

OWNER NO. 2162

Name of the village: BANHOLI

Nature of acquisition: TEMPORARY

Purpose of acquisition: REMODELLING OF DRAIN HQ.6

O F F E R

The land measuring 75 bighas 13 biswas situate in village Bankoli Tehsil and District Delhi is required for temporary occupation and use for the public purpose namely, for the Remodelling of Drain No. 6. The Delhi Administration vide notification No. F. 15(94)/67-JAH(IV) dated 2.2.68 directed the Land Acquisition Collector to procure the occupation and use of the said land under the provisions of section 35(1) of the Land Acquisition Act, 1894. In pursuance of notices required to be issued under the Act, the interested persons have submitted their claims which will be discussed under the head 'CLAIMS'.

WILSON, J. D. 1975. *Journal of Fish Biology* 7:1-14.

According to the notification u/s 35(1) of the said Act the area to be acquired is 75 bighas 10 biswas but it was been found as 74 bighas 07 biswas at the time of measurement made by the field staff. Thus there is decrease of one bigha & three biswas which is due to bifurcation of area at the time of measurement. Thus at present area measuring 74 bighas 07 biswas is being acquired temporarily.

OVERSUIT

The detail of Imperial Nos. which are now under temporary acquisition is as under:-

<u>S.No.</u>	<u>Khasra No.</u>	<u>Area Bis. Bis.</u>	<u>Kind of land</u>
1.	276 min	0 - 10	Chair Abrash
2.	277/2 4	2 - 05 1	-do-
3.	278/2 min	2 - 12 1	-do-
4.	293/2 min	3 - 01	-do-

contd., 2/-

5.	294/2 min	2 - 11	Ghair Abpash
6.	308 min	0 - 09	-do-
7.	309/2 min	2 - 08	-do-
8.	310/2 min	2 - 18	-do-
9.	311 min	0 - 02	-do-
10.	322/3 min	2 - 15	-do-
11.	324/2	0 - 14	-do-
12.	325/2 min	2 - 17	-do-
13.	334 min	1 - 16	-do-
14.	335/2	1 - 18	-do-
15.	336/2	1 - 18	-do-
16.	337/2	0 - 12	-do-
17.	338/2 min	2 - 18	-do-
18.	339 min	1 - 06	-do-
19.	347/2 min	2 - 10	-do-
20.	346 min	0 - 07	-do-
21.	348/2 min	2 - 16	-Abpash
22.	353 min	0 - 13	Ghair Abpash
23.	354/2 min	2 - 10	-do-
24.	356/2 min	3 - 09	-do-
25.	357 min	0 - 04	-do-
27.	359 min	0 - 01	-do-
28.	360/2 min	2 - 12	-do-
29.	361/2	0 - 16	-do-
30.	363/2 min	2 - 16	-do-
31.	364/2 min	3 - 08	-do-
32.	365/2	1 - 01	-do-
33.	372/2	2 - 01	-do-
34.	374/2 min	5 - 03	-do-
35.	375/2 min	4 - 16	-do-
36.	376/2	4 - 03	-do-
37.	377/2	1 - 11	-do-
	TOTAL:	<u>74 - 07</u>	

The land owners have not raised any objection regarding the classification and measurement 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 (IA) on the basis of entries of Khagra Girdawari and other

relevant record at the time of publication of notification  
u/s 35(1) which is as under:-

Kind of Land	Area Hkz. Bis.
Chair Abnash	71 - 11 1/2
Abnash	2 - 16 1/2
Total:	74 - 07 1/2

#### POSSESSION

The area is being required temporarily for public purpose  
namely for Remodelling of Drain No. 6 and the possession of  
this area was taken by the department concerned on 25.4.68 and  
will remain under the occupation of the department concerned  
for a year i.e. upto 24.4.69 and the interested persons will  
occupy the area after the expiry of the time for temporary  
acquisition.

#### CLAIMS

1. Shri Dalip Singh s/o Ram Saran:

#### CLAIM

Demands compensation  
@ Rs. 1000/- per bigha for  
digging out the earth.

#### REMARKS

Given his statement to the effect that  
evidence, if any, will be produced  
before the A.D.J. Hence the compensa-  
tion shall be fixed according to facts  
and figures collected from the revenue  
record.

2. Sh. Ram Kishan etc.

Demands compensation  
@ Rs. 2000/- for digging  
out the earth.

-do-

3. Sh. Shyam etc.

As at S.No. 2

-do-

4. Sh. Nutan Chand s/o Anil Lal

As at S.No. 1

-do-

5. Sh. Parthi s/o Kure

Demands compensation  
@ Rs. 3000/- per bigha for  
digging out the earth.

-do-

#### RENT

As this village is governed under the Delhi Land  
Reforms Act, 1964, so no area is now under the cultivation of  
any tenant-at-will. Hence it is not possible to assess the  
rent on this basis. The other alternative in this case is  
that the interested persons can be paid 2 1/2% on the market  
value of the land per bigha, which is possible in this village.



Area measuring 2 bighas/6 biswas is Abpash and the remaining area is Ghair Abpash but the quality of whole of the area 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 the land under acquisition, rise and fall in prices due to demand of it in the market, and the market value of the land acquired previously in the village concerned.

Before fixing the market value of the land as discussed above, it also seems necessary to have an idea of the yearwise average sale price of the land per bigha for 5 years preceding the date of publication of notification u/s 4 of the Land Acquisition Act, 1894, i.e. 16.1.68. The yearwise statement is as under:-

S.No.	Year	Area Big.Bis.	Amount	Average price per bigha
1.	1963-64	3 - 04	Rs. 8000/-	Rs. 2500-00
2.	1964-65 & 1965-66	-	N I	L -
3.	1966-67	18 - 04	Rs. 21000/-	Rs. 1153-85
4.	1967-68	-	N I	L -
	TOTAL:	21 - 08	Rs. 29000/-	Rs. 1355-14

The above table shows that the average price per bigha during this period comes to Rs. 1355-14. During the year 1963-64 four transactions took place, three of which relate to wells and the fourth is of land which abuts on the G.T. Road. Hence it can safely be said that none of the transaction is of such a type which can be of any help for fixing the market value of the land now under acquisition. Similarly during the year 1966-67 only one transaction took place involving area measuring 18 bighas 4 biswas abutting on the G.T. Road for Rs. 21000/- vide registered deed dated 3.5.66. The sale price of this area can be of no help as far as the land now under acquisition is concerned.

contd.,,S/-

Land has already ~~been~~ acquired in this village. The detail of notification u/s 4 for the acquisition of land along with award No. under which the land was acquired is given below:

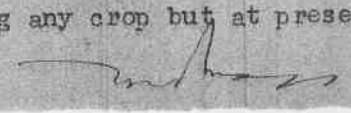
S.No.	Award No.	Notification No. with date	Price fixed per bigha
1.	959	F.15(51)/69-LSG 13.8.59	Rs. 220/-
2.	1047	F.15(25)/60-LSG 22.2.60	Rs. 500/-

Land acquired vide award No. 959 is adjacent to the circular road while a notification u/s 4 for the acquisition of land vide award No. 1047 @ Rs.500/- per bigha, though near the present site, was issued on 22.2.60 i.e. more than eight years back. Hence it is not justified to follow the price fixed at that time even though no reference u/s 19 was made to the A.D.J.

As mentioned above the area is being acquired for Remodelling of Drain No.6 which also passes through the land of Alipur, a adjoining village. In this village land was previously acquired vide award No. 2089 drawn under notification u/s 4 bearing No. F.15(21)/66-LAH(1) dated 16.1.68, for Construction of Hameedpur Drain @ Rs.720/- & Rs. 250/- per bigha for land placed in Block Nos. I & II respectively. Now land is also being acquired in village Alipur for this very purpose i.e. Remodelling of Drain No.6 and the price of it will have to be fixed after taking into account the price fixed while drawing award No.2089. There is a gap of about a fortnight in between the publication of notification u/s 4 for this land and land acquired vide award No. 2089. Hence it seems quite proper to take award No. 2089 into account while fixing the price of land in this village as well.

Keeping all the above mentioned facts in view I think that Rs.800/- is the fair and reasonable price per bigha for the land now under acquisition. After calculating the interest @ 6% per bigha as mentioned above the rent comes to Rs. 480/- per bigha for the land now under acquisition. I assess the same.

The land has been acquired for taking out earth from it for Remodelling of Drain No.6 and the land will be rendered useless for cultivation just after its excavation and will also require levelling up before sowing any crop but at present the



area and the khasra Nos. from which earth has been taken has not so far been intimated. So a supplementary offer will be drawn after the expiry of the period of temporary occupation on an application, if any, received from any interested person.

MODE OF PAYMENT

The interested persons shall be paid compensation according to the latest entries in the revenue record of the land now under acquisition. Before making payment if any objection is received from any person 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.

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

- for one year
1. Compensation for rent/of area Rs. 3,568-80  
measuring 74 bighas 7 biswas @  
Rs. 48/- per bigha. (25.4.68 to 24.4.69).
- TOTAL: Rs. 3,568-80

(Bishan Singh)  
Land Acquisition Collector: (N): Delhi.  
Delhi,

Copy Forwarded to the Collector, for information.

(Bishan Singh)  
Land Acquisition Collector: (N): Delhi.

Filed

31/8/68



این کتاب به مناسبت میلاد حضرت زین العابدین علیه السلام و در روز شنبه ۲۵/۴/۶۸  
 در سال ۱۳۴۷ خورشیدی در شهر خرمین چاپ شده است. این کتاب به مناسبت میلاد حضرت زین العابدین علیه السلام و در روز شنبه ۲۵/۴/۶۸  
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Hamid Reza  
 25/4/68

Hamid Reza

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 25.4.68

Hamid Reza

25/4/68

The possession of the book was transferred to the library of the Islamic Consultative Assembly in 1357/5774 at 9/7/51. It is attached with the book.