

AWARD No. 1967

Name of the village:

Sadhora Khurd.

Nature of acquisition:

Permanent.

INTRODUCTION:

The land situate in village Sadhora Khurd is required by the Government at the public expense for a public purpose, namely for the Planned Development of Delhi. A notification under section 4 of the L.A. Act was made vide the notification No. F.15(255)/61-L&H dated 21.2.1966. The substance of the notification was given due publicity and objections were invited from the interested persons. No objection was however, received. A declaration under section 6 of the L.A. Act was made vide the notification ~~of~~ ~~even~~ No. F.15(255)/61-LSG/L&H dated 1.9.1966. Notice under section 9(1) of the L.A. Act was given due publicity and notices under section 9(3) and 10(1) of the L.A. Act were served upon the interested parties. The interested parties have responded to the notices.

'MEASUREMENT & OWNERSHIP'

According to the notification under section 6 of the Land Acquisition Act, the total area to be acquired was 71 bighas and 2 biswas comprising of khasra Nos. 130, 131, 132, 133, &

But

1324/134, the khasra No. 1324/134 measuring 20 bighas 9 biswas has already been acquired under the Bafai Rohilla Scheme, (Rehabilitation), & the compensation was paid to the owners after

Thus deducting the area of khasra Nos. 1324/134 measuring 20 bighas and 9 biswas, the remaining area for acquisition comes to 50 bighas and 13 biswas, the detail of which according to the revenue record is as follows:-

Khasra No.	Area. Big. Bis.	Kind of land.
130	1 - 08	Gm. Dahana.

Note: At my site inspection it was seen that there is no garden in khasra No.132 measuring 5 bighas and 1 biswas and khasra No.133 min measuring 2bighas,

'CLAIMS AND EVIDENCE'

The following claims have been received from the claimants for compensation:-

Sl.No.	Name of the claimant.	Compensation demanded.
1.	Shri Sheel Chandra, Naresh Chandra, ss/o Late Rai Sahib Adeshwar Lal through S/Shri Raghubhir Singh & Chandu Lal Advocate.	Rs.50/- per sq.yd. for the land, Rs.50,000/- for fruit trees, Rs.20,000/- for Timber and Fuel trees, Rs.10000/- for pucca big well, Rs.10,000/- Rs.50,000/- for pucca and strong stone boundary wall with gate and Rs.1000/- for wire fencing.
2.	Ram Prashad, Kheman Ram through Raghubhir Singh, Chandu Lal Verma.	Rs.50/- per sq.yd. for the land.
3.	Shri Daya Ram.	Stated in his application dated 16.11.1966 that he has no concern with the land and he is only the owner of fruit and in another application dated 1.2.67 stated that the statement dated 16.12.66 may be cancelled, & the land in question is under the tenancy of the the applicant and his possession may not be disturbed.
4.	Shri Shiv Lal s/o Jhabar Singh.	Stated in his applications dated 28.12.66, 17.2.67, and 17.2.1967 that he may be paid Rs.3000/- for nursery and Rs.1000/- for development
5.	Bishamber Dayal, s/o Shiv Lal.	Rs.100/- per sq.yd. for the land, Rs.5000/- for trees, Rs.5000/- for wells and Rs.10,000/- for building.

No evidence has been produced by any of the above claimants in support of the claim demanded.

'MARKET VALUE'

is situated surrounded on

Circular Road leading from Shakti Nagar to Sarai Rohilla.

The whole of the land under acquisition is adjacent to the of Bagh Karenkhan. The land has got potential value for building purposes, and the sale transactions in the area are mostly made for the construction of houses.

The following sales transactions have taken place in the village Sadhora Khurd during the last five years prior to the date of notification under section 4 of the Land Acquisition Act :-

Sl.No.	Year	Total Area.	Total sale price:	Average per bigha.
1.	1961	10 - 00	Rs.77,000/-	Rs.7700/-.
2.	1962.	0 - 17	Rs. 3,000/-.	Rs.9411.76.
3.	1963.	0 - 12	Rs. 27,306/-.	Rs.45,510/-.
4.	1964.	0 - 04	Rs. 4,600/-.	Rs.23000/-.
5.	1965.	0 - 01	Rs. 1,000/-.	Rs.20,000/-.

From the figures it will be seen that the rates were fluctuating from the period 1961 to 1966. Besides, the rates involved in these transactions pertain generally to the plotted area within the Abadi. <sup>such</sup> As these rates cannot be made applicable for arriving at the correct market value of the land acquisition. Several awards have been drawn in this village wherein, different rates were allowed. Out of these awards, the award No.1477 appears to be more relevant as the land involved in it is adjacent to the land under acquisition. IN THE award No.1477 the date of notification under section 4 of the land acquisition was 23.4.1962, and the rate allowed by the Land Acquisition Collector was Rs.7000/- which was on filing the reference u/s 18 by the parties later on enhanced by the Additional District Judge, Delhi / to Rs.7500/- per bigha. However, the land acquired under the award No.1477 is situated on the other side of the water channel and is closer to Delhi City. Hence the situation of this land is slightly better than the situation of the land under acquisition. But the date of notification

and growing trend in the market value of the land under in the vicinity, I consider the rate of Rs.7500/- per bigha to be a fair and reasonable market value of the land under acquisition, and I award accordingly.

'OTHER COMPENSATION'

Trees:

The compensation awarded above ~~has been~~ at the flat rate includes the values of the trees and garden etc. existing on the land under acquisition, hence no compensation has been assessed for trees.

Compensation for wells:

There are two wells on the land under acquisition, the values of which have been assessed by the C.P.W.D. (Valuation Department) as follows:-

Khasra No.	No. of wells.	Value assessed.
*%*131.	1	Rs.1997.00
132.	1	Rs. 569.00 Rs.2566.00

Note: There is no entry of the well situated in khasra No.132 in the Revenue Record. But <sup>it</sup> was found to be old on the site. Hence the compensation has been assessed.

Structure:

There are some structures on the land under acquisition the values of which have also been assessed by the C.P.W.D. (Valuation Deptt.) as follows:-

Khasra No.	Kind of structure.	Value assessed.
131.	Two rooms, one Varandah and wall.	Rs.4075.00
132.	One room.	Rs. 835.00 Rs.4910.00

I have inspected the site and I found that the values assessed by the C.P.W.D.(Valuation Department) are quite reasonable and I award accordingly..

'APPORTIONMENT'

The compensation in respect of the khasra No.132 measuring

as issued by the Rehabilitation Department, and his Associates as per the list furnished by him. In case of dispute the compensation will be sent to the Addl. Distt. Judge, Delhi for disbursement.

The Khasra Nos. 131 and 133 measuring 44 bighas 04 biswas are under the ownership of the Government and S/Shri Sheel Chandra and Nareesh Chandra have claimed to be the occupancy tenants. Hence the compensation will be paid to the occupancy tenants at the rate 0.63ps. in a rupee. The compensation proposed is Rs.7500/- per bigha. Therefore, at this ratio the occupancy tenants will be entitled for compensation @ Rs.4725/- per bigha. In case of dispute the compensation will be sent to Addl. Distt. Judge, Delhi for disbursement.

The compensation for the Khasra No.130 which is a Ga. Dahana will be paid in the presence of the parties, and in case of dispute it will be sent to the Addl. Distt. Judge, Delhi for disbursement.

The compensation payable to S/Shri Sheel Chandra and Nareesh Chandra will be paid in the presence of Shri Daya Ram, as he has also claimed compensation.

No compensation has been assessed for the nursery as claimed by Shri Shiv Lal s/p Jabhar Singh. He is, therefore, allowed to remove as it is removeable, if he so desires.

'SUMMARY OF THE AWARD'

Compensation for Khasra No.130 and 132 measuring 6 bighas and 9 biswas @ Rs.7500/- per bigha.	Rs.48,375.00
Compensation for the Khasra No.131 and 133 measuring 44 bighas and 4 biswas @ Rs.4725/- per bigha.	Rs.2,08,845.00
Compensation for wells.	Rs. 2,566.00
Compensation for structures.	Rs. 4,910.00
15% of the above as solatium.	Rs. 39,704.40
G.Total ...	Rs.3,04,400.40

The land is assessed to a land revenue of Rs.180.96 which will be deducted from the revenue roll of Kharif, 1967.