

Name of the Village:

Sadhora Kalan.

Nature of Acquisition:

Permanent.

This is a case for the acquisition of land in the estate of Sadhora Kalan required by the Government at the public expense for a public purpose, namely, for the Planned Development of A declaration under section 4 of the Land Acquisition Act was vide Notification No.F.15(245)/60-LSG dated 24.10.61. The substance of the notification was given due publicity and objections were invited against this notification. The objections were heard and a report was made to the Delhi Administration. A declaration under section 6 of the Land Acquisition Act was vide Notification No.F.4(14)/61-L&H dated 20.11.62. Notice under section 9(1) of the Land Acquisition Act was given due publicity and notices under section 9(3) and 10(1) of the Land Acquisition Act were issued to the interested persons. Almost all the interested persons 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 36 Bighas. From further verification under section 8 of the Land Acquisition Act the total area to be acquired comes to 36 Bighas. There is a difference of only 1 Biswa which is ignored in the ownership of the land under acquisition and the claims are as follows.

Owner.	Khasra No.	Area Bigha-Biswa.	Claim made.
Shri Radhey Gopal	6	1 - 7	80/- per sq.yd.

Shri Radhey Gopal has stated that according to partition this khasra number has gone to Shri Onkar Nath, who has made a claim of Rs.80/- per sq.yd. They should get the corrections made in the Revenue Record.

Sarvashri Hargopal,	29/3	1 - 10	Rs. 15/- to 60/- per sq. yd.
Bhanu Gopal, Onkar			
Nath, Radhey Gopal,			
Madan Gopal sons			
Roop Kishore 1/12,			
Kishore s/o			
Ram 1/12, Tulsi			
s/o Saligram 1/12,			
Shankar, Dwarka			
Shankar & Durga Shankar			
sons of Daya Ram 1/12,			
Shankar Das s/o Bansi			
1/3, Shiv Kumar			
Devi Chand, Ganesh			
Badri Parshad,			
Rain Dass, Ishar			
sons, Shrimati			
Devi widow of			
Mal 1/3.			

Note:- Shri Onkar Nath has stated that some area from Khasra No. 29 has been sold out. He has not stated ~~that~~ as to how much area and to whom it has been sold. Sarvashri Sardar Singh & Bhanwar Lal have claimed compensation for Jhuggees.

Median of Evacuee	29/1/1	0 - 15	
erty.	29/2	0 - 1	No claim.
	<u>25</u>	12 - 0	G.M. Road.
		12 - 16	

Note:- Khasra No. 25 is a Gairmumkin pucca road and is in possession of Municipal Corporation. No compensation is to be paid for this khasra number.

Sar Kumar	308/15	1 - 13	60/- per sq. yd.
son of			2,00,000/- for
land.			structure & 200/-
			for hand pump and
			10000/- for tube
			well & boring.

Note:- There are many tenants in Jhuggees (Tin Sheds) on this land. ~~Only~~ Anand Sarup s/o P. Lal has claimed compensation for ~~land~~ at Rs. 14000/-, & alternative accommodation.

Shri Madan Mohan Sethi, a tenant has^{also} claimed compensation of Rs.20,000/- for a non-extant factory. The owner has filed a writ petition in High Court & ~~states his position~~ stay dis-possession order has been received.

Mohan Lal adopted

s/o Bhana Mal. 307/15 5 - 4 Rs.1,43,800/-.

Note:- Shri Kewal Kishan has stated that he is a tenant on the land and that he has constructed a structure on 2 biswas of land. He wants compensation @ Rs.30/- per sq.yd., Rs.1000/- for structure & Rs.4000/- for wire fencing. According to Khasra Girdawri only 2 biswas has been shown in the occupation of Shri Kewal Kishan in 1961. The cultivation has not been entered for subsequent harvests. From the inspection of the site I found that he has possession only on 2 biswas of Khokha as shown in the record. Unless a ~~fix~~ suit is pending the compensation will be paid to the owner except for 2 biswas. If a case is pending then it will be sent to the District Judge.

Madan Mohan	27	1 - 11	G.M.Channel.
Manohar Lal.			50/- per sq.yd
Mittar Chand,	805/2426/1	4 - 17	
Das.	806/2426	5 - 3	
		10 - 0	Rs.14,80,325/-.

Note:- They have asked compensation for the building of their factory which is not a subject matter of this award.

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and
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7/8,
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10

1 - 15

The members of Ravi Das Park have stated that it is a built up area and it should not be acquired. I have inspected the site and I find that the structures are purely temporary and built without any plan. It is a sort of slum.

Lehri 7
Ram
Sahai
Mohan
(share)

0 - 18 40/- per sq.yd.

They have also asked compensation of Rs.1000/- for levelling the land. On the spot it was found that no levelling has been done.

36 - 14

Gairmunkin Pucca Road 12 - 0
Other kinds of land. 24 - 14

EVIDENCE.

Mittar Chand Lakhmi Chand produced copies of 7 regarding plots in the abadi of Partap Bagh, which is a developed colony. Sale price of small plots cannot be a basis for arriving at the Market value of the land in this position, which is undeveloped. They have also produced a copy of the sale deed according to which Khasra No. 25 measuring 5 Bighas 3 Biswas was purchased by the respondents for a sum of Rs.93,000/-. This is mentioned in the discussed latter, under the head 'Map'.

MARKET VALUE.

The land under acquisition is situated between Wazirpur Road and Partap Bagh. From the acquisition point of view it should be divided into ^{two} ~~three~~ parts. Khasra Nos. 24 & 26 ~~and~~ 29 are situated on the G.T. Road near Partap Bagh in front of the D.T.U. Staff quarters. These Khasra Numbers are therefore, placed in Block 'A'. The total area of these khasra numbers is 12 Bighas 6 Biswas. The remaining khasra numbers are situated near the Railway line and their situation is inferior to the situation of Block 'A'. These are, therefore, placed in Block 'B'.

The following sale-transactions took place in and near the land under acquisition of Block 'B'.

Date of registration.	Khasra No.	Area Bigha-Biswa	Sale-price	Average per bigha.
21.5.59	10	1 - 15	11960/-	6880/-
12.6.58	23/1 & 27	17 - 2	114750/-	6600/-
21.2.59	7	0 - 18	4760/-	5300/-
23.3.61	3	1 - 7	8000/-	6000/-

From the Above transactions it is clear that the Market value of the land under acquisition was Rs.6600/- per bigha in 1958, Rs.6300/- per bigha in for the year 1959 derived from Mutations No.1056 and 1057 and Rs.6000/- per bigha for the year 1961. Khasra Nos.7 & 10 are a part of the area under acquisition, while Khasra No.3 is adjacent to the land under acquisition. Khasra Nos.23/1 and 27 are situated nearer to the G.T.Road and Partap Bagh. The position of these Khasra numbers is ~~xxxx~~ slightly superior to the land of Block 'B' and inferior to the land of Block 'A'. From the above data it is very clear that the prices vary according to the time and not according to the time. From the above

is ^{and} ~~very~~ evident that the price of the land of Block 'B' was Rs.6000/- per bigha on the relevant date. I, therefore, award this rate for the land of Block 'B'.

Khasra Nos.805/24/26 and Khasra No.806/24,26 total measuring 10 Bighas 16 Biswas were sold for a sum of Rs.1,69,500/- in the year 1959. The average of these transactions comes to Rs.16/- per sq.yd. ~~the high price~~. There was a factory in these khasra numbers at the time of the sale. The sale-price included the price of the structure as well. From the investigations made on the spot it was found that the price of sale has been grossly exaggerated in the registered deed. The price actually paid was only Rs.8/- per sq.yd. This is further proved by the fact that no sale transaction of the land near about between private persons has taken place @ more than Rs.7/- per sq.yd. The land of Sangam Park in Mutation No.1028 was sold @ Rs.6600/- per bigha only a few months before these transactions. The land of Block 'A' is slightly superior in situation to the land of the Sangam Park, and its value should not have been more than Rs.8/- per sq.yd. The transactions for Khasra No.24 & 26 in favour of the present owner are, therefore, totally unreliable. I, therefore, award Rs.8000/- per bigha for the land of Block 'A'.

OTHER COMPENSATION.

The Naib Tehsildar Land Acquisition has assessed ~~the~~ Rs.17,958.50 nP. as the price of the structures. I have inspected the site and I find that the price assessed by him is correct. I, therefore, award this amount for the structures.

Contd.....7

There are a few trees on the land under acquisition. The Naib Tehsildar has assessed the price of the trees at Rs. 854/-. The price assessed by him is correct and I award Rs. 854/- for the trees.

There are three wells in the land under acquisition. The Naib Tehsildar Land Acquisition has assessed the price of the wells at Rs. 1800/-. I agree with the price assessed by him and award Rs. 1800/- as compensation for the wells. There is a boundary wall round Khasra No. 805/24, 26 and 806/24, 26. This is very old and in broken down condition. It has ceased to have any value on account of depreciation.

APPORTIONMENT.

The apportionment has already been discussed under the heading 'Measurement & Ownership'. Shri Mahinder Kumar has claimed compensation of 200 sq. yds. from Khasra No. 307/15 for his rights of passage. The compensation of 200 sq. yds. be, therefore, sent to the District Judge for apportionment. The price of the structure will be paid to the owners or the tenants according to the person who constructed the structure.

THE AWARD IS SUMMARISED AS BELOW.

Compensation for 12 Bighas 6 Biswas of land in Block 'A' @ Rs. 8000/- per bigha.	Rs. 98,400.00
Compensation for 12 Bighas 8 Biswas of land in Block 'B' @ Rs. 6000/- per bigha.	Rs. 74,400.00
Compensation for structure.	Rs. 17,958.50
Compensation for wells.	Rs. 1,800.00
	<hr/> Rs. 1,92,558.50
15% on the above as solatium for compulsory acquisition.	Rs. 28,883.78
Compensation for trees.	Rs. 854.00
	<hr/> Rs. 2,22,296.28

The land is assessed to a land revenue of Rs.17.79
which will be deducted from the Revenue Roll from Kharif
1963.

L
(Nand Kishore)
Land Acquisition Collector I,
DELHI.
10.4.1963.

Submitted to the Collector of the District for
information and filing.

L
(Nand Kishore)
Land Acquisition Collector I,
DELHI.
10.4.1963.

74 Seen
AD in 1/10
in the power of Collector

15-5-63
COLL-10-DELHI