

Award No

23/81-82

(83)

Name of village : Sadhora Kalan
 Nature of acquisition : Permanent.
 Purpose of acquisition : Planned Development of Delhi.

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INTRODUCTION

The land bearing Khasra Nos. 183, 188, 204/2, 205/2 and 206/3 total measuring 20 bighas 12 biswas situated in village Sadhora Kalan is required by the Government at the public expense for a public purpose, namely for the Planned Development of Delhi. A notification u/s 4 of the L.A. Act was made vide notification No. F. 15(57)/64-L&H dated 4.10.66. The substance of the notification was given due publicity and objections were invited from the interested persons. The objections were received and a report was sent to the Delhi Administration. However, the objections were rejected and a declaration u/s 6 of the L.A. Act was made vide notification No. F. 15(57)/64-L&H dated 30.5.67. Khasra Nos. 204/2 and 205/2 out of the said notification is being acquired on top priority basis vide letter No. F. 15(57)/64-L&H/Vol. II/2944 dated 5.2.70. Notices u/s 9(1) was given due publicity and notice u/s 9(3) and 10(1) of the L.A. Act were served upon the interested persons. Almost the interested persons have responded to the notices given to them.

MEASUREMENT AND OWNERSHIP.

According to the notification u/s 6 of the L.A. Act the total area to be acquired is 7 bighas 9 biswas. From further verification u/s 8 of the Act an area measuring 1 bigha 9 biswas has already been acquired vide Award No. 213 file No. 366 D.D.A. The total area to be acquired is 6 bighas which is correct. The ownership of land under acquisition and the claims are given below :-

S.No.	Name of the owner	Kh.No.	Area	Claims made
1	Sh. Dilshah Ram s/o Sis. Ram s/o 4383 Arya Pura Subzi Mandi O/o Devinder Goel Advocate.	204/2 205/2	2-16 3-04	Rs. 100/- per sq. ft. for the land Rs. 10000/- for two rooms Rs. 1000/- for one room Rs. 5000/- for well Rs. 7000/- for tube well Rs. 2000/- for electricity goods and fitting Rs. 1000/- for boundary wire.

EVIDENCE

NIL

MARKET VALUE

The land under acquisition is situated on the Eastern side of Najafgarh drain and the Market Nagar Road. The circular road leading from Shakti Nagar to Sarai Rohilla is towards the east of the land under present acquisition. Regarding the land under present acquisition there is entry in the revenue record as to the nature of land as Gair Mumkin Bagh and Nursery. From the spot inspection it is found that the nursery which is to be acquired is in a better condition than G.M.Bagh. This land adjoins the land acquired vide Award No. 2028 of the year 1957. The awards in the same area which are considered for valuation of the price of the land is detailed as follows:-

S.No.	Award No.	Notification U/s 4	Block	Rate per Bigha
1	BO1	F.4(B3)/62-L&H dt. 25.3.64	Block	'A' Rs. 5500/- 'B' Rs. 5000/- 'C' Rs. 4500/-
2.	1967	F.15(255)/61-L&H dt.21.2.66		Rs. 7500/-
3.	1985	F.15(111)/59-LSG dt.13.11.59		'A' Rs. 8000/- 'B' Rs. 5600/- 'C' Rs. 2500/- Misc. Rs. 5100/-
4.	2028	F.15(57)/64-LSG(i) dt. 19.7.65		'A' Rs. 8500/- 'B' Rs. 8000/- 'C' Rs. 5800/-
5.	1565	F.15(111)/59-LSG dt.13.11.59		Rs. 4500/- Rs. 4000/-

The land under present acquisition bearing the Kh.No. 204/2 and 205/2 which are just situated in opposite side of the Kh.No. 204/3 and 205/3 which have been acquired vide Award No. 1555. These khasra number have been notified u/s 4 vide notification No. F.15(111)/59-LSG dated 13.11.59. The IAC in this award has given the rate of Rs. 4500/- for the Bagh nehari land and Rs. 4000/- P.B. for the other land. In the case, Dilsukh Ram vs. BOI IAC case No. 329 of 1967 the court of A.D.J. has enhanced the value of the land to Rs. 10700/- per bigha and the UOI has accepted it without going in further appeal. The land under present acquisition is similar to the land acquired vide Award No. 1555. Therefore, I hold, the same value for the land under present acquisition. I want to discuss the award No. 1985 and 2028 in

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this connection because the land under present acquisition qualifies type 'A' land in the said award and also closer to it. In the award No. 195 the LAC has given the rate of Rs. 8000/- per bigha for the 'A' type of land. The award No. 2028 is based upon the Award No. 1985 and the Collector has given the rate of Rs. 8500/- per bigha for the 'A' type of land i.e. Bagh Nehri. In the LAC CASE No. 423/67, 452/67, 453/67 422/67, 441/67, 448/67 regarding award No. 1985 Shri G.R. Juthra, ADJ has enhanced the rate to Rs. 9350/- per bigha for the 'A' type of land. This notification for this award relates to the year 1959. The case LAC No. of 1968 Kirpal Bhatnagar etc. Vs. UOI pertaining to the award No. 2028 in the court of Shri G.R. Juthra, ADJ the rate of 'A' Union of India has accepted it and did not go in appeal. The land in award No. 2028 was notified in the year 1955. Adopting the price line fixed in 1959, the learned Judge has allowed further appreciation in price from 1959 to 1965 and has thus awarded compensation @ Rs. 12650/- P.B. This view is accepted by the UOI. Thus there is appreciation in the rate by Rs. 3300/- P.B. during the last 6 years prior to 1965. Thus there is appreciation in the price of the land @ Rs. 500/- (average) P.B. per year. As per award No. 1555 and according to decision of the ADJ in the LAC No. 329/67 the value of the land of the Ks. No. 204/3 and 205/3 is considered and accepted @ Rs. 10700/- per bigha being the value of the land in the year 1959 (the date of notification 13.11.59), I consider the equality in the quality of the land and that the situation regarding the land under present acquisition and land acquired vide award No. 1555. The land under present acquisition is notified vide notification No. F.15(57)/64-L&H dated 4-10-66. As the rate of appreciation of Rs. 500/- P.B. per year the actual appreciation in the value of the land under present acquisition in 7 year comes to Rs. 3500/- P.B. and the UOI accepted the value Rs. 10700/- per bigha being the value of the land in the year 1959. So I consider Rs. 14200/- being the fair and reasonable market value of the land under present acquisition on the date of notification i.e. 4.10.66 and hence I award the case. Same

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OTHER COMPENSATION.

There are some trees on the land under acquisition the value of which are assessed by the ADJ as given under:-

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No.	Name of trees	No. of trees	Weight in Qtl.	Rate	Value assessed
2	Amrood	82	-	Rs. 15/- per tree	Rs. 1230.00
	Mango	1	12 Q	Rs. 20/- per Qtl.	Rs. 240.00
2	Jamun	7	-	Rs. 60/- per tree	Rs. 420.00
	Sahtut	8	-	Rs. 25/- per tree	Rs. 200.00
	Gular	12	36 Q	Rs. 20/- Per Qtl.	Rs. 720.00
	Kamradh	2	6 Q	Rs. 15/- per Qtl	Rs. 90.00
	Beri	3	6 Q	-do-	Rs. 90.00
	Molsari	1	5 Q	-do-	Rs. 75.00
	Lokat	4	-	Rs. 30/- per tree	Rs. 120.00
	Neemoo	4	-	Rs. 50/- per tree	Rs. 200.00
	Ar' k	1	-	Rs. 75/- per tree	Rs. 75.00
	Amra	1	-	Rs. 50/- -do-	Rs. 50.00
	Aloocha	4	-	Rs. 30/- -do-	Rs. 120.00
	Anjeer	2	-	Rs. 25/- -do-	Rs. 50.00
	Amaltash	1	-	Rs. 50/- -do-	Rs. 50.00
	Khatay	30	60 Q	Rs. 12/- per Qtl	Rs. 720.00
	Aroo	1	-	Rs. 42/90 per tree	Rs. 42.90
	Anar	16	-	Rs. 20/- -do-	Rs. 320.00
TOTAL					Rs. 4812.90

The total compensation on this account comes to Rs. 4812.90 and I consider it being reasonable and award the same.

COMPENSATION FOR WELL.

The Assistant Engineer (Valuation) has assessed the value of the well vide his letter No. AE(V)/II/69/19/20 dated 31.12.69, the details of which is given as under:-

No.	No. of well	Value assessed.
24/2	1	Rs. 814/-

Rs. 814/- is considered being reasonable value for the well and hence I award the same.

COMPENSATION FOR STRUCTURES.

There are some structures on the land under acquisition, the value of which has also been assessed by the valuation Deptt. C.P.W.D. as follows:-

No.	Kind of structures	Value assessed
24/2 &	One room in good condition	Rs. 2345/-
25/2	One room	Rs. 686/-
	Room or tubewell & Haaz	Rs. 6978/-
	One room in a bad condition	Rs. 5251/-
		Rs. 16060/-

The total compensation on account of structures comes to Rs. 16160/- and I consider this valuation is reasonable and hence I award the same amount as compensation for the structures in the land under present acquisition.

COMPENSATION NURSERY.

There are plants of roses, motia, chameli, mongra Tulsi etc. on the land under acquisition. All these plants are meant for sale in the market and can be removed very easily and hence no compensation is assessed for this.

OCCUPANCY TENANTS.

There is no occupancy tenant on the land under present acquisition in the revenue record.

REPO.T OF POSSESSION.

The possession of land under acquisition has not so far been taken over. So the question of interest does not arise.

APPORTIONMENT.

The compensation will be paid on latest entry in the revenue record. In case of dispute the compensation will be remitted to the court of ADJ Delhi u/s 30 & 31 of the L.A. Act.

LAND REVENUE

The land is assessed to a land revenue ~~Rs. 10.20 P~~ of Rs. 10.20 P which will be deducted from the revenue roll.

SUMMARY OF THE AWARD.

Compensation for 6 bigas @ Rs. 14200/- P.B.	Rs. 85200/-
Compensation for well.	Rs. 814/-
Compensation for structures	Rs. 16060/-
Solatum at 15%	Rs. 15311/10
Compensation for tree	Rs. 4812.90
G.T. Total	Rs. 122198.00

(Rs. One lac, twenty two thousand and one hundred ninety eight only)

Shiv Ray
(SHIV RAY) S-2-87
LAND ACQUISITION COLLECTOR (DS)
DELHI.

Shiv Ray
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19/11/87