

AWARD NO. 722

NAME OF THE VILLAGE BURARI

NATURE OF ACQUISITION PERMANENT

This is a case for acquisition of land measuring 130 bighas 15 biswas situated in Village Jharoda Mazra Burari & Burari vide Notification No.F.15(27)/53-MT&CE(ii) dated the 20th July, 1953, for the Jagatpur Co-operative Multipurpose Society Ltd registered under the Societies Registration Act VII of 1925 for Abadi site as the original abadi has been cut off by the Yamna River. As required under Sec.41 of the Land Acquisition Act, 1894, an agreement duly approved by the State Government under its letter No.F.15(27)/53-MT&CE dated the 17th September, 1953, was executed by the President of the Society on 17.2.53 and the State Govt. was requested vide this office letter No.1312/LAC dated 29.12.53 to publish it in the State Gazette as required by Sec.42 of the Act. The preliminary notification No.F.15(27)/53-MT&CE U/s 4 of the Land Acquisition Act was issued by the State Government on 17th June 1953.

MEASUREMENT & CLASSIFICATION.

Land measuring 76 bighas 5 biswas out of 1300 bighas 15 bis. is situated in Village Burari. This land is classified as Selah and is without permanent means of irrigation.

CLAIMANTS

The following are the claimants.

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|---------------------------------|----------------------|
| 1. Malkhan s/o Mohan Lal, | Caste Taga, V.Burari |
| 2. Ude Raj s/o | " |
| 3. Jaswant s/o | " |
| 4. Asa Ram | } ss/o Chajju |
| 5. Balwant Singh | |
| 6. Khazan Singh | |
| 7. Hem Chander | |
| 8. Takh Ram | } ss/o Ram Chander |
| 9. Pars Ram | |
| 10. Tilak Ram | |
| 11. Mohan Lal | } ss/o Birbal |
| 12. Des Raj | |
| 13. Nanak Chand s/o Chander Bal | " |

15. Brahm Latt ss/o Jai Dayal
16. Attar Singh

17. Chetan ss/o Kure
18. Sohan
19. Surjan

20. Giani Ram s/o Jhandu

21. Behari s/o Eman

22. Chuttan s/o Nanda

Caste Taga, V. Burari

Gujar, V. Jagatpur

CLAIM

The claimants No. 1 to 16, the owners of 35 bighas 11 biswas, have claimed a compensation at Rs. 400/- per bigha vide their written statement dated 24.9.53 and have filed a copy of registered sale deed by which 10 bighas 4 biswas of land under Khasra No. 2149/2010, 2150/2010 and 2429/2145 was sold by one Moti Ram of V. Burari to Shri Bai Ram etc. at V. Jagatpur on 27.11.51. This land though situated in the vicinity of the land to be acquired is superior to the land in this locality and is situated adjacent to the land of the purchasers who wanted to increase their holding at all cost, and hence this high price was paid by them. In this way it is not a representative sale deed and is not to be considered while assessing the value of the land under acquisition.

The claimants No. 20 & 21 have claimed a compensation at Rs. 600/- per bigha for the area owned by them. They have produced a copy of registered sale deed by which land measuring 52 bighas 18 biswas under Khasra No. 2372/1880, 1881, 2362/1877, 2401/2156 and 2403/2161 was purchased by them for Rs. 10,000/-. This transaction relates to the 19 bighas 7 biswas of land under acquisition and some other land measuring 33 bighas 11 bis. which is of superior quality.

AVERAGE SALE PRICE

The statement of average sale price prepared by the Patwari shows that Rs. 157/9/6 per bigha is the prevalent price of land in this locality. This price has been arrived at from the sale transactions which took place in the preceding 5 years and includes the sales relating to small areas for abadi and chahi land. The inspection of the site has revealed that the land to be acquired is uneven and an additional expenditure shall have to be incurred by the Society on this account. This land is a sort of plateau which can never possibly be irrigated. Consequently its value is not more than 12 annas in the rupee and therefore the proper rate payable in this case is Rs. 118/13/- per bighas against Rs. 157/9/6 per bigha in the transactions which took place.

in the last 5 years and is reasonable.

15% COMPULSORY ACQUISITION COST

As provided in Sec. 23(2) of the Land Acquisition Act, 1894, the claimants are entitled to receive 15% for compulsory acquisition.

INTEREST

The possession of the land has not so far been taken over and passed over to the Society, no interest is therefore payable to the claimants on this account.

There are no trees, buildings or wells on the land to be acquired, no compensation is to be awarded on this account.

The award is summarised as under:-

1. Compensation for 76 biswas 15/5 biswas of land at Rs. 148/13/- per bigha
2. 15% acquisition cost

Rs. ~~9059-8-0~~
~~244-11-0~~

~~1350-13-0~~
~~267-13-0~~

Total

~~1086-11-0~~
~~10418-5-0~~

An abatement of Rs. 28/1/6 will take place due to the acquisition of this land.

(Raja Lal Gupta)
Land Acquisition Collector,
Delhi.

To Comr. for
S. P. for

Approved

[Signature]

4-2-54

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