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 13.11.59 published u/s 4 of the Land Acquisition Act It was proposed to acquire 34070 acres of land in diffe villages, the village Tehar was one of these villages. 6 bis of land was further notified u/s 6 by notification No.F.7(19)/65-L&H dated 7th Jan.1967 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, which have been received and will be discussed at the appropriate place.

'MEASUREMENT'

The Demarcation of the proposed site has been by the representative of Delhi Electric Supply Undertaking. The proposed site falls in Kh.No.507 of village Tehar in fatey Nagar colony and is known as plot No.B-51 and B-52. The area If both plots was found correct. The titama of the said Kh.Nos was prepared and the correct Kh.Nos are 507/1 and 507/2 of the land under acquisition.

OWNERSHIP

The details of the area under acquisition, ownership, tenency Kh.No. and classification of the soil according to Revenue record is as under:-

S.No.	Name of the owner.	Name of occupant	Kh.No.	Area	Kind of Soil
1)	Yasen and others through Custodian	Magisuddin share holder	507/1	0--3	G.M.Plot
			507/2	0--3	"
		Total		0--6	

Note:- In Kh.No.507/1 Shri Durlabh Singh s/o Kalyan Singh has built a pacca house.

'CLAIMS'

S.No.	Name of owner	Kh.No.	Nature of claim
1)	Shri.Durlabh Singh s/o Kalyan Singh.	Plot No.B-52 measuring 143 sq. yds.	He has claimed Rs. 14000/- for construction. Rs. 14300/-for land Rs.340/- for electricity etc. and Rs. 1200/- as compensation ...

'MARKET VALUE'

In village Tehar 6 bis 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 II sales transactions have taken place and they are as under:-

S.No.	Kh.No.	Date of Registration.	Area	Consideration	Rate per bigha.
1)	541	21.10.59	154 sq.yds.	Rs. 1500/-	Rs. 10,000/-
2)	566	23.10.59	200 sq. yds.	Rs.1900/-	Rs. 9,500/-
3)	Plot No. MS/45	24.10.59	150 sq.yds	Rs. 430/-	Rs. 2,860/-
4)	789	26.10.59	200 sq.yds.	Rs. 1000/-	Rs. 5,000/-
5)	786	27.10.59	200 sq.yds.	Rs. 1000/-	Rs. 5,000/-
6)	2044	30.10.59	150 sq.yds	Rs. 800/-	Rs. 5,600/-
7)	598	3.11.59	200 sq.yds.	Rs. 1000/-	Rs. 5,000/-
8)	839,840	6.11.59	142 sq.yds	Rs. 849/-	Rs. 6,000/-
9)	Plot C/35	19.11.59	220 sq.yds	Rs. 1350/-	Rs. 6,000/-
10)	2124,2125	10.11.59	150 sq.yds	Rs. 900/-	Rs. 6,000/-
11)	1814 to 1819	10.11.59	150 sq.yds	Rs. 900/-	Rs. 6,000/-

Close to the land under acquisition are sale transaction 1,2,7 and 8 of the above table. Of these sale transactions the price per bigha ranges between Rs. 5000/- to 10,000/-. The other transaction which 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 x and the area in some cases is more and in other cases less. However the area is a factor to reckoned with. Price of land is dependent on the area situation and potentiality.

The sale transaction at S.No.1 fetched Rs. 10,000/- per bigha for 154 sq. yds on 21.10.59. This is closer to the main Jail Road then the Kh.Nos under acquisition. Morover the area under acquisition is Double the area of the said sale transaction It is an established principle that small plots fetch higher price then big plots. Similar is the position of sale transaction at S.No.2 that got Rs. 9500/- per bigha for 200 sq. yd on

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23.10.59.

The sale transaction at S.No.8 earned Rs. 6000/- per bigha for 142 sq. yds because it is immediately on the Jail Road.

Above 300 sq. yds behind the land under acquisition falls the Kh.No.598(S.No.7) of which 200 sq.yds. were sold for Rs. 5000/- per bigha. The dondition and situation of this Kh.No. and the land under acquisition is almost iedentical. There is only difference in area which is more by 100 sq.yds. in the case of land under acquisition. This will indeed have to be kept in mind while fixing market price for the land under acquisition.

Beside the sale transactions attention must be paid to the awards made in this village and also to the references preferred under section 18 in which the A.D.J. has enhanced or accepted the rate allowed by the L.A.C. 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 ~~auction~~ awarded ~~ed~~ per bigha.	Enhancement made by A.D.J.
1)	1223	F.15(iii)/59-LSG 13.11.59	B.Qadim Rs.2500/- Falts rate.	Rs. 8000/- per bigha.
2)	1452	- do-	Flat rate 6~~.25~~ 75 per sq. yds.	--
3)	1567	- do-	B.Qadim Rs.2500/-	--
4)	1696	- do-	G.Mumkin / B.Qadim Rs.3000/-	
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 award in proximity to the land under acquisition are 1223,1794 and 1843. In award No.1223 the A.D.J. enhanced compensation from Rs. 2500/- to Rs. 8000/- per bigha. The enhancement no doubt is enormous, the ~~cxxdix~~ consideration that weighted with the ADJ was that same portion of the land acquired touched the Main Jail road. [illegible] appeal has been

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made against the enhanced amount.

In awards No.1794 the L.A.C. AWARDED Rs. 3500/- for Block A a Rs. 3000/- for Block B and Rs. 500/- for Block C. References u/s 18 have been filed and are pending decision with the ADJ.

The third award is 1843 and the LAC divided the land into two blocks, A Block and B Block. He awarded Rs. 4500/- per bigha for bloc A and Rs. 3000/- for Block B. The Block A comprise of Kh.Nos that fal immediately on themain Jail Road and Kh.No.behind them. Kh.No.510 is one of the Kh.Nos. placed in Block A of the said award. It is on the main Jail Road.

Kh.Nos.507/1, 507/2 under acquisition are not on the main Jail Road but are closed to Kh.No.510. One killa No.506 is between them. This does not imply that the situations of Kh.No. 510 and the Kh.No. under acquisition is similar and identical.

The situation of Kh.No.510 is far better. The area of sale transaction at S.No.7 is less then the area under acquisition, and the situation of Kh.No.510 is better then the landunder acquisition. What considerations weighed with the purchaser of Kh.Nos. at S.No.7 to pay higher price then the price fetched by Kh.Nos on themain Jail road., are best known to the purchaser. This does not represent true market price of land. As such taking block A of award No.1843 for determining the market price, It is felt that the market price of the land under acquisition is less then Rs. 4500/- per bigha in view of the situation of Block A.

There is only one claimant Sh. Durlabh Singh. He has demanded Rs.100/- per sq. yds. He entered in to an agreement to purchase the land measuring 143 sq. yds in 1958. The sale deed was executed in 1965. Hence it will be deemed that the transaction was final in 1965 and the price paid pertained to that year. He paid Rs. 1859 or Rs.12390/- per bigha. In 1959 the price of land even on the main Jail Road never reached Rs. 12000/- and the size of the plot is small.

I, after due consideration of the awards the sale transactions, the situation and the demand ofthe claimant award Rs. 4000/- per bigha ham.

WELLS AND TREES

There are no wells and trees on the land under acquisition.

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Hence no compensation has been allowed.

'STRUCTURES'

As per statement of the claimant Sh. Durlabh Singh a kacha room was built in 1958(on the site kacha room does not exist) and pacca construction was made in 1965. He also reported in the said statement that he was paying House Tax since 1965. This clearly indicate that Sh. Durlabh Singh constructed the present building after the preliminary notification u/s 4 dt. 13.11.59. Hence he is not entitled to compensation for the structures.

'INTEREST'

Possession ofland has not been taken over as yet. Hence interest can not be allowed. However the notification u/s 6 was issued on 7.1.67. While notification u/s 4 was issued on 13.11.59. After 7 years 56 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 21.5.68.

'SOLITIUM'

15% solatium shall be allowed as per land Acquisition 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. 0.10 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 6 bis of land @ Rs. 4000/- per bigha kham.	Rs. 1200-00
15% solatium	Rs. 180-00
Interst @ 6% p.a.on the amount of land from 13.11.62 to 21.5.68 i.e. 5 years 190 days.	Rs. 397-38
Total	Rs. 1777-38

(Rupees One thousand seven hundred seventy seven and paisa Thirty eight only)

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

165

To Ram Lekh NT

Pl prepare and submit statement A and Naksha Mulzamin.

Statement 'A' & Naksha Mulzamin is submitted for sig. Pl.

Pre Singh
Vgollah
12/7

Announced and filed.

27/7