

AWARD NO.....2132.....
NAME OF VILLAGE..... TEHAR.
NATURE OF ACQUISITION..... PERMANENT.
PURPOSE OF ACQUISITION..... P.D.D.

In pursuance of notification No.F.15(iii)/59-LSG dated 13.11.59 published u/s 4 of the land Acquisition Act 1894, it was proposed to acquire 34070 Acres of land in different villages of Delhi State. Village Tehar was one of these villages. 267 sq. yds of land was further notified u/s 6 by notification No.F.4(106)/63-L&H dated 4th Nov. 1963, for a public purpose namely for the Planned Development of Delhi. Notices u/s 9 and 10 were issued to the interested persons to file their claims by 18.12.67 the claimant was not present at his last known address due to which the service was not done. Notices u/s 9 and 10 were got pasted on the site. No claim has been received as yet.

MEASUREMENT AND OWNERSHIP

Kh.No.806min has been notified u/s 6. But the correct Number is 806/11 according to field book it measures 6 biswas (267 sq.yds) (5 bis was found at site the demarcation of the site was given by the representative of Delhi Electric Supply Undertaking. Hence there is a decrease of 1 bis.

S.No.	Name of owner	Name of occupant	Kh.No.	Area	Soil.
1)	Sh.Dayal Singh s/o Jawala Singh r/o 100/108 Kirti Nagar, N.Delhi.	Self possession.	806/11	0--5	G.M.Plot (267 sq yards)

CLAIM AND EVIDENCE

No Claim has been filed.

MARKET VALUE

In village Tehar 267 sq. yd are under acquisition in the present scheme. The village Tehar is an Urban village and the Delhi Land Reform Act 1954 is not applicable to it.

The preliminary notification u/s 4 was issued on 13.11.59. In Oct. and Nov. 1959 11 sale transaction have taken place and the details are as under:-

S.No.	Kh.No.	Date of Notification u/s 4.	Area	Consideration	Rate per bigha.
1)	541	21.10.59	154 sq. yds.	Rs. 1500/-	Rs.100

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2)	566	23.10.59	200 sq.yds.	Rs. 1900/-	Rs. 9500/-
3)	Plot No.Ms/45	24.10.59	150 "	Rs. 430/-	Rs. 2860/-
4)	789	26.10.59	200 "	Rs. 1000/-	Rs. 5000/-
5)	786	27.10.59	200 "	Rs. 1000/-	Rs. 5000/-
6)	2044	30.10.59	150 "	Rs. 800/-	Rs. 5600/-
7)	598	3.11.59	200 "	Rs. 1000/-	Rs. 5000/-
8)	839,840.	6.11.59	142 "	Rs. 849/-	Rs. 6000/-
9)	Plot No.C/35	9.11.59	220 "	Rs. 1350/-	Rs. 6000/-
10)	2124,2125	10.11.59	150 "	Rs. 900/-	Rs. 6000/-
11)	1814to 1819	10.11.59	150 "	Rs. 900/-	Rs.6000/-

Close to the land under Acquisition are sale transaction No. 1,2,4,5 and 8 of the above table. Of these sale transactions the price per bigha ranges between Rs. 5000/- to Rs. 10000/-. These sale transactions took place in Oct 1959 except for the sale transaction at S.No.8 which took place on 6.11.59. The other sale transaction that took place in Nov. 1959 fetched between Rs. 5000/- to Rs.6000/- although the period between the sale transaction that took place in Oct and Nov. is less than a month the price per bigha is more in Oct than in Nov. and the area in some cases is more and in other cases less. However area is a factor to be reckoned with for the price of land is dependent on area situation and potentiality.

The sale transaction at S.No. 1 fetched Rs. 10000/- per bigha for 154 sq. yd on 21.10.59. This is closer to main Jail Road than the Kh.No. under acquisition. Moreover the area under acquisition is more. It is an established principle that small plots fetched higher price than big plots.

Similar is the position of the sale transaction at S. No.2 that earned Rs. 9500/- per bigha for 200 sq. yd. on 23.10.1959.

The sale transaction at S.No.4,5 that fetched Rs.5000/- per bigha in each case on 24.10.59 and 26.10.1959 for 150 sq. yds. and 200 sq. yds respectively are situated in Virender Nagar colony. The Virender Nagar Colony in 1959 was coming up and was then an unapproved colony. It was approved in 1961. Kh.No.789 at S.No.4 of the above table is on the kacha road

now pacca, enjoys a better position then the land under acquisition. Kh.No.786 is immediately behind Kh.No.789. This Kh.No. also enjoys a better position.

The sale transaction at S.No.8 involving Kh.No.839 and 840 fall on either side of the main Jail Road, and fetched Rs. 6000/- per bigha on 6.11.1959 for 142 sq. yds. These Kh.Nos. of all other sale transaction are ~~also~~ close to the land under acquisition. But the area compared to the area under acquisition is ^{much} less. ~~████████~~ This transaction can ^{not} serve as a guide for determining the market price of the land under acquisition, ² because not a single paise was paid by the purchaser to the Government. Besides the sale transactions attention must be paid to the awards made in this village and also to the references preferred u/s 18 in which the ADJ has enhanced or accepted the rate allowed by the LAC. In this village the following awards have been made and announced in 1959.

S.No.	Award No.	No.& date of notification u/s 4.	Amount awarded per bigha.	Enhancement made by ADJ, Delhi.
1)	1223	F.15(iii)/59-LSG 13.11.59	B.Qadim Rs.2500/-	Rs. 8000/- per bigha.
2)	1452	- do-	Flat rate 6.75 per sq.yds.	--
3)	1567	- do-	B.Qadim Rs.2500/-	--
4)	1696	- do-	G.M. I Rs. 3000/- B.Q. I	
5)	1766	- do-	Flat rate Rs. 3500/-	
6)	1794	- do-	Block A Rs. 3500/- Block B Rs. 3000/- Block C Rs. 500/-	
7)	1843	- do-	Block A Rs. 4500/- Block B Rs. 3000/-	
8)	1867	- do-	Flat rate Rs. 3000//	
9)	1912	- do-	Flat rate Rs. 5000//	
10)	1925	- do-	Flat rate Rs. 3500/-	

The awards in proximity to the land under acquisition are 1223, 1843.

In award No.1223 the ADJ enhanced compensation from Rs. 2500/- to Rs. 8000/- per bigha owing to some portion of the land touching the main Jail Road, ~~an~~ appeal has been filed against the enhanced amount. The land under acquisition does not fall

on or touch the main Jail road. It is in the interior about 250 yds from the said road, so it cannot be said to enjoy similar situation.

Block B of award No.1843 is close to the land under acquisition. The block A of the said award touches the main Jail road. The LAC awarded Rs. 4500/- for Block A and Rs. 3000/- for Block B. Reference u/s 18 are pending in the court of ADJ Delhi. It will not be just to equate the land under acquisition with Block A of the said award merely on the ground that the distance of land under acquisition is ~~only~~ 250 yds from the Jail Road. As such the rate awarded by the LAC for Block B serves as a guide for evaluating price of the land under acquisition.

In september 1959, 7 bigha 11 bis out of Kh.Nos 541/1, 564, 565 and 566 and 25 bighas 16 bis out of Kh.Nos. 678, 679, 680, 681 and 682 were sold for Rs. 16720 and Rs. 35000/- respectively.

Out of the former Kh.Nos 541 and 566 are very close to the Main Jail Road yet the price per bigha obtained on 14.9.59 is Rs. 2214/-

In the case of latter the Kh.Nos are away from the Jail road and about 450 yds, in the interior from the land under acquisition. The price per bigha works out to Rs. 1356/- these Kh.Nos have been acquired in award No.1689. In reference u/s 18 the ADJ enhanced compensation from Rs. 1000/- to Rs. 3000/- per bigha. The notification u/s 4 is 24.10.61.

These two transactions are also relevant. Notices u/s 9 and 10 of the L.A.Act were issued to the concerned person, On his last known address. As he was not available and his whereabouts were not known, the said notices were pasted on the site.

I, after due consideration of the awards the sale transactions and the situation, award Rs. ~~3000~~ 3000/- per bigha.

WELLS: TREES AND STRUCTURES

There is no well, tree and structure on the land under acquisition. Hence no compensation has been assessed.

INTEREST

The possession of the land under acquisition has not

been taken over as yet. Hence the interest can not be allowed. However the notification u/s 6 was issued on 4.11.66 while notification u/s 4 was issued on 13.11.59. After 6 years 357 days from the date of notification u/s 4. As such interest shall be paid as per amendment in the L.A. Act in 1967 from 13.11.62 to 9.7.68.

SOLATIUM

15% solatium has been allowed as per L.A. Act 1894.

APPORTIONMENT

Compensation will be paid according to the latest entries in the revenue record.

LAND REVENUE

The land revenue is reported to be Rs. 0-08- It will be deducted from the Khalsa Rent Roll from the date possession is taken over. The land will vest entirely in the Government.

The award is summarised as under:-

Compensation of land measuring 267 sq. yds. Rs. 794-40
@ Rs. 3000/- per bigha kham.

15% Solatium. Rs. 119-16

Interest @ 6% per annum on the amount
of land from 13.11.62 to 9.7.68 i.e.
5 years 240 days. Rs. 269-41

Total Rs. 1182-97

(Rupees One thousand one hundred eighty two and paisa
ninty seven only)

(SHAM KARAN)
LAND ACQUISITION COLLECTOR (P)
DELHI.

Sh. Ram kishan

*P/ prepare and Submits Statement
A and Vahke R-ijani.*

*Nagshah malgamin & statement is submitted
for sig. PL.*

*Sh. Singh
12/11/68*

DELHI ADMINISTRATION: ENQUIRY.

NOTIFICATION.

Dated the ___ November, 1966.

No.F.4(106)/63-L&B:- WHEREAS it appears to the Lieutenant Governor 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 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.

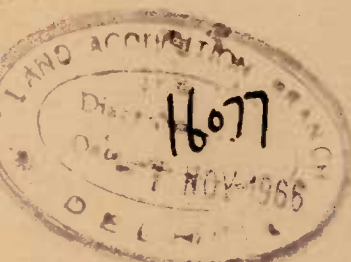
Sl. No.	Village or Locality.	Total Area Hrs. Acs.	Field Nos. or Boundaries.
1.	Tehar.	267 sq.yds.	206 min.

By order,

Sd/-

(Jagmohan)

Special Secretary (Land & Building),
Delhi Administration, Delhi.



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

Dated the 4th November, 1966.

Copy forwarded to the:-

1. Public Relations Department, Delhi Admn., (in duplicate) for favour of publication in Part IV of Delhi Gazette.
2. Addl. District Magistrate (L.A.), Delhi.
3. Addl. District Magistrate (Revenue), Delhi.
- ✓ 4. Land Acquisition Collector, (Palam Circle), Delhi.
5. Legal Adviser, (L&B), Delhi Admn., Delhi.
6. Tehsildar (L&B) Deptt., Delhi Admn., Delhi.

6/11/66
R. V. S. M. S. K.
Recd
Om
9/11/66

Sd/-

(Jagmohan)

Special Secretary (Land & Building),
Delhi Administration, Delhi.