

AWARD No. .... 1925 .....

Name of Village..... Tehar.

Nature of Acquisition..... Permanent.

Purpose of Acquisition... Planned Development of Delhi.

In pursuance of notification No.F.15(iii) /59-ISG dated 13th November 1959 issued u/s 4 of the Land Acquisition Act 1894, The Government intend to acquire 34070 acres of land situated in various villages of Union Territory of Delhi, <sup>and</sup> village Tehar along with its Abadi was one of the above said villages, 34 big. 13 bis of land situated in this village was further notified u/s 6 of the said act vide Notification No.F.4(106)/63-L&H dated 10th December 1965. Due publicity was given to these notifications as required under the act and objections received u/s 5(a) of the said L.A. Act have <sup>been</sup> sent along with the report to the concerned authority. Notifications u/s 9 & 10 were also issued to the interested persons to file their claims which will be discussed at the proper place.

The area notified u/s 6 of the Land Acquisition Act is 34 big 13 bis and the same is found correct in measurement by the field staff.

OWNERSHIP:

The details of land, ownership and tenancy, Kh.Nos and classification of soil is as under:-

S.No.	Name of owner	Name of Occupant	Kh.No.	Area Big.Bis	Kind of land.
1.	Dewan Ganaga Ram Chopra and sons.	Self possession Self cultivation.	321 322/1 323/1 324/1 Total	0--7 4-14 5--1 7--3 17-5	G.M.Chah(Not in written order) B.Qadim " " B.Qadim(16-18) G.Mumkin(0-07)

Note:- A factory has been constructed in the above Kh.Nos which is stated to have been constructed by Sh. Tirth Ram Ahuja.

2.	Madan Mohan puri s/o B.S.Puri.	In cultivatory possession of Dewan Ganga Ram	327/1/1 327/2/1 322/2	1--0 0-12 1--5	B.Qadim " "
----	--------------------------------	--	-----------------------------	----------------------	-------------------

Contd....

Chopra & sons	326/1	1--12	B. Qadim
ex-owner.	323/2	1---5	" "
	324/2	1---8	" "
	325/1	1--12	" "
Total		8--14	B. Qadim

3. Inder Mohan Puri	In cultivatory	325/2	2---5	B. Qadim
s/o B.S. Puri.	possession of	326/2	3---4	" "
	Dewan Ganga	327/1/2	2--1	" "
	Ram Chopra &	327/2/2	1--4	" "
	sons ex-owners	Total	8--14	B. Qadim

Banjar Wadim	34 big 6 bis.
G. Mumkin	0 big. 7 bis.
Total	34 big. 13 bis.

#### CLAIMS & EVIDENCE:

Sri Dewan Hanga Ram's notice has been received unserved due to incomplete address. Other notices have been served. Notice issued to the occupant, has been pasted on the factory running at site as he was not available. No claim has been filed by any interested person.

#### MARKET VALUE:

34 bighas 13 bis are under acquisition in the present scheme.

For calculating the compensation to be awarded the conditions mentioned in section 23(1) of the Land Acquisition Act of 1894 are to be borne in mind. Other relevant factors also to be borne in mind. would be the sale transactions in the village during the 5 years preceeding the date of notification u/s 4 which in this case is 13.11.59, nearness of the land to be acquired to the recent sale transactions, its situation, the use to which the land is put, its potential value, risen and fall of demand of land in the market and compensation awarded for the land acquired previously in the village. Also to be kept in view is the claim made by the interested persons.

The statement of average sale price for five years preceeding the date of notification u/s 4 is as under:-

S.No.	Year	Area sold big. bis.	Amount of consideration.	Average per high.
1.	1954-55	50--08	Rs. 115257-00	Rs. 2286-80
2.	1955-56	31--02	Rs. 64372--00	Rs. 2069-80
3.	1956-57	60--19	Rs. 53974-50	Rs. 885-60
4.	1957-58	78-4½	Rs. 149107-00	Rs. 1905-40
5.	1958-59	56--13	Rs. 159450=00	Rs. 2814-60
Total		277--6½	Rs. 542160-50	Rs.

Contd.....3



The average sale price works out to Rs. 1954-80P per bigha, the above table reveals decrease in 1956-57, 1957-58 as against 1954-55 and 1955-56. In 1958-59 there is an increase over 1954-55 and 1955-56.

A year-wise study of sales during these five years will bring to light the reasons for increase/decrease in price s.

#### 1954-55

During the year 46 transactions took place. Out of it 4 relate to large tracks of land and the remaining to small plots. Adjoining the land to be acquired are khasra Nos. 328, 329 in which two plots measuring 0-7 bis each were sold on 7.2.55 and 17.1.55 for Rs. 9000/- and Rs. 8000/-. The price per bigha works out to Rs. 25714.18P and Rs. 22857.14P respectively. These are in the approved colony of Sant Nagar. The land under acquisition does not fall in this colony nor in other colonies. The price in an approved colony will be obviously higher. That is why these transactions can be discarded.

Other transactions are at a distance of 4 ~~feet~~ or five furlong except for transaction in respect of M.S.A. block which are over a mile. The price per bigha of big plots comes to <sup>Rs 1000/- per bigha and small plots</sup> Rs. 6772.50P. These fall in approved and unapproved colonies and do not render any help in arriving at a just and fair market price.

#### 1955-56.

In all 34 transactions took place during this year. One relates to a big plot and the remaining to small plots. The price per bigha of the big plots is Rs. 1236.67P per bigha while the price per bigha of small plots is Rs. 4623.70P. These transactions are about 4 to 8 furlongs from the land under the scheme and are in approved or un-approved colonies. Hence they do not serve any useful purpose.

#### 1956-57.

In the year 1956-57, 32 transactions were registered. They relate to M.S.A. & BE Block of Hari Nagar which is an un-approved colony and is over a mile from the land to be acquired. These also cannot be reckoned for determining the market price.

#### 1957-58

37 transactions took place in this year and relate to un-approved colony of BE Block and M.S.A. Block of Hari Nagar which is over a mile from the land to be acquired. Hence they do not serve any useful purpose.

a mile from the land under acquisition.

1958-59

During the year 34 transactions have taken place. <sup>out</sup> of 34 transactions 5 relate to big-plots and the remaining to small plots; out of 5 transactions relating to big-plots 3 transactions are about 3 furlongs and price per bigha is Rs. 4237-29P in each, are in the approved colony of Fateh Nagar and other are over 6 furlongs. These are not in any approved or un-approved colony. The price per bigha comes to Rs. 1356.59P and Rs. 2214.57 P respectively. The remaining 29 transactions relating to small plots fall in approved and un-approved colonies like M.S.A. Block, BE B block of Hari Nagar and are over a mile from the land under acquisition. These cannot be relied upon.

Besides one transaction relating to 7 big. 11 bis sold for Rs. 16720/- was registered on 14.9.59 and the price per bigha comes to Rs. 2214.57P, This is not in any approved or un-approved colony and the distance from the land under acquisition is about 8 furlongs. Two more transactions of 1 big. 15 bis and 1 big. 12 bis sold for Rs. 5715/- and Rs. 6000/- on 21.2.58 and 21.2.58 respectively are also not in any approved or un-approved colonies and the distance is about 3½ furlongs. The price per bigha is Rs. 3264.00 and Rs. 3750.00 respectively.

A close examination of the prices prevailing in approved and un-approved colonies and outside the colonies shows:-

1. That plots in and around approved and un-approved colonies have fetched higher prices.
2. That the price of small plots is higher than big plots.
3. That prices tend to rise.
4. That the highest price in 1959 in an approved colony for 5 big 18 bis is Rs. 4237.29P per bigha.
5. That the highest price in 1959 in an un-approved colony for 1 big 12 bis is Rs. 3750/- P per bigha.
6. That the highest price outside the approved and un-approved colonies in 1959 for 7 big 11 bis is Rs. 2214.57 per bigha.

No claim has been filed by any interested persons.

The awards announced in this village are as under:-

S. No. No. of award Date of notification  
xxxxxx

Contd.....5



S.No.	No. of award.	Date of notification u/s 4 of L.A.Act.	Quality of Land.	Rate awarded per bigha.
1.	694	31.12.51	Rosli B.Qadim G.Mumkin	Rs. 300/- Rs. 100/- Rs. 80/-
2.	746	3.7.54	Rosli & Dakar B.Qadim	Rs. 970/- Rs. 485/-
3.	988	19.1.57	Rosli, Dakar & B.Qadim.	Rs. 1000/-
4.	920	4.7.57	Flat rate	Rs. 5 per sq. yd.
5.	1163	19.1.57		Rs. 1500/- per bigha kham.
6.	1223	13.11.59	B. Qadim	Rs. 2500/-
7.	1452	13.11.59	B. Qadim Dakar	Rs. 6.75 per sq. yd.
8.	1567	13.11.59	B. Qadim	Rs. 2500/-
9.	1689	24.10.61	Rosli B. Qadim, G. Mumkin	Rs. 1000/- Rs. 500/-
10.	1696	13.11.59	B. Qadim, G. Mumkin	Rs. 3000/-
11.	1758	11.3.64	Block A Block B	Rs. 3500/- Rs. 3000/-
12.	1766	13.11.59	Flat rate	Rs. 3500/-
13.	1794	13.11.59	Block A Block B	Rs. 3500/- Rs. 3000/-
13.A	1843	13.11.59	Block C	Rs. 500/-
14.	1825	13.2.64		Rs. 3500/- per bigha.
15.	1867	13.11.59		Rs. 3500/- per bigha.

only two awards 1794 and 1843 are two furlongs and four furlongs respectively from the land under acquisition and the date of notification u/s 4 is the same in that two cases.

The compensation awarded for A Block is Rs. 3500/- and for B Block is Rs. 3000/- whereas in award No. 1843 the compensation awarded is Rs. 4500/- for A Block and Rs. 3000/- for B Block. The former being closer to the land under acquisition is relevant and gives a fair indication of price prevailing on 13.11.59.

References u/s 18 have been forwarded to the A.D.J. Delhi in the aforesaid two awards but none has so far been decided. Though compensation has been enhanced in some cases mentioned in the statement yet it will not serve any useful purpose for the date of notification u/s 4 is earlier to 13.11.59 and is some compensation has been awarded soilwise and in others the notification u/s 4 is

The net result is that the prices of plots in and around the approved and un-approved colonies have maintained an upward trend. As the land under acquisition has on three sides approved and un-approved colonies like Minakashi Garden, Ajai Enclave and Ugar Sain market and is on the main Delhi Najaf Garh Road the plot measuring 1 big 12 bis sold on 21.2.58 should be made the base for arriving at a fair and just market price. This however is a small plot and any increase during the remaining period would be offset by the area under acquisition which is large and would necessarily bring down the price. The compensation awarded in award No. 1794 for Block A also should be kept in view for the date of notification is the same and location etc. is also almost identical. Taking into account various factors like the situation, area involved, nature of land and the price of land before and after 1958 and awards I consider that a fair and reasonable market price would be Rs. 3500/- per bigha kham and I award the same.

TREES: WELLS AND STRUCTURES:

There are trees, wells and structures in the land to be acquired under the present scheme. The details are as under:-

WELLS

<u>S.No.</u>	<u>Kh.No.</u>	<u>Details of wells</u>	<u>Rate.</u>
1.	321	Pacca well built in the lime stone and bricks, fitted with electric motor in good condition.	Rs. 600/-



Note: the owner can remove the electric motor.

TREES:

S.No.	Kh.No.	Detail of trees	Weight in Qtl	Amount.
1.	322/1	4 Keekar	3 Qtl. @ 3/- Per Qtl.	Rs. 9=00
2.	323/1	6 Neem	$\frac{1}{2}$ " @ 2/- " "	Rs. 1-00
	324/1	1 Sahtoot	-- @ 2/- " "	Rs. 2-00
		4 Mongo.	-- @ 2/- " "	Rs. 8-00
2.	325/2	29 Keekar	8 Qtl. @ 2/- " "	Rs. 16-00
	326/2			
	327/2			
Total				Rs.36-00

STRUCTURE:

A factory exists in Kh.Nos, 321, 322/1, 323/1, 324/1 which is stated to have been constructed by Sh. Tirth Ram Ahuja. From the revenue record it is evident that it was constructed after the date of notification u/s 4 i.e. 13.11.59. There is also a boundary wall in Kh.Nos. 322/1, 323/2, 324/2, 325/1, 325/2, 326/1, 326/2, 327/1, 327/2, 327/2/1, 327/2/2. This is also reported to have been constructed after the date of notification u/s 4 i.e. 13.11.59. Hence compensation has not been assessed and awarded.

WAQF PROPERTIES:

There is no temple, mosque, grave yard or any other religious place in the land under acquisition.

INTEREST:

The possession of the land under acquisition has not so far been taken over. The question of allowing any interest does not arise.

SOLITIUM:

15% solitium will be allowed as required under the Act.

DEDUCTION OF LAND REVENUE :

The land under acquisition is assessed to Rs. 11.12P as land revenue. Thesame shall be deducted from the land revenue from the rent roll of this village from the date of taking over possession of the land under acquisition.

APPORTIONEMENT

1. This village is an urban village and D.L.R. Act does not apply to it.
2. The compensation will be paid <sup>according</sup> to the latest entries in the Revenue Record.
3. A factory exists in Kh.Nos. 321, 322/1, 323/1, 324/1 measuring 17 big. 5 bis which is reported to be run by Sh. Tirth Ram Ah. His name does not exist in the revenue record, therefore, compensation will be kept as disputed.
4. According to the revenue record Kh.Nos. 322/2, 323/2, 324/2, 325/1, 325/2, 326/1, 326/2, 327/1/1, 327/1/2, 327/2/1, 327/2/2 measuring 17 big 3 bis are in the occupation of Sh. Dewan Ganga Ram Chopra and sons. Compensation will remain dispute

The Award is summarised as under:-

Compensation for 34 bigha 13 bis of land @ Rs. 3500/- per bigha kham.

Rs. 121275-00

Compensation of wells

Rs. 600-90

Compensation of trees

Rs. 36-00

Addition 15% solitium

Rs. 18281-25

G.Total Rs. 140192-25

(Rupees One lac ~~four~~ty thousand one hundred ninty two and twenty five Paisa only)

(SHAM KARAN)

LAND ACQUISITION COLLECTOR (P)  
DELHI.

Forwarded to the Deputy Commissioner (District Collector) for information and filing the award.

seen. Filed.

N. Sharma

1.67  
COLLECTOR. DELHI

(SHAM KARAN)

LAND ACQUISITION COLLECTOR (P)  
DELHI.



193

~~487~~

Sri H. C. Gupta

Pl prepare and submit statement  
A. and Natesha Ramgani.

$\frac{0}{3/1}$

Award announced today in  
the presence of interested parties.

$\frac{B}{2/6}$

Harper  
17.2.67

~~Early Sub~~  
17.2.67.  
N.T.(P).

Test 148  
12/2  
67

17-2-67

Harpal Singh  
Kq. (HA)  
17.2.67

17  $\frac{2}{67}$



( To be published in Part IV of Delhi Gazette.)

DELHI ADMINISTRATION: DELHI.  
(Land & Housing Department)

NOTIFICATION.

Dated December , 1965.  
No.F.4(106)/63-L&H. Whereas it appears to the Chief Commissioner of 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 provision 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.	Total area.		Field Nos. or Boundaries.
	Sig.	Sis.	
Tehar.	34	13	321, 322, 323, 324, 325, 326, 327/1, 327/2.

By order,

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

15472  
10 DEC 1965

No.F.4(106)/63-L&H.

Dated December / 0 , 1965.

Copy forwarded to the :-

1. Appointments(B) Department, Delhi Adm.(in duplicate for favour of publication in Delhi Gazette).
2. A.D.M.(Land Acquisition), Delhi.
3. Land Acquisition Collector(Palan), Delhi.
4. A.F.A., Delhi Adm., Delhi.
5. Legal Adviser, Delhi Adm., Delhi.
6. Tehsildar(L&H Department), Delhi Adm., Delhi.

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

*Handwritten notes:*  
L.A. 2.0  
13/12/65

Shred 871  
So prepare in  
Hos  
14/11

जामुन खेत में नाला बाला 9 व 10 महुतल के 150  
पेरा कल /

बेदि किं  
20/12/1

(M) 241