

AWARD NO: 186/86-7

Name of the village:
Nature of acquisition:
Purpose of acquisition:

Ibrahimpur.
Permanent...
Construction of Right Marginal
Embankment.

INTRODUCTION:

These are proceedings for determination of compensation u/s 11 of the L.A. Act, 1894 in respect of land measuring 6 bighas 8 biswas situated in the revenue estate of village Ibrahimpur ^{in the} was notified u/s 4 of the L.A. Act vide notification No. F. 1(b)/76-LAB(i) dt. 27.2.81 for a public purpose namely construction of Right Marginal Embankment. In view of the urgency of the scheme, the provision of section 17(1) of the said Act were also made applicable to this land. The Delhi Administrator issued a declaration u/s 6 of the L.A. Act for the said land vide notification No. F. 1(b)/76-LAB(ii) dt. 27.2.81.

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

MEASUREMENT:
The area under acquisition as given in declaration u/s 6 of the L.A. Act is 6 bighas 8 biswas and at the time of demarcation and measurement the same was found correct. Hence the area under acquisition is 6 bighas 8 biswas and details of the land is given below:-

Khasra No.	Area.
523min	2-08
624min	0-04
627min	0-05
628min	2-07
629min	0-06
630min	0-18
Total:	6-08

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

CLAIMS:

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

S. No.	Name of the claimants	Kh. No.	Claims	Remarks.
1.	Parkash, Mangi Ram, Mahabir Singh, Kabul Singh.	523min(2-08) 624min(0-04) 627min(0-05) 628min(2-07) 629min(0-06) 630min(0-18)	Rs. 20000/- per bigha.	No documentary evidence.

MARKET VALUE:

The market value of the land under acquisition is to be determined with reference to the price prevailing on the date of notification u/s 4 of the L.A. Act with all its advantages and potentialities. The sale-deeds affected in this village near the date of notification u/s 4 are also to be considered in the present case.

2. The provisions of the Delhi Land Reforms Act are also applicable to this village, according to which the land can be put to use for agricultural, horticultural or animal husbandry etc.

3. The interested persons claimed compensation @ Rs. 20000/- per bigha in support of their claim, ^{but} they did not produce any documentary evidence. Thus no reliance can be placed on their claims. According to the report of the field staff, there have been no sale transactions in the vicinity of the land under acquisition. The following sale transactions are reported to have taken place in this village as reported by the field staff.

S.No.	Case No.	Regd. Deed No.	Kh. No.	Area	Amount	Rate per bigha.
1.	561/76	263/24.1.76	549,550	8-12 1/2 share	Rs. 9000/-	Rs. 2093/-
2.	34min	2530/22.9.80	11/2	4-14	Rs. 6000/-	Rs. 1276-6

The land in both the cases is situated far away from the land under acquisition and as such no reliance can be placed on these sale deeds.

4. The following awards have been announced during the last five years.

S.No.	Award No.	Date of notification u/s 4	Rate per bigha.
1.	6/78-79	9.2.77	Rs. 750/-
2.	24/79-80	16.3.79	Rs. 850/-
3.	13/84-85	2.3.81	Rs. 2250/-

It would appear from the above that the last Award No. 13/84-85 was drawn keeping in view the date of notification u/s 4, is 2.3.81 and a sum of Rs. 2250/- per bigha was assessed in this case. In the present case the land was notified on 27.2.81. The dates of notifications have a gap of only five days. The land in both the cases is the same Kh. Nos. Having relied upon the award no. 13/84-85 it would be fair and justified to assess the market value as in award No. 13/84-85 i.e. @ Rs. 2250/- per bigha.

TREE, WELLS & OTHER STRUCTURES:

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

SOLATUM:

As provided u/s 23(2) of the L.A. Act 1984 solatium 30% will be given to the interested persons on the market value.

POSSESSION:

As reported by the Acquiring Deptg. the possession of the land was taken over before the date of notification.

INTEREST:

The interested persons are entitled for interest @ 9% from 27.2.81 to 26.2.82 for one year and @ 15% from 27.2.82 to 14.9.86 for four years 200 days.

LAND REVENUE:

The land revenue worked out to Rs. 1-28 which will be deducted from the khalsa rent roll of the village w.e.f. the date of possession i.e. 27.2.81.

APPORTIONMENT:

The payment of compensation will be made to the interested persons 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.

SUMMARY OF THE AWARD:

Land measuring 6 bighas 8 biswas @ Rs. 2250/- per bigha.	Rs. 14400-00
30% solatium.	Rs. 4320-00
Interest @ 9% from 27.2.81 to 26.2.82 (one year).	Rs. 18720-00
Interest @ 15% from 27.2.82 to 14.9.86 (4 years 200 days).	Rs. 1684-80
G.Total:	Rs. 12770-60
	Rs. 32175-48

Total rupees thirty three thousand one hundred seventy five and paise forty three only.

Secy.(R) may kindly approve the award before its announcement.

Secy (R)
12/9
Approved

SECRETARY (R)
16/9/81

J.R. 19/8
(J.N. MALHOTRA)
Land Acquisition Collector (R):
Delhi.

Announced today in open court. Notice aff 12/9/81
be issued to the persons who are not present.
J.R. 15/9/81