

AWARD NO.....2134.....

NAME OF THE VILLAGE..... TEHAR.

PURPOSE OF ACQUISITION..... PLANNED DEVELOPMENT OF DELHI.

NATURE OF ACQUISITION..... PERMANENT.

9 bighas 12 bis of land in village Tehar was notified by the Lt. Governor, Delhi vide notification No.F.4(92)/62-L&H, i, ii and iii dated 16.1.68 u/s 4, 6 and 17 of the LA Act 1894, for acquisition at public expense for the public purpose namely for the Planned Development of Delhi. Applying the provisions of sub-section (1) of section 17 the Lt. Governor, Delhi directed the land acquisition Collector, to take order for the acquisition of the above said land and also to take possession of the land on the expiration of 15 days from the publication of notices under sub-section (1) of section 9 of the above said Act. Wide publicity was given to the notification.

The notices u/s 9(1), 9(2) and 10(1) of the said Land Acquisition Act were served upon the interested persons, who in response to the notices filed their claims which will be discussed at the proper place in the award.

'MEASUREMENT & OWNERSHIP'

According to the notification u/s 6 the area of Kh. Nos. 705 and 772 is 9 bighas 12 bis which has been found correct on site. But Kh. No. 705 measuring 4 bighas 16 bis is still *as per the Managing Officer's letter dated 21-6-68 on this office letter No. dated 20-6-68* execute property. Therefore the said notification u/s 4, 6 and 17 can not apply to it. As such the Kh. No. 705 measuring 4 bighas 16 bis has been left out from the present award. The Housing Department should take action to take it by book transfer from the Custodian Department. Only Kh. No. 772 measuring 4 bighas 16 bis comes under the said scheme. The ownership, Tenancy Kh. No. and area with the classification of the soil is as under:

S.No.	Name of owner	Name of occupant	Kh.No.	Area	Kind of soil
1)	Narain s/o Dhan Raj Mal r/o II- 0/34 Lakshmi Niwas Lajpat Nagar N. Delhi.	Self	772	4-16	Bhsl.

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'CLAIMS'

S.No.	Name of claimants	Kh.No.	Claims.
1)	Narain s/o Dhan Raj Mal.	772	Has claimed Rs. 60/- per sq. yd.
2)	Bhagwan Sahai s/o Mohan Singh.	705	Has claimed Rs. 50/- per sq. yd as non-occupancy tenant. The said Kh.No. stands in the name of custodian, therefore it has been left out from the present award.

'MARKET VALUE'

4 bighas 16 bis are under acquisition in village Tehar, which is an urban village and the D.L.R. Act of 1954 is not applicable to it.

The date of preliminary notification u/s 4 is 16.1.1968. From 1.7.67 to 16.1.1968, 8 sale transactions have taken place, which are as under:-

S.No.	Date of registration	Kh.No.	Area	Consideration	Price per bigha.
1)	28.7.67	--	75 sq. yds	Rs.750/-	Rs. 10080/-
2)	25.9.67	1066-67			
3)	9.10.67	2076-77	100 sq. yds	Rs.4850/-	Rs.48500/-
4)	6-11-67	--	--	Rs.2000/-	--
5)	19.12.67	1913	100 sq.yds	Rs.3300/-	Rs.30000/-
6)	19.12.67	783	100 "	Rs.1000/-	Rs.10000/-
7)	20.12.67	786	150 "	Rs.6500/-	Rs.43680/-
8)	20.12.67	625	80 "	Rs.1500/-	Rs.18900/-

Out of the sale transactions that feature in the above statement transaction 6 and 7 fall near the land under acquisition. The latter fetched on 20.12.67 for 150 sq-yds Rs.6500/- or Rs. 43680/- per bigha. The land is in the approved colony of Virender Nagar.

The price of land in an approved colony is bound to be more than the land out side the approved colony, which fact is evident from the price of the sale transaction at S.No. 6 i.e. the former. The former is out side the approved colony of Virender Nagar. It is in an unapproved colony and fetched Rs. 10000/- per bigha for 100 sq. yds on 19.12.67. The land under acquisition is neither in an approved or unapproved colony. But its

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considered.

proximately to approved and an approved colonies have a bearing on the price. Besides the situation the area under acquisition is many times more than the area of sale transaction at S.No. 6 and 7. It implies that the price of land under the scheme must be less then Rs. 10000/- earned by the sale transaction at S.No.6.

Before a final assessment is made it is also necessary to see what the LAC has ~~offered~~ in the awards, announced in the village, the awards are as under:-

S.No.	Award No.	Date & No. of notification u/s 4.	Awarded per bigha.
1)	1758	F.1(20)/61-L&H dt.11.3.64	Block A Rs. 3500/- Block B Rs.3000/-
2)	1825	F.1(20)/61-L&H dt.13.2.64	Flat rate Rs.3500/-
3)	1869	F.4(92)/62-L&H dt.7.3.63	Block A Rs.3000/- Block B Rs.2000/- Block C Rs.1200/-
4)	1916	F.4(106)/63-L&H dt.13.2.64	Block A Rs.5000/- Block B Rs.3500/-
5)	1942	F.4(106)/63-L&H dt.13.2.64	Flat rate Rs.5000//

Except the land acquired in award No.1869 the other awards are at a pretty good distance from the land under acquisition. In award No.1869 the LAC divided the land into three Blocks and awarded Rs.3000/- for Block A, Rs.2000// for Block B and Rs. 1200/- for block C. Block A is close to the land under acquisition. In reference u/s 18 the ADJ enhanced the compensation to Rs.6000/- per bigha kham. The date of preliminary u/s 4 is 7.3.63. The sale transaction at S.No.6 took place on 19.12.1967. The difference in period is more then four years. The interval between the sale transaction at S.No. 6 and the preliminary notification u/s 4 (16.1.68) of land under acquisition is about one month. Though the interval is of only about one month, The area under acquisition being more and being out side the approved and unapproved colonies adversely effect the price.

The claimants have demanded Rs.50/- per Sq. yds to Rs.60/- per Sq.Yds which is not supported by evidence. Hence their demand can not be considered.

After giving due consideration to the sale transactions, the awards, the demand of the claimants and the situation and area ~~of land~~ ^{of land} under acquisition, I award a flat rate of Rs. 7500/- per bigha kham.

'WELLS:TREES AND STRUCTURES.'

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

'INTEREST'

The possession of the land has been handed ^{over} to the Housing Department on 23.2.68. Hence the interest is admissible from 23.2.68 to the date of announcement of the award i.e. 30.5.68.

'SOLATIUUM'

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. 1.58, 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:-

SUMMARY

Compensation of land measuring 4 big. 16 bis @ Rs. 7500/- per bigha kham.	Rs. 36,000-00
15% solatium.	Rs. 5,400-00

Interest @ 6% P.A. for the period from 23.2.68 to 30.5.68 (i.e. 97 days)

Rs. 658-13 3

G. Total

Rs. 42,068-13 2

(Rupees Forty two thousand ^{eight} fifty and paise ^{three} thirty ~~one~~ only) 2

(SHAM KARAN)

LAND ACQUISITION COLLECTOR (P)
DELHI.

Shi Ran Khan vi

*PT prepare and submit document
of area under the land*

