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OFFER No. : 57/71-72
NAME OF THE VILLAGE : IBRAHIMPUR
NATURE OF ACQUISITION : TEMPORARY
PURPOSE OF ACQUISITION : CONSTRUCTION OF SPUR(S) (2&3)
ALONG WITH LEFT BANK OF
BAWANA ESCAPE.

These are proceedings w/s 35 Land Acquisition Act, 1894 for determination of compensation in respect of land measuring 12 big. 6 bis. situated in village Ibrahimpur. The land was required for temporary occupation and use for a period of one year from the commencement of such occupation. The temporary occupation was for a public purpose namely for construction of spur(s) (2 & 3) along with left bank of Bawana Escape. The Delhi Admn. made an order w/s 35(I) of the L.A. Act in this behalf which was issued vide No. F. 7(7)/70-L&H(V) dated 23.11.70.

The persons interested in the land were issued notices to file their claims for temporary use of compensation in respect of land for a period of one year.

Claims filed in response to the notices would be discussed under the appropriate heading 'Claims & Evidence'.

MEASUREMENT & TRUE AREA :-

The field staff carried out necessary measurement at the spot. The area was found correct as 12 big. 6 bis.

The details of the land under acquisition are as under:-

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Kh. No.	Area Btg. bis.	classification of land
582/2/2/2	0-03	Khali.
583/2/2/2	1-11	-do-
584/2	1-13	-do-
585/2	0-13	-do-
587/2	0-10	-do-
588/2	2-08	-do-
589/2	1-03	-do-
590/2	0-12	-do-
593/2	1-18	-do-
596/2/2/2	1-06	-do-
597/2/2/2	0-04	-do-
616/2/2	0-05	G.M. Rasta
	12-06	
	12-01	Khali
	0-05	G.M. Rasta

OWNERSHIP & OCCUPANCY :-

S.No.	Name of the owner.	Name of occupant.	Kh. No.	Area Btg. Bis.	Kind of soil.
1.	Khacharu, Om Parkash, Jai Parkash, Dhram Pal, Jai Pal s/o Roop Chand in equal share	Self	583/2/2/2 582/2/2/2	1-11 0-03 1-14	Khali -do-
2.	Dhara Singh s/o Dharam Singh 1/2 share, Kehar Singh s/o, Smt. Medo d/o Naubat Ram in equal share 1/2 share.	Rohtas s/o Sattu.	590/2 593/2	0-12 1-18 2-10	Khali -do- -do-

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3.	Man Singh s/o Sukhi Ram.	Self	588/2 589/2 587/2 585/2 584/2	2-08 1-03 0-10 0-13 1-13 6-07	Khali. -do- -do- -do- -do- -do-
4.	Smt. Attar Bai d/o Khazan Sartu s/o Sher Singh in equal shares	Hazari, Banarsi, Dass, Ram Nath ss/o Sher Singh.	597/2/2/2 596/2/2/2	0-04 1-06 1-10	Khali. -do- -do-
5.	Gaon Sabha	Self	616/2/2	0-05	G.M. Pata.

CLAIMS & EVIDENCE :-

S.No.	Name of the claimant.	Kh.No. & Area	Rate claimed	Evidence.
1.	Man Singh s/o Sukhi Ram	584/2 4-16 588/2 2-08 589/2 1-03 587/2 0-10 585/2 0-13 584/2 2-07	Rs 500/- per big for crops. 2. Rs 400/- per big. for digging of earth.	Nil.
Note:- Kh.No. 594/2 is not under present acquisition.				
2.	S/Sh. Hazari Banarsi Das, Durga, Ram Nath, Sartu ss/o Sher Singh through Hazari.	596/2/2/2 0-04 597/2/2/2 1-06	As at S.No.1	Nil.
3.	Rohas s/o Sartu	590/2 0-12 593/2 1-18	-do-	Nil.
4.	Khacheru, Om parkash, Jai Parkash, Jai Pal Dharam Pal ss/o Roop Chand through Khacheru.	582/2/2/2 0-03 583/2/2/2 1-11	Requested for compensation of land and damages of crops of wheat. No rate of compensation mentioned.	Nil.
4A.	-do- (Duplicate)	-do-	-do-	-do-
5.	Gaon Sabha through Attar Singh Pradhan.	616/2/2 -	Rs 20,000/- per big. for land.	Nil.

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COMPENSATION :-

The land in question falls within the purview of the Delhi Land Reforms Act, 1954. As per provisions u/s 35 therein, subletting of the land by 'Bhumidars' or 'Asami' was barred except in case of disabled persons or other specified class of persons. It being so, it has not been possible to find out suitable exemplars from the revenue record where lease-hold rights were executed for temporary occupation of land. The revenue field staff had also made enquiries in this behalf, but to no avail.

The claimants in the case have not adduced any evidence with which it should have been possible to obtain guidance for determination of annual rent for the land in question.

Efforts were made to find out suitable transactions nearabout the date of preliminary notification in the present case. The revenue field staff consulted the record of rights and the following transactions came to notice pertaining to the year 1969-70.

S.No.	Mutation No.	Date of Regn.	Kh.No.	Area Big. Bis.	Amount in Rs	Average per big. in Rs
1.	390	15.6.70	734 735 736 740	2-04 4-16 4-16 2-08 <u>14-04</u> of 3/4 share i.e 10-13	11,700/-	1098/-
2.	803	2.9.70	54 55 69 72 56 70/1 71/1	1-12 4-11 4-16 4-16 1-17 0-04 0-04 <u>18-00</u> 5-12	10,000/-	555/-
3.	689	7.7.70	510	5-12	3000/-	535/-

The above sales could not guide us in arriving at a fair market value in the present case as the land involved is located at a considerable distance from the land under acquisition. Moreover the land in transaction at S.No. 2 is situated closeby to the village 'Abadi' and as such it cannot compare with the land under acquisition.

Further we find that the average per big. price in the two sales at S.No. 2 & 3 which took place subsequent to the transactions at S.No. 1 has come down considerably i.e from Rs 1098/- per big. to about Rs 550/- per big.

Guidance could also be obtained from the previous awards that have taken place in this village in the past. There have been the following Awards:-

S.No.	Award No.	Dt. of notification u/s 4	Rate per big in Rs awarded
1.	1995	27. 5.67	400/-
2.	2027	28.12.66	370/-
3.	2095(offer)	20.12.67	26.40 (Rs 440/-)
4.	45/70-71	24.4.70	400/-
5.	46/70-71(offer)	24.4.70	24/- (400/-)

Awards No. 1995, 2027 can offer us the guidance since a part of Kh.Nos. now under acquisition were acquired through these awards. The land in awards at S.No. 3, 4, 5 is comparatively located at a distance than the position of the land in awards at S.No. 1 & 2.

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The date of preliminary notification in award No.1995 is May,1967 and in Award No.2027 it is Dec,1966. In the former the market value assessed is at Rs 400/- per big., while in latter it is Rs 370/- perbig. In the remaining three awards which relate to the dates Dec,1967 and April,1970 we find that the market value had been assessed between Rs 400/- per big. and Rs 440/- per big. which means there is not much of material difference in between the market value into the last 3 awards than the market value arrived at in the awards at S.No. 1 & 2 which offer us guidance in the present case.

Award No.1995 is considered as the best guide and the rate awarded per big. is Rs 400/-. Though there is no rising trend, but there is a time gap of $3\frac{1}{2}$ years between the material date in award No.1995 and that in the present case. In view of this, I allow a margin of Rs 85/- per big. calculated at the rate of 6% on the sum of Rs 400/- and consider a sum of Rs 485/- perbig. the fair market value prevailing on 23.11.70. Further, on calculating 6% interest per annum for a period of one year at the above rate of Rs 485/- per big. a rent of Rs 29.10 Ps. per big would be fair and reasonable which I award accordingly.

An area measuring 5 bis. ^{being} ~~being~~ Kh.No.616/2/2 is recorded as public path and being used as such. Therefore no compensation is assessed for the same

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DAMAGES U/S 23 CLAUSE SECONDLY :-

The possession of the land was taken over on 8.1.71 with the standing crop of wheat. Damages have therefore to be paid for to the persons interested. The data for assessing the compensation of the standing crop has been collected from the record of average ~~average~~ produce of wheat in the Chuck-Khadar maintained in Delhi Tehsil. The market price of wheat has been ascertained from the Delhi Gazette relating to the period. The details of the calculation of compensation of crop are given in the enclosed schedule. The total compensation works out to Rs 1268-87 Ps. which is awarded accordingly.

APPROPRIATION :-

Compensation will be paid on the basis of the latest entries in the revenue record.

SUMMARY OF THE OFFER :-

	Rs	Ps
Rent @Rs 29.10 paise per big. for 12 big. 1 bis. of land.	350	65
2. Rent for 5 bis. of land used as public path.		Nil.
3. Damages u/s 23 clause secondly.	1268	87
Total.	1619	52

(Rupees One thousand six hundred nineteen and paise fifty two only). ✓

(V.K. BHALLA)
LAND ACQUISITION COLLECTOR(M&W): DELHI.

*After announcement
today. Filed*

10/3/72

22/11/22