

Name of the Village:

Sadhora Kalan.

Nature of Acquisition:

permanent.

INTRODUCTION

The land situate in the estate of Sadhora Kalan 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 Land Acquisition Act was made vide notification No.F.4(83)/62-L&H(11) dated 19.10.1962. The substance of the notification was given due publicity and objection were invited from the interested persons. No objection was received within the time limit prescribed under section 5-A (1) of the Land Acquisition Act. However an objection was received on behalf of Gujranwala Co-operative House Building Society Ltd; Delhi which was time barred and in the meanwhile a notification under section 6 of the Land Acquisition Act was issued by the Delhi Administration vide notification No.F.4(83)/62-L&H dated 21.12.1962. Notice under section 9(1) was given due publicity and notices under section 9(3) and 10(1) of the Land Acquisition Act were served upon the known interested persons. Almost all the interested persons have responded to the notices.

'MEASUREMENT AND OWNERSHIP'

According to the notification under section 6 of the Land Acquisition Act the total area to be acquired was 43 bighas and 7 biswas comprising khasra Nos. 208(23-06), 222(18-07) and 203 min. From further verification made on the spot under section 8 of the Land Acquisition Act, the actual area under acquisition was found to be 41 bighas and 13 biswas. The difference of 2 bighas & 14 bis. is due to the fact that khasra No.203 min (1-14) has already been acquired vide notification under section 4 of the Land Acquisition Act No.F.4(83)/62-L&H dated 15.7.1964. I, therefore, hold the area under acquisition to be true at 41 bighas and 13 biswas. The area of the land under acquisition according to

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claims submitted by the interested persons is as given below:-

Sl. No.	Name of the owner.	Name of the occupant.	Khasra No.	Area Big.Bis.	Kind of land.
1.	Central Govt. Ministry of Rehabilitation, (Jam Nagar House, New Delhi.)	Gujranwala Co-operative House building Society Ltd; through Shri Lal Singh s/o Khani Ram.	208	23 -06	Bagh Nehri=23-03 Gm.Chah = 0-03

Note: On the spot the land was not found to be Bagh Nehri, but it is Nehri land.

2.	Central Govt. Ministry of Rehabilitation, (Jam Nagar House, New Delhi.)	Raghubir Singh Kulwant Singh (8-16), Shmt. Daraupati Devi (9-11).	222	18 - 07	Bagh Nehri=17-18 Gm.Chah = 0-03 Gm.Makan. = 0-06
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Note: But on the spot the area measuring 8 bighas 16 biswas was found to be Bagh Nehri land, 9 bighas 2 biswas- Nehri land, 3 biswas Gm. Chah, and 6 biswas -Gm.Makan.

'CLAIMS AND EVIDENCE'

In respect of khasra No.208 Shri Kans Raj Chawla President Gujranwala Co-operative House Building Society Ltd; Delhi has filed a claim petition through Shri Ganga Ram Mehandroo Advocate stating that the land under acquisition was an evacuee property which was purchased on 12.1.1960 by one Shri Uday Ram and other co-sharers in Government public auction for Rs.1,82,100/-. He has further stated that the Hon'ble High Court was pleased to grant stay of dispossession of land of society. In the end he has claimed the compensation @ Rs.50/- per sq. for the land, Rs.12000/- for the fruit trees and other trees and Rs.400/- for the well. Thus the compensation of Rs.11,90,300/- + usual solatium @ 15% + 6% interest from 6.2.1960 to 17.7.1963 total Rs.16,15,126/- was claimed.

Note:(1) The compensation will be paid after the production of sale certificate in favour of the above said Society.

(2) There are no...

(3) Since the possession of the land has not been taken, the question of payment of interest does not arise.

2. Shmt. Satwant Kaur w/o Shri Shamsher Singh has filed the claim petition in respect of khasra No.222 min measuri. 8 bighas and 16 biswas through her general attorney Shri Raghbir Singh s/o Shri Gopi Chand in which it is stated that the land in question was an evacuee property and was purchased by the claimant in an open auction held on 30.1.1959 for a consideration of Rs.80,900/- and the sale certificate dated 25.7.1961 was granted to the said claimant. She has claimed Rs.8,87,000/- i.e.Rs.100/- per sq.yd. as compensation for the land, Rs.20,000/- as value of the construction of the house built on the land, Rs.5000/- as value of the trees standing on the land and Rs.2,000/- as charge for levelling the land. Thus a total compensation of Rs.9,14,000/- has been claimed.

3. Similarly another claim petition in respect of khasra No. 222 min measuring 9 bighas and 11 biswas has been submitted by Shmt. Daraupati Devi w/o Late Shri Boota Singh Kochar through her general power of attorney Shri S. Darshan Singh s/o S. Boota Singh, in which it was stated that the property in question was an evacuee property and was purchased by her in an open auction held on 20.2.1960 for a consideration of Rs.1,20,000/-. She has claimed the compensation @ Rs.100/- per sq.yd. for the land, Rs. 3000/- as the value of the construction of the house built on the land, Rs.5000/- for one well, Rs.2000/- as levelling charges for the land, Rs.8000/- for the boundary wall and Rs.16,000/- as compensation for fruit bearing trees. Thus the total compensation of Rs.9,86,600/- has been claimed.

Note: (1) The compensation will be paid to both the claimants only on the production of the sale certificates indicating the actual boundaries of the land in their possession.

(2) On the site inspection no levelling of the land as alleged by the claimants was found to have been

On behalf of the Regional Settlement Commissioner, the Management Officer(Rural) has stated that the property under acquisition has been auctioned to the above said claimants. Thus the custodian(Regional Settlement Commissioner) has no concern with the land under acquisition.

No evidence has been produced by the claimants in support of their claims.

'MARKET VALUE'

The land under acquisition is situated on the Eastern Side of the Circular Road towards Sarai Rohalla. Shakti Nagar is on the North East of the Karnal Railway Line and the land under acquisition is towards south-west of the Karnal Railway Line. The distance between the Shakti Nagar Colony and the land under acquisition is about 2 furlongs. Shakti Nagar Colony is a highly developed colony having all the facilities while the land under acquisition is totally undeveloped. The following sale transactions have taken place in and near the land under acquisition during the last five years from the date of notification under section 4 i.e. 19.10.1962.

Sl.No.	Name of the year.	Total area.	Total sale price.	Average per bigha.
1.	19.10.57 to 31.10.57.	Big.Bis. 4 - 05	Rs.12,750/-	Rs.3000/-
2.	1.1.53 to 31.12.58.	77 - 13	Rs.5,12,891/-	Rs.6,605.16 NP
3.	1959	36 - 08	Rs.3,02,123/-	Rs.8,300.08 NP
4.	1960	41 - 12	Rs.1,80,000/-	Rs.4,326.92 NP
5.	1961	49 - 16	Rs.2,82,263/-	Rs.5,667.93 NP
6.	1.1.62 to 19.10.1962,	0 - 18	Rs. 10,900/-	Rs.12,111.11 NP
		210 - 12	Rs.13,00,927/-	Rs. 6,177.24 NP

During the year 1962 the area transacted measuring 18 biswas was sold in the form of plots.

According to the Mutation Register of the Patwari the following transactions are relevant for arriving at the Market Value of the land under acquisition on the relevant date.

Sl.No.	Mutation No.	Date of registration.	Khasra No.	Area Big.Bis.	Kind of land.	Total sale price.	Average price per big.
1	2	3	4	5	6	7	8
1.	1070	6.4.61	126 127/2	5-05 39-17	Bagh Nehri	Rs.2,60,000/-	Rs.5543.48
2.					B.K=18.17+ Roi=17.00+ Gm. = 6.00		
			73/2	0-18 46-00	Bagh Nehri.		
2.	1092	23.1.61	3	1-07	Ghalimam-kin.	Rs.8,000/-	Rs.5925.82
3.	1298	18.9.61	945/36	0-07	Gm.Qr.	Rs.7763/-	Rs.7057.27
			947/37	0-02	"		
			951/61	0-08	"		
			949/60	0-05	"		
				1-02			
			Total	48-09		Rs.2,75,763/-	Rs.5691/-

As stated above under the head ' Claims & Evidence ' the land under acquisition has been purchased from the custodian in a open auction, the detail of which is as follows:-

Khasra No.	Area Big. Bis.	Total sale price.	Average per bigha.
202	23-06	Rs.1,82,100/-	Rs.7,815.45
222min	8-16	Rs. 80,900/-	Rs.9,193.18
222	9-11	Rs.1,20,000/-	Rs.12,565.44

Note: The price of khasra No.222min measuring 9 bighas 11 biswas includes the value of the structures also. Besides the land has been purchased in auction by the Custodian Deptt., where the bids are very high and the payment is adjusted in claims. Therefore, the value involved in this transaction cannot be made applicable to the market value of the present land under acquisition.

I have inspected the site. Recently Award No.1801 has been passed, wherein the land was divided into three blocks i.e. A,B, and

3. As stated above the land under acquisition consists of Bagh Nehri and Nehri lands. Hence in the present award the land is divided

was awarded for the block A and Rs.5000/- per bigha was awarded for the block ²B. The date of notification under section 4 in the award No. 1801 was 25.9.1964 whereas the date of notification u/s 4 of the present award is 19.10.1962. As stated above during the year 1962 the land measuring 18 biswas was sold, the average of which works out to be Rs.12,111.11ps. But the transaction was in the form of plots. Looking into the situation of the land and the growing trend in the market value, I consider that there was ^{not} much of difference between the market value as it existed during the year 1962 and as it was allowed in the award No.1801. Thus I consider that Rs.5500/- per bigha for the block A comprising khasra No.221 min north (8-16), and Rs.5000/- per bigha for the block B comprising khasra No.222 min (south) (9-11) and 208 (23-06) total measuring 32 bighas 17 biswas, can be fair and reasonable market price of the land under acquisition and I award accordingly.

'OTHER COMPENSATION'

There is no garden in khasra No222 min (south) measuring 9 bighas 11 biswas, although this khasra No. is shown as garden in the revenue record, ²but there are some trees which have been assessed by the Naib Tensildar (LA) as follows:-

Khasra No.	Kind of tree.	No. of trees.	Approx. Price per Weight Maund.	Value assessed. in maunds.
222 min (South)	Amra	7	145	Rs.2/- Rs.290.00
	Jaman	9	135	Rs.2/- Rs.270.00
	Amla	2	20	Rs.2/- Rs. 40/-
	Peepal	2	30	Rs.2/- Rs. 60.00
	Gular	2	35	Rs.2/- Rs. 70.00
	Mulsari	2	40	Rs.2/- Rs. 80.00
	Amrood	12	15	Rs.2/- Rs. 30.00
	Near	2	4	Rs.2/- Rs. 8.00
				<u>Rs.548.00</u>

COMPENSATION FOR STRUCTURES & WELLS:-

There are some structures ²on the land, the value of which has been assessed by the Asstt. Engineer, (Valuation) vide his letter

Khasra No.	Kind of sugarculture.	Name of the owner.	Value assessed.
1222	a. Well	Sant. Dropati Devi & others.	Rs. 3,647.00
	b. Khura & Platform surrounding the well.	-do-	Rs. 80.00
	c. Flat brick flooring near the side the well.	-do-	Rs. 51.00
	d. Walls, partly ^{4 1/2} thick	-do-	Rs. 43.00
	e. Water Tank	-do-	Rs. 72.00
	f. Removal for hand pump in well given L.S.	-do-	Rs. 10.00
222	a. <u>ROOM</u>	-do-	Rs. 1,095.00
	b. Electric points	-do-	Rs. 16.00
	c. Platform surround- ing the room...	-do-	Rs. 287.00
	d. Platform outside the room.	-do-	Rs. 107.00
3. 222	a. <u>Gurdawara Room</u>	-do-	Rs. 3,8500 0
4. 222	b. Room marked 'B'	-do-	Rs. 39.00
	c. Room marked 'A'	-do-	Rs. 108.00
	d. Room marked 'B'	-do-	Rs. 167.00
	Hand pump near structure 'B'	-do-	Rs. 92.00
	Khura for hand pump	-do-	Rs. 14.00
	a. Boundary wall	-do-	Rs. 917.00
	b. Earth filling including steps etc.	-do-	Rs. 298.00
	c. Stair case (Agra Stone)	-do-	Rs. 277.00
	d. Room marked (A) having walls.	-do-	Rs. 42.00
	e. Boundary Wall	-do-	Rs. 1049.00
	f. Boundary Wall	-do-	Rs. 361.00
	g. Boundary Wall	-do-	Rs. 481.00
	h. Main Gate.	-do-	Rs. 79.00
	Total		Rs. 13,179.00
208	a. Well including platform as per plan and specifications enclosed.	M/S Gujran Wala Co-op erative Society.	Rs. 2,414.00
	Grand Total		

During my site inspection I found that the values assessed by the Asstt. Engineer (Valuation) and the Naib Tehsildar (LA) are quite reasonable and I award accordingly.

'APPORTIONMENT'

The owners of khasra No.222 and 208 will have to produce the sale certificate from the custodian Department, before any compensation is paid to them, and in case of dispute the amount of compensation will be sent to the Additional District Judge, Delhi for disbursement.

Similarly the compensation of the structures and wells will be paid after the production of the sale certificate from the custodian Department.

As there is stay order from the High Court regarding the possession, this award will have only to be announced. The possession can be effected only after the vacation of the stay order.

THE AWARD IS SUMMARISED AS BELOW:

Compensation for 8 bighas 16 biswas of land @ Rs.5500/- per bigha. (Block A)	Rs. 43,400.00
Compensation for 32 bighas 17 biswas of land of block B @ Rs.5000/- per bigha.	Rs. 1,64,250.00
Compensation for structures and wells.	Rs. 15,593.00
15% of the above as solatium for compulsory nature of acquisition.	Rs. 34,236.45
Compensation for trees.	Rs. 848.00
Grand Total	Rs. 2,63,327.45

The land is assessed to a land revenue of Rs.45.59 ps. which will be deducted from Rabi, 1966.


(Zai Nowsheerwanji)
Land Acquisition Collector,
Delhi Shahdara Circle,
DELHI.
24.7.1965

Submitted to the District Collector, Delhi for information and filing.