

AWARD NO. 3-2004-05

NAME OF VILLAGE : **BAKKARGARH**

NATURE OF ACQUISITION : Permanent.

PURPOSE OF ACQUISITION: Construction of Mundhela Bund connecting Bhupania Chhudani Drain with Dhansa minor.

NOTIFICATION : U/S 4 No. F.7/(39)/2001/L&B/LA/1F/8510 dated 21/08/2003

U/S 6 No. F.7(39)/2001/L&B/1F/23665 dated 15/01/2004

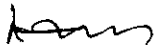
A total of 11 Bigha 1 Biswa 04 Biswansi land was notified U/S-4 of the Land Acquisition Act 1894 vide Notification No. F.7/(39)/2001/L&B/LA/1F/8510 dated 21/08/2003 and also u/s 6 vide Notification No.F.7(39)/2001/L&B/1F/23665 dated 15/01/2004. The land is required to be taken by the Government at the public expenses for a public purpose namely "Construction of Mundhela Bund connecting Bhupania Chhudani Drain with Dhansa minor" for Irrigation and Flood Department.

Notices U/S 9 & 10 were issued to the interested persons of Village Bakkargarh to file their claims. The claims filed by the interested persons in respect of land being awarded will be discussed under the appropriate heading "Claims".

TRUE AND CORRECT AREA

As per the notification U/s 6 the grand total of the area notified is 11 Bigha 1 Biswa 04 Biswansi. The correct total area of the land under notification is found to be 9 Bigha 16 Biswa 4 Biswansi. The difference is due to the following reasons :-

- (i) The area of Khasra No. 2//21/1 under acquisition was wrongly calculated as 1 Bigha 18 Biswa. However, the total area of the said Khasra is 1 Bigha 09 Biswa out of which only 1 Bigha 03 Biswa is under acquisition.
- (ii) The Khasra No. 7//13/2 measuring 15 Biswa was notified, however, out of the same Khasra No. 10 Biswa was already acquired vide Award No. 13/82-83. Hence, the area to be acquired in Khasra No. 7//13/2 is only 5 Biswa.



The details of such Khasras and their area are as under:-

KHASRA NO.	AREA
1//25	0-14
2// 21/1 min	1-03
21/2 min.	0-04
6// 1/1 min	Less than one biswa
7// 5 min	2-17
6 min.	0-3-10
7 min	2-13
14/1 min	0-3-10
26 min	0-07
13/2	0-05
13/1 min	0-6
13/3 min	0-16-04
18 min	0-2
124 min	0-2

CLASSIFICATION OF LAND:

No classification is required as all the land is leveled land.

CLAIM AND EVIDENCE :

Following claims were filed, in response to the notices U/S-9 & 10 of the Land Acquisition Act, 1894 :-

Sl.No.	Name of claimant	Kh.No. & Area	Claim
1.	Sh. Niadar Singh, Zile Singh, Sh. Sahab Singh all s/o Sh. Bharat Singh, Sh. Phool Singh, Ram Kishan, Sh. Jai Singh Ajit Singh all s/o Sh. Mange Ram & Smt Kesar D/o Sh. Mange Ram	6//1/1(less than one Biswa) 7//5 min.(2-17)	Rs. 10,000/- per Sq. yds for land Allotment of Plot.
2.	Jai Pal Singh s/o Kartar Singh V & P.O. Luksar Distt. Jhajjar, Haryana.	2//21/2 (0-04)	Rs.50,00,000/- Per Acre.
3.	Karan Singh s/o Hira Singh R/o V&PO Luksar, Distt. Jhajjar, Haryana.	2//21/2 min.(0-4)	-do-
4.	Girdhari Lal S/o Tulsi R/o V & PO Luksar Distt. Jhajjar, Haryana.	2//21/2 min.(0-4)	-do-
5.	Roop Narain-Jag Pal- Rajesh Ss/o Hukam Singh R/o V & PO Jhajjar, Haryana.	2//21/2 min.(0-4)	-do-

Kam

Sl.No.	Name of claimant	Kh.No. & Area	Claim
6.	Randhir Singh S/o Partap Singh R/o Village Bakkargarh, New Delhi (1/2 share)	7//6 min(3-10) 7 min (2-13) 13/2 min.(0-5) 14/1 min.(0-3-10) 26 min.(0-7)	Rs. 35,00,000 Per acre.
7.	Ashok Kumar S/o Narain Dutt, R/o Village Bakkargarh, New Delhi (1/8 share)	-do-	Rs. 50,00,000/- Per acre.
8.	Kuldeep S/o Narain Dutt, R/o Village Bakkargarh, New Delhi (1/8 share)	-do-	Rs. 50,00,000/- Per acre.
9.	Ramesh Kumar S/o Narain Dutt, R/o Vill. Bakkargarh, New Delhi (1/8 share)	-do-	-do-
10.	Rakesh Kumar s/o Narain Dutt, village Bakkargarh, New Delhi(1/8 share)	-do-	-do-
11.	Dharam Pal-Satpal-Dharambir-Umed, Ss/o Sh. Hazari R/o Village & P.O. Luksar, Distt. Jhajjar, Haryana(1/6 share)	2//21/2 min.(0-4)	-do-

The perusal of claims reveals that the claimants have filed claims, which are exorbitantly high. The claimants have filed no document as an evidence in support of their claims. The claims are considered on merit and rejected, since it does not represent market value of the land.

MARKET VALUE

The market value of land under acquisition is to be determined with reference to the date of notification U/S-4 of the Land Acquisition Act, 1894, which is 21/08/2003 in this case. For determination of the market value of land the indicative price fixed by the Govt. of NCT of Delhi for agricultural land in Delhi @ Rs.15.70 Lakh per acre as conveyed by the Dy.Secy (LA), Land & Building Deptt. Vide letter No.F.9(20)/80/L&B/LA/6704-12 dated 9.8.2001 is taken into consideration.

Accordingly the market value of the land under acquisition is determined as @ Rs.15.70 lakh per acre. In addition to the market value the land owner will be entitled for other benefits as per provisions of the Land Acquisition Act, 1894.

VALUATION OF STRUCTURE, TREES & TUBEWELLS ETC.

NIL

SOLATIUUM

30% solatium will be given to the landowners on the market value of the land due to compulsory nature of the acquisition under section 23(2) of the Land Acquisition Act 1894.



ADDITIONAL AMOUNT

An additional amount @ 12% per annum on the market value of land U/S 23(1A) of Land Acquisition Act 1894 will be given to the land owners for the period commencing from the date of notification U/S-4 to the date of physical possession or Award, whichever is earlier.

APPORTIONMENT

The apportionment of the said compensation among all the persons known or believed to be interested in the land, of whom, or of whose claims, I have the information, whether or not they have appeared before me, have been determined as per the annexure. Where there is a dispute and the same is not settled the matter will be referred to the court of Additional District Judge, Delhi U/S 30-31 of the Land Acquisition Act, 1894.

LAND REVENUE

The land revenue will be deducted from the rent roll of the Village Bakkargarh w.e.f. taking over the physical possession.

SUMMARY OF THE AWARD

The award is summarized as under :-

A	The market value of land measuring 9 Bigha - 16 Biswa and 4 Biswansi @ Rs. 15,70,000/- per Acre	Rs. 32,08,687.49
B	30% Solatium on market value u/s 23(2) of the Land Acquisition Act, 1894	Rs. 9,62,606.04
C	12% Additional Amount u/s 23 (1A) on Market Value w.e.f. 21/8/2003 (D.O.N.) to 15/11/2004 (D.O.A.) i.e. 452 Days	Rs. 4,76,819.75
GRAND TOTAL		Rs. 46,48,113.28

(RUPEES FORTY SIX LAKHS FORTY EIGHT THOUSAND ONE HUNDRED THIRTEEN AND PAISE TWENTY EIGHT ONLY)

SECRETARY (REVENUE)
Govt. of NCT of Delhi.

26-10-2004
(S.S. KANAWAT)
LAND ACQUISITION COLLECTOR
DISTRICT SOUTH WEST

Award announced on 16-11-04 i.e. today.
None present despite Notice issued

16-11-04

NOTIFICATION

Dated :- 21/1/2003

Whereas it appears to the Lt. Governor, Delhi that land is likely to be required to be taken by Government at the public expense for a public purpose namely for Construction Mundhela Bund connecting Bhupania Chhudani Drain with Dhansa Minor. It is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

The notification is made, under the provisions of sub-section 1 of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lt. Governor, Delhi is please to authorize the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey the land in the locality and do all other acts required or permitted by that section.

Any person, interested, who has any objection to the acquisition of any land in the locality, may within 30 days of the publication of the notification file an objection in writing before the Land Acquisition Collector (South-west), Delhi.

Map showing the boundaries of land covered by the notification is available for inspection in the office of the Land Acquisition Collector (South-west).

SPECIFICATION

VILLAGE	TOTAL AREA (BIGHA - BISWA - BISWANI)	KHASRA NO.	AREA (BIGHA - BISWA)
BAKARGARH	11 - 01 - 04		

1// 25 (0-14), 2// 21/1 min.(1-18), 21/2 min.(0-04), 6// 1/1 min. (Less than one Biswa), 7// 5 min.(2-17), 6 min. (0-3-10), 7 min. (2-13), 14/1 min. (0-3-10), 26 min.(0-07), 13/2 (0-15), 13/1 min. (0-6), 13/3 min.(0-16-04), 18 min. (0-2), 124 min. (0-2).

BY ORDER AND IN THE NAME OF THE LT. GOVERNOR OF DELHI

(H.D. MAHI)
DY. SECRETARY (LA)

✓
i
Lalaji B. Vikas Bhamra
N. Delhi.