

AWARD NO. 14/89-90
NAME OF THE VILLAGE : BURARI
NATURE OF ACQUISITION : PERMANENT
PURPOSE OF ACQUISITION : CONSTRUCTION OF DRAINAGE
SCHEME OF VILLAGE BURARI

INTRODUCTION : These are proceeding for determination of compensation u/s 11 of the L.A. Act 1894 in respect of land measuring 16 bighas 13 biswas situated in revenue estate of village Burari, which was notified u/s. 4 & 17 of L.A. Act vide notification No. F.7(25)/86-L&B(1) dated 10.7.87 for public purpose namely construction of Drainage Scheme of village Burari. In view of urgency of the scheme the provision of section 17(i) of the said act were also made applicable to this land. Notification u/s. 6 was issued vide No. F.7(25)/86-L&B(2) dated 17.8.87.

This is to mention here that although the land measuring (16-13) was notified for the above stated purpose, the acquiring department vide letter No. EF.VI/T-30/87-88/2608 & F.9(3)/DB/SEF/87/Vol II/1332 dated 2.12.87 and 20.4.88 issued by Executive Engineer, have stated the requirement of only (6-06) and the balance land according to them, may be denotified.

In pursuance of the above notification u/s. 4, 17 notices u/s 9 & 10 of the L.A. Act were issued to all interested persons to file their claims and the claims filed by the claimants are discussed under the heading "CLAIMS".

MEASUREMENT: The area under acquisition as given in declaration u/s. 4, 17 & 6 of L.A. Act is 6 Bigha 6 Biswa and at the time of demarcation & measurement the same was found correct. Hence area under acquisition is 6 Bigha 6 Biswa. The details of land is given below :-

<u>Rect. No.</u>	<u>Kh. No.</u>	<u>Area.</u>
122	2 min	0-11 ✓
	9/1 min	0-02 ✓

Rect. No.	Kh. No.	Area
122	12	0-11 ✓
	19/1 min	0-08 ✓
	19/2 min	0-03 ✓
	22 min	0-11 ✓
137	2 min	0-11 ✓
	9/1 min	0-05 ✓
	9/2 min	0-01 ✓
	9/3 min	Less than biswa ✓
	9/4 min	0-05 ✓
	12 min	0-11 ✓
	19 min	0-11 ✓
	22 min	0-11 ✓
138	2 min	0-11 ✓
	9 min	0-05 ✓

There is no dispute regarding the measurement of land based on the entries in the revenue record.

CLAIM : The following person have filed their claims against the notice u/s. 9 & 10 of L.A. Act.

S.No.	Name of claim	Share	Rect.	Kh. No.	Area	Claim	Remark
1.	Shiv Charan	Full	122	2 min	0-11	1000 sq. yds.	
2.	Mahesh Chand		137	12 min	0-11	600-700 sq.yds.	
	Raj Bir,						
	Raj Pal s/o Risal		127	19 min	0-11	-do-	
	Singh						
3.	Nand Kishore		137	22 min		600 sq. yds.	

All the above persons have claimed Rs.600-1000/- per sq. yds. but they have not produced any documentary evidence.

MARKET VALUE : There are some awards of this village the details of which are as under :-

S.NO.	AWARD NO.	NOTIFICATION NO.	AMOUNT AWARDED PER BIGHA
1.	35/84-85	F.7(8)/83-L&8(i) dated 12.1.84	10,000/- per bigha

The field staff have collected information regarding the sale deeds of this village from the Sub-Registrar Office. The details of which are as under :-

<u>S.No.</u>	<u>R. No.</u>	<u>date</u>	<u>Area</u>	<u>Amount</u>
1.	10803	20.12.85	14-00	31,000/-
2.	10802	20.12.85	14-02	32,000/-
3.	6087	21.5.85	8-06	31,500/-
4.	6086		13-01	48,700/-
5.	1030	30.12.85	13-02	29,000/-
6.	10538	6.12.85	17-03	35,000/-
7.	769	18.1.85	4-16	10,000/-
8.	4034	25.3.85	8-00	40,000/-
9.	10443	4.12.85	1-00	20,000/-
10.	4957	15.4.85	14-02	30,000/-
11.	9872	4.11.85	4-03	25,000/-
12.	3321	7.5.86	4-13	20,000/-
13.	3774	26.5.86	12-06	35,000/-
14.	3775	26.5.86	12-02	35,000/-
15.	4354	16.6.86	7-02	30,000/-
16.	1508	5.3.86	22-11	48,500/-
17.	3956	29.5.86	6-15	15,000/-
18.	420	13.1.87	9-12	40,000/-
19.	1268	9.2.87	10-17	30,000/-
20.	1242	26.2.87	0-09	35,000/-

MARKET VALUE :

The Market Value of the land under acquisition is to be determined keeping in view the situation, Advantages and potentialities attached to the land on the date of Notification u/s of the Land Acquisition Act. The provisions of DLR Act are also applicable and land can only be used for Agriculture, Horticulture and animal husbandry etc.

The best available documentary evidences to arrive at the correct market value are the sale deeds executed in the

announced in this village. Lot of sale transactions have been recorded in the year 1986 and 1987. As per the sale deeds executed in the year 1987, the average market value of the land comes to Rs.7,446.81 per bigha. The latest award was announced in the year 1984 and the average market value was fixed at Rs.10,000/- per bigha. Since this award is of quite an early date hence reliance can not be placed on this to determine the market value. Thus we consider average of the sale deeds executed in the year 1987 as the best available documentary evidence to fix the market value. Hence in the view of the above discussed it would be reasonable, fair & justified if we fix the market value of the land in acquisition as Rs.7,450/- P.B. and accordingly I award the same.

TREE, WELLS AND OTHER STRUCTURE : There is no tree, well or other structure on the land under acquisition.

SOLATIUUM : As provided under section 23(2) of L.A. Act 1984 solatium 30% will be given to the interested person on the market value.

POSSESSION : The possession of acquired land has been handed over to the concerned department on 12.4.88.

INTEREST : The interested person are entitled for interest 9% from date of possession 12.4.88 to 11.4.89 (One year) & 15% from 12.4.89 to 16.8.89 (Date of award).

ADDITIONAL AMOUNT : 12% w.e.f. 10.7.87 to 12.4.88.

LAND REVENUE : The land revenue worked out to be which will be deducted from khasra rent roll of the village w.e.f. date of possession.

APPORTIONMENT : The payment of compensation will be made to the interested person according to the latest entries in the revenue record. In case of any dispute arising in the apportionment of the compensation, the matter will be referred to the court of ADJ for adjudication u/s. 30-31 of the L.A.

Act.

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SUMMARY OF AWARD

1. Land measuring 6 Bighas
6 Biswas @ 7450/- per
bigha. : 46,935.00
2. 30% solatium : 14,080.50
3. Interest 9% from 12.4.88 to
11.4.89 (one year) : 5,491.39
4. Interest 15% from 12.4.89
to 16.8.89 (127 days) : 3,184.50
5. Additional amount 12%
from 10.7.87 to 12.4.88
(277 days) : 4,274.29

GRAND TOTAL : 73,965.68

(Rupees ~~XXXXXX~~ Seventy three thousand nine hundred
sixty five and paise ~~XXXX~~ sixty eight only).

Sudhir Mahajan
14/8/89

(SUDHIR MAHAJAN)
Land Acquisition Collector
(Narela) : DELHI

APPROVED

[Signature]

Award announced in the open court
today i.e. 16.8.89

Sudhir Mahajan
16/8/89