

AWARD NO. 1934D/81-82

NAME OF VILLAGE : MOLAR BUND
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : PLANNED DEVELOPMENT OF DELHI.

These are the supplementary proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. An area measuring 2137 Bigha 10 Biswas of Village Molar Bund was notified ^{u/s 4} vide notification No. F.4(9)/64-L&H dated 6.4.1964. Out of the land so notified an area of 1333 Bigha 13 Biswas was notified u/s 6 vide notification No. F.4(9)/64-L&H (ii) dated 15.6.1965. There is a totaling mistake of 16 Biswas in the area notified u/s 6 and actual area comes to 1333 ^{or} Bigha 17 Biswas. An area measuring 79 Bigha 17 Biswas has been ~~de~~ ^{or} notified vide notification No. F.9(9)/64-L&H dated 2.4.1967. Area measuring 998 Bigha 01 Biswas has been acquired through different awards made under the aforesaid notification u/s 6. Area measuring 24 Bigha 8 Biswas is built up around the Village abadi and hence it is being left out from these proceedings. The net area to be acquired under the present proceedings thus comes to 230 Bigha 11 Biswas. Notices u/s 9 & 10 were issued to the interested persons and claims filed have been discussed under the heading 'Claims & Compensation.'

TRUE & CORRECT AREA

The land measuring 230 Bigha 11 Biswas covered under these proceedings was measured on spot with reference to the land record, details of which are as under:-

<u>Khasra No.</u>	<u>Area Big-Bis</u>	<u>Kind of soil</u>
3/2	2-7	Abi
4/1/1	3-0	-do-
4/2	0-12	-do-
5/1	1-1	-do-
6/2	1-18	-do-
7/1	3-6	-do-

Contd...2....

7/2	1-12	Abi
10/1	0-17	-do-
10/2	3-8	-do-
10/3	1-0	-do-
11/1	2-16	-do-
11/2	1-16	-do-
12/1	0-16	-do-
12/2	4-0	-do-
13/1	3-6	-do-
13/2	1-10	-do-
14	3-18	-do-
15/1	0-9	G. M. Rasta
15/3	1-4	-do-
16	2-18	Abi
17	0-13	-do-
18/2	2-2	-do-
19/1/2	1-16	-do-
19/2/2	0-12	-do-
20/1	1-1	-do-
21/2	0-13	-do-
22	0-19	-do-
23/2	3-16	-do-
24/2	4-10	-do-
25	2-4	-do-
26/2	2-4	-do-
27/1	0-7	-do-
28/2	3-3	-do-
29/1	0-18	-do-
31/1	1-5	-do-
32/1/2	2-14	-do-
32/2/2	0-14	-do-
33/1/2	1-9	-do-

Contd....&....

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33/2	1-17	Abi
36/1	0-12	-do-
36/2	1-10	-do-
36/3	1-18	-do-
37/1	4-2	-do-
37/2	0-2	-do-
37/3	0-6	-do-
37/4	0-6	-do-
38	6-0	-do-
39	4-6	-do-
40	4-16	-do-
41	3-4	-do-
42/1	4-14	-do-
43/1	4-2	-do-
43/2	0-3	-do-
44/1	1-2	-do-
47/2	3-3	-do-
48 49	4-0	-do-
60	3-2	-do-
61/1	3-19	-do-
61/2	1-18	-do-
62/1	3-6	-do-
62/2	1-10	-do-
63	2-18	-do-
65/1/1	1-12	-do-
65/1/2	0-11	-do-
65/2	1-15	-do-
151/2/1	5-3	G. M. Rasta
152	3-0	Abi
153	0-13	-do-
154/1	0-2	-do-
154/2	3-5	-do-

155/1	0-4	Abi
155/2	4-12	-do-
156/1	4-16	-do-
156/2	0-16	-do-
157	3-4	-do-
158	5-6	-do-
159	2-14	-do-
160/1	0-13	-do-
163/1	0-12	-do-
166/1	0-12	-do-
335/1	0-17	G.M. Rasta
346/1-2	0-17	Rosl
347	2-7	Rosl G.M. Pshar (0-17) (1-10)
351/1	0-4	Rosl
352/1	1-5	-do-
353	3-5	Chgh
357	1-11	G.M. Pshar
358	2-1	-do-
359/1	2-0	-do-
362/2/2	2-18	-do-
363	1-5	-do-
364/2/2	2-15	G.M. Pshar
367/1	0-19	-do-
368	0-14	-do-
369/2	0-5	-do-
403/2	1-8	-do-
406/2	1-18	-do-
407/2	1-18	-do-
410/2	0-16	-do-
416/1	0-7	-do-
443	4-14	G.M. Rasta
444/1/1	0-4	Rosl
444/2/2	1-5	G.M. Sarak
445/1/1	0-5	

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157 2

445/2/1	0-13	Rosli G.M. Sarak 0-2 0-11
484	0-13	G.M. Rasta
486	0-5	G.M. Chah Pucca
487/1	4-5	Chahi
488/1	1-16	Chahi
417/2	1-17	G.M. Pahar
420/1-2	2-10	-do-
421/1-2	2-12	-do-
426/1-2	2-12	-do-
427/1-2	2-12	-do-
Total:-	<u>230-11</u>	

CLASSIFICATION OF LAND

ABI	168-04
G.M. Rasta and Sarak	15-01
G.M. Pahar	34-04
Chahi	9-6
Rosli	3-11
G.M. Chah Pucca	<u>0-05</u>
Total:-	<u>230-11</u>

COMPENSATION CLAIMS

The following persons have filed claims for compensation :-

S.No.	Name of claimant	Claim
1.	Sh. Des Raj s/o Misri	Rs. 20,000/- per Bigha
2.	Sh. Mangat Ram s/o Sukh Lal through Sh. Rattan Lal Gupta Ramesh Chand Gupta, Mahesh Chand Gupta advocates	Rs. 7,000/- per Bigha
3.	Sh. Shadi Ram s/o Pt. Mangat Ram through S/Sh. Rattan Lal Gupta etc., advocates.	Rs. 7000/- per Bigha Rs. 10,000/- for Rose Plants. Rs. 418/- for Rawasan plants.
4.	S/Sh. Raghbir Saran, Bhupender Kumar, Roop Chand, Basant Kumar, Hari Parkash ss/o Pt. Mangat Ram through as above, advocates.	Rs. 10/- per sq. yd and Rs. 330/- for Rawasan plants.

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5. Sh. Rattan Singh	Rs. 10,000/- per Bigha
6. Sh. Chetan Singh	-do-
7. Sh. Bhim Singh	-do-
8. Sh. Natholi Ram s/o Dewan	No claim
9. Sh. Mohan Lal s/o Mangat Ram	Rs. 40/50 per sq.yd.
10. Sh. Ram Phal s/o Sudan	No claim.
11. Sh. Attar Singh Jai Ram s/o Khusi Ram	Rs. 20/25 per sq.yd.
12. Sh. Kanwar Singh s/o Chet Ram	Rs. 20/25 per sq.yd
13. Shib Lal s/o Chhotey	-do-
14. Babu Lal s/o Ramesh	-do-
15. Mohan Lal s/o Rameshar	-do-
16. Kanwar Lal s/o Pirthi	-do-
17. Mahinder Singh s/o Ghasita	-do-
18. Khazan Singh s/o Ghasita	-do-
19. Neki s/o Nanhey	-do-
20. Pehladi s/o Munshi	-do-
21. Laxhi s/o Chander	-do-
22. Bali s/o Mangat	-do-
23. Teekan, Peetan ss/o Chhattar Durga Ram, Yudhister ss/o Harpal	Rs. 20/- per sq.yd.
24. Balwant, Chhotu, Ram Rattan ss/o Kishan Sahai	Rs. 15/- per sq.yd
25. Nirankari Stone Quarry Co-op. Labour and Construction Society Ltd., through Sh. Ved Parkash, & Secretary.	Rs. 15,000/- per Bigha
26. Hari Ram s/o Pt. Ram Lal	Rs. 25/30 per sq.yd.
27. Ved Parkash s/o Nathu Singh	Rs. 20/- per sq.yd.
28. Chander Mal s/o Teju	-do-
29. Sheaddhe Ram s/o Bad Ram	-do-
30. Gurshi s/o Kanhiya	-do-
31. Panda s/o Pat Ram	-do-
32. Raghbir s/o Singh Ram	-do-

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33. Moosey s/o Ram Chandi

Rs 20/- per sq.yd for land
Rs 5000/- cost of Damages.
Rs 1000/- cost of structures.

34. Raghbir Singh s/o Singh Ram
Hukam Singh s/o Har Sahai
Chittar Singh s/o Saheb Ram
Ram Pal s/o Chhitar Singh
Man Raj s/o Chandu
Mannoo s/o Narain Singh
Girdhari s/o Dan Sahai
Suman s/o Bansil
Lakha s/o Gordan
Bed Ram s/o Jharla
Rattan Lal s/o Jharla
Dharam Pal s/o Rimal
Mohan s/o Ram Saran
Sache Singh s/o Raghbir
Smt. Ashrafi wd/o Raghbir
Naubat s/o Moose
Charat Singh, Bharat Singh, Chhotey sa/o Kisan
Amil Lal s/o Dev Karan
Amira s/o Ram Saran
Rameshwar s/o Baloo
Subedar Jai Ram s/o Udia
Lakhi Ram s/o Ram Singh
Bhoop Singh s/o Dan Sahai
Bhupen s/o Dan Sahai
Bhupen s/o Dan Sahai
Tek Ram s/o Khecheru
Bhooley s/o Dan Sahai
Bhooley s/o Nawal Singh
Inder s/o Nathu

Jointly claims.
Rs 10,000/- for Well
Rs 1000/- for each persian wheel
Rs 3000/- for house
Rs 1000/- for sheesham tree
Rs 200/- for Beri tree
Rs 200/- for Kikar tree and Rs 50/-
per sq.yd for land near Mathura Road
and Rs 30/- per sq.yd for other land.

35. Gaon Sabha Molar Bund
through Sh. Inder Singh
Perdhan

Rs 20/- per sq.yd.

36. The Tajpul Labour construction
Co-operative Society Ltd. through
Sh. Munshi Ram Joint secretary

Rs 15,000/- per Bigha.

DOCUMENTARY EVIDENCE

The claimants have not produced any documentary evidence
in support of their claim.

MARKET VALUE

In determining the market value of the land all the factors
are to be considered and it is to be fixed as on the date of notification
u/s 4 which is 6.4.1964. Situation, potentiality and level of the land
are some of the important factors which are to be kept in view while
arriving at the fair and reasonable market value of the land. Delhi Land
Reforms Act, 1954 is applicable and as such the restrictive provisions of
this act are applicable on the use of the land and according to these pro-
visions it can only be used for agricultural and connected purposes.

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in support of their claims and hence efforts are to be made to trace out the sale transactions and awarded market price in various awards for arriving at the reasonable market value. As per revenue record five sale transactions are available during the period of two years prior to the date of notification which are as under :-

Mutation No.	Date of Registration	Total area Big- Bis	Consideration money	Average per bigha
1384	13.7.1962	69-00	Rs. 55,000/-	Rs. 797/-
1389	25.10.1962	17-1 $\frac{1}{2}$	Rs. 18,000/-	Rs. 960/-
1390	25.10.1962 (including in M.No. 1389)	1-15		
1391	12.12.1962	10-00	Rs. 30,000/-	Rs. 3000/-
1385	8.8.1963	9-12	Rs. 6,500/-	Rs. 677-08

Out of these sale transactions sale of Mutation Nos. 1391 and 1385 are somewhat relevant to the present land since both these transactions are the latest and land transacted falls quite adjacent to the land under acquisition. Land covered vide Mutation No. 1385 is at the end of present land towards North West. The average sale price of Mutation No. 1391 comes to Rs. 3000/- per bigha whereas average per bigha of the other sale comes to Rs. 677/- per bigha. There is a difference of about 8 months between these transactions and land covered is almost the same. Moreover, the lower average price of mutation No. 1385 is in conformity with other sale transactions mentioned in the table above. This shows that transaction of Mutation No. 1381 is very much on the high side as compared to other transactions available in the record. This very point creates doubt that these sale transactions does not represent the market ^{or} price and cannot be taken as a reasonable guide for arriving at the fair market price.

The land is part of a big chunk of land notified for acquisition and it is being acquired in parts as per requirement of the acquiring department. Originally award No. 1934 was made in which the land was

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assessed at three rates of Rs. 1000/- per bigha for Abi, Roali and fertile land. Rs. 800/- per bigha for Roali land not so fertile and dependant on rain & Rs. 600/- per bigha for G.M. Rahar, Banjar Qadim and Johar. Two judgments from the Court of A.D.J. have arisen against the said award. L.A. Case No. 94/77- Bhargat Singh Vs. UOI in which compensation was enhanced from Rs. 1800/- to Rs. 8400/- per bigha. UOI has filed appeal against this judgment and as such market value determined is not final. In another case No. 88/77- Hari Ram Vs. UOI the compensation has been enhanced @ Rs. 2250/- per bigha from Rs. 1000/- per bigha. Interested persons have not gone in appeal against this judgment, as such it has become final. This judgment pertains to the land just by the side of the land under acquisition and quality is the same.

The discussion of the above mentioned sale transactions, awards and judicial pronouncements leads me to the conclusion that judgment in case No. 88/77- Hari Ram Vs. UOI is very considered judgment in which a good number of cases of assessment u/s 11 of the L.A. Act of Village Molar Bund, Ali & Badarpur made by the L.A. Cs and subsequent enhancement by the A.D.Js have been discussed in detail. Since, there is no difference of land in between this case and land now under acquisition I consider it to be the best evidence to arrive at a reasonable market value.

Some of the land of these proceedings is situated near the Village abadi but there is hardly any difference in the market value for the reason that big chunk of land under the present scheme is near to the Mathura Road and enjoys potentiality whereas the land near to the Village abadi also enjoys potentialities with reference to market value. In view of the above discussion I assess the entire land under these proceedings @ Rs. 2250/- per Bigha and award the same accordingly.

An area measuring 24 Bigha 17 Biswas is being used as G.M. Rasta and pathways and is recorded as such in the revenue record. No compensation is therefore assessed for this area. Details of khasra numbers are as under :-

<u>Kh.No.</u>	<u>Area</u>
	<u>Big. Bis</u>
15/1	0-9
15/3	1-4

: 10 :

151/2/1	5-3
335/1	0-17
445/2 min	0-11
443	4-14
444/2/2	1-05
445/1/1	0-05
424	0-13
445/2 min	0-02
403/2	1-06
406/2	1-18
407/2	1-18
410/2	0-16
416/1	0-7
417/2	1-17
420/1-2 min	1-12
Total:-	<u>24-17</u>

STRUCTURES

There are some Jhuggies on the land under acquisition near the Village abadi but all were constructed ^{after} before the date of notification u/s 4. As such no compensation is assessed.

WELLS & TUBEWELLS

There is ^{do} one tubewell in Kh.No. 486 and I assess ^{do} this value at Rs. 5000/-

TREES

The Naib Tehsildar made the survey of the trees standing on the land and I have also inspected them. The price of these trees suggested by the Naib Tehsildar as Rs. 5000/- is awarded. Details of the trees and khasra numbers in which they are standing are as under:-

Sr.No.	Kh.No.	No. & name of tree	Weight	Rate per Qtl.	Total amount
1.	10/3	Shehtoot -1	2 Qtls.	Rs. 15/-	Rs. 30/-
2.	13/1	Amrood - 33	fruit trees		Rs. 4500/-
3.	63	Sheesham -1	10 Qtls.	Rs. 15/-	Rs. 150/-
4.	486	Neem -1 Peepal -1	12 Qtls. 20 Qtls.	Rs. 10/-	Rs. 320/-

15 % SOLATIUM

15 % solatium may be paid over and above the market value so assessed.

APPORTIONMENT

Compensation will be paid on the basis of latest entries in the Revenue Record. Disputed compensation, if not amicably settled within reasonable time may be referred to the Court of A.D.J., Delhi for adjudication.

LAND REVENUE

The land under acquisition is assessed at Rs. 64.87 as land revenue which will be deducted from the Khalsa Rent Roll of the Village from the date of taking over possession of the acquired land.

The aforesaid land will vest absolutely in the Govt. free from all encumbrances from the date of taking over possession of the land.

SUMMARY OF THE AWARD

Compensation of land measuring 205 Bighas 14 Biswas @ Rs. 2250/- per Bigha	Rs. 4,62,825-00
Compensation of land measuring 24 Bigha 17 Biswas	Nil
Compensation of Tube-Well	Rs. 5,000-00
Compensation of Trees	Rs. 5,000-00
15 % Solatium	Rs. 70,923-75
TOTAL:-	Rs. 5,43,748-75

(Rupees Five Lac Forty Three Thousand seven Hundred Forty Eight and Seventy Five Paise only)

(B.S. RANA)
LAND ACQUISITION COLLECTOR (ME)
DELHI.

Announced today & filed.

B. S. Rana
19.10.81
LAC (ME)