

AWARD NO.

31/75-76

NAME OF THE VILLAGE

MOLAR BUND

NATURE OF ACQUISITION

PERMANENT

PURPOSE OF ACQUISITION

MAINTENANCE OF ROAD

These are proceedings for the determination of compensation under section 11 of the Land Acquisition Act. The land situated in village Molar Bund, now under acquisition notified under section 4 of the Land Acquisition Act vide notification No.F.7(3)/73-L&B dated 18.8.1973 for the public purpose namely for the Maintenance of Road. After considering objections under section 5-A, the Delhi Administration issued a declaration under section 6 of the Land Acquisition Act for the acquisition of an area measuring 9 bighas 7 biswas vide notification No.F.7(3)/73-L&B dated 22.5.74. In pursuance of the above notifications notified under section 9 & 10 of the Land Acquisition Act were issued to all the persons interested in the land under acquisition. The claims filed by the claimants are discussed hereafter under the heading "Compensation Claims."

TRUE & CORRECT AREA

The land was measured on the spot by the Land Acquisition Field Staff and the area available at the spot is as under:-

<u>Field No.</u>	<u>Area (Big-Bis)</u>	<u>Classification of land</u>
326/2/1	0-02	Gair Abpash
326/2/1	0-02	-do-
326/2/2	0-02	-do-
327/1	Less than biswa	-do-
545/2/1	-do-	-do-
545/2/2	0-02	-do-
546/2/1	0-01	-do-
547/2/1	0-05	-do-
547/2/2	0-04	-do-
548/2/1	Less than biswa	-do-
548/2/1	0-05	-do-
548/2/2	0-05	-do-
550/2/1	0-01	-do-
556/2/1	0-04	-do-
556/2/2	0-02	-do-
557/2/1	0-02	-do-
557/2/2	0-04	-do-

Contd..2...

54/2/1	0-02	Gair Abpash
54/2/2	0-04	-do-
55/2/1	0-02 ✓	Abpash
55/2/2	0-01 ✓	-do-
56/2/2/1	0-02 ✓	Gair Abpash
56/2/2/2	0-01 ✓	-do-
57/2/1	0-03 ✓	Gair Abpash
57/2/2	0-04 ✓	-do-
578/2/1	0-01 ✓	Abpash
581/2/1	0-02 ✓	Gair Abpash
581/2/2	0-01 ✓	-do-
582/2/1	0-01 ✓	-do-
582/2/2	0-03 ✓	-do-
583/2/1	0-04 ✓	-do-
583/2/2	0-02 ✓	-do-
588/2/1	0-01 ✓	-do-
588/2/2	0-02 ✓	-do-
578/2/2/1	0-01 ✓	-do-
579/1/2/1	Less than biswa	-do-
579/1/2/2	-do-	-do-
579/2/1	-do-	Abpash
579/2/2/1	0-04 ✓	Gair Abpash
579/2/2/2	0-02 ✓	-do-
580/2/1	Less than biswa	-do-
583/2/1	0-05 ✓	-do-
583/2/2	0-03 ✓	-do-
583/2/1 582/1	Less than biswa	-do-
584/1/2/1	0-01 ✓	-do-
585/2/1	Less than biswa	-do-
584/2/1	0-03 ✓	-do-
584/2/2	0-03 ✓	-do-
710/2/1	0-01 ✓	-do-
715/2/1	0-04 ✓	-do-
715/2/2	0-04 ✓	-do-
714/2/1	0-02 ✓	-do-
714/2/2	Less than biswa	Abpash
733/2/1	0-04 ✓	-do-
733/2/2	0-05 ✓	-do-
734/2/1	0-01 ✓	-do-
735/2/1	0-03 ✓	-do-
735/2/2	0-04 ✓	-do-
747/2/1	0-03 ✓	-do-
747/2/2	0-02 ✓	-do-
748/2/1	0-02 ✓	-do-
748/2/2	0-01 ✓	-do-
783/2/1	0-02 ✓	-do-
783/2/2	0-01 ✓	-do-
785/2/1	0-05 ✓	-do-
785/2/2	0-02 ✓	-do-
787/2/1	0-02 ✓	-do-
787/2/2	0-03 ✓	-do-
789/2/1	0-02 ✓	-do-
811/2/1	0-04 ✓	-do-
812/2/1	0-04 ✓	-do-
813/1/2/1	0-02 ✓	-do-
813/2/2/1	0-01 ✓	-do-
814/2/1	0-04 ✓	-do-
919/2/1	0-03 ✓	Gair Abpash
920/2/1	0-04 ✓	Abpash
921/2/1	0-04 ✓	Abpash

Contd..3...

3 :

322/2/1
323/1/2/1
323/2/2/1
324/2/1

0-04 ✓
0-03 ✓
0-01 ✓
0-03 ✓

Abpash
-do-
-do-
Gair' Abpash

Total: -

9-07

CLASSIFICATION OF LAND

Gair Abpash

5-10

Abpash

3-17

Total: -

8-07

COMPENSATION CLAIMS

The following persons have filed claims for compensation:-

<u>S.No.</u>	<u>Name of the claimants</u>	<u>Compensation claimed</u>
1.	Sh. Himmat s/o Harpal Sh. Lakhi Ram s/o Harpal Smt. Asharfi Devi wd/o Ragbir. Smt. Kashmiri Devi d/o Ragbir, Sh. Chhetey s/o Kishan Singh	Have claimed compensation @ Rs. 20/- per sq.yds plus Rs. 10,000/- for severance.
2.	Sh. Chandu, Piare Ram, Dharam Singh ss/o Chhetu, Gopal, Harpal wd/o Chhotu etc. Bhagu s/o Balwant.	Have claimed compensation @ Rs. 20/- per sq.yds plus Rs. 10,000/- for the severance.
3.	Smt. Kailashwati d/o Lakshmi Narain, Smt. Champa wd/o Lakshmi Narain.	-do-
4.	Sh. Mawasi, Srichand, Girdhari, Hari Chand, Ram Sarup, Hukum Singh, Bhule, Mohan, Amira, Sachche, Nanbat, Bharat Singh, Ram Pal, Tek Ram, Nihal, Hira Singh etc.	-do-
5.	Sh. Inder Singh s/o Nathu Singh	-do-

DOCUMENTARY EVIDENCE

No documentary evidence has been adduced by the claimants in support of their claims.

MARKET VALUE

The market value of the land under acquisition has to be determined with reference to the price prevailing as at the date of notification under section 4 of the Land Acquisition Act. The value

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to be ascertained is the price to be paid for the land with all its potentialities and uses made of it by the vendor.

As no documentary evidence has been adduced, no reliance can be placed on the claims.

The best evidence to arrive at market value is the sale transactions pertaining to the adjacent lands nearest to the material date.

S. No.	Mutation No/ Sale deed No.	Date of Regn.	Field No.	Area Big-Bis	Consideration/ Average
1.	0-4/43	6.6.68	711 min	0-11	<u>Rs. 20,000/-</u> Rs. 3536.40
2.	0-4/47	6.12.68	657/4	0-05 (Gitwar)	<u>Rs. 1000/-</u> Rs. 4000/-
3.	5634	11-8-68	920	4-16	<u>Rs. 25,000/-</u> Rs. 5208-33
4.	5683	17.9.68	576/2	3-14	<u>Rs. 20,000/-</u> Rs. 5405.41
5.	7551	23.11.71	482/3	150 sq. yds (Gitwar)	<u>Rs. 3000/-</u> Rs. 20,000/-

Mutation at Sl. No. 2 and 5 do not present the true market value of the land under acquisition as these are small pieces of land near to village abadi which have been sold for residential purpose. Such land when ever put to sale will always fetch high rate. These transactions therefore, cannot be relied upon to assess the market value of the land under acquisition.

Sale transaction cited at Sl. No. 3 & 4 provide a solid basis for determination of market value of land under acquisition as these pertain to khasra No. 920 and 576/2, portions of which are under acquisition. Transaction cited at Sl. No. 1 may also be considered as Khasra No. 711 is at a distance of only about thirty yards from the land under acquisition.

Apart from these sale transaction, there is award No. 26/72-73 in the village. The material date in this award is 24.3.72 and compensation assessed is Rs. 4750/- per bigha for Abpash land and Rs. 3166/- per bigha for Gair Abpash land. It may also be mentioned that the Khasra Nos. which were partially acquired in this award are

under acquisition in these proceedings also in respect of remaining portion.

Keeping into consideration above discussed mutations, the award and the time gap between the material dates and the rising trend of land prices. I deem it fit fair to assess compensation @ Rs. 5,000/- per bigha for Abpash land & Rs. 3500/- per bigha for fair abpash land.

Some of the claimants have claimed damages for severance. The measure of damage by severance is the diminution in the value of the remaining land. The extent to which the damage would be caused by severance has not been proved by any of the claimants and as such no damages for severance are payable.

TREES, WELLS AND OTHER STRUCTURES

The tube-well situated in Khasra No. 733 is left from acquisition as it is deleted from the Shajma supplied to this office..

There is one Shatut and one neem in Khasra No. 733 and Khasra No. 787 respectively.

1.	Shatut	One quintal
2.	Neem	five quintals quintal

I agree with the above assessment of weight and award Rs. 8/- per quintal towards the cost of the above said trees since trees appear to be planted before the preliminary notification dated 16.8.1973.

15% SOLATUM

15 % solatium is payable over and above the market value of the land.

APPORTIONMENT

Compensation will be paid on the basis of the latest entries in the revenue record.

LAND REVENUE DEDUCTION

The land under acquisition is assessed at Rs. 3.07 P as land revenue which will be deducted from the Khatauni of the village from the date of taking over possession of the land. The aforesaid.

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Land will vest absolutely in the Govt. free from all encumbrances.

SUMMARY OF THE AWARD

1. Market value of 5 Bighas 17 Biswas of Abpash land @ Rs. 5,000/- per Bigha	Rs. 19,250-00
2. Market value of 5 Bighas 10 Biswas of Gair Abpash land @ Rs. 3,300/- per Bigha	Rs. 18,150-00
3. Market value of trees. (6 quintals)	Rs. 48-00
4. 15% selatium	Rs. 5,617-20

GRAND TOTAL:- Rs. 43,065-20

(Rupees Forty Three Thousand Sixty Five & Paise Twenty only)

R.D. Srivastava
(R.D. SRIVASTAVA)
LAND ACQUISITION COLLECTOR(ME)
DELHI

Approved
24/2/76

R.D. Srivastava
24/2/76