

Name of the Village:

Sadhora K.

Nature of Acquisition:

Permanent.

In pursuance of notification No.F.15(156)/60-LS III(IV) dated 7th January, 1961, published under Section the Land Acquisition Act, it was proposed to acquire 71 Biswas of land in village Sadhora Kalan, Tehsil & District Delhi for public purpose, namely re-sectioning of Najafgarh L with public funds. The notification was given vide publicity in the village on 25-1-61, inviting objections against this acquisition, but none were received. It was further notified under Section 6 of the Land Acquisition Act vide notification No.F.15(156)/60-LSG(Vol.III)(I) dated 15th March, 1961. Notices under Section 9(1) of the Land Acquisition Act issued on 3-5-61 were published in the village on 9-5-61, inviting claims upto 22-5-61 from all the interested persons in the land. The claims submitted by the interested persons would be discussed at their proper place.

MEASUREMENT & OWNERSHIP

71 Bighas 10 Biswas notified under Section 6 are situated in 13 field numbers given below:-

S.No.	Name of Owner.	Field No.	Area. Big-Bis	Classification.	le
1.	Delhi Corp. Engg. Staff Co-op. House Bldg. Society.	66 68/1 68/1 127/1	3 - 14 6 - 3 0 - 11 21 - 17 Total: 32 - 5	Bagh Nehri. " "	ge it ons-
2.	Mohan Lal adopted s/o. Bhana Mal.	612/165/1	10 - 12	Bagh Nehri & Well	III/
3.	Kanhaya Lal s/o. Ram Narain.	611/165/1	1 - 16	Chairmunkin Hut	
4.	Uma Shanker, Dwarka Pershad, Durga Shanker sons of Daya Ram in equal share.	130/1 472/131/1 474/132/1 Total:	5 - 2 2 - 10 0 - 4 7 - 16	Bagh Nehri. " "	
5.	Narinder Singh, Verinder Singh sons of Sunder Singh in equal share	497/168/1	15 - 0	Bagh Nehri.	S
6.	Ram Pershad				

7. Raghunath Dass 499/168/1 3 - 16 Bagh Nehri.  
Chhattar Singh sons  
of Surja in equal  
share  $\frac{1}{4}$ . Kaloo s/o.  
Yad Ram, share  $\frac{1}{4}$ .
8. Narendar Singh, 498/168/1 0 - 5 Bagh Nehri.  
Verindar Singh  
sons of Sunder Singh  
in equal share  $\frac{1}{4}$ .  
Ram Pershad etc.S.No.6,  
share  $\frac{1}{5}$ . Raghunath Dass,  
Chhattar Singh sons of Surja  
in equal share  $\frac{1}{10}$ . Ramji  
Lal s/o. Mohan Lal  $\frac{1}{10}$ .  
Kishan Lal s/o. Dalpat,  $\frac{1}{10}$ .

Grand Total: 71 - 12

Bagh Nehri	Big-Bis
& Well.	69-16
Gairmumkin	
Huts.	1-16

On actual measurement the area of these field numbers was found to be 71 Bighas 12 Biswas. There is only a difference of 2 Biswas which is ignorable. This difference of 2 Biswas has been caused on account of sub-division of field numbers and their re-measurement.

On a move by Sh. Nand Kishore, Land Acquisition Collector I, the Executive Engineer, Construction Division No.III, C.P.W.D. New Delhi had agreed to leave-out from acquisition 33 Bighas 19 Biswas, owned by Delhi Corporation Engineering Staff Co-operative House Building Society. This society had agreed to make available their land for the purpose of dumping the earth free of any charge provided after the work is completed, the land was levelled up at the cost of the Acquiring Department. The Executive Engineer, Construction Division No.III had agreed to it, vide his letter No.C-III/NDS/LA/4004 dated 24th January, 1961. This land falls in the following field numbers:-

<u>Field No.</u>	<u>Area.</u> <u>Big-Bis</u>
66	3 - 14
68/1	6 - 3
68/1	0 - 11
127/1	21 - 17
Total:	32 - 5

The area owned by the society totalling 32 Bighas 5 Biswas was left out of acquisition. I, therefore, hold the area under acquisition to be 39 Bighas 7 Biswas.

through Shri K.C.Mittal Advocate on 27-5-61. He claimed Rs.40/- per sq. yard as fair market price for his land under acquisition. He has based this claim on the ground that his land is situated near Industrial Area and Bharat Nagar residential colony. There is no industrial area near about this land. Bharat Nagar Colony is situated on the northern side of Najafgarh Drain. Whereas the land of Shri Kheman Ram is on the southern side of the Drain. His land is sandwiched between the two drains, as such there is no road to his land. It, therefore, cannot have any potential value as residential area. His claim is too much exaggerated. The total land of this claimant, which has come in this acquisition is garden land. He has claimed Rs.5/- per sq. yard for the trees. Besides this he has claimed Rs.2/- per sq. yard for re-fencing of the garden. Only 7 Biswas of this claimant is being acquired. He can shift his fence to the remaining portion of his land. The shifting would not cost him anything.

2. Sh. Kaloo s/o. Sh. Yad Ram also filed his claim through K.C. Mittal Advocate. His claim is absolutely identical with the above mentioned claim of Shri Kheman Ram. It would be treated on the same lines as mentioned above.

3. Sh. Narender Singh, Verendar Singh sons of Ch. Sunder Singh filed their claim through Shri K.C. Mittal Advocate on 27-5-61. They have also claimed Rs.40/- per sq. yard for the land, Rs.5/- for the trees in the garden and Rs.2/- for the fence. The basis for this valuation are the same as discussed above in the case of Shri Kheman Ram. Besides this they also produced documentary evidence in support of their claim which is discussed below:-

They produced two copies from the Roznamcha Vakyati of village Sadhora Kalan. Both these reports relate to the auction of evacuee land conducted by the custodian. Report No.166 entered on 5th January, 1961 records the auction of the garden situated in field number 222 measuring 9 Bighas 11 Biswas for Rs.1,20,000/-. The second report No.309 dated 21st April, 1961 records the sale of another garden situated in...

10 Biswas for Rs.97,000/-. The average price per Bigha in the first case comes to Rs.12,570-68nP. and in the second case Rs.7,185-18nP. In auction the price depends on the whims of the purchasers. Sometimes it goes very high and sometimes it remains very low. There is only a difference of 1½ month in the two sales, but the difference in average price per Bigha is Rs.5,385-50nP. This proves that this value is not a true indication of the fair market price. These claimants have produced three copies of mutations Nos. 1046, 1045 & 1040 for village Sadhora Kalan. Average price according to these three mutations comes to Rs.18,000/-. These sales relate to Abadi plots. That land was purchased for residential purposes. It was situated on Bharat Nagar Road. The land of the claimants is not at all fit for residential purposes. It is situated between Najafgarh Drain and another Drain which meets Najafgarh Drain at some distance down below. This land is situated on the south of Najafgarh Drain and is not connected with other parts of the city by any road. It does not have that much potential value as was possessed by the land of the plots which were sold by 3 mutations referred above. Besides this, they produced an uncertified copy of a registered deed executed by Pt. Sant Kumar Joshi s/o. Sh. Nabhi Ram which relates to the sale of 172 sq. yards for Rs.4333/-. The original document was not produced nor has a mutation been entered or sanctioned relating to the sale. As such, I am not prepared to consider this piece of evidence.

4. Shri Chhattar Singh s/o. Sh. Surja filed his claim through Shri K.C. Mittal Advocate on 27-5-61 as in No.1, Sh. Kheman Ram.

5. Smt. Lado Devi widow, Hira Devi daughter, Om Perakash Sharma son of Shri Raghunath Dass filed their claim through Shri Krishna Narain Sharma Pleader claiming reasonable price for their land. Shri Kaloo has also submitted his claim regarding the

the District Judge for adjudication.

6. Sh. Uma Shanker filed his claim through Shri S.K. Kapoor Pleader. He has claimed Rs.100/- per sq. yard as fair market value for his land. Besides this he claimed Rs.5,000/- for the trees in the garden and Rs.10,000/- as damages for severance. His claim is not realistic.

7. Smt. Ramo Devi legal guardian of Shri Dwarka Shanker Seth and Durga Shanker filed claim through Shri S.K. Kapoor Pleader. Their claims are identical with that of Uma Shanker. They have not given any proof in support of their claim. The claims are exaggerated beyond limits.

8. Sh. Mohan Lal Goela presented his claim through Shri Harbans Singh Tyagi Advocate on 26-12-61. This claimant had also presented his claim on 27-5-61 in which he erroneously mentioned only 1 Bigha 16 Biswas. On this account he filed his second claim subsequently on 26th December, 1961 in which he claimed Rs.15/- per sq. yard as fair market value plus Rs.10,750/- for trees in the garden and Rs.3,000/- for well and Rs.2,000/- for putting up new boundary and gate. He has also mentioned in his claim that his land is surrounded on all sides by a number of densely populated colonies.

9. Shri Kishan Lal s/o. Dalpat Singh, Ram Pershad s/o.

(5) Sh. Shiv Sahai filed their claim through Shri K.C. Mittal Advocate. His claim is identical with Shri Kheman Ram mentioned at No.1.

Shri Mohan Lal Goela has also submitted a claim regarding 1 Bigha 17 Biswas in field No.611/165. In the revenue records this land stands in the name of Shri Kanhaya Lal s/o. Ram Narain who could not be served for want of proper address. Sh. Mohan Lal Goela has filed his claim in the capacity of Bhoomidar. He has not produced any evidence to show that he has been declared Bhoomidar of this land. Some milk-sellers have constructed their Kucha houses on parts of field numbers 611/165 & 612/165. Notices

Sh. Ranjit, Ram Chand s/o. Sh. Babu Ram, Rai Singh s/o. Lala, Hazari s/o. Sh. Dilal, Bhagwan Sahai s/o. Sh. Ranjit attended in compliance of the notice. Sh. Budhu s/o. Sh. Sondhi claimed that he had taken 6 Bighas on lease from Shri Mohan Lal for Rs.1800/- per annum. After taking the land on lease he levelled it. He claimed that he had constructed huts and kucha houses by spending about Rs.7,500/-. These Kucha houses were rented by him to the various occupants for Rs.200/- per mensem. Out of these claimants only Shri Jagan s/o. Sh. Bhondi admitted that he had rented a house at the rate of Rs.10/- P.M. which was built by Shri Budhu s/o. Sh. Sondhi. The rest of the occupants have claimed that they had rented vacant site from Sh. Budhu. The construction was done by them at their own cost. They have claimed compensation for this construction as well as alternative site for the construction of their houses. These claimants were required to produce some evidence in the proof of their claims but none of them did so. These are Kucha houses and the claims given by the occupants are abnormal and very much exaggerated.

DEPARTMENTAL REPRESENTATION

The department has agreed to pay reasonable rates.

MARKET VALUE.

The statement showing five years' average relating to sales in village Sadhora Kalan is as follows:-

<u>Name of Year.</u>	<u>Area sold Big-Bis</u>	<u>Consideration Money.</u>	<u>Average price per Bigha.</u>	<u>Average price per Bigha after deducting plots &amp; Houses.</u>
1956-57	11-6	Rs. 8043-90	Rs. 711-85nP.	Rs. 711-85nP.
1957-58	11-13	Rs. 34750-00	Rs. 2991-41nP.	Rs. 2991-41nP.
1958-59	41-10	Rs. 25732-00	Rs. 6200-48nP.	Rs. 5078-13nP.
1959-60	36-19	Rs. 300862-00	Rs. 8142-41nP.	Rs. 7438-19nP.
1960-61	31-8	Rs. 102000-00	Rs. 3248-41nP.	Rs. 3248-41nP.
132-16		Rs. 702975-90nP.	Rs. 5293-49nP.	Rs. 4676-32nP.

Except field No.611/165 and 612/165, the total land under acquisition is covered by the gardens.

The land of this village can be easily divided into blocks. Block No. I is situated on the North of Naifanp.



Drain and Block No.II is on the Southern side of the Drain.

In block No.I the following field numbers are included:-

<u>Field No.</u>	<u>Area.</u> <u>Big-Bis</u>	<u>Kind of Land.</u>
130/1	5 - 2	Bagh Nehri.
472/131/1	2 - 10	"
474/132/1	0 - 4	"
611/165/1	1 - 16	Ghairmunkin Huts.
612/165/1	10 - 12	Bagh Nehri & Well.
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Total:	20 - 4	

In Block No.II the following field Nos. are included:-

<u>Field No.</u>	<u>Area.</u> <u>Big-Bis</u>	<u>Kind of Land.</u>
497/168/1 ✓	15 - 0	Bagh Nehri.
500/168/1 ✓	0 - 2	"
499/168/1 ✓	3 - 16	"
498/168/1 ✓	0 - 5	"
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Total:	19 - 3	

The land of block No.I is situated near Bharat Nagar Colony. It is also connected by road. The following transactions relating to land situated near the land of block No.I have taken place in recent years.

1. Field Nos. 126, 127/2 & 73/2 measuring 46 Bighas was sold in a private sale for Rs.2, 60,000/- through a registered deed dated 4-4-60.

2. The second transaction involving field numbers 66, 67, 68, 463/72, 73/1 & 127/1 measuring 46 Bighas was sold out in auction by Rehabilitation Department for Rs.2,63,100/- on 19-9-59. These field numbers were at first included in the scheme but were left out by the department. Field No.133 measuring 13 Bighas 17

Biswas was sold in auction by the Rehabilitation Ministry for

19-9-59 66,67,68,463/72 46-0 Rs.263100-00nP. Rs.5719-57nP.  
73/1,127/1.  
1084,23-12-60 133 13-17 Rs. 73000-00nP. Rs.5631-97nP.

Block II No sale has taken place in this block. Some land situated in village Neemri, which is contiguous with this land was auctioned by the Rehabilitation Ministry in the year 1959. That land has also been acquired for this very scheme vide Award No.1237. The average price per Bigha in that case was Rs.2043-20nP. The Award for that land has been given @ Rs.2100/- per Bigha. Ordinarily this land would also be valued at the same price but for its situation which is nearer Bharat Nagar Colony and main Delhi City. At present this land is sandwiched between two drains. If a bridge were to be constructed on the present Najafgarh Drain, it would certainly add to the value of this land also. It would be certainly better than the land in village Neemri. For this reason, it demands some what higher rate than that given in Award No.1237 of village Neemri.

Block No.I.

The first two sales of land in block No.I were conducted in favour of Delhi Engineering Co-operative House Building Society, New Delhi. According to their own statement they had recovered Rs.500/- per Bigha i.e. 8 annas per sq. yard from the sale of the trees standing in the garden. Their average value per Bigha comes to Rs.5652-17nP. and Rs.5719-57nP. respectively. After deducting Rs.500/- for the trees to which extent the purchasers have been benefited, the price of land comes to Rs.5152-17nP. and Rs.5219-57nP. per Bigha. These transactions were entered into in the year 1959 and 1960. The notification under Section 6 was published on 7-1-61. These are the only transactions which took place nearer to the date of notification. Land from field Nos. 130, 131 & 132 is being acquired. Field No.133 was auctioned by the Rehabilitation Ministry. This sale was registered on 23-12-60. The average price per Bigha in this case comes to Rs.5631-97nP. This value includes the value for the trees also. In these three cases which are discussed above the average price per Bigha is practically same. It would be proper to take this as fair market price per Bigha for block No.I.



therefore, award Rs.5250/- per Bigha for the first block and Rs.3000/- per Bigha for land in the second block. 15% of this value would also be paid as solatium for compulsory acquisition.

GARDENS.

The following value of the trees standing in the garden was assessed by the Horticulture Inspectors.

<u>Field No.</u>	<u>Area under gardens.</u>	<u>No. of trees.</u>	<u>Value assessed by Horticulture Inspectors.</u>
612/165/1	Big-Bis 10 - 12	243	Rs.1216-50nP.
130/1	5 - 2	4	Rs.1263-00nP.
472/131/1	2 - 10	7-16	151
474/132/1	0 - 4	1	
500/168/1	0 - 2	9	Rs. 49-50nP.
499/168/1	3 - 16	57	Rs. 786-37nP.
498/168/1	0 - 5	2	Rs. 24-00nP.
497/168/1	15 - 0	262	Rs.1983-37nP.
	37 - 11	724	Rs.5323-24nP.

The value assessed by the Horticulture Inspectors is awarded as fair market value for the gardens.

OTHER COMPENSATION.

There is only one well situated in field No.612/165/1. The well was sunk before the settlement of 1989. The well is out of use. No land is being irrigated by it. I award Rs.1500/- for this well. There are structures in field numbers 611/165/1, 612/165/1 & 497/168/1. Their valuation is assessed as follows below:-

<u>Field No.</u>	<u>No. of Houses.</u>	<u>Name of Owner</u>	<u>Name of tenant</u>	<u>Value Assessed.</u>
611/165/1	1.	Bhudhu s/o. Sondhi Ram	Baljit s/o. Jag Ram.	Rs. 300-00nP.
	2.	-----do-----	Budhu s/o. Sondhi Ram.	Rs. 180-00nP.
	3.	-----do-----	Baboo Ram.	Rs. 200-00nP.
	4.	-----do-----	Kali Ram s/o. Dharma.	Rs. 400-00nP.
	5.	-----do-----	Amar Singh s/o.	

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	6.	Budhu s/o. Sondhi Ram.	Jagan s/o. Jangli.	Rs. 300-00nP.
	7.	-----do-----	Dhir Singh s/o Krishna.	Rs. 210-00nP.
	8.	-----do-----	Shri Chand s/o Mehar Singh.	Rs. 350-00nP.
	9.	-----do-----	Khazan s/o. Dungar.	Rs. 247-00nP.
	10.	-----do-----	Bir Singh s/o Ram Sarup.	Rs. 140-00nP.
612/165/1.	11.	-----do-----	Hazari Mal s/o Dilel.	Rs. 370-00nP.
	12.	-----do-----	Brahma s/o. Dharmo.	Rs. 238-00nP.
	13.	-----do-----	Bhagwan Dass s/o. Ranjit.	Rs. 329-00nP.
	14.	-----do-----	Rai Singh s/o. Lala.	Rs. 234-00nP.
	15.	-----do-----	Ram Chander s/o Ram Sarup.	Rs. 200-00nP.
	16.	-----do-----	Budhu s/o. Sondhi Ram.	Rs. 330-00nP.
	17.	-----do-----	Ram Pershad s/o. Daya Ram.	Rs. 100-00nP.
	18.	-----do-----	Nathu s/o. Ranjit.	Rs. 50-00nP.
	19.	-----do-----	Kabool s/o. Ram Nath.	Rs. 225-00nP.
497/168/1	20.	Raghunath Dass, Chhattar Singh sons of Surja.	Narinder Singh etc.	Rs. 140-00nP.
Total:				Rs. 4900-00nP.

The Administration is providing alternative sites only under Planned Development of Delhi. This land is not being acquired under that scheme, as such no question of providing alternative plots arise. However, after this acquisition the occupants shall be required to vacate the site. It would be fair to give them one year's rent as compensation for displacement. Budhu the lessee is also an occupant of two houses. According to his own statement he was deriving the income of Rs.200/- per mensem as rent from the occupants. He was paying Rs.1800/- as lease money. Thus his profit was Rs.600/- per annum. He would not get any compensation for displacement but he would be given 1 year's profit i.e. Rs.600/- for loss of income.

SEVERANCE.

By this acquisition field No.499/168 has been divided into three parts. Field No.499/168/1 measuring 3 Bighas 16 Biswas is being acquired. A small portion measuring 12 Biswas has been cut away from the remaining land of this land owner in field No.499/168/2. Field No. 499/168/3 measuring 3 Bighas 13 Biswas has also remained out of acquisition. That is fairly a big <sup>field -</sup>number, there is no need to give any compensation on account of severance for that piece. However, field No.499/168/2 measuring 12 Biswas has been cut away and calls for compensation on account of severance. This field No. falls in the second block for which I have awarded Rs.3000/- per Bigha. If the small piece were to be acquired, total compensation for this would come to Rs.1800/-. In all fairness 1/10 of the total value of the field would be a fair compensation on account of severance. I award Rs.180/- as compensation for severance.

INTEREST.

The possession of the land has not been taken over so far. Therefore the question of giving any interest does not arise.

APPORTIONMENT.

Field No.611/165 is recorded in the Revenue Records in the name of Sh. Kanhaya Lal s/o. Sh. Ram Narain as Bhoomidar. One Mohan Lal Goela has also filed a claim regarding this land. Compensation for this piece of land is disputed. In the claim filed by Smt. Lado Devi widow, Hira Devi daughter and Om Parkash son of Sh. Raghunath Dass, they have claimed that field No.499/168 owned by Sh.Kallu Mal shareholder was gifted in their favour. Sh. Kallu Mal has also filed a separate claim for this land. This is also a disputed case. In his claim dated 27-5-61, Sh. Kheman Ram has mentioned that field No.500/168 measuring 2 Biswas exclusively belongs to him. In the Revenue Records, Sh. Ram Pershad his brother has also mentioned as Bhoomidar. This is also a disputed case. There are structures in field No.497/168/1. The land of this field belongs to Sh. Narinder Singh etc. The structures were constructed

Compensation for the structures is disputed. Regarding houses and huts in field Nos. 611/165 & 612/165, there is a dispute between Sh. Budhu s/o. Sh. Sondhi Ram on the one hand and the occupants like Sh. Baljit etc. on the other. The compensation is disputed. The compensation for these disputed cases would be paid after receiving proofs from the parties concerned.

THE AWARD IS SUMMARISED AS UNDER.

Cost of 20 Bighas 4 Biswas of land @ Rs.5250/- per Bigha .....	Rs.1,06,050-00nP.
Cost of 19 Bighas 3 Biswas of land @ Rs.3000/- per Bigha .....	Rs. 57,450-00nP.
15% as solatium on the cost of land for compulsory acquisition .....	Rs. 24,525-00nP.
Compensation for trees .....	Rs. 5,323-24nP.
Compensation for a well .....	Rs. 1,500-00nP.
Compensation for Structures .....	Rs. 4,900-00nP.
Severance .....	Rs. 130-00nP.
Total:	Rs.1,99,928-24nP.

This land is assessed to Rs.55-10nP. as land revenue. As the land is being acquired by Government, this amount will be deducted from the Khalsa rent roll of village Sadhora Kalan from Rabi 1962.

Dated: 30th January, 62.

(Sampuran Singh)  
Land Acquisition Collector,  
Delhi.

Forwarded to ADN(LA)  
for filing.

31/1/62.

Sanjay  
COLLECTOR, DELHI.