AWARD NO. : 25/87-88

NAME OF THE VILLAGE : GHARONDA NEEMKA BANGAR

NATURE OF ACQUISITION: PERMANENT

PURPOSE OF ACQUISITION: PLANNED DEVELOPMENT OF DELHI.

These are acquisition proceedings for determination of compensation u/s 11 of Land Acquisition Act in respect of land measuring 7 bighas 10 biswas situated in village Gharonda Neemaka Bangar. The land stands notified under section 4,6 and 17 vide notification no . F.8(II)/79-L&B (I) 'II) (III) -dated 5.8.85. The land is required for a public purpose namely Planned Development of Delhi. In pursuance of aforesaid notification notices under section 9 & 10 of the act have been issued to all the interested persons. The claims filed by them have been discussed under separate heading 'Claims and evidence'. The aforesaid notification has already been published in the news-papers.

MEASUREMENT & TRUE AREA:

The land under acquisition has been measured on the spot by the Land Acquisition staff and correct area available for acquisition is as under :

KHASRA NO.	AREA	KIND OF SOIL
472/169	7 Big. 10 Biswa	Safaida Van and Theel.

Compensation Claims:

The following persons have filed their claims, the details of which are as under :

S.NO.	NAME OF THE CLAIMANTS.	Khasra No.	Area	Claims	Evidence
1.	Sh. Ram Rang through Sh.Tej Bhan son Sh. Chaman Lal through Shushil Kumar Son	472/169 -do-	150 sq. yds.	Rs.1000/- per sq. yd.	NIL
2.	Smt. Chander Kanta Nayyar	-do-	400sq. yds.	-do-	-do-
3.	Sh. Parshotam Lal Jagi	-do-	400-do-	-do-	A photostate copy of the Hindustan dt.2.11.85.
	Sh. Kundan Lal Vig	-do-	400-do-	-do-	
	Sh.Baldev Singh	-do-	800-do-	-do-	
	Sh. P.N. Gulati	-do-	1600-do-	-do-	
	Smt. Shanta Jaggi	-do-	330-do-	-do-	
	Smt. Krishna Devi Lamba	-do-	200 -do-	-do-	
	Sh.Panna Lal Sethi	-do-	180 -do-	-do-	

contd...2/-

Smt. Sita Seth	472/169	180 sq.yds.	Nil
Smt. Vidya Wanti	-do-	300 sq.yds.	-do-
Shr.Harish Vardhan	-do-	200 sq.yds.	-do-

MARKET VALUE:

To determine the market value of the land under acquisition I venture to collect the relevant evidence but no registered sale transactions were available in the Sub-Registrar's Office relating to the relevant year of 1985. There were no such transactions even available for the preceding 4-5 years. The awards drawn for this village are summarised below:-

S.NO.	AWARD NO.	DATE OF NOTIFICATION UNDER SECTION 4	RATE PER BIGHA	ENHANCEMENT
1.	1932	13.11.59	Rs. 1800/- Rs. 1700/-	
2.	2011		Rs. 1700/-	
3.	39/69-70	13.11.59	Rs. 1800/- Rs. 1700/-	
4.	6-A/71-72	13.11.59	Rs. 1425/-	
5.	6-B/71-72	-do-	-do-	
6.	6-C/71-72	-do-	B-1 Rs. 2,000/- B-11 Rs. 1,500/-	3,400/-

As is clear from the above awards, these awards relate to the year 1959 whereon the present notification relate to the year 1985; having a gap of time many changes and developments have taken place which renders the rates fixed for the above awards irrelevant for the determination of fair rates in 1985. We have to fix the market rate considering over all factor nearer to 5.8.85. In case we want to base our assessment on award No.6-B/71 for which enhanced compensation to the extentof Rs. 3400/- per bigha was allowed by the court of ADJ, we shall have to allow a fair & reasonable addition to these rates on account of the above discussed gap of more than 25½ years between the two notifications by adding the element of interest whereby the compensation rate per bigha would come to say around Rs. 15,000/-per bigha. I have further consulted the records of the surrounding villages, the next nearest village which was having almost common boundary to this village is Chilla Saroda Banger/Khader. Following sale transactions in r/o Chilla Saroda Banger from 21.10.80 to 16.4.81 as are available in respect of Chilla Saroda Banger are given below. These shows that land was generally sole @ Rs. 8,000/-per bigha from October, 80, November, 80, December 80 to April 80.

Sale Dedd No.& Date		Village	KH. No.	Area	Consideration amount
2191	21.10.80	Chilla S.Banger	391/263/2	1 bigha	Rs. 8,000/-
2189	21.10.80	-do-	391/263/2	1 bigha	Rs. 8,000/-
2190	21.10.80	-do-	-do-	1 bigha	Rs. 8,000/-
2188	21.10.80	-do-	-do-	1 bigha	Rs. 8,000/-
2193	21.10.80	-do-	-do-	1 bigha	Rs. 8,000/-
2202	22.10.80	-do-	-do-	2000sq. yds.	Rs. 16,000/-
2192	21.10.80	-do-	-do-	1 bigha	Rs. 8,000/-
2525	15.11.80	-do-	281	3 bigha	Rs. 9,000/-
2524	15.11.80	Chilla S.Banger	391/263/2	1000sq. yds.	Rs. 8,000/-
2523	16.11.80	-do-	389/263/1	2000sq. yds.	Rs. 8,000/-
2522	16.11.80	-do-	389/263/1	1450sq. yds.	Rs. 800/-
2521	14.11.80	-do-	389/263/1	1000sq. yds.	Rs. 8,000/-
2506	20.11.80	-do-	391/263/2	1 bigha	Rs. 8,000/-
2603	1-12.80	-do-	391/263/2	1 bigha	Rs. 8,000/-
2248	25.10.80	-do-	391/263/2	1 bigha	Rs. 8,000/-
2247	25.10.80	-do-	391/263/2	1 bigha	Rs. 8,000/-
2251	25.10.80	-do-	393/264min	1000sq. yds.	Rs. 8,000/-
2250	25.10.80	-do-	391/263/2	10 bigha	Rs. 9,000/-
2249	25.10.80	-do-	391/263/2	1000sq. yds.	Rs. 8,000/-
1313	16.4.81	-do -	391/263	1000 sqyds	Rs. 8,000/-
1312	16.4.81	-do-	391/263/2min	1000s. yd	Rs. 8,000/-
1310	16.4.81	-do-	391/263/2	1000 sq. yds	Rs. 8,000/-
1311	16.4.81	-do-	389/263min	1000 sqyds	Rs. 8,000/-
2471	14.11.80	-do-	389/263/1	2000 sqyds	Rs. 8,000/-
2287	1.11.80	-do-	393/264min	2000 sqyds	Rs. 16,000/-
2288	1.11.80	-do-	393/264/2	2000 sqyds	Rs. 16,000/-
2220	24.10.80	-do-	391/163/2	1000 sqyds	Rs. 8,000/-
2218	24.10.80	-do-	393/264/1	2235 sqyds	Rs. 16,000/-

The following two awards have been announced in this village.

S.No.	Award No.	Date of notification	Average rate per bigha	Enhancement by the court, if any
1	39/82-83	17.11.80	Rs. 8,000/-	8,000/-
2	17/83-84	17.11.80	Rs. 8,000/-	-

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It may be observed that out of the above two awards in case of award No. 39/82-83 the same rate of Rs.8000/- was confirmed by the court of ADJ also. This award can, therefore, be taken as a guiding factor for determing the fair market price of land not only in Chilla Saroda Bangar but even in the village Gharonda Neem Ka Bangar. The awards, sale transactions & judgement of ADJ clearly show that the pre-valing rate from October to April, 1981 was Rs.8,000/- per bigha- Since this award, judgment of ADJ & sale transactions relate to the notification of 1980 we have agains to give a fair margin of natural growth on account of interest or the general escalation of market prices to the basic figure of Rs.8000/- per bigha which agains comes in between Rs.14,000/- to Rs.15,000/- per bigha - The quality of land typography and other geo physical factors of both the village Gharonda Neem Ka Bangar and that of Chilla Saroda Bangar are almost identical. In fact the land under acquisition is inferior to the land of Chilla Saroda Bangar as it either forms part of the Jheel or abuts jheel, hence it cannot be used profitably for building activities. The fair market price of land as has been discussed earlier, if determined on the basis of the old award of the notification relating to 1959 bearing No.6-B/71/72 which had been enhanced to the tune of Rs.3400/- by the court of ADJ shall come around Rs.15,000/- by supplementing the earlier figure with the margin of increase on account of normal interest rate and/or the natural escalation in market price. This figure gets support from the later award of the notification dt. 17.1180 of the next nearest village Chilla Saroda Banagar where the rate was determined at Rs.8000/- per bigha. This was maintained at the same rate of Rs.8000/- per bigha by the court of ADJ also and when we add a fair margin of increase in the market prices which take place rate and / or the increase in the market prices which take place in the intervening period the rate if coming to almost Rs.15,000/- per bigha. I therefore, determine the fair market value of the land under acquisition at the rate of Rs.15,000/- per bigha , which to my mind ~~takexxxxxxofxallxxx~~

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takes care of the all around rise of prices in agricultural land in the area and appears to be reasonable and matches well to the quality and potentiality of the land.

INTEREST U/S 34:

The D.D.A had already taken over the possession of this land on 1.10.76. As such the interested persons are entitled to get the interest under section 34 @9% fpr the firest year i.e. 1.10.76 to 30.9.77 and @ 15% from 1.10.1977 to the date of award.

COMPENSATION FOR WELL, TREES AND STRUCTURES:

There is no tree, well and structure on the land under acquisition so no area for assessing the amount of compensation

SOLATIUM:

The interested persons are entitled and get the solatium @30% on the market value of the land according to the amended Act, 1984.

APPORTIONMENT:

The payment shall be made according to the latest entries in the revenue record. In case of any dispute which cannot be settled the matter shall be referred to ADJ u/s 30-31 of the Act for adjudication.

LAND REVENUE:

A sum of Rs.1.80 is assessed as land revenue which may be deducted on the land under acquisition.

The award is summarised as under:-

1.	Market value of land mg.7bighas 10 biswas @ Rs.15,000/-per bigha.	Rs.1,12,500.00
2.	30% Solatium	Rs. 33,750.00
3.	Interest u/s 34 w.e.f.1.10.76 to 30.9.77 @ 9% & 1.10.77 to 30.6.87(9 years 273 days) @ 15%	Rs.2,27,008.00
	GRAND TOTAL	Rs.3,73,258.00

(Rupees Three lacs seventy three thousand two hundred fifty eight only).

APPROVED
Sd/-
SECRETARY(REVENUE)

Sd/-
LAND ACQUISITION COLLECTOR(DS)
DELHI

Sd/- 3/7/87
ADM L.A.