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OFFER
AWARD NO. 44/71-72 (Supplementary)

VILLAGE:- Budh Pur Biza Pur, Delhi.
PURPOSE Remodelling of Bawana Escape.
NATURE OF ACQUISITION:- Temporary u/s 35(1)

AWARD

In pursuance of notification No. F15(95)/67-
L&H(IV) dated 2.2.68 issued u/s 35(1) of the L.A. Act,
1934 for remodelling of Bawana Escape, and offer No.
2153 in the said village was announced on 14.3.68 for
occupation of land measuring 99 bighas 15 biswas for
a period of one year with effect from 25.4.68 to
24.4.69. After the expiry of one year and on the
request of the department concerned the period was
extended for one year more vide notification No. F15(95)/
67 L&H dated 11.3.70. The rent for the second year
has also been given to the owners of the land vide
offer No. 32/71-72.

Now these are the proceedings for awarding
damages for removing earth from the land in question.
The claims have been discussed separately under the
heading 'Claims'.

Measurement and details of land and its
classification have already been discussed in the
main offer.

Revised
Now the present proceedings are ^{Revised} conferred
for 82 bighas 11 biswas for awarding damages for
removing earth. The earth was not removed from the
remaining area measuring 17 bighas 4 biswas. For
purposes of awarding damages, land in question has
been grouped into four blocks and the Khasra Nos.
included in these blocks are indicated separately.
The grouping has been done on the basis of the
depth upto which digging has been carried out and
earth removed.

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S.No. 'Khasra No.' Area from which 'Earth removed in the earth removed foot.

1.	368/2	2-03	4'
2.	378/2	1-16	"
		3-19	Kept in Block 'A'
3.	116/2	1-00	3'
4.	114/2	0-08	"
5.	112/2	0-08	"
6.	110/2	3-07	"
7.	138/2	2-05	"
8.	135/2	2-03	"
9.	355/1	0-03	"
10.	370/2	3-02	"
11.	367/2	2-09	"
12.	366/2	2-04	"
13.	363/2	2-09	"
14.	362/2/2	1-03	"
15.	377/2	1-18	"

Okuma

		22-19	Kept in Block 'B'
16.	123/2	1-00	2'
17.	122/2	1-16	"
18.	120/2	1-04	"
19.	118/2	1-04	"
20.	321/1	0-16	"
21.	320/1	0-16	"
22.	319/1	1-12	"
23.	139/2	2-09	"
24.	137/2	2-09	"
25.	136/1	0-11	"

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26.	134/2	1-14	2'
27.	58/1	0-16	"
28.	95/2	1-09	"
29.	94/2	1-15	"
30.	96/2	3-01	"
31.	97/2	3-05	"
32.	376/2	2-09	"
33.	375/2	2-09	"
34.	374/2	2-09	"
35.	373/2	2-09	"
36.	372/2	2-03	"
		37-10	Kept in Block 'C'.
37.	124/2	3-06	1'
38.	322/1	1-07	"
39.	147/1	0-04	"
40.	133/1	0-03	"
41.	132/2	3-15	"
42.	130/2	1-17	"
43.	131/2	3-16	"
44.	128/2	2-02	"
45.	127/2	1-13	"

Run

18-03 Kept in Block 'D'

Total Area A = 3-19
 B = 22-19
 C = 37-10
 D = 18-03

82-11

Details of land from which no earth has been removed
 and no damage is required.

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S.No.	Khasra No.	Area.
1.	92 min.	0-08
2.	93 min.	0-01
3.	98 min.	0-09
4.	140 min	1-05
5.	323 min	0-04
6.	365 min	0-05
7.	383 min	0-06
8.	126 min	0-00
9.	112/2 min	2-01
10.	114/2 min	2-01
11.	116/2 min	1-09
12.	118/2 min	1-05
13.	120/2 min	1-05
14.	122/2 min	0-13
15.	123/2 min	1-09
16.	319/1 min	0-17
17.	320/1 min	1-13
18.	321/1 min	1-13

 17-04

Sum

Area covered under:-

Block A	=	3-19
Block B	=	22-19
Block C	=	37-10
Block D	=	18-03
Unused land.	=	17-04

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CLAIMS

The following persons have submitted their claims for removing the earth. The details are as under:-

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S.No.	Name of claimants	Khasra No.	Claimed.
1.	Sh. Ram Kishan s/o Sh. Ram Partap. Sh. Niazar s/o Sh. Ram Kishan.	95/2, 56/1, 130/2, 131/2 & 132/2 133/1.	Claimed Rs. 8/- per 100 sq. ft. Produced no evidence.
2.	Smt. Bhagwati Devi w/o Sh. Laxmi Narain.	377	Claimed Rs. 8/- per 100 sq. ft. Produced no evidence.
3.	Sh. Smt Ram s/o Sh. Jaggan	97	-do-
4.	Sh. Ram Saroop s/o Sh. Jaggan.	99	-do-
5.	Sh. Nane Pardhan Gaon Sabha Budhpur Bijapur, Delhi.	110/2, 112/2 114/2, 116/2, 118/2, 120/2, 122/2 & 123/2	-do-
6.	Sh. Madhu s/o Sh. Harphool.	94	-do-
7.	Sh. Chottoo s/o Sh. Nathan.	128 & 197	Claimed Rs. 1600/- Produced no evidence.
8.	Sh. Ram Pat s/o Sitea Sh. Teku.	362, 363, 366, 367	Claimed Rs. 4650/- Produced no evidence.
9.	Sh. Rishal Singh s/o Sh. Abhey Ram	355 & 356	Claimed Rs. 1560/- Produced no evidence.
10.	Sh. Kundan Lal s/o Sh. Piarey Lal, Smt. Devki w/o Sh. Laxmi Narain.	319, 320 & 321	Claimed Rs. 2500/- Produced no evidence.
11.	Sh. Chandgi s/o Sh. Abhey Ram	370 & 371	Claimed Rs. 5250/- Produced no evidence.
12.	Sh. Bhagwana s/o Sh. Balki shan	374/2, 375/2 376/2, 377/2 & 378/2	Claimed Rs. 8/- per 100 sq. ft. Produced no evidence.
13.	Sh. Jit Ram s/o Sh. Sis Ram	134, 135, 136 137, 138 & 139	Claimed Rs. 7500/- Produced no evidence.
14.	Sh. Surty, Partap ss/o Sh. Rati Ram.	372/2, 373/2	Claimed Rs. 8/- per 100 sq. ft. Produced no evidence.

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In support of their claims, no one has produced any evidence; therefore, damages shall be fixed as per rules.

QUANTUM OF DAMAGES

This village is governed under the Delhi Land Reforms Act, 1954 and no area is now under the cultivation of any tenant at will. The land was acquired temporarily under section 35(1) of the L.A. Act for removing the earth for re-modelling of Bawana Escape. The rent has already been paid vide offer No. 2153 & 32/70-71.

Now the owners have claimed for the damage of removing the earth. The depth and the area from which the earth was removed was measured at the spot by the field staff in the presence of the Section Officer, Flood Control and Drainage Deptt., Delhi, Division No. II. The area of such land comes to 82 bighas and 11 biswas. The quantum of earth removed is not equal but different. For assessing the damage the land has been divided in blocks according to the depth of the earth removed. The details blockwise are as under:-

The land from which the earth removed upto 4 feet is kept in Block 'A', 3 feet in Block 'B', 2 feet in Block 'C' and upto one foot in block 'D' as under:-

Area under Block A	-	3-19
" " " B	-	22-19
" " " C	-	37-10
" " " D	-	18-03

Total.. 82-11

The area from which the earth was not removed is 17 bighas and 4 biswas.

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The claimants have generally claimed Rs.8/- per 100 sq. ft. as damage but no proof has been produced. The demand of the land owners is abnormally high and exaggerated.

In determination of compensation for digging the earth, it is proper to consider other temporary awards. As there is no such case in this village and no documentary evidence has been produced by the owner so it is necessary to consider offer No.1792 & 1818 of village Wazirabad vide (notification u/s 35(1) No.F15(2)/65-LSG and No.F15(15 /65-LSG dated 22.4.65) in which the rate of Rs.26/- per bigha for digging the earth upto a depth of 2 ft. was given. In offer No.61A of 1970-71 announced on 30.3.72 by the L.A.C(N) damage for digging the earth was given @ Rs.15/- per bigha per foot. This is a fit case on which the compensation can be assessed. So I am of the opinion that the damage be assessed @ Rs.15/- per bigha per foot i.e. for block A Rs.60/- per bigha, for block B Rs.45/- per bigha, for Block C Rs.30/- per bigha and for Block D Rs.15/- per bigha. Accordingly I assess the same in respect of Blocks 'A', 'B', 'C' & 'D'.

MODE OF PAYMENT

The persons interested shall be paid the compensation of damage according to the latest entries in the revenue records of the land, now under proceedings. Before making payments, if any objection is received from any person the payment may be made after any amicable settlement between the parties concerned failing which the matter may be referred to the court of A.D.J., Delhi for adjudication.

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Subject to the above remarks the offer is summarized as hereunder:-

1. Damage for land placed in Block A measuring 3 bighas 19 biswas @ Rs.60/- per bigha. Rs. 237.00
2. for Block B measuring 22 bighas 19 biswas @ Rs.45/- per bigha.. Rs.1032.75
3. For Block C measuring 37 bighas 10 biswas @ Rs.30/- per bigha.. Rs.1125.00
4. For Block D, measuring 18 bighas 3 biswas @ Rs.15/- per bigha. Rs. 272.25

Total...

Rs.2667.00

(Rupees two thousand six hundred and sixty-seven only).

Pramod Kumar
(PRAMOD KUMAR) 12.10.72
LAND ACQUISITION COLLECTOR(N): DELHI.

*Announced and
filed.
Kumar
12.10.72*