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AWARD NO 136/86-87
NAME OF THE VILLAGE BURARI
PURPOSE OF ACQUISITION CONSTRUCTION OF SUB MINORS
NATURE OF ACQUISITION PERMANENT

These are the proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land situated in village Burari was notified u/s 4 of the L.A. Act vide notification No. F.7(88)/78-LB(1)/4005 dated 9.2.79 for a public purpose namely for the constructions of sub-minors. In view of the urgency of provisions of sub section (1) of section 17 of the L.A. Act are applicable to this area. Hence the interested persons were not given any opportunities to file their objection u/s 5-A of the L.A. Act. The Delhi Administration issued a declaration u/s 6 of the L.A. Act through same notification.

In pursuance of the above notification u/s 6 notices u/s 9 & 10 of the L.A. Act were issued to all the interested persons to file their claims and the claimants filed the claims which are discussed hereafter under the heading "CLAIMS".

MEASUREMENT :-

The area under acquisition have measured on the spot and found correct, the details of khasra Nos. & area is as under

Khasra No.	Area
9/21	0-08
22	0-08
24	0-08
10/21	0-08
22	0-08
23	0-08
24	0-08
25	0-08
11/21/2/1	0-08
21/2/2	0-08
22	0-01
23	0-02
24	0-08
25	0-08
12/17	0-08
18	0-08
19	0-02
20	0-08
21	0-08
22	0-08
23	0-08
24	0-08
25	0-08
13/16	0-03
17	0-04
18	0-08
19	0-08
20	0-08
21	0-08
22	0-08
23	0-08
24	0-08
25	0-08
14/16	0-08
17	0-08
18	0-08
19	0-08
20	0-08
21	0-08

22	0-08
24	0-08
25	0-08
15/13	0-05
18/5	0-04
19/1	0-02
21/1/2	0-08
2	0-08
3	0-08
4	0-08
5	0-03
162	3-13
74/22	0-04
23	0-08
24	0-08
25	0-08
75/21	0-08
22	0-08
23	0-08
207	2-11

Grand Total 27-06

CLAIMS :-

The following persons have filed their claims in pursuance of the notices issued u/s 9 & 10 of the L.A. Act.

S.No.	Name of the claimant	Claimed
1.	Ram Kishan S/o Suraj Bhan R/o Burari	Claimed Rs. 60,000/- per bigha.
2.	Mangal Singh S/o Ram Singh	Rs. 500/- per sq. yd.
3.	Hari Ram S/o Ram Dass	Rs. 60,000/- per bigha
4.	Rajinder Pd. S/o Sh. Suraj Bhan	-do-
5.	Om Dutt S/o Jagdev	-do-
6.	Ram Dutt S/o -do-	-do-
7.	Prabhoo S/o Khushali	Rs. 100/- per sq. yds.
8.	Dev Dutt S/o Prabhu Dayal	Rs. 50/- per sq. yd.
9.	Ram Kishore S/o Har Gopal	-do-
10.	Deep Chand S/o Mam Raj	-do-
11.	Chander alias Chandru	-do-
12.	Munshi S/o Kishan Sahai	-do-
13.	Khechru S/o Ghisa	-do-
14.	Ram Kumar @ Ramesh Chander Sanya Parkash, Ashok Kumar Surinder Kumar Ss/o Ram Saran	-do-
15.	Ved Parkash S/o Jagmohan	Rs. 20,000/- per bigha.
16.	Rishi Parkash S/o Badri Pd.	Rs. 60,000/- per bigha.
17.	Risal Singh S/o Neki	-do-
18.	Mool Chand S/o Taj Ram	-do-
19.	Jai Parkash S/o Neki	-do-
20.	Om Parkash S/o Neki	-do-

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- 23 Mst. Chhoto w/o Malhi Rs. 60,000/- per bigha.
- 24 Chhaju, Kali Ram Jai Rs. 50/- per sq. yd-
Nath alias Lakhi.

MARKET VALUE :-

The land under acquisition is governed by the provisions of the Delhi Land Reforms Act, 1954 and as such, it cannot be used for the purposes other than agriculture, horticulture etc. without the prior sanction of the prescribed authority.

The claimants have claimed compensation @ Rs. 50/- per sq. yd to Rs. 60,000/- per bigha for the land but have not produced any documentary evidence in support of their claims. In the absence of documentary evidence no reliance can be placed on their claims. Efforts were made by the revenue field staff to ascertain the details of sale deeds/awards which was executed or drawn in this village in the vicinity of date of notification u/s 4 i.e. 9.2.79. The following awards were announced in this village :-

S.No.	Award No.	Date of notification u/s 4.	Claimed awarded per bigha.
1.	1749	18.4.64	Rs. 300/-
2.	43/70-71	24.4.70	Rs. 240/-
			Rs. 350/-
3.	65/80-81	30.3.79 30.3.79	Rs. 2000/-
4.	16/81-82	13.1.81	Rs. 2250/-
5.	128/80-81	16.5.79	Rs. 2000/-
6.	13/83-84	3.2.1977	Rs. 1800/-

The date of notification u/s 4 in the present case is 9.2.79. The awards mentioned at S.No. 1 to 2 will not help us in this case as the award was announced about 7 years ago. The award mentioned at S.No. 3 to 5 are also after the date of notification u/s 4 i.e. 9.2.79 in the present case. Hence these three awards could not give us any guidance in determining the market value of the land. Award No. 13/83-84 mentioned at S.No. 6 can also help us in determining the value of the land under acquisition. There is a difference of about 2 years between the two notification i.e. present case and award No. 13/83-84. It would be justified if some element interested is added for this difference of time then the value of the land comes to Rs. 2100/- approximately per bigha.

I think it would be fair and reasonable if I assess the market value of the land at rate of Rs. 2100/- per bigha and accordingly awarded the same.

TREES, WELLS AND STRUCTURES :- There is no well, trees and structures on the land under acquisition.

INTEREST :- The possession has already been handed over and taken over on 22.8.79. Hence the interested persons are entitled to get the interest @ 9% p.a. from the date of possession to the date of announcement of the award i.e. 22.8.79 to 19.9.86 (7 years 29 days).

ADDL. AMOUNT U/s 23(1A) OF THE L.A. ACT :- The interested persons are entitled to get the Addl. amount @ 12% p.a. on the market value of the land from the date of notification u/s 4 to the date of possession i.e. 9.2.79 to 21.8.79 (105 days)