

137 (29)
OFFER NO. 137/86-87

NAME OF THE VILLAGE BURARI
NATURE OF ACQUISITION TEMPORARY
PURPOSE OF ACQUISITION CONSTRUCTION OF SUB MINORS.

These are the proceedings for temporary acquisition of land measuring 75 Bighas 05 Biswas situated in the revenue estate of Village Burari for determining the market value/annunal rent u/s 11 of the L.A. Act, for a public purposes, namely for the construction of Saleempur Minor and Ibrahimpur Minors as notified vide Delhi Administration, Land & Building Department's notification No. F.7(4)/75-L&B/2483 dated the 3rd February, 1977 issued under section 35(1) of the Land Acquisition Act, 1894 for a period of one year from 7.1.1977 to 6.1.1978. Notices as required, were issued to all the persons interested in the land to file their claims which are discussed hereafter under the heading "Compensation Claims".

TRUE AND CORRECT AREA :-

The land was measured by the Land Acquisition field Staff on the spot and were found available for Temporary acquisition is as under :-

<u>Field No.</u>	<u>Area</u>	<u>Classification of land.</u>
4/15min	0-09	
16min	0-11	
25min	0-01	
	1-01	
5/11min	1-11	
19min	1-00	
20min	3-02	
21min	2-14	
22min	2-06	
	10-13	
12/1min	0-12	
2min	2-09	
3min	2-01	
7min	0-05	
8min	2-15	
9min	2-03	
12min	0-04	
13min	2-14	
14min	2-02	
16/2min	0-12	
17min	2-14	
18min	1-12	
23min	less than biswas.	
24min	2-10	
25min	2-15	
	25-05	
18/4min	1-01	
5min	2-11	
6min	2-08	
15min	0-05	
	6-02	
19/1min	1-04	
10min	2-18	
11min	2-14	
12min	1-10	

19/19min	2-11
20min	2-08
21min	0-11
22min	2-15
23min	1-16
	<u>18-17</u>

38/2min	1-16
3min	1-04
4min	0-11
7min	2-06
8min	2-11
9min	0-01
14min	3-01
186min	0-12
	<u>13-07</u>

Grand Total 75-05

Claims:-

The following persons have filed their claims in pursuance of notices issued to the interested persons u/s 35(2) of the Land Acquisition Act.

S.No.	Name of the claimant	Kh. No.	Claims
1.	Ved Parkash Tyagi Village Burari	5/22, 12/2 & 3	Compensation of Rs.10,000/- for land & crops
2.	Sh. Baljit & Amar Singh S/o Teka R/o Village Burari	18/16 & 19/20	Compensation of Rs.200/- per truck of soil
3.	Dev Dutt S/o P rabhu Dayal village Burari	18/4, 5 & 19/1	1. Compensation for temp. acquisition @ Rs.8000/- per land for land. 2. Standing crops @Rs.3000/- per bigha. 3. for inconvenience on account of uneconomic holding -ingo @ Rs.20,000/- 4. Rs.5000/- for levelling the land per bigha. 5. Rs.500/- for trees 6. Interest and solatium as per law.
4.	Rajinder Singh S/o Prabhu Dayal R/o Vill. Burari.	19/10, 11 and 12	As above
5.	Raghunath Singh S/o P rabhu Dayal R/o Vill. Burari.	18/6, 15	As above
6.	Sh. Ramesh, SheroRaj Ss/o Prabhu R/o Vill Burari.	12/7/2, 14, 18/1/3	As above
7.	Chandara S/o Khusali R/o Vill. Burari	12/24, 25	As above
8.	Deep Chand S/o Mam Raj R/o Vill. Burari	12/16/2 & 17, 18/1	As above

- 3 -

9. Jaswant S/o Shri Jai Ram 38/14 3-01 As at Sl.No.6
of village Burari.

MARKET VALUE :-

The market value of the land under acquisition is to be determined keeping in view the situation, advantages, potentialities attached to the land on the date of notification u/s 4 of the Land Acquisition Act. The use of land is also to play an important role in deciding the market value. The provisions of Delhi Land Reforms Act are also applicable to this land and thus the restrictions as contemplated under section 22 & 23 of the Delhi Land Reforms Act are applicable and land can only be used for agriculture, horticulture or animal husbandry etc. Efforts were made by the revenue field staff to ascertain the details of sale deeds executed in this village but no sale deed is effected to have taken place in the same vicinity nearest to the date of notification u/s 4. As such, the help of awards announced in this village from time to time is to be taken. The following awards were announced in this village :-

S.No.	Award No.	Date of notification u/s 4.	Compensation per Bigha.
1.	1749	18.4.1969	Rs. 300/-
2.	43/70-71	24.4.1970	Rs. 940/-
3.	63/80-81	30.3.1979	Rs. 375/-
4.	16/81-82	13.1.1981	Rs. 2000/-
5.	128/80-81	16.5.1979	Rs. 2250/-
6.	13/83-84	3.2.1977	Rs. 2000/- Rs. 1800/-

As stated above, the date of notification u/s 4 in the present cases is 3.2.1977. The award at Sl.No. 1 & 2 will not help in this case as the last award was announced about 7 years ago and award at Sl.No. 3 to 5 is also give us no guidance as the date of notification in this awards are 2 to 4 years back. Only award No. 13/83-84 mentioned at S.No. 6 is suitable for me in assessing the market value as the date of notification in this case is 3.2.1977 and the present case the date of notification is 3/9.2.77. The date of notification in both the cases is same and the purposes for acquisition of land is also same. It would be justified if the market value of the land is assessed @ Rs. 1800/- Per bigha in the present case as awarded in award No. 13/83-84.

Calculating @ 9% p.a. on the market value so assessed comes to Rs. 162/- per bigha as annual rental value for the land under temporary acquisition of land and I accordingly fix the rent of the land.

CROPS :-

The claimant have also claimed the damages on account of standing crops which was destroyed at the time of taking over possession on the spot. As regards the damages to the standing crops, the claimant have prepared the land for cultivation and also sown the seeds. On ~~preparation~~ preparation of

Contd. . . .

35

- 4 -

land and for seeds they must have made an expenditure. By March the wheat crops were ripe for harvesting. Keeping in the condition of the present crops, I assess the compensation @ Rs. 250/- per bigha. This will however ^{not} carry any solatium & interest. The amount for damages of crops involved a sum of Rs. 16,037.50P. for cropped area measuring 64 Bighas 09 Bis.

POSSESSION :-

The possession of the land was taken over by the Executive Engineer (Minor & Irrigation) on 8.3.76 from the land owners.

LAND REVENUE :- The land revenue is assessed at Rs. 7.1.77 to 6.1.78 for one year.

APPORTIONMENT :- Compensation will be paid according to the latest entries in the revenue record. In case of disputed compensation not amicably settled will be referred to the Court or A.D.J., Delhi u/s 20, 31 or the L.A. Act.

SUMMARY :-

The Offer is summarised as under :-

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|----|--|---------------|
| 1. | Rental value for the land measuring 75 Bighas 05 Biswas @ Rs. 162/- per bigha. | Rs. 12,190-50 |
| 2. | Damages for cropped area measuring 64 Bighas 09 Bis. @ Rs. 250/- per bigha. | Rs. 16,037-50 |

Rs. 28,228-00

(Rupees Twenty ~~thm~~ eight thousand two hundred twenty eight only).

APPROVED

(SATISH CHANDRA)
SECRETARY (REVENUE): DELHI.

(S. A. GEHANI)
LAND ACQUISITION COLLECTOR(N): DELHI.

Announced today in the open Court.

19.8.76