

O F F E R No. 39/1971-72

Name of the village: JHARODA MAJRA BURARI.
 Nature of acquisition: Temporary.
 Purpose of acquisition: Construction of Marginal Embankment between Wazirabad Barrage & Bawana Escape on the Right Bank of Jamuna.

O F F E R

These are proceedings for the temporary acquisition of land measuring 211 bighas situated in village Jharoda Majra Burari for a public purpose namely for the "Construction of Marginal Embankment between Wazirabad Barrage & Bawana Escape on the Right Bank of Jamuna, as notified vide Delhi Administration's notification No.F.7(8)/70-L&H dated 11.2.70 issued under section 35(i) of the Land Acquisition Act, 1894 for a period of one year from the commencement of such occupation. Notices as required were issued to all the interested persons in the land to file their claims which are discussed hereafter under the heading "COMPENSATION CLAIMS".

TRUE AND CORRECT AREA:

The land was measured on the spot by the Land Acquisition Field Staff and the area available for temporary acquisition is as under:-

Rect.No.	Khasra No.	Area Bis.Bis.	Kind of soil.
4	25/2	4 - 9	Gair Apash.
5	19/1	0 - 5	"
	20/1	2 - 15	"
	21	4 - 16	"
	22/1	1 - 12	"
15	1	4 - 16	"
	2/1	3 - 1	"
	9/1	4 - 10	"
	8/1	0 - 3	"
	11/2	4 - 10	"
	10	4 - 16	Contd...2/-

15	12	4 - 16	Gair Apash.
	13/1	1 - 5	Apash.
	13/1	2 - 10	"
	19	4 - 16	"
	20/2	3 - 2	Gair Apash.
	21/1/2	1 - 1	Apash.
	23/1/1	1 - 16	Apash.
	21/2/2	0 - 12	Gair Apash.
	22/1	2 - 3	Apash.
	23/2/1	2 - 4	"
	22/2	2 - 3	Gair Apash.
16	5/2	3 - 4	Gair Apash.
	6/2	1 - 11	"
	15/2	0 - 2	"
24	1/2	0 - 4	Apash.
	2/2	4 - 12	"
	3	4 - 16	"
	4/1	0 - 13	"
	7/1	3 - 00	"
	8	4 - 16	"
	9/2	3 - 4	"
	12/2	1 - 4	"
	13	4 - 16	"
	14/1	4 - 12	"
	15/1	0 - 5	"
	16/1	2 - 3	"
	17/1	3 - 10	"
	17/2	1 - 1	"
	13/2	3 - 19	"
	23/2	1 - 19	"
	24	4 - 4	"
	25/1	3 - 3	"

Contd....

28	1/1	2 - 2	Gair Apash.
	10/1	4 - 10	Apash.
	9/1	0 - 9	"
	11/1	4 - 16	Gair Apash.
	12/1	3 - 9	Apash.
	18/1	1 - 5	Gair Apash.
	19	4 - 14	"
	20	4 - 16	Apash.
	21/1	0 - 11	Apash.
	21/2/2	3 - 5	"
	22	4 - 16	"
	23/1	2 - 17	"
29	3/2	0 - 5	"
	4/2min	3 - 6	"
	4/2min	1 - 2	"
	7/1/1	0 - 10	Gair Apash.
	7/2/1	1 - 1	Apash.
	7/2/2	0 - 6	"
	5min	3 - 4	"
	5/2/1	1 - 00	"
	5/2/2	0 - 12	"
	6/1	1 - 8	"
	6/2	3 - 4	"
	6/1/1	0 - 4	"
	14/2	0 - 3	"
	15/2	4 - 7	"
	16/2	1 - 14	"
	25/2	0 - 3	"
38	1/2	0 - 19	"
	2/2	4 - 14	"
	9/2	2 - 19	"
	3	4 - 16	"

38	4/1	2 - 1	Gairapash.
	6/1	0 - 11	"
	7/1	5 - 7	"
	8	5 - 6	"
	45 min	1 - 3	
		Total 208 - 07	

The difference of 2 bighas 13 bis. of land between the area notified and the area available for acquisition is due to actual measurement carried out at the spot.

COMPENSATION CLAIMS: The following claimants have filed claims for compensation:

S.N.	Name of the claimant.	Compensation claimed.
1.	Shankar s/o Bhoghal	Claimed compensation without mentioning any rate.
2.	-do-	Claimed compensation @ Rs.5/- per sq.yd. and Rs.1000/-per bigha for crops.
3.	Kishan s/o Manphool.	-do-
4.	Teja s/o Badlu.	Claimed compensation without mentioning any rate.
5.	Chhattar s/o Ramji Lal.	-do-
6.	Maman s/o Bhobal.	-do-
7.	Ram Sarup s/o Phool Singh.	-do-
8.	Mangat s/o Kishan Sahai.	-do-
9.	Nathan s/o Udmi.	-do-
10.	Ram Phal s/o Kishan Sahai.	-do-
11.	Man Singh etc.	-do-
12.	Dev Dutt s/o Ram Sarup.	Claimed compensation @ Rs.1500/- per bigha for digging out earth.
13.	Priya Dutt s/o Sohan.	Claimed compensation @ Rs.1500/- per bigha for land, Rs.500/-per big for garden & Rs.100/-per bigha for Khad.
14.	Man Singh etc.	Claimed compensation @ Rs.10000/- per bigha for land and Rs.200/- for trees.

15. Laxmi Narain s/o Prabhu. Claimed rent @ Rs.1000/-per bigha per year.
16. Jagat Singh s/o Rakesh. Claimed compensation @ Rs.1500/- per bigha for land and Rs.1000/- per bigha for crops.
17. Ganeshi s/o Nanda. Claimed compensation without mentioning any rate.
18. Neki s/o Nanda. Claimed compensation for Bhindi crop
19. Inderaj s/o Dhani. -do-
20. Daya Wati wd/o Mam Chand. -do-
21. Mam Chand, Ram Chand ss/o Dhan Singh. Claimed rent @ Rs.5/-per sq.yd. and Rs.500/- for crops.
22. Antu s/o Bhago. Claimed rent @ Rs.10/-per sq.yd. & Rs.500/-for crops.
23. Ram Narain s/o Bhagwan Sahai. Claimed rent @ Rs.200/-per bigha and Rs.1500/-per bigha for crops.
24. Kanhaya s/o Ram Sahai. Claimed rent @ Rs.200/-per bigha and Rs.1000/-per bigha for crops.
25. Kure s/o Ram Sahai. -do-
26. Om Dutt s/o Sohan. Claimed rent @ Rs.5/-per sq.yd. & Rs.200/-per bigha for levelling.
27. Nathu s/o Net Ram. Claimed rent @ Rs.1500/-per bigha.
28. Som Dutt s/o Jagan. Claimed rent @ Rs.200/-per bigha and Rs.1500/-per bigha for crops.
29. Nathu Ram s/o Kalu. Claimed compensation without mentioning any rate.
30. Nihali wd/o Net Ram. Claimed rent @ Rs.1500/-per bigha for loss of crops and Rs.5/-per sq.yd. for crops.
31. Teja s/o Badlu. -do-
32. Ram Sarup s/o Phool Singh. -do-
33. Indraaj s/o Dhani. -do-
34. Jangli s/o Shadi. -do-
35. Ganga Ram s/o Mangat. Claimed rent @ Rs.1000/-per bigha and Rs.5/-per sq.yd.for crops.
36. Lajje s/o Mangtu. Claimed rent @ Rs.5/-per sq.yd. for land.

DOCUMENTARY EVIDENCE:

None of the claimants has produced any documentary evidence in support of his claim.

MARKET VALUE:

The land through this award is temporarily acquired for a a period of one year under section 35(1) of the Land Acquisition Act for the Construction of Marginal Embankment between Wazirabad Barrage and Bawana Escape on the Right Bank of Jamuna.

This village falls within the perview of the Delhi Land Reforms Act under which sub-letting is not enjoined. Section 35 of the Delhi Land Reforms Act lays that apart from disabled persons no Bhumidhar or Asami shall let for any period whatsoever any land comprised in his holding. That being so, it is not possible to get any mutation by way of lease hold rights executed for the temporary acquisition of land. Local enquiries reveal that no sub-letting has been made in the village.

The claimants have not adduced any evidence which could have been helpful in fixing the annual rent in respect of land under acquisition.

In award No.63/70-71, the material date of which was March 11, 1970, land measuring 58 bighas 18 biswas was acquired permanently for a public purpose namely Construction of Mariginal Embankment between Wazirabad Barrage and Bawana Escape. This award is considered a good guide in fixing annual rental of the land being temporarily acquired as it is just contigeous. In this award, the Land Acquisition Collector aftering having considered the various sale deeds executed in the village , fix the market value of the land @ Rs.500/-per bigha. The land permanently acquired is similarly circumstanced in its physical condition and potentiality as compared to theland being temporarily acquired. In the absence of any positive evidence regarding the annual rental, there is no other method except to pay 6% on the market value of the land as assessed in award No.63/70-71.for the determination of the yearly rental.

@ Rs.30 (Rupees thirty) per bigha.

No compensation will be paid for G.M.Rasta.

CROPS:

Certain field Nos. on the land under acquisition contain crops of Barley, Barsam, Makki and Lady Finger etc. The Naib-Tehsildar has assessed the damages to the crops for Lady Finger @ Rs.163/-per bigha and Rs.32/-per bigha for Barsam, Rizka & Rs.50/-per bigha for Makki to which I agree and award the same rate accordingly. The details estimates are at appendix 'A'.

APPORTIONMENT: Payment of compensation will be made to the persons interested according to the latest entries in the revenue records.

SUMMARY OF THE AWARD:

S.N.	Area Big.Bis.	Rate per bigha.	Amount of compensation
1.	203 - 07	Rs.30/-	Rs.6,250.50
2.	Compensation for crops.		2,058.35
		G.Total	Rs. 8,308.85

J S 28/12
(G.BAHADUR)
LAND ACQUISITION COLLECTOR(ME):
DELHI.

Annexed + filed 2 day

J S 29/12