

Award No. 10/80-81

Name of Village	Mundka
Area Under Acquisition:	5 bighas 13 biswas
Purpose of Acquisition	Mundka Pond Scheme.
Nature of Acquisition:	Permanent.

An area 7 bighas 03 biswas was notified u/s 4, 6 and 17 of the Land Acquisition Act vide notification No.F.7(6)/77-L & B (i) (ii) (iii) dated 19.2.79. alongwith area of other villages. The land was required to be taken by Govt. at the public expence for a public purpose, namely for Mundka Pond Scheme.

According to the Asstt. Engineer Flood Control & Drainage Division the scheme for the following Kh. Nos area measuring 1-10 has been dropped by them.

Kn. No.102/9min,(0-2), 12 min(0-07), 19min(0-3), 21min(0-08), 103/11min(0-05).

Therefore acquisition proceeding for 1 bigha 10 biswas will be finalised lateron by a supplementary award as and when the Deptt. require. The present acquisition is confined to an area 5 bighas 13 biswas only.

MEASUREMENT & TRUE AREA.

Necessary measurement carried out alongwith the field staff on the pot and the revenue record was consulted. The area found to be correct is 5 bighas 13 biswas whose details are as below:-

<u>Khasra No.</u>	<u>Area</u>	<u>Kind of soil.</u>
45/11/1	0-08	Nehri.
12/1	0-08	-do-
13/1	0-08	-do-
14/1	0-08	-do-
15/1	0-08	-do-
46/11/1	0-08	-do-
12/1	0-08	-do-
13/1	0-08	-do-
14/1	0-08	-do-
15/1	0-08	-do-
47/11/1/1	0-02	-do-
14/2/1	0-04	-do-

17/1	0-10	Nehri.
18/1	0-08	-do-
19/1	0-08	-do-
150/1	0-01	-do-

OWNERSHIP & OCCUPENCY

Sr. No.	Name of owner	Name of occupant	Khasra No.	Area	Kind of soil.
1.	Sh. Sultan Singh, Harpal Singh, Ram Parkash, Dalbir Singh and Phool Singh ss/o Giani in equal share.	Self	46/15/1 47/11/1/1	0-08 0-02	Nehri.
2.	Hukmi s/o Badlu Kh. No. 46/11(1-12), Nihal, Rattan ss/o Chhota in euql share Kh. No. 46/11 (1-13).	Self	46/11/1 12/1 13/1	0-08 0-08 0-08	-do- -do- -do-
3.	Zile Singh, Samer Singh XXXX , Smt. Indrawati d/o Smt. Sarti wd/o Sh. Ghissa in equal share.	Self	46/14/1	0-08	-do-
4.	Teka s/o Sheo Ram	Self	47/19/1	0-08	-do-
5.	Bhartu, Jai Lal & Desh Ram ss/o Jhuma Kh. No. 45/13(172 sh.	Self	45/13/1 14/1 15/1	0-08 0-08 0-08	-do- -do- -do-
6.	Laxmi, Johri and Ram Kishan sons of Rattan.	Self	45/11/1 12/1	0-08 0-08	-do- -do-
7.	Bishan X	Self	47/17/1 18/1	0-10 0-08	-do- -do-
8.	Gaon Sabha		47/11/2/1 150/1	0-04 0-01	Rasta

CLAIMS & EVIDENCE.

Sr. No.	Name of the claimant.	Kh. No.	Area	Claimed	Evidence.
1.	Sh. Lakhi, Johri & Ram Kishan ss/o Fattan r/o vill. Mundka, Delhi.	45/11/1 12/1	0-08 0-08	i) Rs. 10000/- P.B. for land.	Nil.

2.	Bhartu, Jai Lal & Desah ss/o Jhuman r/o vill. Mundka	45/13/1 14/1 15/1	0-8 0-08 0-08	Rs. 15000/- P.B. ^{tuanting} for land. ^{as}
3.	Jai Ram s/o Jhunda	45/12 45/13/1	1-12 0-12	prayed for corrected For correction of area.
4.	Sumer Singh, Indrawati, Sarti & Zile Singh.	46/13/1		For correction of area.
5.	Mihal, Rattan	46/11/1	0-08	for correction of area
6.	Bhartu, Jai Lal, Desan.	45/13/1		for correction of area.
7.	Jaisi Ram.			for correction of area.

MARKET VALUE.

The market value of the land under acquisition is to be determined with reference to the date of preliminary notification 19.2.79. In assessing the market value of the land under acquisition, the material date, bonafide sale transactions of the land similarly circumstanced as also the awards for similarly situated lands made with reference to the date of notification u/s 4 are to be taken into consideration.

In this village no award has been drawn during the recent past five years. As regards the sale transactions having taken place in this village nearest to the material date in the instant case, the following sale transactions during the past five years from the notification u/s 4 have been reported by Revenue Field Staff.

	Mutation No.	Khasra No.	Area	Amount	Average P.B.
79	1493 3.7.76.	3248/2146 3249/2146	2-00 2-00	8000/-	2000/-
80	1492 3.7.76	3146/2145 3247/2145	2-8 2-7	9000/-	1894/80.
81	2267 14.10.76	2152 2153	1-10 1-10	6000/-	2000/-
521	63 5.1.79.	2031Min	1-12	5000/-	3125/-
546	226 12.1.79	2032	2-8	5000/-	2083.33
563	914 17.2.79	655	3-04	48000/-	15000/-

A perusal of the above sale deeds revealed the fluctuating trend of market value of the land of village Mundka. It has further come to notice that small pieces of land have fetched higher rates as compared to bigger pieces of land. We cannot place reliance on sale transaction mentioned at Sr. No.4 because in this sale transaction the land involved is only one bigha 12 biswas. In all probably this land was not sold for agricultural purposes. Sale transaction mentioned at Sr. No.6 also cannot be relied upon because in this sale transaction land measuring 3 bighas 4 biswas was sold for Rs.48000/- The average price per bigha for this sale transaction works out to be Rs.15000/-. This sale does not appear to be genuine because only one month before this sale transaction, land measuring 2 bighas 8 biswas as mentioned at Sr. No.5 of the above table was sold @ Rs.2083.33 per bigha. So, no reliance can be placed on sale transaction mentioned at Sr. No.6. Sale transaction mentioned at Sr. No.5 is also of a small piece of land as in this sale transaction land measuring 2 bighas 8 biswas was sold @ Rs.2083.33 per bigha. I don't think that this small piece of land was sold for agricultural purposes. I do not find it justified to place reliance on this sale deed while fixing the market value of the land under acquisition.

For determining the market value of the land under acquisition the sale transactions mentioned at Sr. No.1 and 3 can offer best guidance. In sale transactions mentioned at Sr. No.1 and 3 land measuring 4 bighas and 3 bigha respectively was sold @ Rs. 2000/- per bigha. In sale transaction mentioned at No.2 land measuring 4 bighas 15 biswas was sold @ Rs.1894.80. Sale transactions mentioned at Sr. No.1 and 2 were entered upon on 3.7.76 and sale transaction mentioned at Sr. No.3 was entered into on 14.10.76. All the sale transactions as mentioned at Sr. No.1 and 3 appear to be genuine because ^{higher} ~~higher~~ pieces of land were sold in these

sale transactions. Further I think it would be more proper to place reliance on sale transactions mentioned at Sr. No.1 and 3 because in both these sale transactions land measuring 4 bighas and 3 bighas respectively were sold @ Rs.2000/- per bigha. Land mentioned at Sr. No.2 however fetched comparatively low price which may be because of some other reasons. I think it would be better to place reliance on sale transaction mentioned at Sr. No.1 and 3 while fixing the market value of the land under acquisition because in both these sale transactions the average market value works out to be Rs.2000/- per bigha.

These sale transaction were entered into on 3.7.76 and 14.10.76 respectively. The date of preliminary notification of the land under acquisition is 19.2.79. There is a difference of about 3 years in the date of these sale transactions and date of preliminary notification of the land under acquisition. For this period the land owners may be allowed appreciation @ Rs. 6% which works out to be Rs. 120/- for one year and Rs.360/- for 3 years. After adding Rs.360/- over and above Rs.2000/- the total works out to be Rs.2360/- per bigha. Accordingly I assess Rs.2400/- per bigha for land under acquisition.

OTHER COMPENSATION

WELLS & TREES

There is no well or tree on the spot under acquisition. Hence no compensation is assessable on this account.

CROPS

Some crops are standing in an area 1-04 of the land under acquisition Rs.250/- is assessed for the crops.

SOLATIUM.

15% solatium may be paid on the market value of the land towards its compulsory nature of acquisition.

INTEREST.

The possession of 5 bigha 13 biswas of land was taken on 18.5.79 u/s 17 of the Land Acquisition Act. Hence interest is payable from the date of taking over the possession i.e. 18.5.79.

LAND REVENUE.

The land under acquisition is assessed to a sum of Rs. 2-03 as land revenue. This land revenue is assessed on the basis of the parta sarsari as the consolidation proceeding has not been finalised in this village. The same may be deducted from the Khalsa Rent Roll of the village.

APPORTIONMENT.

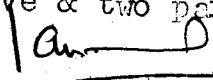
Compensation may be paid according to the latest entries in the revenue record except where persons other than owners are occupant or claim compensation.

Proceeding of consolidation of Holding are going on in this village and the same have not yet been finalized. Payment of compensation may be made after a certificate to be produced from consolidation officer to the effect that no appeal has been filed against the new allottee in respect of Khasra Nos under acquisition.

SUMMARY OF THE AWARD.

1.	Market value of land @ Rs.2400/- per bigha for 5 bighas 13 biswas.	Rs. 13,560.00
2.	Compensation for crops.	Rs. 250.00
3.	Add 15% solatium	Rs. 2,071-50
	Total	Rs. 15,881-50.
4.	Interest u/s 28 of the L.A. Act on amount Rs.15,881.50 w.e.f. 18.5.79 to 31.3.80 for 319 days).	Rs. 830.52.
		Rs. 16,712.02

(Rs. Sixteen thousand seven hundred twelve & two paise only).


 (J.S. BURJIA)
 LAND ACQUISITION COLLECTOR(MSW):
 DELHI.

चारवाँ कब्जा जेट दफा 4, 6, 17, गो. 21 दिशान नं.
 U/S 4 F7 (6)/77 - LRB (1) Dated 19-2-79
 U/S 6 — do — (2) — do —
 U/S 17 — do — (3) — do —
 गाँव: — मुन्सगा

आज दिनांक 18 5 79 बुधवार मुन्सगा जिला लेन्ड. रो. वनी जिला
 कलेक्टर साहब कोर्ट का गाँव मुन्सगा बहदाह श्री कोटीलाल
 पटवारी L.A., श्री देवचंद पटवारी L.A. व श्री रत्नचंद
 बहदाह L.A. पड़च्ये। बहदाह ई बहदाह हिंसा की
 ओर से श्री R.K. गुर्ग A.S.H. Eng. मुल्स वन्ड्रोल
 डिफेंडर फेन्ट डि विजय नं. 1 दिल्ली प्रशासन श्री
 प्रो. गुर्ग के मुलाबित कोर्ट का मौजूद है। वास्तविक
 में से आवजूर ई लाल कोई राजा मुद्दे आया है।
 मुन्सी गो. 21 दिशान U/S 4, 6, 17, वलिन गो. 21 दिशान
 दफा पचासवाला बसमुला नम्बर 17 रनसरा

11/1, 12/1, 13/1, 14/1, 15/1, 46
 (0-8) (0-8) (0-8) (0-8) (0-8) 11/1, 12/1, 13/1, 14/1
 46 (0-8) (0-8) (0-8) (0-8)
 15/1 47
 (0-8) 11/1, 12/1, 13/1, 14/1, 15/1, 16/1, 17/1, 18/1, 19/1
 (0-2) (0-4) (0-10) (0-8) (0-8)
 50/1 कुल लादाई 5-13 दि कोर्ट का बजारी का बरब-
 राजी के कारना कोर्ट का खुर्जी का रकाद लगावा निशान देदी
 रतु कब्जा वादी ई दाखल किया गया। ओर-
 जलन सदी दकोला श्री R.K. गुर्ग A.S.H. Eng-
 दायादा। मुन्सगा नम्बर 17 रनसरा में आज दिनांक 18 5 79
 द. वन्स, रकाबुजा, फाज, बकाचरी, जालिनी

मसल हा। सुल। कदा जका र जका
 ति तसरनीरा निदा जावेगा। वा वकल का काई
 दजा कोई मजादमर पैरा गदि आई। मुतादी व मुशतदर
 जात लववीली कब्जा मोदे दा व देह दजा दे वजारिका
 भी रुधा - मुदराशी L.A. वा आकाज बुलद कर काई
 गई। पटकारी दलका ओ वलद दिगा का लुगा (दा मु)
 गदि आया है। लिहाजा राक गल का काई कब्जा उलगा
 बाणे आमल दामद दा कागजाल माल वजारिका C.O.
 रादव - वरुबन्दी मिज काई जावे। ओ (राक गल
 मदवमा इ व का परिग को। का काई कब्जा मुदमलि
 हो चुकी है। लिहाजा रिपोर्ट अर्ज है। 18-5-79

18/5/79
 18/5/79

Moti Lal Sharma
 Pat L.A. 18/5/79
 18/5/79

(Signature)
 18/5/79
 N.T. (C)

91

18/5/79
 18/5/79

22317/15
22-2-79

DELHI ADMINISTRATION : DELHI
NOTIFICATION

MADE THE 19th FEB, 1979

No.F.7(6)/77-L&B/(1):- Whereas it appears to the Lt. Governor Delhi that the land is likely to be required to be taken by Government at the public expense for a public purpose, namely for "Mundka Pond Scheme", it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lt. Governor, is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

The Lt. Governor being of the opinion that provisions of section (1) of section 17 of the said act are applicable to land, is further pleased under sub-section 4 of the said section, direct that the provisions of section 5-A shall not apply.

SPECIFICATION.

Name of the Village	Total area		Filed Nos or Boundaries.		Area Kha
	Big.	Bis	Rect No.	Khas No	
2	3		4		
Mundka	7	3	45		
				11min	0-08
				12min	0-08
				13min	0-08
				14min	0-08
				15min	0-08
			46	11min	0-08
				12min	0-08
				13min	0-08
				14min	0-08
				15min	0-08
			47	11/1min	0-02
				11/2min	0-04
				17min	0-10
				18min	0-08
				19min	0-08
			150min		0-01

contd/2

Mundka
bigha
NT
LAC (1)
22174
AC (1)

(13)

102	9min	0-02
	12min	0-07
	19min	0-08
	21min	0-08
103	11min	0-05

2. Kirari Suleman 1 01
Nagar.

1132min	0-1
1163min	- -
1164min	0-08
1178min	0-12
1180min	- -

BY ORDER

A. K. Chaturvedi
(AJIT KUMAR CHATURVEDI)
UNDER SECRETARY (LAND & BUILDING)
DELHI ADMINISTRATION: DELHI.

No. F.7(6)/77-L&B ()

5117 Dated the 19/4 Feb, 1979

Copy forwarded to:-

1. The Public Relations Department, Delhi Administration, Delhi (in duplicate) for favour of publication in part IV. of Delhi Extra ordinary Gazette. 5 copies of the Gazette notification may be supplied to this Administration.
2. The Additional District Magistrate (LA) Tis Hazari Courts Delhi.
3. The Land Acquisition Collector (P) Tis Hazari Courts, Delhi.
4. Executive Engineer - Flood Control & Drainage Division I Delhi Administration, Delhi.
5. The Tehsildar (L&B) Vikas Bhavan, New Delhi.
6. The Tehsildar (Notification), Tis Hazari, Courts, New Delhi.
7. The Sub Registrar, Delhi I & II
8. The Sub Registrar, New Delhi.
9. The Sub-Registrar, Shahdara.
10. P.A. to Deputy Secretary (L&B) Vikas Bhavan, New Delhi.

A. K. Chaturvedi
(AJIT KUMAR CHATURVEDI)
Under Secretary (Land & Bldg)
Delhi Administration: Delhi.

M. S. Ghalot