\40/78-79

AWARD NO. 40/78-79

Name of village Gharoli

Nature of acquisition Permanent

Purpose of acquisition Dairy Colony of Shahdara Zone.

These are acquisition proceedings for determination of compensation u/s 11 of Land Acquisition Act in respect of Land measuring 875 bighas 19 biswas situated in village Gharoli. The land stands notified u/s 4,6,17 vide notification No. F.7(43)/76-L&B(3)-16273 dated 19.8.76. The land is required for a public purpose namely dairy colony of Shahdara required by Municipal Corporation of Delhi. In pursuance of aforesaid notification notices u/s 9 & 10 of the Act has been issued to all the interested persons. The claims filed by them has been discussed under separate heading 'Claims & Evidence'.

MEASUREMENT & TRUE AREA:

Land measuring 881 bighas 6 biswas have been notified vide above mentioned notification dated 19.8.76. Out of this area measuring 19 biswas comprising of Kh. No. 684 min is built up and is being left out of present acquisition. Likewise there are built up structures/wells/tubewells Kh. No. 278 min (measuring 4 biswas), Kh. No. 486 min (measuring 4 biswas), Kh. No. 645 min (measuring 5 biswas), Kh. No. 721 min (measuring 3 biswas), Kh. No. 941/671 min (measuring less than biswas) total measurement 16 biswas. In the revenue record pertaining to year 75-76 these structures have been clearly shown. It appears that these Kh. Nos. have been inadvertently notified u/s 17 of the Land Acquisition Act and are, therefore, left out from present acquisition. K[illegible] measuring 2 biswas 2 bighas has been mentioned [illegible] the aforesaid notification and so is the d[illegible] of 2 bighas 2 biswas in the total area [illegible] /- difference of about 3 bighas 10 bisw[illegible] measurement of [illegible]

Kh.Nos. 1021-1022, 1042-1043, 1023-1024-1026, 1029-1030,
650 651 654 680
0-09 0-01 0-07 0-16
1031-1032, 1033-1034-1035, 1044-1045, 1040-1041
691 953/699 711 713
1-05 0-02 0-02 0-08.

This is due to fact that the Titamjat made out of these Kh.No. area have been shown. The correct and declarate area in respect of all these Kh.Nos. have been taken from the Bandobasti record.

As such the total area which is taken up for the present acquisition under the present award is 873 Bighas 19 Biswas.

As in the Kh.Girdavari year 1975-76.

Kh.No.	Area	Kind of soil.
857/272	1-06	Khaki
858/272	1.03	-do-
859/272	0-14	-do-
430	6-03	Chahi
443	6-12	-do-
444 min	4-06	-do-
445 min	9-01	-do-
446	10-16	-do-
447	7-07	-do-
448	1-10	-do-
449 / 1-2-3-	5-14	-do-
450	2-05	-do-
451	4-07	-do-
964/452 to 454	4-01	-do-
466	3-09	-do-
918/468	3-03	-do-
919/468	3-03	-do-
920/468	6-05	-do-
469	3-03	-do-

........3/-

70	3-00	Chahi
71 / -2-3	5-08	-do-
72	2-05	-do-
73	2-08	-do-
74	4-04	-do-
75	3-09	Khaki
76	4-01	-do-
477	2-17	Chahi
478	9-09	-do-
479	3-18	-do-
480 min	9-01	-do-
481	9-03	-do-
482	3-09	-do-
483	3-00	-do-
484	9-15	-do-
485	5-11	-do-
486 min	8-16	-do-
487 min	9-13	-do-
488	11-05	-do-
1010/489-490	13-10	-do-
491	4-07	-do-
498	2-14	-do-
499	1-16	-do-
500	4-10	-do-
541 / 1-2-	3-18	-do-
592 min	2-01	G.M.Rasta
1056/594	2-16	Chahi
1057/594	6-01	-do-
595	5-14	-do-
596	3-15	-do-
963/597-598	8-08	-do-
1012/599-600 / 1-2-	8-02	-do-
601	4-16	-do-
602	10-07	-do-

	5-11	Chahi
	3-15	-do-
min	13-14	-do-
6	9-06	-do-
7	3-03	-do-
8 min	13-17	-do-
9	9-06	-do-
10	3-09	-do-
11	9-03	-do-
12	5-05	-do-
35/613	15-06	-do-
36/613	1-04	-do-
37/614	3-18	-do-
38/614	2-05	-do-
39/615	8-14	-do-
40/615	0-06	-do-
616 / 1-2-	1-13	-do-
617 min	4-08	-do-
618 / 1-2	3-18	-do-
619	5-17	-do-
620	1-19	-do-
621	2-02	-do-
622 min	6-14	-do-
623	5-08	-do-
624 / 1-2	1-16	-do-
1019/625-701 / 1-2-	4-01	-do-
626/ / 1-2-	4-01	-do-
627 min	2-09	-do-
628	6-09	-do-
629	4-10	-do-
630	4-19	-do-
631	6-00	-do-
633	3-03	-do-

........5/-

634	6-09	Chahi
635	4-19	-do-
636- / 1-2-	6-15	-do-
637 / 1-2-	2-17	-do-
638	2-08	-do-
639	1-04	-do-
785/639	1-10	-do-
640	3-09	-do-
641	2-17	-do-
642	4-04	-do-
643	3-09	-do-
644	4-01	-do-
645 min	2-00	-do-
646 min	3-10	-do-
647	4-01	-do-
1020/648-649	6-15	-do-
1021-1022 / 650	5-02	-do-
1042-1043 / 651	5-11	-do-
652	6-03	-do-
653	4-19	-do-
1023-1024-1025 / 654	5-17	-do-
655	1-01	-do-
656	3-15	-do-
1026/657-658	5-11	-do-
659	4-13	-do-
660	1-16	-do-
661	4-10	Khaki
662	1-01	-do-
[illegible] / 2-	6-09	Chahi
[illegible]	4-13	-do-
[illegible]	7-01	-do-
[illegible]	0-09	G.M.Rasta

........6/-

667	4-19	Chahi
668	0-15	Banjer
1027/669	8-18	Chahi
1028/669	8-16	-do-
670	1-19	G.M.Kabirastan
941/671	1-18	Khaki
942/671	0-19	-do-
672 min	1-05	G.M. Johar
673 min	2-09	G.M.Johar
969/674-675	4-04	Chahi
1029-1030 / 680	11-05	〃
966 / 681-682	7-16	Chahi
683	3-12	-do-
684 min	1-15	-do-
685	1-16	-do-
686	1-16	-do-
687	1-01	-do-
688	7-01	-do-
689	9-03	-do-
690	2-11	Khaki
1031-1032 / 691	12-03	Chahi
692	2-14	Khaki
693	3-09	Chahi
694	5-02	Khaki
695	4-19	Chahi
696	3-03	-do-
697	4-07	-do-
698	4-07	-do-
1033-1034-1035 / 953/699	6-03	-do-
954/699	3-00	-do-
700/ / 1-2	4-07	-do-
702	2-02	-do-
703	1-16	-do-

.......7/-

5/704	1-05	Chahi
/704-~~705x~~	1-09	-do-
	1-16	-do-
	3-03	-do-
/707	0-14	-do-
/707	3-04	~~-do-~~ 3-00 Chahi 0-04 G.M.Sarak
	4-19	4-11 -do- 0-08 -do-
	2-11	Chahi
	0-18	-do-
4-1045	7-07	-do-
	12-18	-do-
0-1041	6-06	-do-
	5-11	5-02 Chahi, 0-09 G.M.Sarak
/715	1-18	1-15 -do- 0-03 -do-
/715	4-17	4-11 -do- 0-06 -do-
	5-05	Chahi
	4-16	-do-
/718	1-10	1-07 Chahi 0-03 G.M.Sarak
/718	2-08	2-03 -do- 0-05 -do-
	2-14	2-06 -do- 0-08 -do-
	4-07	Chahi
min	0-18	-do-
	8-02	-do-
	7-16	-do-
/724	3-06	2-17 Chahi 0-09 G.M.Sarak
/724	4-13	Chahi
	6-15	-do-
	6-00	-do-
	5-05	-do-
min	5-03	-do-
	1-16	-do-
	4-16	-do-
	2-02	-do-

......8/-

..2	6-09	Chahi
..33	9-12	-do-
..34	5-17	-do-
Total Area	873-19	

Banjar	Rasta	Kabirstan	Johar	Sarak
0-15	2-10	1-19	3-14	2-15

CLAIMS & EVIDENCE

Name of the Claimant	Kh.No.	Claim	Evidence
Tara Chand Puri s/o Shri Chand Puri 10, Mohilla Colony G.M. Delhi-31, ½ share Hans Raj Advocate.	688 ~~661~~ 661 7-01 4-10	He has claimed 15000/-per Bighas.	Nil
Sanjay Kumar s/o Sri Chand Puri ½ Share.	661 688 4-10 7-01	-do-	-do-
Mansa Ram s/o Paltoo	859/272 1027/669 0-14 3-18 941/671 942/671 1-18 0-19 857/272 858/272 1-06 1-03 Total 14-08	Claimed 25000/- Per Bighas.	-do-
Om Vir Singh for Tofa	Nil	Nil	-do-
Anant Ram /so Paltoo	720	35/Per Sq.Yard & 15%	-do-
Rafiq s/o Ismile Thr Manohar Lal Advocate.	Nil.	Nil	No objection for acquisition.
Wazir s/o Kalu Khan Thr.Manohar Lal. Adv.	-do-	-do-	-do-
Bhawani Shaukh. s/o Nanua Shaukg. as per share.	690, 639, 785/639 2-11, 1-04, 1-10 646, 1032/691- 14-15 3-15, 4-10	25/-per Sq. Yard. 4000/- per well.	Nil
Horam s/o Nanua Bhagat Ram s/o. Horam	690, 639, 785/639 2-10, 1-04, 1-10 644, 646, 1032/691 4-01 315 4-10-	25/-per sq. Yard & cost of well.	Nil.

......9/-

Held — [illegible] 3.09 — Ans 3.09 — Ans 3.09 — nil

— do — — do — — do — — nil

...n Lal @ Shyam ... s/o Shibban Lal ... per revenue ...ord.	Nil	30,000/-per Bighas& 8000/- for well.	Nil
...i Ram s/o Yad ... as per revenue ...ord.	-do-	30,000/-per Bighas & 22000/- for tubewell.	-do-
...haru s/o Ram Saran ...ma as per revenue ...ord.	-do-	30,000/- per Bighas	-do-
...i Lalx s/o Yad Ram ...er revenue record.	-do-	-do- 22000/- for Tubewell.	-do-
...han Lal & others ... [illegible] 17.	do	nil	
...n Lal & others ...Ch. Shanker Lal ..., Advocate.	-do-	Nil	-do-
...Chand Thr. Kesri ... Advocate.	as per notice u/s 9 & 10.	Rs.50,000/-per Bighas.	-do-
...Ram Thr. Ch. ...Singh. Adv.	Claiments have mentioned that their Kh.No. is same as given in the notice u/s 9&10/LA Act.	-do-	-do-
..., Pehlad & ... Thr. Kesri ...Adv.	-do-	Rs.50,000/-per Bighas 10,000/- for Tubewell.	-do-
..., Palloo & ... Thr. Kesri ...Adv.	-do-	Rs.50,000/-per Bighas.	-do-
...der, Dhan Singh ...ngh, Inder Singh ...er Minors thr. ...mother & Leela ... Thr. Kesri Singh ... Singh Adv.	-do-	-do- Rs. 10,000/- for severance & jucidental charges.	-do-
... & Chokhe Ram ...ngh Thr. Kesri ...arup Singh Adv.	-do-	Rs.50,000/-per Bighas, 10,000/- for severance & jucidental charges, Rs.40,000/- for two Tubewells.	-do-

.........10/-

& Chhage s/o. thr. Kesri Singh Swarup Singh Adv.	Claiments have mentioned that their Kh.No.is same as given in the notice u/s 9&10/LA Act.	Rs.50000/- per Bighas.	Nil
Singh s/o Chhote Kesri Singh & Singh Adv.	-do-	-do-	-do-
s/o Khushas thr. Kesri Singh & Swarup Adv.	-do-	Rs.50000/-per Bighas & 10000 for severance & jucidental charges.	-do-
s/o Dhani Ram Rati sons thr.Kesri Singh Swarup Singh.Adv.	-do-	-do-	-do-
w/o Umrao Ram Dutt, & Ram Bir, s/o Umrao Kesri Singh & Swarup Singh.	-do-	-do-	-do-
s/o Lal Singh Dharam Chand,Zile Singh s/o thr.Kesri Singh etc.	-do-	-do- & Rs.5000/-per well.	-do-
,Kishan Lal & Bhagwat s/o thr.Kesri Singh etc. Adv.	-do-	Rs.50000/-per Bighas Rs.10000/- for severance & jucidental charges.	-do-
Chhatra s/o Shibban thr. Singh etc. Adv.	-do-	-do- & Rs.7000/-for well.	-do-
s/o Khacheru thr.Kesri etc. Adv.	-do-	Rs.50000/-per Bighas & 10000/-for severance & jucidental charges.	-do-
,Bali Pal s/o.Kishan thr.Sib Dai Mothar Sai thr.Kesri Adv.	-do-	Rs.50000/-per Bighas Rs.10000/-for severance & jucidentalcharges.	-do-
s/o. Kubs Ram Puri, Rame thr.R.S.Dhir	723 8-16	Rs.50/-per sq.yards.	-do-
Singh s/o.Hem Raj Dhir, Adv.	449 , 964/456-452 1-18 4-10 471/2 ,1018/600,599 1-16 4-01. 727 total 14-07 2-11 & 448 ¼ share of 14-07.	Rs.50/-per Sq.Yards. Rs.5000/-for well in Share ¼ share.	-do-
Singh & Sant Singh Dhir Adv.in equal	731 466 728 2-2,3-9, 5-3, 1036/594,963/597-598 2-16 8-00 601 , 703 & 920/458 4-16, 2-8. 5-5.	-do- Rs.5000/-for well @ ½ share.	-do-

........11/-

Singh s/o. Khimman B, Dhir. Adv.	448 , 449 , 471/1 1-10, 1-18, 1-16 1018/600-599, 727/1 4-01 2-14 Total 11-19	Rs.50/-per Sq.Yard. Rs.5000/-for well @ ½ share.	Nil
j Singh, Dhiraj is & Ram Phal Singh ndan, thr. R.S. Dhir,	449 min, 471min, 596 1-18, 1-16, 3-15 729 Total 9-06 & ½ 1-16 share of 448 730 & 1-10, 2-8 920/468 as per share 5-05 1057/594/1 for 6-01 for possession.	-do-	-do-
santi w/o. Dooja.	641 2-17	Rs.5000/-per Bighas or14250/-per land. Rs.10000/-for loss of profession total Rs. 24,250/-	-do-
t s/o. Bhinka	642 1-14	Rs.5000/-per Bighas or- 8500/-for land solatum etc. as per land.	-do-
i s/o. Manua & t Ram s/o. Ham Ram	as per claim No. 8 & 644 4-1	Rs.25/-per sq.yard.& 4000/-for well & 1500 for well repair.	-do-
Singh s/o. Devi	447, 449, 480, 481, 498, 622, 627, 628 Total 47 Bighas 8 Biswas,	Rs.15/-per sq.yard for land 15% Solitum statu- tory Iutt. 10000/-for Tubewell 10000/-fortwo wells 1000/-for trees.	-do-
s/o. Kallu	712 min 6-09	Rs.15/-per sq.yard. with 15% solitium & statutory Iutt.	-do-
& Sadiq s/o. l, Rafikan d/o l & Bhura s/o ra	689 , 712 min 9-03, 6-09	Rs.50/-per sq.yard.	-do-
s/o, Chainta	733 9-12	-do-	-do-
aroo s/o Roop- thr. Shanker er, Adv.		-do- etc. 15/-per sq.yard solitium 20% & Iutt.	-do-
r s/o. Chanda Shankar Lal r Advocate		Rs.50/per sq.yd. extra Rs.15/Instrest salituime 20%	-do -do
n Singh s/o Singh thro/ -do- Advo.	"	"	-do-
ro w/o Atter h thro. -do- Advo.	"	"	-do
, Hari Chand, Ram s/o. Roomal -do- Adv.	-do-	-do-	

...13/-

Pradhan Sabha uli thr.O.P. ,Adv.	480min,608min,445min,444min, 684min,617min,622min,627min, 632min,728min,&646min.	Rs.25/-per Sq. Yard.etc.Rs. 10/-per Sq.Yard. interest &15% solitium.	Nil.
-do-	949/670,948/672,947/672, 946/672,945/672,944/672, 943/672,710,594,673,920/468,919/468,670,667,666, 1057/594,592.	-do-	-do-
er & Santu Ballu thr. er Lal Nagar ate.		Rs.50/-per Sq.Yard. etc.15/- -do- interest & 20% solitium.	-do-
din s/o.Hakim -do-	-do-	-do-	-do-
u etc.& Khacheroo anashi thr. -do-		-do-	-do-
s/o.Salig.thr. -do-	-do-	-do-	-do-
to s/o.Nihal. -do-	-do-	-do-	-do-
l Singh s/o. Mahender ,thr. -do- Adv.	-do-	-do-	-do-
Saroop s/o.Kharati thr-do- Adv.	-do-	-do-	-do
ubir s/o.Duli Chand -do-	-do-	-do-	-do
Rati,Parkaso, s/o. h thr--do-	-do-	-do-	-do
Narain,Jai Narain (ors) s/o.Munshi Ram, mother Anguri Devi. -do-	-do-	-do-	-do
d s/o.Kishnu -do-	-do-	-do-	-do
h & Parsi s/o thr.-do-		-do-	-do
u & Pahuwas -do-	-do-	-do-	-do
Lal s/o.Chemu Ram -do-	-do-	-do-	-do
Lal s/o.Chhitter -do-	-do-	-do-	-do

.........13/-

MARKET VALUE:

Market value of the land under acquisition could be determined keeping in view the price of the land at the time of notification u/s 4 of the Act of similar potential value and identically situated land at the time of notification u/s 4 of the Act. The awards finalised in respect of such land could be taken as guiding factor for determining the market value of the land. Incidentely it has been found that there has been no award so far in village Gharoli. In absence of this, the other alternative is to examine the sale-deeds that has been executed of similar land near the date of notification.

The records of this village has been secrutinised and it has been found that following two mutations have been sanctioned so far in this village:-

S.N.	Kh. No.	Area Big.	Dis.	Date of Registration	Mutation No.	Average per bigha.
1	92	11	17	20.8.71	423	619/-
2.	98	1	0	20.8.71		
	117	3	6			
2.	99/1	10	0	28.11.71	424	1550/

In addition to these two mutations there has been following sale-deeds that has been executed in this village. These sale-transactions have not yet been mutated in the revenue record.

S.N.	Kh. No.	Area Big.	Bis.	Date of Registration.	Average per bigha.
1.	551	10		20.9.71	995/-
2.	134, 135, 108 to 112min	0	12	11.10.71	6000/-
3.	961/196/2, 97, 98, 102, 806/103 to 808/103.	0	10	15.11.71	5800/-
4.	810/103	7	12	23.12.71	1579/-
5.	810/103, 102	0	04	24.4.72	9000/-
6.	96/1, 808/103, 807/103 96/2, 97, 98, 806/103-102	0	04	24-4.72	10000/-

.......14/-

S.No.	Kh. No.	Area Big.	Area Bis.	Date of Reg.	Average per bigha.
7.	96/1,808/103,807/103,96/2,97,98,806/103-102	0	04	24.4.72	7500/-
8.	92 to 94	0	06	24.4.72	10800/-
9.	108,120	0	10	25.1.73	8000/-
10.	97,98,90/2,807/103,91/1,808/103	0	04	25.1.73	17500/-
11.	99,100,101	0	04	25.1.73	12500/-
12.	108,120	0	05	25.1.73	8000/-
13.	108,109,110/	0	00	25.1.73	12000/-
14.	631	0	02	29.5.74	20000/-
15.	379,380,373,388-1003/389	0	04	20.4.74	21060/-
16.	-do-	0	04	20.4.74	14400/-
17.	108 to 110,809/103,810/103.	0	04	22.4.74	11405/-
18.	379,380,373-388 1003/389	0	04	20.4.74	13900/-
19.	1058/426/1	0	10	22.4.75	16000/-
20.	108	0	03	22.4.75	13253/-
21.	424	9	18	23.4.75	2000/-

From the secrutiny of the above sale-transactions it could be seen that except for sale-transactions mentioned at Sl. No.4 and 21 in all other cases the land has been sold in the shape of plots and area involved is less than bigha. In most of these sale-transactions the land has been sold to different individuals in shape of plots by one Shri Anil Kumar Khurana. This fact has also been confirmed from the secrutiny of the revenue record pertaining to this village wherein it has been found that the land from the owners have been purchased by Shri Anil Kumar Khurana and, thereafter the land has been soldin the shape of small plots to different individuals at considerably higher rate. It would not be out of place to mention that in village Gharoli, Delhi Land Reforms Act, 1954 is applicable and as per provisions of the Act the land cannot be used for purpose other than agriculture. Therefore, all these sale-transactions in which the land has been sold in shape of plots cannot give any indication about the price of agriculture land.

The land involved in sale-transactions mentioned at Sl. No. 4 has also been subsequently sold in shape of plots. The Kh. No. involved in the sale-transactions is 810/103 ...

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has been purchased by Shri Anil Kumar Khurana. Only after a lapse of few months part of this Kh. No. has been sold by Shri Anil Kumar Khurana in shape of plot at a considerable higher rate (Sales-transactions at Sl. No. 5). Further ploting has been done from the remaining area at higher rates (sale transactions at Sl. No. 17.) It, therefore, very clearly indicates that landinvolved in this sale-transaction was not purchased for the purpose of agriculture use and was purchased with ulterior motives only for ~~xxxxxxxxxxxxxxxxxxxxxxxxxx~~ residential scheme. ~~Which~~ This is in contravention with the Delhi LandReforms Act applicable in this village. Therefore, this sale-transaction mentioned at Sl. No. 4 cannot give a clear indication about the price of the agriculture land at that time.

Though the sale-transaction dated 23.4.75 mentioned at Sl. No. 21 has also been purchased by Shri Anil Kumar Khurana but from the records any indication about the reselling of this land has not been found. The land involved at the sale-transaction is for an area measuring 9 bighas 18 biswas which has been sold at the rate of Rs. 2000/- per bigha. The Kh. No. namely 424 involved in the sale-transaction is at a considerable distance from the land under acquisition. This sale-transaction has not been mutated in the revenue record. The reasons as to why this sale-transaction has not been mutated in the revenue record are not known. This might be due to the fact that after selling the land, actual remaining area with the seller would be less than eight standard acre resulting in uneconomic holding. Such sale-transactions in which the remaining land available with the seller is less than eight standard acres are not permissible under Delhi Land Reforms Act, 1954, and, therefore, no mutations in respect of such sale-transactions could be sanctioned. Likewise the sale-transaction mentioned at Sl. No. 1 involving Kh. No. 551 measuring 10 bighas 1 biswas sold at a rate of Rs. 995 per bigha has also not been mutated. When the rate for this transaction is compared with that of sale at Sl. No. 21, it is not understood as to how there has been enormous increase variation in the rate of agricultural land within a period of 4 years. As it can be seen from the earlier discussion, in this village agricultural land has been purchased at considerably higher rates with ulterior motives

.......16/-

for residential scheme. Otherwise this would not have been such abnormal variation in the rates. These transactions, therefore, cannot be ~~cited~~ depended upon for determining the fair price of agricultural land in this village.

In addition to above as discussed earlier two mutations have been sanctioned in this village in which Kh. No. 92,98,99/1 and 117 are involved. Except for Kh. No. 117 which has been sold alongwith two more Kh. Nos. the remaining Kh. Nos have been resold in the shape of plots as is evidence from the table given above. The land in this two sale-transactions have been purchased by Shri Anil Kumar Khurana who inturn has sold the land to different indivisuals at higher price. It is, therefore, clear that the land covered by these two mutations have also been purchased for agriculture purpose but with ulterior motive to resell it for residential purposes in shape of plots. This is in-contravention to the Delhi Land Reforms Act which is applicable in this village. These transactions, therefore, cannot give a fairly reasonable guideline to ascertain the market value of the land under acquisition.

From the above discussion it is clear that none of the sale-transactions mentioned above can give a fairly ~~and~~ reasonable guideline for determining the market value of the land under acquisition. But from the these sale-transactions a note cannot be taken of the prevailing price of the agriculture land at the time of notification in village Gharoli. The agriculture land which has been sold in shape of big chanks are mentioned at Sl. No. 1,4 and 21 in the table given above. The land mentioned at Sl. No. 1 of the mutation list has been sold at the rate of Rs. 619 per bigha whereas the other similarly circumstanced and of similar potential value of the land mentioned at Sl. No. 2
71 of the mutation list has been sold at the rate of Rs. 1550/- per bigha. Both these land had been sold in the year 1974, it is not understood as to how the price of the landat Sl. No. 2 of the mutation list is more than double as compared to the land at Sl. No. 1 of the mutation list. The land mentioned at Sl. No. 4 also been soldin the year 71 at the rate of Rs. 1579/- per bigha whereas the land at Sl. No. 21 which has been sold in the year 75 has been sold at the rate of Rs. 2000/- per bigha. Similarly the land at Sl. No. 1 has been sold at the rate of Rs. 995/- per bigha in the year 71.

......17/-

It is, therefore, evident that there has been big fluctuations in the value of the land in this village and this probably depended on the individual buyer and purchaser depending on the purpose for which it is being purchased. But as mentioned earlier, in absence of any guiding factor, an inference about the average rate of agricultural land in village Gharoti can be drawn based on the above discussion. The average rate in the year 1975 in the village could be taken as Rs.1500/- per bigha. The land under present acquisition was notified u/s 4 of the act on 19.8.76 and therefore, the market value has to be determined as on this date. Having based the reliance on the price of the year 1975, Rs.1550/- per bigha could be taken as the market value of the land under present acquisition. I, therefore, deem it fair and reasonable to determine the market value of the land under acquisition @ Rs.1550/- per bigha and fix up the same accordingly.

There are ponds in Kh.No. 673 min measuring 2 bighas 9 biswas and Kh.Nos. 672 min measuring 1 bigha 5 biswas which would be about 8 to 10 ft. deep. In order to utilise this land, this has to be made of even level by the acquiring Department and for this considerable amount of expenditure has to be incurred. The rate in respect of these ponds cannot be same as that of the even level of land and, therefore, for these ponds I deem it fair and reasonable to assess the market value of the land at the rate of Rs.500/- per bigha and fix up the same accordingly.

TREES:

N.T.(LA) has prepared list of trees that are on the land under acquisition and has also given the approximate rate for these trees depending on the weight. The trees and the rates are given in the following table. I agree with the report of N.T.(LA) and assessed the value accordingly:-

Kh.No.	Quantity	Kind	Appr. weight.	Appr. rate per Qtl.	Appr. value.
1	2	3	4	5	6
444	1	Shahtoot	2 Qtl.	10/-	20/-

contd...18

2	3	4	5	6
6	Neem	4 Qtls.	Rs.10/-	Rs.40/-
2	Khajoor			
1	Khajoor Shisham	2 ''	Rs.10/-	Rs.20/-
2	-do-	4 ''	Rs.10/-	Rs.40/-
2	-do-	6 ''	Rs.10/-	Rs.60/-
1	Neem			
1	Shisham	2 ''	Rs.10/-	Rs.20/-
2	Aam	2 ''	Rs.10/-	Rs.20/-
1	Amrood			
			Total	Rs.220/-

UM

On the marked value solatium of the rate of 15 % be paid.

T The exact date on which the possession of the land acquisi ion has been taken by the acquirying department cannot en known. The acquiring department is being requested to let w the definite date of which the possession was taken over t interest can be paid to the land owners. A supplementary in this respect can be drawn later on awarding interest u/s 34 Act.

ONMENT : The payment shall be made according to the latest s in the revenue record. In case if any dispute which can not led amicably the matter shall be referred to ADJ u/s 30-31 Act for adjudication.

ENUE : A sum of Rs. 217-05 is assessed as land revenue ay be deducted on the land under acquisition.

SUMMARY OF THE AWARD

nsation for 870 bighas swas @ Rs. 1550/- per bigha	Rs. 13,48,887-50
nsation for 3 bighas 14 biswas 500/- per bigha	Rs. 1,850-00
nsation for trees	Rs. 220-00
Total:-	Rs. 13,50,957-50
solatium	Rs. 2,02,643.62
G. Total:-	Rs. 15,53,601-12

ed and filed.

(S.N. SHIVASTAVA)
LAND ACQUISITION COLLECTOR(M E)
DELHI.

31/1/79