Jal Board.

AWARD NO. 56/81-82

NAME OF VILLAGE :-	DALLU PURA.
NATURE OF ACQUISITION:-	PERMANENT.
PURPOSE OF ACQUISITION:-	CONSTRUCTION OF SEWAGE TREATMENT PLANT.

The land measuring 33 bigha 17 biswas situated in the revenue estate of Dallu Pura, Tehsil and District, Delhi was notified under the provisions of Sections 4,6 & 17(1) of the Land Acquisition Act, 1894 vide Delhi Administrations Notification No. F.7(104)/79-L&B(1)(2) and (3) dated the 25th Feb., 1981 for a public purpose, namely, for construction of Sewage Treatment Plant. Notices u/s 9 & 10 of the LA Act, were issued to all the persons interested in the land and the claims received in response to the said notices are discussed under the heading of claims & evidences.

Measurement and Ownership.

Verification of the area and interests held by various persons in the land has been carried out from the latest entries made in the revenue record of the village. The area notified was also measured at spot. According to the notification u/s 6 the area of 33 bigha and 17 biswas was notified and it was found 33 bigha and 18 biswas i.e. 1 biswas excess. It is revealed from the entires made in the revenue records that area of Khasra No. 144 was 15 bighas 6 biswas which was increased to 15 bigha 7 biswas as the same was converted into Titmas as Khasra Nos. 496/144, (4-19), 497/144(5-03) and 498/144(5-05) total measuring 15 bigha 7 biswas. Therefore the correct area of said Khasra Nos. is to be taken 15 bigha 7 biswas. Out of the above area of 33 bigha 18 biswas and area of 1 bigha consisting of Khasra Nos. 143/2(0-14) 496/144/1 (0-01) 145/2(0-02) and 170/2(0-03) has already been utilised for construction of road leading from villages Kondli and Dallu Pura to U.P.Border near NOIDA and as such this area of 1 bigha cannot be put in use for construction of Sewage Treatment Plant. Therefore this area has been left out of the present scheme of acquisition, i.e. Award. Hence after deducting the area of 1 bigha the correct area comes to 32 bigha 18 biswas and the same is to be acquired in the present case. Detail of the area is given below:- 82. 52. 57,

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Khasra No.	Area Bigha- Bis.	Classification as [redacted] on the date of Notification u/s 4.
143/1	0-13	G.M.Pit[redacted]
496/144/2	4-18	Ghair Alpash.
497/144	5-03	-do-
498/144	5-05	-do-
145/1	3-07	G.M.Pit[redacted]
146	2-14	-do-
147	4-10	Alpash
148	3-09	-do-
149	2-17	G.M.Pit[redacted]
170/1	0-02	G.M.Rasta.
GRAND TOTAL	32-18	

Alpash	Ghair Alpash	G.M.Pit[redacted]	G.M.Rasta.
7-19	15-06	9-11	0-02

POSSESSION.

Possession of the above said area was taken over and handed over to the Water Supply & Sewage Disposal Undertaking, M.C.D. on 22.6.1981.

CLAIMS & EVIDENCE.

The following persons interested have filed their claims in response to the notices u/s 9 & 10 of the LA Act, 1894.

S.No.	Name of the Claiment.	Khasra No.	Compensation Claimed.	Evidence.
1	Lakhpat S/o Totam, Prashadi S/o Dalpat.	147, 148	-	No.
2.	Jai Karan, Chander Pal sons and Jai Wati, daughter of Ram Phal, Hooly S/o Tej Singh alias Samey Singh.	496/144/2	Rs. 50000/- per bigha for land. Rs. 10000/- for trees Rs. 50000/- [redacted] as damages.	Produced photostate copies of sale deed registered as No. 1686 dated 25.7.80 in respect of sale of 2 bigha 14 biswas out of Khasra No. 294/1 village Dhallu Pur for Rs. 35000/- and sale deed dated 4.9.80 in respect of sale of 2 bigha 9 biswas out of Khasra No. 266 of village Dhallu Pur for Rs. 29400/-

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2.	3.	4.	5.
Prem Chand, Jai Chand, Asmt Ram, Ss/o Bhoja Ram.	496/144/2	As at S.No. 2	No.
Rattan Lal, Jug Lal, Ss/o Ram Chander.	~~-do-~~ Ashr notices 9	-do-	-do-
Bhan Singh S/o Hushiare, Khacheroo S/o Mohan.	-do- -do-	-do-	-do-

MARKET VALUE

The land under acquisition is situated in the Revenue Estate of Village Dulupura. It is on the adjecent boundary line of Village Kondli on the East there is Village Kondli on the South West boundary of U.P. and the remaining land of village ~~Bankx~~ Dalpura in the north, Hindan Cut, which is about 2 furlonge far from the land under reference. The quality of land is of average type and mostly irrigated. While in some plots, the earth has been removed upto 3 to 7' feet deep. A pucca road passes through the land under reference and leads to U.P. Industrial Town NOIDA. It is hardly 2 furlongs far from the land under reference i.e. the boundary line ~~[illegible]~~ of U.P. and Village Dulupura is quite contiguous. So the land besides agricultural use has special adoptablity of residential or Industrial purpose. After the coming of NOIDA Town ships in the U.P. which is itself a very big Industrial complex, the land of this village has also ~~[illegible]~~ gained importance. S2

The potentiality has been increased. The market value of the land is to be assessed as it prevailed on the date of notification u/s 4 of the Land Acquisition Act 1894. In this instant case it is 25.2.81.

To arrive at the correct market value of the land, due consideration the provisions of Section 23(1)(ii) is to be kept in mind. So we have to seek of all the sale transactions took place within or in the close vicinity of land under acquisition. S2

An area of about 900 bigha of village ~~Dalkix~~ Dallu Pura was acquired the Govt. in Award No. 2052 for the Plant Development of Delhi under notification dated 13.11.59 under section 4 of the L.A.Act. The L.A.C. had fixed the rate of Rs. 500/- per bigha in the award. Being dissatisfied with the rate awarded by the L.A.C. the person interested made reference of the L.A.Act. The court of ADJ has enhanced compensation from /- to Rs. 2000/- per bigha, enhancing it at the rate of Rs. 1500/- per over and above the correctors award some of the adjudication are given

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below:-

S.No.	L.A.Case No.	Name of Parties.	Rate awarded by the LAC.	Rate awarded by the Court.
1.	205/80,218/81	Sh.Sulhar etc. Vs. UOI.	Rs. 500/- P.B.	Rs. 2000/- P.B.
2.	206/80,219/81	Sh.Harbans etc. Vs. UOI.	Rs. -do-	-do-

No appeal has been moved by the UOI against the enhancement in above cases. The date of notification in the aforesaid cases was 13.11.59, therefore the same would not be safe in assessing the market value of the land under acquisition.

No sale transaction took place during the five year proceedings to the date of notification u/s 4 accept the following:-

S.No.	Date.	Kh.No.	Area. Bg. Bis	Consideration.	Average per Bigha.
1	25.7.80	294/1	2-14	Rs. 35000/-	Rs. 12962.96
2.	4.9.80	266	2-09	Rs. 29400/-	Rs. 12000.00

The land mentioned in these transaction is of good quality. But not linked by any road while the land fallse under the scheme has got homogunity accept leaving aside the field numbers where the earth has been removed, and developed 3 to 8 feet deep pits.

To arrive at the correct and fair market value of the land prevailing at the time of notification u/s 4 i.e. 25.2.81 we could safely take guidence of the above said transaction where the average rate per bigha comes to Rs. 12000/- So in the absence of any sale transaction and consideration and other relevent factors I am of the view that Rs. 12000/- could be the fair market value of the land as compensation except the land where the earth has already been removed. The details of it is as under:-

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	Area		Earth removed to the extent of.
	Big - Bis.		
Min	0-06		4 Ftm
Min	0-07		8 Ftm
44 Min	0-09		
44 Min	2-19		
	3-07		
n	0-18		
	2-17		9 Ftm
OTAL	10-10		

The value of the above said land should be assessed at very rate. But incidently it abuts the road & at adventageous position. flat rate of such type of land could be assessed half of the value 6000/- per bigha & thus hold accordingly.

THEES, WELLS AND STRUCTURES.

There are no structures and wells in the land under acquisition, fore, question of assessment of compensation for the same does not arise. ne ~~xxxxx xxxxx~~ tree of LEHSUA weinghing about one quintal exists in nd bearing Khasra No. 496/144/2 for which Rs. 40/- are awarded.

SOLATIUM.

The person interested in the land under acquisition will be paid m @ 15% on the market value of the land.

INTEREST

As the possession of land was taken over on 22.6.81 therefore, interested shall be paid simple interest @ 6% per anum on the tion from 22.6.81 to the date of announcement of the award.

APPORTIONMENT.

The payment shall be made according to latest entries in the revenue of the village. In case of any dispute which cannot be settled lly within reasonable period, the compensation shall be remitted to u/s 30-31 of the L.A.Act.

ND REVENUE DEDUCTIONS.

e land under acquisition is ~~awarded~~ assessed to Rs. 6.69 the ue. Same shall be deducted from the Khalsa Rent Rolls of the e.f. R.bi 1982.

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Subject to the above remarks the award is summarised as under:-

SUMMARY

	Compensation for 21 Bigha, 15 Biswas of land @ Rs. 12000/- per bigha.	Rs. 261000.00
	Compensation for 11 Bigha, 3 Biswas of land @ Rs. 6000/- per bigha.	Rs. 66900.00
	TOTAL	Rs. 327900.00
3.	Solatium 15%	Rs. 49185.00
4.	Compensation for tree	Rs. 40.00
5.	Interest @ 6% P.A. from 22.6.81 to 31.3.82(283 days)	Rs. 17544-06 ~~[illegible]~~ 82
	GRAND TOTAL	Rs. 394669.06

(Rupees Three Lakhs, ninety four thousand six hundred, sixty nine and paise six only).

Shiv Raj 31-3-82

(SHIV RAJ)
LAND ACQUISITION COLLECTOR(DS)
DELHI.

... in the ... of the following ... persons today.

Sd/-
31.3.82
LAC(DS)

Jai Karan s/o Sh. Ram Phal

Jai Karan 31/3/82

[illegible]

[illegible] 31/3/82