

A W A R D No. 12/197-71

Name of the village:-

JHARODA MAJRA BURARI

Nature of acquisition:-

PERMANENT

Purpose of acquisition.

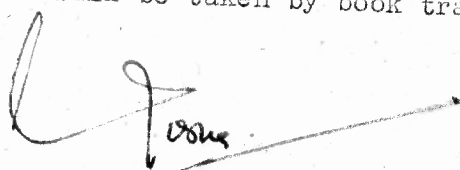
CONSTRUCTION OF ROAD

A W A R D

These are proceedings for determination of compensation u/s 11 of the Land Acquisition Act. The land situate in village Jharoda Majra Burari measuring 22 bighas 6 biswas was notified u/s 4 of the Land Acquisition Act vide notification No.F.15(190)/55-L&H(iii) dated 30.5.69 for a public purpose namely, for Construction of Road. Provisions of sub-section (1) of section 17 of the said Act were also made applicable to this area and hence the interested persons were not given any opportunity to file their objections u/s 5-A. The Delhi Administration issued a declaration u/s 6 of the said Act for the acquisition of above mentioned area vide notification No.F. 15(190)/55-L&H(iv) dated 30.5.69. In pursuance of the above declaration u/s 6, notices u/s 9 & 10 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 as given in the declaration u/s 6 is 22 bighas 6 biswas but at the time of measurement it has been found as 24 bighas 11 biswas. Thus there is an increase of 2 bighas 5 biswas. Out of this area Killa 25/1 of Rect. No. 20 & Rect. No.55/1-3 are owned by the government (1-02) (4-05) and Killa No.1 of Rect No.32, Killa No.15/2/1 of Rect No.33 (0-15) are owned by the Central Government. The total area of these above mentioned Killa Nos. comes to 6 bighas 13 biswas and will not be acquired under this award. On the other hand it will be taken by book transfer. The remaining area measuring



17 bighas 18 biswas is being acquired under the present award.

CLASSIFICATION OF LAND

The details of Khasra Nos. in form 7-A have been prepared under para 55 of the Financial Commissioner's order No.28 which are as under:-

S.No.	Khasra No.	Area	Kind of Land.
	Ract.No. Killa No.	Big. Bis.	
1.	1 8/2	1 10	G.M.Charagah
2.	13/2	2 03	-do-
3.	14/1	0 02	-do-
4.	17/1	1-22 03	-do-
5.	18/1	1 00	-do-
6.	23/1	0 01	-do-
7.	24/2	2 04	-do-
8.	19 4/2	2 05	-do-
9.	6/1	1 14	-do-
10.	15/1	0 03	-do-
11.	16/1	0 10	-do-
12.	17/1	0 06	-do-
13.	25/1	0 09	Ghair Abpash
14.	20 5/2/1	0 05	Sailab.
15.	6/1	0 11	Sailab
16.	15/2/1	0 09	-do-
17.	16/1/1	0 11	-do-
18.	21 21/1	0 13	-do-
19.	33 16/1	0 10	Sailab
20.	25/2/1	0 15	Banjar Jadid
21.	26	0 05	-do-
	Total:	17 18	G.M.Chah.

The land owners have not raised any objection regarding the measurement and classification of land. At present there is no other alternative left with me except to agree with the classification and measurement as proposed by the Naib Tehsildar(LA) on the basis of entries of Khasra Girdawri and other relevant record. At the time of publication of notification u/s 4, the classification of land is as under:-

Kind of land	Area
	Big.Bis.
G.M.Charagah	13 04
Sailab	2 18
Ghair Abpash	0 06
Banjar Jadid	1 05
G.M.Chah	0 05
Total:	17 18

C L A I M S

CLAIMS

REMARKS

1. Shri Mange s/o Krishan:

Demands compensation @
Rs. 10/- per sq. yd.

Failed to produce any evidence in support of his claim. Hence the compensation shall be fixed according to facts and figures collected from the revenue record.

2. Sh. Risal s/o Fateh:

Demands compensation @
Rs. 10/- per sq.yd. and
Rs. 10000/- for levelling.

Proposed uncertified copy of sale deed relating to another village which cannot be taken as correct. Hence the compensation shall be fixed according to facts and figures collected from the revenue record.

3. Sh. Dharam Dev etc.

Claim compensation @
Rs. 30000/- per bigha and
Rs. 5000/- for severance charges.

As at S.No.1.

POSSESSION

The possession of land under acquisition has already been given to the department concerned on 19.12.69.

MARKET-VALUE

The area of this village is governed under the Delhi Land Reforms Act, 1954 and cannot be used for purposes other than agriculture without the prior sanction of the prescribed authority.

The land now under acquisition is in the shape of long strip situated at two different sites but the quality of land irrespective of the fact whether it is under cultivation or not is the same and can easily be assessed at flat rate.

In calculating the amount of compensation to be awarded, certain points as mentioned u/s 23(1) of the L.A. Act are to be kept in view. In order to determine the market value, many other factors enter into reckoning which are also necessary, for instance, the sale transactions in the village concerned, nearness of the land to any pucca road, the size and

shape of land under acquisition, rise and fall in prices due to demand of in the market and market value of the land previously acquired in the village concerned,

No land has so far been acquired in this village. Hence the price of land in question can only be fixed with the help of sale transactions already taken place in this village within five years preceding the date of publication of notification u/s 4 i.e. 30.5.69.

The perusal of the record reveals that there is only one sale transaction under which area measuring 23 bighas 12 biswas for Rs.8260/- was sold in this village vide registered deed dated 4.7.66. and the average price per bigha comes to Rs. 350/-. It is a fact that the prices of agricultural products had a rising trend since 4.7.1966. After giving a margin for it for the period in between the date of sale transaction and publication of notification u/s 4 i.e. 30.5.69, the price of land now under acquisition can easily be fixed.

Keeping the above discussion in view I think that Rs. 440/- per bigha is the fair and reasonable price for the land now under acquisition. I assess the same.

TREES, WELLS & OTHER STRUCTURES:-

TREES:- There is no tree over the land now under acquisition.

WELLS:- There is a well in Killa No.26 of Rect.No. 33 which is reported in delapidated condition by the Naib Tehsildar(LA) and he has proposed Rs.200/- as its value. In the absence of any other evidence I have no other alternative except to agree with the proposed value of Naib Tehsildar(LA). Hence I assess Rs.200/- as the price of well situated in Killa No.26 of Rect. No.33.

OTHER STRUCTURES:- There is no structure over the land now under acquisition.

MAUFI AND JAGIR:- There is no Maufi and Jagir over the land

now under acquisition.

APPORTIONMENT:

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

LAND REVENUE DEDUCTION:- Khalsa amount of reduction from the land revenue dues on account of land acquired works out to Rs. 1.29. There will be deduction of this amount from the Khalsa Rent Roll of the village concerned w.e.f. taking over the possession.

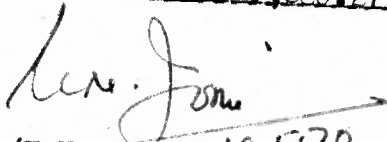
INTEREST:-

As the possession of the land now under acquisition has already been taken by the department concerned on 19.12.69 and the payment of compensation is likely to be made on 19.2.70 so the interested persons shall be entitled to have interest @ 6% from 19.12.69 to 18.2.70.

The aforesaid land will vest absolutely in the Govt. free from all encumbrances from taking over the possession.

Subject to above remarks, the award is summarised as under:-

1. Compensation for land measuring 17 bighas 18 biswas @ Rs. 440/- per bigha.	Rs. 7,876.00
2. Compensation for well.	Rs. 200.00
3. 15% for compulsory acquisition.	Rs. 1,211.40
4. Interest @ 6% per annum w.e.f. 19.12.69 to 18.2.70.	Rs. 92.87
Total:-	<u>Rs. 9,380.27.</u>


(K.N. Joshi) 19.5.70
Land Acquisition Collector(N)
Delhi.

Forwarded to the Collector, Delhi, for information.