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AWARD NO. 3/1983-84.

NAME OF VILLAGE : GHONDLI
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : FOR CONSTRUCTION OF ROAD

These are proceedings u/s 11 of the L.A. Act for an area of 0-13 Biswas of Village Ghondli for the public purpose namely for the Planned Development of Delhi (For construction of road). Notification u/s 4 of the L.A. Act was issued vide No.F.7(36)/75-L&B dated 4.11.1976. A declaration u/s 6 regarding the land under acquisition measuring 0-13 Biswas was made vide notification No.F.7(36)/75-L&B dated 19.10.1979. Notices u/s 9 & 10 were issued to the interested persons. The claims filed by them will be discussed under a separate heading "Claims & Evidence."

MEASUREMENT & TRUE AREA

According to the notification u/s 4 & 6 of the L.A. Act, two plots bearing No.A-15 & A-35, Krishna Nagar which falls in Kh.No. 465/3/2 min of Village Ghondli have been notified for acquisition. As per the demarcation given by the representative of the acquiring department M&D at the spot, area comes to 550 sq.yds. The land to be acquired was measured by the Field Staff and was found to be correct. The area comprises of two plots Nos. A-15+ A-35 (11 biswas-550 sq.yds) Area measuring 10 biswas (23 sq.yds) is in Khasra No. 464/1/2 min which is not notified in the said notification u/s 6. Therefore, these proceedings are confined only to an area of 104 biswas (524 sq.yds) only. The remaining area of 24 biswas (126 sq.yds) will be acquired through another supplementary award on receipt of instructions from Delhi Administration.

The area under present acquisition is 104 biswas.

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The recorded owner of the entire land is shown as under:-

Name of the land owner according to Jamabandi for the year 75-76	Name of the Cultivator & Address according to Jamabandi 1975-76	Area under acquisition with Kh.No.	Kind of land according to Khasra Gir-dawari 1976 to 1980
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D.L.F. UNITED (P) LTD, CONNAUGHT PLACE NEW DELHI	SELF	465/3/2 min 10 1/2 biswas	Gair-Mimkin abadi
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CLAIMS & EVIDENCE

Sr.No.	Name of the claimant	Kh.No/ Plot No. & Area	Rate claimed	Evidence
1.	Smt. Kaushlaya Devi w/o Sh. W.R. Khurana, 56/16, Rajinder Nagar, New Delhi.	A-15, Krishna Ngr., Extension measuring 237.3/10 sq.yds	Rs. 500/- p. sq. yd amounting to Rs. 1,20,000/-	Filed a copy of sale deed No. 2942 dt. 20.12.74 according to which foundation & boundary a wall etc-Rs. 20,000/- Plot 6% interest for 20 yrs No. 24, as the MCD illegally occupied the land and Block constructed a road E-5, without process of law-Rs. 1,44,000/- Krishna Ngr Total-Rs. 3,02,000/- The claimant has also measured an alternative surplus plot in lieu of her 13 1/2 plot referred to above. sq. yd was sold for Rs. 42,000/-

2. DLF Universal Elect. Ltd, 21-22 Marindra Place, Parliament Street, New Delhi.

A-15, & A-35, Krishna Ngr., Extension

The claimant has stated that the entire area viz. Plot No. A-15, & A-35 measuring 237.3 + 272.2 respectively were sold to s/ Sh. Harnam Singh s/o Sher Singh r/o 269/1, Chhota Bazar, Kashmir Gate, Delhi vide registered sale deed No. 3580, Addl. Book No. 1, Vol. 222 pages 111 to 112 dt. 2.7.53 & to Smt. Puspa Chibbar d/o Sh. Rattan Chand c/o Dally Partap Parokhuin Road, New Delhi vide registered sale deed No. 3565, Addl. Book No. 1, Vol. 222, pages 99 to 100 dt. 20.6.53.

MARKET VALUE

The market value of the land is to be determined with reference to the preliminary notification u/r 4 which in

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the present case is 4.11.1976. The land under acquisition consist of ~~10 1/2~~ ^{10 1/2} ~~Acres~~ ^(524 Sq. Yads.) Biswas situated in Village Ghondli.

While fixing the market value of the land, various factors such as size of the plot, its location, its potentiality are to be taken into consideration. In addition to this, the various factors mentioned u/s 23 of the L.A. Act have also to be kept in mind. Bonafide sale transactions of comparable land and awards for similar land from the Collector or from the Court made at a date reasonably close to the date of notification also serve as a guideline for assessing the market value.

The piece of land under consideration consists of two plots A-15 (Located on the main road) and A-25 on the other side of it. The piece of land is surrounded by built-up residential houses.

4. While going through the revenue records it was observed that the land is entered in the name of M/s D.L.F. Pvt. Ltd in the capacity of ownership who in turn has sold these plots to different persons mentioned in heading 'Claims & Evidence.'

The Revenue Field Staff has collected the information regarding registration of sale deeds effected close to the date of notification i.e. 4.11.1976 from the Office of the Sub-Registrar-IV, Krishna Nagar, Delhi. The details are as follows:-

S.No.	Name & address of the transferor	Transferee	Details of Property	Consideration/Date of transfer
1.	Faqir Chand s/o Duni Chand r/o 7235, Beri Wala Bagh, Pul Bangash, Delhi.	Smt. Bimla Devi w/o Sh. Kalyan Chand, r/o 75/2-B East Azad Ngr., Delhi. 51	Land 100 sq. yds Plot No. 14, Block No. 20, (P. 20/14) Southern side Krishna Nagar, Vill. Ghondli	Rs. 22,500/- 7.9.76
2. -do-	Sh. Bajrang Lal Gupta s/o Hem Raj Gupta r/o 75/2-B, East Azad Nagar, Delhi.		Land 100 sq. yds Northern side of plot No. 14, Block F. 20/14, Krishna Nagar, Delhi.	Rs. 2,500/- 7.9.76

3. Ram Rakha s/o Sant Sh. Ram Saren Central portion Rs. 22,000/-
 Ram r/o J/1, Krishna Dass s/o Sh. of plot No. 1
 Nagar, Delhi. Diwan Chand r/o measuring 834 16.1.76
 A-1/10, Krishna sq.yds (15' x 50')
 Nagar, Delhi. out of 1181
 18
 sq. yds, Block J-1,
 Kh. No. 493, Krishna
 Nagar, Vill. Ghondli
4. -do- Sh. Sawanta Ram s/o Central portion Rs. 22,000/-
 Sh. Gaiinda Ram & of plot No. J-1/1,
 Sh. Mahabir Kumar s/o measuring 834 21.1.76
 Sh. Sawanta Ram r/o sq.yds in Krishna
 3/337, Pathanpura, Nagar, Delhi-51
 Shahdara, Delhi-32

These sale deeds however relate to very small plots which are known to fetch very high price and cannot be therefore regarded similar to plots under assessment.

The owner of Plot No. A-15, Smt. Kaushlaya Devi has in her claim filed sale deed relating to Plot No. 34, Block E-5, measuring 133 sq.yds which was sold for Rs. 42,000/- on 27.12.1974. This piece of land which is situated in the main part of Krishna Nagar cannot be considered similarly circumstanced to the present land.

The revenue staff had searched for similar awards relating to the pieces of land situated close to the land being assessed. The awards relating to Village Ghondli are given below

S.No.	Date of Notifi- cation u/s 4/ Award Number	Area Big-Bis	Rate awarded by L.A.C.	
1.	1872	24.10.61	19-6	Rs. 3000/- p.b.
2.	1983	-do-	Plot No.C-1/7 458½ sq.yds Plot No.C-2/7 458½ sq.yds Krishna Nagar, Ghondli	Rs. 40/- p.sq.yd Rs. 37/- p.sq.yd
3.	2128	-do-	108-7	Rs. 3,000/- p.b.
4.	2232	-do-	7-7	Rs. 8,900/- p.b.
5.	26-4/71-72	-do-	0-18	Rs. 6,300/- p.b.

Awards mentioned at S.No. 1, 3 & 4 pertain to very large pieces of land not appd. for residential purposes. Award No. 26-4/71-72 relates to a piece of land which is not similarly circumstanced to the land under assessment. These awards can

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therefore not be utilized as an aid for calculation of market value of the land under assessment which is in form of small plots to be used for residential purpose and located in a regularised colony.

An idea of the market value of the plots under assessment can however be had by comparing plots for which compensation has been assessed in Award No. 1983 mentioned at Sr.No. 2. The land assessed in that award is in form of small plots situated close to the 40' wide Krishna Nagar Road. The date of preliminary notification in that case was 24.10.1961. The market value assessed is Rs.40/- p.sq.yd & Rs.37/- p.sq yd. By assuming that the prices of land have increased @ about 6 % p.a. we can expect the market value to have increased by about 90 % during the 15 years of time between 24.10.61 and 4.11.1976 (the date of preliminary notification under section 4 in the present case). It can thus be concluded that the market value of land similar to that assessed in award No. 1983 should at present be about Rs.76/- p.sq.yd. The Plots under assessment are however much smaller as compared to the plots in Award No. 1983, and are therefore bound to fetch much higher price. An additional factor which enhances the market value of these plots is that these plots form part of a regularised colony having all types of civic amenities and are situated very close to the 80' wide main Patparganj Road. The location of the plots in a regular residential area is an important factor to be considered while assessing the market value. Therefore keeping in view the ^{better} ~~fine~~ location of the plots under assessment and giving due consideration to the size of the plots, I feel that the market value of the land under present award is bound to be higher than the present market value of land assessed in award No. 1983.

The land under assessment can be divided into three parts. One Plot No. A-15 falls on the main road, other Plot

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No. A-35 is situated next to it and 140 sq. yds of land is being used as thorough fare. The location of Plot No. A-15 is comparatively better than that of Plot No. A-35.

Taking all factors into consideration, I feel that compensation for Plot No. A-15 be fixed @ Rs. 90/- p. sq. yd. and Plot No. A-35 be fixed at Rs. 85/- p. sq. yd. No compensation is being assessed for ~~140~~¹⁵ sq. yds of land which is being used as thorough fare.

TREES, WELLS & OTHER STRUCTURES

There is no tree, well or other structure on the land under acquisition.

SOLATIUUM

15 % solatium will be paid on the market value of the land.

INTEREST

Interest u/s 4(3) of the L.A. (Amendment & Validation) Act, 1967 is not applicable in this case.

APPORTIONMENT

The compensation will be paid to the interested persons on furnishing proof or ownership. In case of dispute the amount of compensation will be sent to the court of A.D.J., Delhi for adjudication of the title u/s 31 of the L.A. Act, if the dispute is not amicably settled between the parties within a reasonable time.

LAND REVENUE

The land is not assessed to any land revenue.

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The award is summarized as under:-

SUMMARY

Compensation of plot No. A-15 measuring 237.37 sq.yds @ Rs. 90/- p. sq.yd	Rs. 21,357-00
Add 15% solatium	Rs. 3,203-55
TOTAL:-	Rs. 24,560-55
2. Compensation of plot No. A-35 measuring 272.2 sq.yds @ Rs. 85/- p. sq.yds	Rs. 23,137-00
Add 15% solatium	Rs. 3,470-55
	Rs. 26,607-55

Grand Total of Sr.No. 1+2 = Rs. 51,168-10
(Rupees Fifty One Thousand One Hundred Sixty Eight
& Paise Ten only)

3. No compensation is awarded in
respect of land measuring 15 sq.yds Nil
(through fare)

(Signature)
(J.M.L. BHATTAGAR)
LAND ACQUISITION COLLECTOR (NEW)
DELHI.

Announced to day.

(Signature)
9/7/83.

Supplementary of Award No 3/8384 has been
announced on 12-9-86 as 3A/8384 attached
in this file ahead.

(Signature)
12/9/86