regarding the property bearing municipal No.4579-80/14 measuring 85 sq.yds, in which the average price comes to Rs.411.76 per sq.yd. inclusive of the price of the land as well as the super structures. This property is situated just opposite to the property under acquisition. Thus considering the situation of the land i.e. the property under acquisition, average sale transactions, and importance of the area, and all other relevant factors for arriving at the market value, I consider the rate of Rs.125/- per sq.yd. to be very reasonable and fair for the land of the property under acquisition and I award accordingly. This price is to be paid in addition to the value of the super structures existing in the land.

'OTHER COMPENSATIONS'

The value of the structure on the land of the property under acquisition has been assessed by the C.P.W.D. (Valuation Department) at Rs.44,156/- vide their letter No.

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I have inspected the site and I found that the value assessed by the C.P.W.D. is quite fair and reasonable which I award accordingly.

There are 4 tenants in the property under acquisition. These tenants are in occupation for many years and paying rent to the land lady. Therefore these tenants are entitled only for damages and shifting from the present occupation. I, therefore, award the compensation @ Rs.300/- per tenant for the tenants residing in the property under acquisition. This compensation will be in addition to the value of the land and structure.

15%FOR COMPULSORY ACQUISITION CHARGES:

15% will be paid on account of compulsory acquisition charges as provided u/s 23(2) of the Land Acquisition Act(I),1894.

'APPORTIONMENT'

The compensation will be paid to the land lady on the production of the ownership certificate from the Municipal Corporation or any other evidence in sup ort of the ownership vesting in her.

'THE AWARD IS SUMMARISED AS BELOW'

Compensation for 261.4 sq.yds. of land @ Rs.125/- per sq.yd.	Rs.32,675.00
Compensation for the super structures.	Rs.44,156.00
@ Rs.300/- each tenant.	Rs.76,831.00
15% of the above as solatium for compulsory acquisition charges.	Rs.11,524.65
	Rs.88,355.65
Compensation @ Rs.300/- per tenant for the 4 tenants.	Rs. 1,200.00
G.Total.....	Rs.89,555.65

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(Zal Nowsherwanji)
Land Acquisition Collector(DS)
Delhi/31.5.1966.

Submitted to the collector, Delhi for information and filing.

(Zal Nowsherwanji)
Land Acquisition Collector(DS),
Delhi/31.5.1966

compared
Shri ...
31/5/66

Seen.
DC has seen.
1/6/66
COLLECTOR. DELHI

The amount of compensation has been received. Hence the Award will be announced on 5.12-66.
Sh Prabhu Dayal Mutazani and 'A' statement and inform the parties concerned
5-12-66

Shri Shiv Narain 64-T

A/C

Sh. Surender Nath Kapur LA
for compliance
5-12-66