

Award No. 815

Name of the Village Sadhora Kalma.

Nature of Acquisition Permanent.

Land measuring 116 Bighas-5 Biswas situated in Village Sadhora Kalma is to be acquired for the Harijan Housing Scheme for the Delhi State Housing Harijan Cooperative Association Ltd., 24 Darya Ganj Delhi under the Chief Commissioner's notification No. F.15(62)/56-LSG dated the 14th September, 1956. This notification was issued by the State Government under the provisions of section 6 of the Land Acquisition Act, 1894. The preliminary Notification No. F.15(62)/56-LSG dated the 21st July, 1956 issued under the provisions of section (4) of the Act was published in the locality concerned on 6.8.56. The acquisition is being done for the purposes of a society. The requisite agreement under section 41 of the Act has, therefore, been got executed by the ^{Chairman} President of the said society.

MEASUREMENTS & CLASSIFICATIONS.

The result of survey conducted under section 8 of the Act, revealed that Khasra No. 85, 87, 90, 91 and 93 now included in the final Notification No. F.15(62)/56-LSG, dated the 14th September, 1956, did not appear in the preliminary Notification No. F.15(62)/56-LSG, dated the 21st July, 56. The Secretary (Local Self Govt.) Departt. to the Government Delhi State, has been requested to delete these Khasra numbers from the said notification dated the 14th September, 1956. The survey has further shown that the land under acquisition measures 136 Bighas- 11 Biswas instead of 116 Bighas- 5 Biswas. Area measuring 21 Bighas- 2 Biswas under Khasra No. 492/479 and 491/479 is owned by the Government, the requiring Association is being separately asked to approach the State Government for its transfer to the Association. The area, for which the award ^{is being given,} is, therefore, 117 Bighas- 9 Biswas. The details of Khasra Nos. and their area are given in Schedule "A".

Claimants.

The persons found interested in the above land are detailed in schedule "B".

Claim-

As regards claimants No. 1 to 4 they agreed in writing to a compensation of Rs. 1500/- per bigha inclusive of 15 % for compulsory acquisition of trees and walls standing on the site. The representative of Harijan Association has also agreed to this rate which in my opinion is fair.

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fair. The claimant No. 5, vide his written claim dated the 14.10.1956, has claimed a compensation @ 7/- Per Sq. Yard i.e. 7000/- odd per Bigha for the area measuring 3 Bighas-5 Biswas under Khassra No. 100 contending that 73 Bighas-4 Biswas of land owned by this claimant and situated in the same locality has been acquired for the Delhi State Electricity Board for the construction of Staff Quarters. The demand of this claimant, has been based on the allegation that the land under acquisition is situated in the same locality, as the acquired @ Rs. 7/-/- per Sq. Yard for the Delhi State Electricity Board. But the assumption is wrong on the face of it. The land acquired for the Delhi State Electricity Board is situated on the G.T. Road bounded by a developed localities Shakti Nagar and Pratap Bagh, while the land in question is situated away from the G.T. Road beyond the Railway Line leading from Delhi to Karnal with no opening or passage to reach the Highway. Moreover the claimants No. 1 to 4 have agreed to receive compensation @ 1500/- per Bigha without protest inclusive of 15% for compulsory acquisition and trees standing on the site. I am, therefore, of the opinion that the claims filed by the claimant No. 5 is exorbitant and far from being reasonable and I, therefore, ignore it.

AVERAGE SALE PRICE.

The sale transactions which took place in the preceding 5 years are detailed in schedule "C". On further scrutiny I find ^{that} all the sale transactions except marked "L" in the margin relate to the sale of small residential plot or plots situated suitably on the G.T. Road in the developed locality. They therefore, cannot, form a safe guide in arriving at the rate of compensation in relation to the present acquisition. As stated earlier, this land is situated away from the G.T. Road in an undeveloped locality. The sale transactions marked "L" relate to the sales of similar land situated in the same undeveloped locality where the land under acquisition is situated. These sales give an average of Rs. 1033/-/- per bigha. As already stated above the claimants No. 1 to 4 have agreed to receive compensation at Rs. 1500/- per bigha inclusive of 15% for compulsory acquisition cost, trees, well standing on the site vide their statements recorded by me on 19.9.56. This shows that Rs. 1310/-/- per bigha exclusive of 15% for compulsory acquisition is the agreed price of the land between the willing parties.

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(purchaser as well as the sellers). Under the circumstances I hold that the compensation agreed upon between the claimants No. 1 to 4 and the Association is but just and reasonable and I allow the same i.e. Rs. 1310/- per bigha to claimant No. 5.

TREES, WELLS AND STRUCTURES.

There is one well situated in Khasra No. 95 owned by claimant No. 1. He has stated ^{is included} to include this value of this well in the agreed price of Rs. 1500/- per bigha inclusive of all charges (15 % compulsory acquisition and trees and wells etc.). No separate amount is, therefore, allowed to this claimant on this account.

15 % COMPULSORY ACQUISITION COST.

In view of the statement recorded by me on 19.9.56 No 15 % is to be awarded to claimants No. 1 to 4. As for claimant No. 5 he is entitled to receive further 15% for compulsory acquisition cost on the awarded compensation according to the provisions of section 23 (2) of the Land Acquisition Act, 1894.

THE AWARD IS SUMMARISED AS UNDER :-

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| 1. Compensation for 114 Bighas- 4 Biswas, owned by Claimants No. 1 to 4 @ Rs. 1500/- per Bigha, inclusive of 15 % for compulsory acquisition cost, Rs. 1,71,300/- | Rs. 1,71,300/- |
| 2. Compensation for 3 Bighas- 5 Biswas owned owned by claimant No. 5 @ Rs. 1310/- per Bigha. | Rs. 4,257/8/- |
| 3. 15 % compulsory acquisition cost - | Rs. 636/10/- |
| Total. | Rs. 1,76,196/2/- |

Paid by the Delhi State Harijan Cooperative Association.

Total. Rs. 31,000/-/-
Rs. 1,45,196/2/-

ABATEMENT OF LAND REVENUE.

Due to this acquisition abatement of Rs. 50 7/9 will take place in the land revenue from Kharif, 1956.

M. N. Singh
LAND ACQUISITION COLLECTOR,
DELHI. 6.X.56

AWARDED. :-

Present:- Shri Hukam Singh, Chairman, and Shri V.K. Gupta, Assistant
Secretary of the Association and Shri Nar Singh Dass Claimants
No. 2.

Munir
LAND ACQUISITION COLLECTOR,
DELHI.

6/2/56

Submitted for information

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