

Award No.

19/1971-72

Name of village

Sadhera Khurd.

Nature of acquisition

Permanent.

Purpose of acquisition.

Planned Development of Delhi.

AWARD.

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act. The land under acquisition is situated in Sadhera Khurd and was notified u/s 4 of the L.A. Act vide notification No.F.1(7)/62-L&B dated 27.4.68 for a public purpose namely for the Planned Development of Delhi. After considering objections u/s 5-A the Delhi Administration issued a declaration u/s 6 of the L.A. Act for an area measuring 5 biswas vide notification No.F.1(7)/62-L&B dated 19-3-68. In pursuance of the aforesaid notification notices u/s 9 & 10 of the L.A. Act were issued to all the persons interested in the land under acquisition. The claims filed by the claimants are discussed hereafter under the heading 'compensation claims'.

True and correct area:

The land was measured on the spot by the Land Acquisition Field staff along with the representative of the acquiring departments. The area available at the spot is as under:

Field No.	Area	Classification as per revenue record
1818/594/466/349/1.	3 biswas	Gair Mumkin Abadi.
1836/594/466/349/1	2 biswas	Gair Mumkin Mandir. ✓

COMPENSATION CLAIMS

The following persons have filed claims for compensations:

S.No.	Name of the claimant
1.	Om Parkash, Hony. Secretary of Estate Sub-Committee of the Managing Committee

Compensation claimed

Has claimed that the Ranjis Foundation was the owner of the khasra nos. under acquisition and that Deep Chand, Palkidar, who was running a coal depot had no right to any compensation. Has claimed compensation at the rate of Rs.100/- to Rs.125/- per sq. yard.

2. Babhtawar. Lal

He claims to be a tenant of the temple and has claimed compensation at Rs.400/- per sq. yard.

3. Deep Chand

He says he is a tenant running a barber shop since 23 years. Has claimed compensation at Rs.400/- per sq. yd., Rs.10,000/- as damages, Rs.2000/- for structure and Rs.4000/- as good-will. Also claims alternative plot.

4. Manak Chand s/o Bhajoo.

He claims that he has a tea-stall and has claimed compensation at the rate of Rs.400/- per sq. yd. Rs.10,000/- as damages, Rs.5000/- as goodwill and Rs.2000/- for structure. Also claims alternative plot.

5. Narain Singh s/o Latha Singh.

He says he is a tenant of the temple since 30 years. He claims compensation at Rs.400/- per sq. yd., Rs.10,000/- as damages and Rs.2000/- for structure. He also claims alternative residential plot.

6. Bahu Lal

-do-

7. Jagdish Peshad

-do-

MARKET VALUE:

The market value of the land under acquisition is the value to the owner of the land in its actual condition at the time of publication of notification u/s 4 of the Land Acquisition Act and with all its advantages and with all its potentialities. The best evidence available to arrive at the correct market value of the land would be the evidence of genuine sales affected about the time of notification either in respect of the land under acquisition or a portion thereof, or sales of land precisely parallel in all circumstances to the land under acquisition. In cases where there have been no recent sales of the same land, the market value can be determined by sales of similar land in the neighbourhood.

As exemplars or sale deeds have not been filed by the claimants, efforts, were, therefore, made at this end to find out parallel sale deeds so as to evaluate the market value. There are no sales in the village except as cited in award No.72/70-71. In the absence of sale deed approximately to the material date, we have to take recourse to the awards. In award No.72/70-71 of the same village, in which the material date was 2-12-67. The LAC evaluated the market value of the land at Rs.7,500/- per bigha kham. The market value was not determined on these sale deeds because they reflected the value of small prices of land for residential purposes. It is a well known proposition that

small pieces of land fetch higher and lucrative prices as compared to plots of big dimension in view of limited purchasing capacity of the public at large. The LAC took award No.1967 as a guide in arriving at the correct market value of the land and the date of notification u/s 4 is 21.2.66. In this award, he has observed under the heading 'Market value' the sale transactions mentioned above do not give any indication about the price of land having risen in 1967 as compared to 1966. The land under acquisition is quite near to the land covered in award No.1267, and possesses similar advantages and potentialities. I, therefore, rely on award No.1967 and fix the market value of the land under acquisition at Rs.7500/-.

STRUCTURES:

The Executive Engineer has assessed the cost of structures at Rs.2746/- to which I agree and award the same.

WELLS AND TREES:

Nil

15% SOLATIU:

15% solatium is payable over and above the market value of the land.

INTEREST:

No interest is payable as the possession of the land has not been taken over.

APPORTIONMENT:

As the compensation has been claimed by the owner and also other interested persons, the compensation will be remitted to the A.B.J. u/s 30 and 31 of the Land Acquisition Act.

LAND REVENUE:

The land under acquisition is assessed at 37 paisa, as land revenue which will be deducted from the khatauni of the village from the date of taking over possession of the land. The aforesaid land will vest absolutely in the Government free from all encumbrances.

SUMMARY OF THE AWARD:

Market value of land measuring
0-05 biswas @ Rs.7,500/- per bigha. Rs.1875/-

Market value of structure Rs.2746/-

15% Solatium for compulsory
acquisition. Rs.693.15

Total: Rs.5314.15

(Rupees Five thousand three hundred fourteen & paise
fifteen only).

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

Announced and paid today
14/9/71