

NAME OF THE VILLAGE : IBRAHIM PUR
 NATURE OF ACQUISITION : PERMANENT
 PURPOSE OF ACQUISITION : Construction of Embankment in order to change alignment of Bawana Escape.

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land situated in Village Ibrahimpur measuring 4 Bigha and 4 Biswas was notified u/s 4 of the Land Acquisition Act vide notification No.F.7(82)/78-L&R, Vol.II(1) dated 16.3.1979 for a public purpose namely for the Construction of Embankment in order to change alignment of Bawana Escape. In view of urgency provision of sub section (1) & (4) of section 17 were also made applicable to this area and hence the interested persons were not given any opportunity to file their objection u/s 5-A. The Delhi Administration issued a declaration u/s 6 of the said Act vide notification No.F.7(82)/78-L&R, Vol.II(1) dated 16.3.1979. In pursuance of the above declaration u/s 6, notices u/s 9 & 10 of the L.A. Act were issued to all the persons interested in the land now under acquisition. The claims filed by the claimants are discussed hereafter under the heading "Claims".

MEASUREMENT

The area under acquisition is given in the declaration u/s 6 is 4 Bigha and 4 Biswas and found correct at the time of measurement by the field staff.

CLASSIFICATION OF LAND

The details of khasra number in Form 7-A have been prepared under para 55 of the F.C. order No. 26 which are as under:-

<u>Kh. Nos.</u>	<u>Area</u> Big. Bis	<u>Kind of Land</u>
570/2/2	0-7	Abpash
571/2/2	0-15	-do-
572/2/2	0-15	-do-
573/2/2	0-15	-do-

Contd..2....

: 2 :

574/2/2	0-12	Abpash
575/2/2	0-12	-do-
576/2/2	0-8	-do-
	<u>4-04</u>	

The land owner have not raised any objection regarding the measurement and classification of land. At present there is no other alternative left with us except to agree with the classification and measurement as proposed by the field staff, Land Acquisition. On the basis of entries of Khasra Girdawari and other relevant records, at the time of publication of notification u/s 6, the classification of land is as under:-

<u>Kind of land</u>	<u>Area Big-Dia</u>
Abpash	4-04

Possession

The possession of the land under acquisition has already been taken and handed over to the acquiring department on 25.4.1979.

CLAIMS

The following persons have filed their claims in pursuance of notices issued to them u/s 9 & 10 of the Land Acquisition Act:

S.No.	Name of the claimants	Compensation demanded	Remarks
1.	Onkar Parshad, Bimla Kumari d/o Siri Ram Rhoti w/o Lachha, Surinder s/o Nanda, Murti Devi d/o Nanda, Ram Puri w/o Nanda, Ishwar Datt s/o Jugal Kishore, Ihoom Singh, Sons of Virender Kumar Rajeshwar, Narinder Kumar deceased Manoj Shakuntala Devi ds/ of Urmila Devi Jugal Kishore	Claimed compensation @ Rs. 10,000/- P. B. with settlement and interest for Kh. No. 572/2/2, 573/2/2, 574/2/2, 575/2/2	Failed to produce any documentary evidence in support of their claims.
2.	Mal Khan son of Sh. Mohan Lal, Udai Raj s/o Sh. Mohan Lal Jaswant son of Sh. Mohan Lal residents of Butari, Delhi	Claimed compensation @ Rs. 10,000/- per bigha for Kh. No. 576/2/2	-do-
3.	Man Chand, Vijay Singh, Zile Singh-sa/o Des Raj Lila Wasti, Mahinder, Kirshan,		

Contd..2....

Daya Wati, Murti,
Bala, Santosh s/o Fajira
F.D/S

Claimed compensation @ Rs. 10,000/- P.B. for
Kh.No. 570/2/2 & 571/2/2
Failed to produce any documentary evidence in support of their claims.

MARKET VALUE

In order to determine the market value of the land the advantages and potentialities has to be taken into account. The use of land as prescribed by law has also to play an important role in determining the market value of the land. ^{Ok.} It seems that ^{The} area of this Village is governed by the provisions of Delhi Land Reforms Act, 1954. Therefore the land in this Village cannot be used for the purposes other than agricultural, Horticulture etc.

The market value of the land is to be determined with reference to the price prevailing as at the date of notification u/s 4. The date of notification u/s 4 of the Land Acquisition Act in this case is 16th March, 1979. The claimants have claimed the compensation @ Rs. 10,000/- per bigha but they have not placed on record any documentary evidence in support of their ~~stated~~ contention. Therefore, it is difficult to rely upon their contention, and in order to arrive at the market value of the land in the present Award we have to look into the sale transactions that have occurred in this Village and also the Award that have been announced earlier pertaining to the same Village. The following table of sale transactions will determine the price of the land in this Village :-

S. No.	Regd. No.	Date of Registry	Date of decision	Name of the Pary & Kh. No.	Amount	Amount P. B.
1.	15303	15.10.70	27.2.74	Phool Singh s/o Simbhu Vs. Sh. H.P. Bhattachariya 3(1-18), 4(3-05)	Rs. 8080/-	Rs. 1600-00
2.	5885	28.2.74	22.5.74	Phool Singh s/o Simbhu Vs. Smt. w/o R.H. Sehni 15(4-18), 17/2(3-18)	Rs. 13760/-	Rs. 1600/-
3.	2040	-	22.7.74	Kabul Singh s/o Bhagwan Sahai Vs. Jagdish Pd. 37/2(3-16), 40/1(4-0), 41/1(3-16), 44(4-17),	Rs. 12,070/-	Rs. 729-40

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: 4 :									
4. 1709	-	22.7.74	Kabul Singh s/o Bhagwan Sahai Vs. Ragne Shyam s/o Gopi Ram	38 39	4-15 <u>5-9</u> 9-17	Rs 8000/-	Rs 812-	19	
5. 9947	-	22.7.74	Tulsi s/o Bhagwan Sahai Vs. Rishi Parkash s/o Deep Chand	22 23/2 24/1	2-5 4-0 4-0	Rs 8000/-	Rs 780-	45	
					<u>10-05</u>				
6. 9946	-	22.7.74	Tulsi s/o Bhagwan Sahai Vs. Jagdish Pd s/o Indraj	18 19/1 20/2 21/1	1-5 4-16 2-00 2-10	Rs 12000/-	Rs 733-	94	
					<u>16-7</u>				
7. 18602	26.8.74	21.4.76	Smt. Chameeli s/o Vs. Sat Parkash s/o Devi Datt	54 55 69 66 70/1 71/1 72	1-12 4-11 4-16 1-17 0-4 0-4 4-16	Rs 15000/-	835-	55	
					<u>18-00</u>				

It would appear from the ^{similarity of} security of the above sale deeds that the sale deeds mentioned at Sr. No. 1 & 2 are adjacent to the Village abadi and cannot be reasonably compared with the land under acquisition involved in the present Award. It would appear on the basis of sale transactions recorded at Sr. No. 3 to 8 that the price of the land in this Village has fluctuated from Rs. 1600/- to Rs. 835/- per bigha during the period 1971-76. It can therefore be noticed that there is a downward trend ~~trend~~ as far as the value of the land is concerned in this Village.

Apart from the sale transactions there are several Awards pertaining to this Village which can also serve as a basis in the determination of the market value. However most of the Awards relate to the date prior to the notification u/s 4 of the present Award and in for the purposes of determination of the market value Award No. 6/78-79 in which the date of notification was ^{on} 2. 1977 is relevant. ~~ex~~ The market value assessed in that Award was Rs. 750/- per Bigha. The land

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under acquisition involved in this Award is of the same category as involved by Award No. 6/78-79. It can thus be seen that there is a considerable time gap between the issue of notification u/s 4 between the land involved in Award No. 6/78-79 and the present Award which is 18th March, 79. Thus the market value of the land involved in the present Award shall have to be appreciated accordingly. Considering these factors in mind I deem it fair and reasonable to assess the market value of the land involved in the present Award @ Rs. 850/- per bigha and assess the same accordingly.

OTHER COMPENSATION

There is no Well, Tree and Structure on the land now under acquisition.

APPORTIONMENT

The persons interested shall be paid compensation according to the latest entries in the revenue record of the land under acquisition. In case of any dispute the payment shall be made after any amicable settlement between the parties concerned failing which the matter shall be referred to the District Judge for adjudication.

LAND REVENUE

The land revenue works out to Rs. 0-75 Ps which will be deducted from the Khalsa Rent Roll of the Village from the Rhatundi of the Village effective from the Crop next following the date of possession.

SOLATUM

15 % solatium will be paid in addition to the compensation of the land for compulsory nature of acquisition.

INTEREST

The persons interested are entitled to get the interest @ 6% from the date of taking over possession i.e. 25.4.79. i.e.

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SUMMARY OF THE AWA RD

Compensation for the land measuring
4 Bigha & 4 Biswas @ Rs. 850/- per
Bigha Rs. 3,570-00

15 % Solatium Rs. 535-50

Interest @ 6 % p.a. w.e.f. 25.4.79
to 31.10.79 (190 days) Rs. 128-22

G.Total:- Rs. 4,233.72

(Rupees Four Thousand Two Hundred Thirty Three and Paise
Seventy Two only)

V.K. Jha.
(V.K. JHA)
LAND ACQUISITION COLLECTOR(N)
DELHI

*Announced Today
on 31-10-79.*

V.K. Jha.
31.10.79
LAC(N) Delhi.

कार्य वाई कंठा ग्राह इन्वरीटम पु (सयार)

आज दि० २५/११ को बहकन एए साहब व हमारा ही ही सुवाक
 पटवारी एए श्री बौद्ध माल पटवारी एए श्री मजरी राम चपरासी
 ग्राह इन्वरीटम पु मोक पर पहुचा - मुताबिक जेजराम इन्वरीटम
 विभाग की ओर से एए कृष्ण लाल बजाज सी. ई. और फोक के ड. ए.
 साहब मौके पर हाजिर मिले. नम्वर रब और आनदा स्क्रिप्ट नं० रब०
 570 571 572 573 574 575 576 कुल लोदी 4-4 नं०
 2 2 2 2 2 2 2
 चारों ओर घुमा कर के कंठा वाई हासिल करके इन्वरीटम विभाग
 को दिया गया. कार्य कंठा के समय काई रुकावट नहीं आई
 कार्य वाई कंठा मुकम्मल हो चुकी है।

शुका सिद्धाचार
 एए
 25/11/79

म
 25/11

(P. L. BHUT (P.W.))

(K. K. SURI)

25/11/79

P. G. BASNET, Asstt. Engineer I
 Flood & Drainage Division No. IV.
 Delhi Adm. Dept.