

13
OFFER NO.

36/84-85

84

NAME OF THE VILLAGE : BURARI

NATURE OF ACQUISITION : TEMPORARY

PURPOSE OF ACQUISITION: CONSTRUCTION OF AN EMBANKMENT.

The land measuring 38 bighas 42 biswas situated in village Burari, Tehsil & District Delhi is acquired for temporary occupation and use for public purpose namely construction of an embankment. The Delhi Administration was pleased to issue notification No.F.7(8)/83-L&B/4 dated 2.1.84 under the Land Acquisition Act, 1894 u/s 35(1) for the occupation and use of the said land for a period of one year from the commencement of such occupation. Notices as required were, therefore, issued to all the persons interested in the land in question to file their claims which are discussed under the heading 'CLAIMS'.

MEASUREMENT

The area under acquisition as given in the declaration u/s 35(1) is 38 bighas 42 biswas which were found correct at the time of measurement by the field staff. The details of Kh.Nos. which are now being acquired are as under:-

Rect.No.	Khasra No.	Area
127	6min	1-02
	13min	4-04
	19 1/4 min	1-09
	19 1/2 min	1-01
	21min	1-04
	22min	1-16
132	1min	2-08
	2min	0-04

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133	4min	3-04
	5min	3-04
	7min	0-02
	8min.	1-04
	9min	2-00
	10min	2-06
134	6min	0-06
	7min	3-03
	8min	1-01
	13min	0-08
	14min	0-08
	26min	2-09

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POSSESSION

The possession of the land in question has already been taken by the department concerned on 20.3.1984.

CLAIMS

The following persons have filed their claims:-

S. NO.	Name	Kh. NO.	CLAIM
1.	Sh. Ravi Datt s/o Sri Chand	133	Rs. 2000/- per bigha for digging 1/2min (1-4) 2/2 of earth Rs. 500/- per bigha (4-6) 9(2-00) 40(2-6) for crops.
2.	Sh. Srinivas	134	Rs. 11500/- per bigha for 7, 8, 13, 14 total (3-00) land.
3.	Sh. Kali RAM SH. Jhajju & Sh. Jaspath	134/26(2-9)	Rs. 3000/- per bigha for digging of earth and Rs. 7000/- for crops.
4.	Sh. Dale s/o Gutti	133/7.8(1-6)	Rs. 2000/- per bigha for digging of earth Rs. 500/- per bigha for crops.

...3....

RENT

Since the land under acquisition is acquired temporarily, the rent will have to be paid for the acquired land. The land of this village is governed by the provisions of Delhi Land Reforms Act, 1954. According to the provisions of this Act, sub-letting of the land is not permitted. The local enquiries made revealed that there is no sub-letting in this village. As such, it is not possible to ascertain the fair annual rent payable to the owners.

In the absence of such possible evidence, there is no other method except to pay the rent @ 6% on the market value of the land. First of all, we will have to determine the market value of the land under acquisition and then will fix the rent @ 6% on this 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 4 of the Land Acquisition Act. The land use 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 sections 22 & 23 of the Delhi Land Reforms Act are applicable and land can only be used for agriculture, horticulture or animal husbandry etc.

The interested persons claimed compensation ranging from Rs. 2000/-, Rs. 3000/- and Rs. 11500/- but did not produce any documentary evidence in support of their contention. Thus, no reliance can be placed on the claims submitted by the

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The following awards were reported to have been announced in this village for the last five years:-

AWARD NO.	DATE OF NOTIFICATION U/s 4	PRICE AWARDED PER BIGHA
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65/80-81	30.3.79	Rs. 2000/-
128/80-81	16-5.79	Rs. 2000/-
16/81-82	13.1.81	Rs. 2250/-

As appears from the above, the last award mentioned at S.No.3 relates to the material date of 13.1.81. It appears from the record that several transactions have taken place thereafter and as such, the above award cannot be taken into consideration.

The field staff was directed to consult the Revenue Record and ascertain the sale-price executed in this village.

It appears from the Revenue Record that a number of sale-deeds were recorded in the year 1982 in this village. ^{from} It ^h

appears from the sale deeds for the ^{also} year ~~1982~~ that the rate

per bigha of the land in this village varied from Rs. 4300/-

per bigha ~~for~~ to Rs. 37,500/- per bigha ^{according} on the basis of

situation, quality and the total area involved in the registered deed. These sale-deeds relate partly to plot of land and partly to bigger size of land. No sale-deed is available for the year 1983 & 1984. In the absence of any sale-deed executed in the vicinity of the land under acquisition near the date of notification u/s 4, no reliance can be placed on these sale deeds. The land of this village was notified u/s 4 alongwith other neighbouring villages Wazirabad and Jagatpur on 12.1.84. THE PURPOSE OF

acquisition is the same in all the cases. A sum of Rs. 10000/- per bigha has been assessed in the case of villages Wazirabad and Jagatpur. The land of this village also adjoins the land of Jagatpur and is similar in quality and nature. It would be fair and justified if a sum of Rs. 10,000/- per bigha is assessed in this case also and I award the same accordingly.

Calculating @ 6% per annum on the market value so assessed, it comes to Rs. 600/- per bigha as annual rental value per bigha for the land under acquisition and accordingly I fix the rent of the land.

OTHER COMPENSATION

There is no well, tree and structure on the land under acquisition.

CROPS

There are crops of wheat, Jai and vegetable according to the Khaira Girdawaries, the details of which are as under:-

Kh. No.	Area	Kind of crop
134/7min, 13min, 26min, 127/19/2min, 21min, 132/1min, 133/1/2min, 2/2min, 3min, 4min, 5min, 7min, 8min, 9min, 10min, 134/6min,	28-04	wheat
127/22min, 134/14min	2-04	Jai
132/2min,	0-04	Vegetable.

The wheat crops were ripe for harvesting. Keeping in view the condition of the present crops, I assess the compensation @ Rs. 450/- per bigha for wheat crops. I assess

APPORTIONMENT

These persons interested shall be paid compensation according to the latest entries in the revenue record of land now under acquisition. In case of dispute, the payment shall be made after an amicable settlement between the parties concerned failing which the matter shall be referred to the competent court for adjudication.

SUMMARY OF THE OFFER

Compensation of land measuring 38 bighas 12 biswas @ Rs. 600/- per bigha.	Rs. 23,160.00
Compensation for wheat @ Rs. 450/- per bigha for 28 bighas 04 biswas	Rs. 12,690.00
Compensation for Jai, Bersum @ Rs. 200/- per bigha for 2 bighas 04 biswas	Rs. 440.00
Compensation for vegetable @ Rs. 200/- per bigha for 04 biswas.	Rs. 40.00

GRAND TOTAL

Rs. 36,330.00

(Rupees Thirty Six Thousand, Three Hundred and thirty only)

Handwritten notes:
 D.B. KUBBA
 Land Acquisition Collector (N)
 Delhi.

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

Handwritten notes:
 14/11/21
 13/11/21