

OFFER NO.

NAME OF THE VILLAGE

NATURE OF ACQUISITION

PURPOSE OF ACQUISITION

3/
9/80-81 (Temp.)
IBRAHIMPUR

TEMPORARY

CONSTRUCTION OF FLOOD EMBANKMENT
AT THE OUTFALL OF BAWANA ESCAPE

The land measuring 125 bighas 17 biswas situated in village Ibrahimpur is required for temporary occupation for 'Construction of Flood Embankment at the outfall of Bawana Escape'. The Delhi Administration vide notification No.F.7(82)/78-L&B Vol.III dated 3.7.1979 notified the said land for a period of one year. Notices as required were, therefore, issued to all the interested persons in land to file their claim which are discussed under the heading 'Claims'.

MEASUREMENT

The area under acquisition as given in the declaration u/s 35(1) is 125 bighas 17 biswas. The Land Acquisition staff measured the land under acquisition on the spot and found the same as in the declaration u/s 35(1) of the Land Acquisition Act.

OWNERSHIP & CLASSIFICATION OF LAND

The ownership, tenancy, Kh.Nos. and classification of land are as under:-

NAME OF THE OWNER	NAME OF THE OCCUPANT	Kh.No.	AREA/KIND OF LAND
1. S/Sh. Balbir Singh	Self	633/1/2	(4-1)
& Baljit Singh sa/o		634	(4-16)
Tilsi equal shares		635	(1-13)
sa/o Ibrahimpur		636	(4-5)
		638	(4-16)

cont....2/-

		639(4-16)
		640(0-5)
		641/2/2 (4-5)
		642/2/2 (0-7)
		643/2/2 (3-19)
		644(4-16)
		645 (2-16)
		653/2/2 (1-11)
		42-6
2. Sh. Phool Singh s/o	Seli	652 (2-7)
Shambhu r/o village		654/2/2(1-14)
Ibrahimpur		655/2/2(3-6)
		656/2/2(3-13)
		11-0
3. S/ Sh. Raghu Vans,	Self	679 min (2-8)
Raghu Nath and Raj	One Sh.	680/3 (2-7)
Vans sons, Smt. Suresh	Khacheru	4-16
Vati d/o Bhoj Datt	s/o Ram Chander	
equal shares r/o	is occupant on	
village Burari	Kh.No.680	
4. Sh. Ram Phal s/o	Seli	660 (4-5)
Mangtu 1/2 share		661(5-7)
S/ Sh. Puran, Chet Ram		663(4-16)
and Chander Bhan sons		664 (4-16)
Mst. Murti daughter of		665/1 (2-8)
Sukhi equal shares		665/2 (2-8)
in 1/2 share r/o		
Mohd. pur Ramjanpur, Delhi.		24-0

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5. Met. Malti wd/o	Self	673(0-5)
Shiv Kumar	S/Sh. Lakhmi	671/3 (2-8)
Smt. Ram Kumari and	& Mohan Lal	672 (4-16)
Kamlesh Kumari ds/o	are occupants	674(4-11)
Ram Kishan equal	an Kh.No.	
shares r/o vill.	671/3	12-0
Burari, Delhi.		
6. Sh. Sher Singh s/o	Self	650 (2-6)
Nanak four shares,		646 (2-0)
Mangat s/o Pirbhu		649 (4-16)
seven shares r/o		
Ibrahimpur, Delhi		9-2
7. S/Sh. Hazari, Banarsi	Self	657/2/2 (3-8)
Durga and Ram Nath		666 (4-16)
ss/o Sher Singh equal		8-4
shares rs/o Delhi.		
8. S/Sh. Kanshi Ram,	Self	650/2/2(2-7)
Gagan Singh ss/o		669/1 (2-15)
Dallu equal shares in		669/2 (2-1)
1/2 share, Jagan Singh		670 (4-16)
Khubi, Mam Chand &		2
Jagmal sons,		11-19
Smt. Komal wd/o		
Badlu equal shares in 1/2		
share r/o vill. Hiranki, Delhi.		
9. S/Sh. Mahipal, Gaje	Self	679 min (2-8)
Singh, Bijai Singh, Daljit		
Singh and Bahadur Singh ss/o		
Balwant Singh equal shares		
r/o vill. Hiranki, Delhi.		

10. Gram Sabha Self 651-(0-3)

Grand Total 125-17

POSSESSION

The possession of the land has already been taken by the department concerned on 12.9.79. The interested persons will occupy their land after the expiry of one year, i.e., 12.9.80.

CLAIMS

The following persons have filed their claims:-

Sl.No.	Name of the claimant	Compensation claimed
1.	Smt.Malti Devi wd/o Ram Kishan, Sh.Shiv Kumar s/o Ram Kishan, Ram Kumari and Munesh Kumari ds/o Ram Kishan through Sh.Anant Ram, Advocate All rs/o Burari, Delhi.	Have claimed compensation @ Rs.5000/- per bigha for the land (ii) Rs.2000/- per bigha for levelling of land (iii) 15% for compulsory acquisition charges. (iv) Interest w.e.f. the date of possession till the payment of compensation.
2.	S/Sh.Jagan, Khubi, Mam Chand and Jagmal s/o Badlu, Smt.Koyal wd/o Badlu, Kanahi Ram and Gagan s/o Dillu all rs/o vill.& P.O. Hiranki, Delhi through Anant Ram Advocate.	Have claimed compensation @ Rs.5000/- per bigha for the land(ii) Rs.200/- per bigha for levelling the land (iii) 15% for compulsory acquisition charges (iv) Rs.2000/- per acre for standing crop.

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3. Sh. Phool Singh s/o Shambhu
r/o village Ibrahimpur
Delhi through Sh. Anant
Ram Advocate

Has claimed for compensation
@ Rs. 5000/- per bigha for
the land (ii) Rs. 2000/-
for levelling of land
(iii) 15% for compulsory
acquisition charges.
(iv) Rs. 2000/- per acre
for standing crops.

4. S/Sh. Balbir Singh & Baljit
Singh ss/o Tulsī r/o Ibra-
himpur, Delhi through
Sh. Anant Ram, Advocate.

Have claimed compensation
@ Rs. 5000/- per bigha
for the land.
(ii) Rs. 200/- per bigha
for levelling of land.
(iii) 15% for compulsory
acquisition charges.
(iv) Rs. 2000/- per acre
for standing crops.

5. S/Sh. Ram Phal s/o Mangat,
Puran s/o Sukhi, Chander
s/o Sukhi, Raj Kumar,
Jai Bhagwan, Rishi Chand
and Krishan Datt ss/o
Jit Ram and Smt. Murti d/o
Sukhi all r/o vill.
Mohammedpur, Delhi.

Have claimed compensation
@ Rs. 5000/- per bigha
for the land.
(ii) Rs. 200/- per bigha for
levelling of land.
(iii) 15% for compulsory
acquisition charges.
(iv) Rs. 2000/- per acre
for standing crops.

6. S/Sh. Hazari, Banarsi, Durga
and Ramne ss/o Sher Singh
all r/o village Hiranki,
Delhi.

Have claimed compensation
@ Rs. 20,000/- per bigha
for the land. 15% solatium
and other interest as per
law.

7. Sh. Sher Singh s/o Mahak Chand and Mangat Ram s/o Purbhu r/o village Ibrahimpur, Delhi through Sh. Anant Ram, Advocate. Have claimed compensation @ Rs. 2000/- for the land (ii) Rs. 6/- per hundred sq. ft. for levelling the land. (iii) 15% solatium and 6% as interest from the date of possession till the payment.
8. Sh. Raghuvans etc. s/o Bhoj Datt r/o vill. Burari Have claimed compensation @ Rs. 1500/- per bigha.

DOCUMENTARY EVIDENCE

None of the claimant has produced any documentary proof in support of their claims.

RENT

Since the land under acquisition is being acquired temporarily for one year, the rent will have to be paid. The land of this village is covered by the Delhi Land Reforms Act 1954. According to the provisions of this act sub-letting of this land is not permitted. However, there are few exception u/s 36 where disabled persons and widows are allowed to sub-let the land belonging to them. Local enquiries, conducted, did not reveal any case of such nature where sub-letting has been made in this village. In view of this 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. Therefore, we will have to

determine, first of all, the market value of the land under acquisition and then will determine the rent at the rate of 6% on this market value.

Market value of the land is to be determined with reference to the price prevailing at the date of material notification, and keeping in view the advantages and potentialities attached to the land. Transaction or transfer of property affecting around the time of publication of such notification can obviously prove the best guide for deciding such market value. Previous awards of the village and judicial decisions can also afford guidance in determining the market value of the land.

The persons interested have not filed any evidence in support of their claims ^{and} therefore, the record of the Land Acquisition was consulted and the following award have been round to be drawn in this village.

Sl.No.	Award No.	Date of notification	Compensation assessed
1.	6/79-79	9.2.77	Rs.750/- per bigha
2.	24/79-80	16.3.79	Rs.850/- per bigha
3.	Offer No. 25/79-80	16.3.79	Rs.850/- per bigha

Award mentioned at Sl.No.1 cannot be made the basis for determining the market value of the land under consideration because its date of material notification u/s 4 is of an early period than the dt. of notification of the land under acquisition which is 16.3.79. However, in Award No. 24/79-80 and offer no.25/79-80 of the same village where the date of notification is 16.3.79, the Land Acquisition Collector awarded a flat rate of Rs.850/- per bigha. The notification of these awards is only 4 months earlier than the date

of notification of the land under consideration. It is intact of the same period and the nature and type of the land acquired in these awards is also similar to the land under acquisition. Considering these factors I feel it shall be fair and just if the market value of the land under consideration is determined at Rs. 250/- per bigha and I hold accordingly.

Calculating at the rate of 6% per annum on the market value so assessed comes to Rs. 51 as annual rental value for the land under temporary acquisition and I accordingly fix the rent of the land.

TREES, WELL & STRUCTURE

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

CROPS

At the time of taking over possession on 12th Sept., 1979 Chia crops were found standing in Kh. No. 657 (3-3), 658 (2-7) & sugarcane crops on 666 (2 bighas) 669/1 (2 big. 15 bis.) 669/2 (2 bighas 1 biswa). Under the provisions of the act the interested persons are also entitled for the damages of the crops. As per report of the field staff crops in Kh. No. 657 and 658 was at pre-mature stage when the possession was taken over and I feel it reasonable to assess the compensation in respect of the damage of crops at the rate of Rs. 100/- per bigha. However, no compensation for damages of the crop in Kh. No. 666, 669/1, 669/2 is allowed as the land owners have taken away the crop before the earth was dugged by the acquiring department.

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APPORTIONMENT

The persons interested will be paid rental compensation according to the latest entries in the revenue record. In case of any dispute the payment will be made after amicable settlement between the parties concerned failing which the matter shall be referred to the competent court for adjudication.

SUMMARY

The award is summarised as under:-

1. Rental value for the land
mg.125 bighas 17 biswas @ Rs.61/- per bigha. Rs.6410-35
2. Compensation for the crop
mg.5 bighas 15 biswas @ Rs.100/- per bigha. Rs. 575-00

Rs.6993-35

(Rs. six thousand nine hundred ninety three ^{and} paise thirty five only).


(HARD GOPAL)
LAND ACQUISITION COLLECTOR(P)
DELHI

Announced in the presence of interested persons on 11/4/80.


(HARD GOPAL)
LAND ACQUISITION COLLECTOR(P)
DELHI

R.C.
6/3/80