AWARD NO: 31/80-81

Name of the village: Chhawla.
Nature of Acquisition: Permanent.
Purpose of Acquisition: Construction of Mundela Drain.

Land measuring 15Bighas- 05 Biswas comprised in Kh. Nos. 79/5/1m-79/5/2 m-79/7/1 m-79/7/2 m-79/8/1 m-79/8/2 m-79/8/3 m 79/9/1 m-79/9/2 m-79/9/3 m-80/1 m-85/1/1 m-85/2/m-85/3 m-86/1 m 86/4/2 m-86/5/2 m-86/2/m-86/3 m-86/5/3 m-87/4 m-87/5/1 m-87/5/2 m situated in the revenue state of village Chhawla is required by the Government at the public expense for a public purpose namely construction of Mundaila Drain. Anotification u/s4of the Land Acquisition Act vide No.F.7(6)/79-I&B(i) Dt.18.4.79 was issued by the Delhi Administration. Simultaneously the provision of sub-section 1 of Section 17 of the said Act were applied to this land and as provided u/s 4(4) of the said Act. The provision of section 5(A) were dispended with. A declaration u/s 6 of the L.A.Act, was made vide notification No. F.7(6)/79-I&B(2) dt. 18.4.79. Notices u/s 9(1) of the L.A.Act, was given due publicity and notices u/s 9(3) and 10(1) of the said Act were issued to the interested persons. The interested persons has responded to the notices. In persuance of section 17 of the said Act. The physical possession of the land under acquisition was taken over and handed over to the Acquirying Department i.e. Flood Control Department of Delhi Administration on 16.5.79.

MEASUREMENT & OWNERSHIP/BHUMIDARI:

According to the notification u/s 6 of the L.A.Act, the total area to be acquired for this village was 15 bighas and 5 biswas. As required u/s 8 of the L.A.Act, further verification, a measurement was made on the spot by field staff. The area notified u/s 6 of the L.A.Act, has been found to be correct, as 15 bighas and 5 biswas. Hence the present award is in respect of 15 bighas 5 bis only. I, therefore, hold the area to be acquired to be true as 15 bighas 5 biswas. According to the revenue record the details is as under:-

S.No.	Name of the owners/Bhumidar	Kh.No.	Area Big.Bis.	Kind of land.
1.	Sh.Abeey Ram S/o. Lakhi Ram.	85/2/1	1-8	G.Abpash.
2.	Sh.Kishan S/o. Lakhi Ram	-do-	-do-	-do-
3.	Sri Niwas S/o. -do-	-do-	-do-	-do-
34.	Smt.Sukhma D/o. -do-	-do-	-do-	-do-
5.	Smt.Naraini D/o. -do-	-do-	-do-	-do-
6.	Smt. Darkhan W/o. -do-	-do-	-do-	-do-
7.	Sh. Chhater S/o. Khaniya	85/1/1/1	-do-	-do-

.....2/-

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S.No.	Name of the owners/Bhumidar	Kh.No.	Area.	Kind of land.
8.	Sh. Pyare S/o. Maru	87/4/1	1-8	G.Abpash.
9.	Sarupa S/o. Maru	-do-	-do-	-do-
10.	Raghbir S/o. Har Lal	86/5/3/1	0-14	-do-
11.	Randhir Singh S/o. Chuni	79/5/2/1	0-6	-do-
12.	Jai Narain S/o. Chuni	79/5/1/1	0-6	-do-
13.	Sarup Singh S/o. Hari Singh	79/9/1/1	0-4	-do-
14.	Ram Mehar S/o. Hari Singh	79/8/1/1	0-5	-do-
15.	Hoshiar Singh S/o. -do-	79/8/2/1	0-5	-do-
16.	Ram Singh S/o. Hari Singh	79/8/3/1 79/9/3/1	0-3 0-2	-do-
17.	Badlu S/o. Maman	79/9/2/1	0-4	-do-
18.	Subha Chand S/o. Lahri Ch.	80/1/1	0-3	-do-
19.	Baljit Singh S/o. -do-	-do-	-do-	-do-
20.	Dhan Singh S/o. -do-	-do-	-do-	-do-
21.	Ram Singh S/o. -do-	-do-	-do-	-do-
22.	Smt. Shanti D/o. -do-	-do-	-do-	-do-
23.	Shamletdeh.	87/5/2/1 86/1/1 86/2/1 86/3/1 86/4/2/1 86/5/2/1	0-15 1-8 1-8 1-8 1-8 0-14	-do- -do- -do- -do- -do- -do-
24.	Gaon Sabha Chhawla	79/7/1-2 85/3/1	0-12 0-3	-do-

CLAIMS & EVIDENCE:

We have received the following claims:-

S.No.	Name of the claimants.	Claimed.
1.	Sh. Badlu Ram S/o. Maman Singh Sh. Mange Ram S/o. -do- Sh. Dharam Singh S/o. -do- Sh. Inder Singh S/o. -do-	Rs. 12000/- or Rs. 13000/- per bigha.
2.	Sh. Randhir Singh S/o. Chuni Lal Sh. Jai Kishan S/o. -do-	Rs. 13000/- per bigha.
3.	Sh. Raghubir Singh S/o. Har Lal	Rs. 12000/- per bigha.
4.	Sh. Subha Chand S/o. Lahri Sh. Baljit Singh S/o. -do- Sh. Khajan Singh S/o. -do- Sh. Dhan Singh S/o. -do- Smt. Shanti D/o. -do-	Rs. 12000/- per bigha.
5.	Sh. Sarupe S/o. Hari Singh Sh. Hoshiar Singh S/o. -do- Sh. Ram Mehar S/o. -do- Sh. Ram Singh S/o -do-	Rs. 12000/- or Rs. 13000/- per bigha.
6.	Sh. Abhe Ram S/o. Lakhi Ram Sh. Sri Kishan S/o. -do- Sh. Sri Niwas S/o. -do- Smt. Sushma D/o. -do- Smt. Naraini D/o. -do- Smt. Darika D/o. -do-	No amount of compensation have been claimed. Simply mention that Kh. No. mentions in the notices is wrong.

.....3/-

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In addition to the above mentioned claimants the following interested persons i.e. Bhumidars of certain Kh. Nos. of the land under acquisition inspite of services with the notices u/s 9 & 10 of the L.A.Act, have not been filed any claim.

S.No.	Name of the claimant.	Kh.No.
1.	Sh. Chhater Singh S/o. Khaniya	85/1/1.
2.	Sh. Pyare S/o. Maru	87/4/1, 87/5/1/1
3.	Sh. Sarupa S/o. Maru	-do-
4.	Pradhan Gaon Sabha Chhawla	79/7/1-2/1
5.	Shamletdeh.	85/5/2/1,86/1/1,80/2/1,86/3/ 1,86/4/2/1,86/5/2/1.

After filing claims the interested persons were given opportunity to file documentary evidence in support of their claims. But they did not turn up and did not file any evidence.

MARKET VALUE:

I have inspected the land under acquisition. The land under acquisition is situated in village Chhawla is on the main Najaf-Garh -Gurgaon Road. It is hardly three miles away from Najafgarh.

To determine, the fair & correct market value of the land at the time of notification u/s 4 i.e. 18.4.79, several factors e.g. sale-deeds executed on or around the date of notification, and the rate of compensation allowed in awards, announced in respect of similar land in the village, are to be considered. The details of mutations available on record sanctioned during the past five years preceeding the date of notifications are as under:-

S.No.	Mutation No.	Registration No.	Area involved. Big-Bis.	Amount.	Average per big
		1974-75			
1.		553 dt. 5.3.75	13-3	Rs.24800/-	Rs.1863/-
2.		2468 dt.19.2.75	20-14	Rs.24000/-	Rs.1160/-
3.		1855 dt.1.11.73	1-0	Rs.12000/-	Rs.12000/
		1975-76.			
1.		1271 dt. 30.4.75	16-8	Rs.32800/-	Rs.2000/-
2.		1272 dt.30.4.75	2-17	Rs.2000/-	Rs.701-80
3.		3214 dt.24.9.75	20-1	Rs.31600/-	Rs.1576/-
4.		Nil 28.2.76	14-8	Rs.21000/-	Rs.1458/-
		1976-77			
1.		1785 dt.7.8.76	11-0	Rs.12000/-	Rs.1050/-
2.		1784 dt.7.8.76	15-1	Rs. 30000/-	Rs.2000/-
3.		1508 dt.5.7.76	4-8	Rs.6000/-	Rs.1362/-
		1977-78.			
2.		1777 dt.6.4.78	39-7	Rs.15000/-	Rs.364/-

.....4/-

S.No.	Mutation No.	Registration No.	Area involved Big.Bis.	Amount.	Average per bigha.
2.		1772 dt.5.4.78	40-6	Rs.15000/-	Rs. 363/-
		1978-79			
1.		1721 dt.5.4.78	39-4	Rs.15000/-	Rs.364/-
2.		1778 dt.6.4.78	40-18	Rs.15000/-	Rs.363/-

Besides above mentioned sale-transactions following awards have also been announced in this village so far:-

S.No.	No. of Award.	Date of notification u/s 4.	Area Big-Bis.	Amount of award per bigha.
1.	1974	25.7.66	480-6	Rs.1000/-
2.	2043	19.8.66	33-5	Rs.750/-
3.	2080	31.12.66	8-10	Rs.800/-
4.	20/1969	14.1.69	1-10	Rs.300/-
5.	34/71-72	19.2.71	3-5	Rs.1100/-
6.	38/72-73	11-4-72	4-16	Rs.1500/-
			49-1	Rs.1100/-

During the last five years no land was acquired. So the awards announced beyond five years would not be helpful in assessing the correct and reasonable market value.

In the absence of the award I have to take help from the transaction took place in the year 1975-76 and 1976-77 to assess the market value of the land at the time of notification u/s 4. The land involved under transactions at Sl.No. 1 for the year 1975-76 and At. Sl.No. 2 for the year 1976-77 is about 2 furlong away from the land under acquisition. While the land of the other transactions for the year 1974-75, 75-76 and 76-77 is about 4/5 furlong away from the land under acquisition. The quality of land in these two transactions is quite similar to the land in question. The land is for agriculture purpose. Under these circumstances it will be quite safe, to depend on it as the land involved in other transactions is far away from the land under acquisition.

All the transactions made during the year 1977-78 and 1978-79 appears to be motivated as both the parties were members of a particular family. And there would have been some motive behind these transactions hence their help to determine the true market value is not justified.

Keeping in view, the above stated facts and considering all other factors, I am of the opinion that Rs. 2000/- per bigha is quite appropriate and reasonable market value of the land in question and thus assess accordingly.

APPORTIONMENT OF COMPENSATION:

Notices u/s 9 & 10 of the L.A.Act, had been issued to the interested persons on the basis of the revenue record. The village is under consolidation where proceedings u/s 21(2) are still pending disposal.

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During consolidation of holdings if any of the interested persons is shifted from his earlier land holding rights, then the compensation of the land shall be given to him on the basis of the changed Kh.Nos/Killa Nos. so allotted to them during consolidation and not on the basis of the earlier Kh.Nos. on the basis of which notices had been issued. This would be seemed it the time of making the payment to the interested persons and on the production of proof by them.

OTHER STRUCTURES

The land under acquisition is vacant on the spot and there is no structure of any spot.

SOLATIUM

15 % on account of compulsory acquisition is allowed to the interested persons.

INTEREST

The possession of the land under acquisition was taken over and handed over to the Acquiring Department on 16.5.1979 so interest 6 % from the date of taking over possession to the announcement of award shall be paid to the interested persons.

LAND REVENUE

The land under acquisition is assessed to Rs. 2.26 P as land revenue which be deducted from the khatas of the respective Bhumidar from the khalsa Rent Roll of this Village.

SUMMARY OF THE AWARD

Compensation of land measuring 15 bighas 5 biswas at the rate of Rs. 2000/- per bigha	Rs. 30500-00
15 % Solatium of compulsory acquistion charges.	Rs. 4575-00
	Rs. 35075-00
Interest at the rate of 6 % p.a. w.e.f. 16.5.79 to 28.5.80	Rs. 2185-22
G. TOTAL:-	Rs. 37260-22

(Rupees Thirty Seven Thousand Two Hundred Sixty and Paisa Twenty Two Only)

Announced in the open court.
29.5.80.

29.5.80.
(SHIV RAJ TYAGI)
LAND ACQUISITION COLLECTOR(DS)
DELHI