

31. 5144-2

Supplementary AWARD NO. 13-A/84-85

NAME OF THE VILLAGE : BURARI
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : CONSTRUCTION OF ^{SALEEM PUR} ~~SEELAMPUR~~
& ABRAHIMPUR MINOR

These are supplementary proceedings of Award No. 13/83-84 which was announced on 22.6.83. The land in this case was notified u/s 4 vide notification No.F.7(4)/75-L& (1)(ii)(iii) dated 3.2.1977. The total area acquired in this Award is 30 Bighas 3 Biswas. The possession of the land was taken over by the Flood Department but no actual date of possession was available with this office. Now, the Executive Engineer (M) has vide letter No.EE/MID/T-1/85/57991 dated 21.6.85 ~~had~~ intimated that possession of the land was taken over by their Department on 7.1.1977. As such, the recorded owners are entitled for payment of interest w.e.f. 7.1.1977

2. After the announcement of the above award, Land Acquisition Act, 1894 has been amended and the Amendment Act came into force w.e.f. 24.9.84. However, as per provision of section 30 of the Land Acquisition (Amendment) Act, 1984, certain provisions of the Act are to take effect from 30.4.82. Hence, the need for the supplementary award has arisen.

3. Under the Amended Act, the provisions of section 23(1) have been amended by providing a new sub-section 1(A) of section 23 of the Principal Act as inserted by clause A of section 15 of the Amended Act. By this amendment, the interested persons will get an amount calculated @ 12 % p.a.

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of the land whichever is earlier. Similarly, section 23(2) of the Principal Act has been amended by clause A of section 15(b) of the Amendment Act by which the interested persons will be entitled solatium @ 30 % instead of 15 %. Similarly the recorded owners are to be paid interest @ 9 % for the period of one year and after one year @ 15 % instead of 6 %. All these amendments are to take effect from 30.4.1982 as per provisions of section 30 of the Act, 1984

In the present case, the possession of the land was taken over before the date of notification u/s 4 i.e. on 7.1.1977 and as such, the interested persons are not entitled for payment of additional amount @ 12 % but interest u/s 34 of the Land Acquisition Act w.e.f. 7.1.1977. Keeping in view the provisions of the amended Act, the interested persons/ Bhumidars of Award No. 13/83-84 which was announced on 22.6.83 are entitled for solatium @ 30 % on the market value & Instt. @ 9 % from 7.1.1977 to 21.6.83.

At the time of taking over possession of the land, there were certain crops. Details of the crops were not available in this office as the possession was taken directly by the acquiring department. The acquiring department has sent a list of standing crops vide their letter No. EEF/SW/T/7/MID/84/0283 dated 15.6.84, the details of the crops as furnished by them are given below:-

<u>Sr.No.</u>	<u>Kh.No.</u>	<u>cropped area</u>	<u>Kind of crop</u>
5/11/2 ✓		0-19	Barley Mater
20/2 ✓		1-15	-do-
21/2 ✓		0-16	-do-
22/2 ✓			

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8/1/3/2 ✓	0-18	Wheat
13/2 ✓	0-17	-do-
14/2 ✓	1-14	Barley
17/2 ✓	1-15	Wheat
24/2 ✓	0-11	-do-
18/6/2 ✓	0-1	Mater
19/1/1 ✓	0-6	Wheat
10/2 ✓	1-10	-do-
11/2 ✓	1-5	-do-
12/1 ✓	0-12	-do-
19/2 ✓	1-3	-do-
22/2 ✓	1-11	-do-
23/2 ✓	0-17	-do-
38/3/2 ✓	1-16	-do-
8/1/2 ✓	1-0	-do-
8/2/2 ✓	0-4	-do-
7/1/1 ✓	0-4	-do-
7/2/1 ✓	0-8	-do-
14/2 ✓	2-17	Gochani

Total:-

26-15

Wheat

15-18

Barley-Mater

8-0

Gochani

2-17

Keeping in view the ^{condition} ~~position~~ of the crops at the time of taking over possession, I assess the compensation @ Rs. 450/- per bigha for Wheat Crop including fodder.

I assess compensation @ Rs. 350/- per bigha for Barley & Mater crop including fodder.

Similarly, a sum of Rs. 450/- per bigha is assessed for Gochani (Wheat & Gram crop).

As per above discussion, the following amount is allowed to the interested persons of the above award. This amount shall be apportioned as per the original award No. 13/83-84:-

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SUMMARY

Compensation for the land
measuring 30-03 @ Rs.1800/-
per bigha

Rs.54,270-00

30 % solatium

Rs.16,281-00

Rs.70,551-00 ✓

Instt.u/s 34 from 7.1.77
to 21.6.83 (6 yrs. 166 days)
@ 9 % p.a.

Rs.40,985-29 ✓

Compensation for Wheat
crop @ Rs.450/- per bigha
for 15 bigha 18 biswas

Rs. 7,155-00 ✓

Compensation for Barley-Mater
crop measuring 8 bighas
@ Rs. 350/- per bigha

Rs. 2,800-00 ✓

Compensation for Gochari
crop measuring 2 bigha 17 biswas
@ Rs.450/- per bigha

Rs. 1,282-50 ✓

Total:-

Rs.1,22,773-79

Already tendered

Rs. 62,410-50

Balance

Rs. 60,363 -29

(Rupees Sixty Thousand, Three Hundred, Sixty Three and Twenty
Nine only)

me
(D.B.KUBBA)
LAND ACQUISITION COLLECTOR(N)
DELHI.

Appd.

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*It is a
from one of friend*

5/1/87

5/1/87
LA