

Name of the village:
Nature of acquisition:
Purpose of acquisition:

Bankoli.
Permanent.
Widening of G.T. Karnal Road
from Auchandi Marg to Haryana
Border.

INTRODUCTION:

These are proceedings of compensation in terms of section 11 of the Land Acquisition Act, 1894. The land measuring 6 bighas 3 biswas sitated in village Bankoli was notified vide notification No.F.7(47)/79-L&B dt.11.9.80 for public purpose namely widening of G.T. Karnal Road from Auchandi Marg to Haryana Border. The substance of notification was given due publicity as required under the law. After considering the report u/s 5-A of the L.A. Act, Delhi Administration issued a declaration u/s 6 of the L.A. Act in respect of land measuring 6 bighas 3 biswas situated in village Bankoli vide notification No.F.7(47)/79-L&B dt. 27.2.81 for acquisition of the land for the purpose mentioned above.

In pursuance of the above notification, notices u/s 9 & 10 of the L.A. Act were issued to all the interested persons and the claims filed by the claimants/interested persons are discussed hereafter under the heading 'Claim.'

MEASUREMENT & CLASSIFICATION:

According to the notification u/s 6 the measurement was made by the field staff under the provision of section 8 of the L.A. Act and the area was found correct i.e. 6 bighas 3 biswas. The detail of land under acquisition is as under:-

<u>Kh.No.</u>	<u>Area</u>	<u>Quality of land.</u>
202/1	3-02	G.M. ^K aikhana Dhan.
<u>212-213</u> 1/1	1-11	-do-
<u>212-213</u> 2/1	0-15	-do-
<u>212-213</u> 3/1	0-15	-do-
	<u>6-03</u>	

The land owner have not raised any objection regarding the measurement and classification of land. At present, there is no other alternative left except to agree with the classification and measurement as proposed by the field staff on the basis of entries or Kh.Girdawari and other relevant revenue record at the time of notification u/s 4 of the L.A.Act.

Having land revenue Rs. 1-98P.

CLAIMS:

In pursuance of the notices u/s 9 & 10 the following persons have filed their claims:-

S.No.	Name of the claimants.	Kh.No.	Claimed	Remarks.
1.	Sh. Tara Chand S/o. Maki Ran r/o. 8241, New Anaj Mandi, Sara Hinda Rao, Delhi.	2022in	Rs. 20000/- for boundary wall, Rs. 300/- per sq. yd. for the land, Rs. 1500000/- for building, Rs. 20000/- for bridge & Rs. 40000/- for dismantling charges cartage and refixation of machinery Rs. 1,50000/- for loss of earning, Rs. 5,00000/- for permanent loss, Rs. 2000/- for tube well, Rs. 500/- for fitting of hand pump, Rs. 60/- per sq. ft. for structure.	No evidence as in produced in support of the claim only for site Plan of factory.
2.	Narender Pratish Gupta, Ran Kishan, Jai Bhagwan.	212, 213/2/1	Rs. 300/- per sq. for land, Rs. 15,00000/- for building, Rs. 20000/- for bridge from G.T. Rd. to Factory, Rs. 40000/- for refixation of machinery, Rs. 1,500000/- for loss of earning, Rs. 500000/- for permanent loss, Rs. 2000/- for tube well, Rs. 500/- for hand pump, Rs. 60/- per sq. ft. for covered area.	No evidence.
3.	Sh. Jiwan Singh S/o. Harl Singh r/o. RA/276 Tagore Garden, Najafgarh Road, New Delhi.	202, 213x	-do-	-do-

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S.No.	Name of the claimants.	Kh.No.	Claimed	Remarks.
4.	Sh. Deep Chand S/o. Sunder Mal r/o. J-116, Ashok Vihar Wazir Pur, Delhi.	212-213/1	As claim No. 2.	No evidence

MARKET VALUE:

The market value of the land under acquisition has to be determined with reference to the price prevailing as at the date of notification u/s 4. The value to be ascertained is the price to be paid for the land with all its potentialities and with all the use made of it by the vendor. The provisions of Delhi Land Reforms Act 1954 are applicable to the land under acquisition. Thus as per restrictions contemplated u/s 22 & 23 of the Delhi Land Reforms Act, the land can only be used for agriculture, horticulture or animal husbandary etc.

The claimants have claimed the compensation of land at an exorbitant rate of Rs.300/- per sq.yd., but have not produced any documentary evidence in support of their claims.

As per revenue record the following sales-transactions are reported to have taken place in this village:-

S.No.	Mutation No.	Date of registration.	Kh.Nos.	Area	Amount	Average per
				Big-Bis.	involved.	bigha.
1.	106 dt.3.2.76	26.11.75	350min	3-10	Rs.25000/-	Rs. 7142-00
2.	107 dt.8.2.76	25.11.75	349min	2-15	Rs.20000/-	Rs. 7272-60
3.	108 dt.6.2.76	29.11.75	350min	3-09	Rs.25000/-	Rs. 7247-40
4.	128 dt.1.2.78	-	$\frac{612}{2}$ (Salem)	1-00	Rs.6500/-	Rs.6500/-
5.	129 dt.1.2.78	-	$\frac{613}{3}$ (Salem)	1-00	Rs.7000/-	Rs.7000/-

From the above table it is revealed that the sale transactions mentioned at S.No.4 & 5 involved small pieces of land of one bigha each. It is a common fact that small pieces of land fetch highly prices than the bigger chunks of land. The land involved in sale-transactions at S.No. 1 to 3 is better situated than the land involved in the present proceedings. So in view of the above discussions these sale transactions cannot serve as a guiding factor in assessing the market value of the land under acquisition.

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In this village land has already been acquired through the following awards:-

S.No.	Award No.	No. & date of notification u/s 4.	Area Bis-Bis.	Amount awarded per bigha.
1.	2163	F.15(94)/67-L&B dt.2.2.68	41-03	Rs.800/-
2.	68/80-S1	F.7(47)/79-L&B dt.9.1.80	119-03	Rs.3000/-
3.	75/80-S1	F.7(47)/79-L&B dt.9.1.80	24-13	Rs. 5000/-

From the above table it is evident that there is a considerable time gap between the date of notification u/s 4 of Award No.2163 and that of the land under acquisition. So this award cannot be made a basis for assessing the market value of the land under acquisition. The date of notification u/s 4 of Award No.68/80-S1 is 9.1.80 whereas the land under acquisition was notified on 11.9.80. Award No.75/80-S1 is more relevant in assessing the market value as the land acquired vide this award is adjoining and of similar in respect to the land under acquisition. In award No.75/80-S1 the compensation has been assessed @ Rs.5000/-per bigha. As there is only a gap of about eight months between the dates of notification u/s 4 in the two cases, I assess and award the same compensation of Rs.5000/-per bigha for the land under acquisition.

STRUCTURES:

I have inspected the site and the land under acquisition has constructions comprising of factories and tin shed etc. All these structures are pucca and the level of the land under acquisition appears to have been raised by filling earth from 2 ft. to 7 ft. The claimants have claimed Rs.15,00,000/-each for the structures but have not produced any documentary evidence in support of their claims. The claimants have filed maps along with their claims showing the measurements of the structures. The structures were also measured by the field staff on the spot. The details of structures and the compensation assessed for the structures according to the condition and nature of construction are as under:-

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Kh. No. Area Name of the owner/occupant. Kind of structure Measurement of covered area in sq. ft. Rate per sq. ft. Total Re assessed Value, Rs.

212-213	I-1D Ram Kishan Narander etc.	Chowkidar Room	10' x 10' = 100	Rs. 30/-
		Room No. 1	32' x 10' = 336	
		Room No. 2	20' x 10' = 210	
		Room No. 3	21' x 11' = 242	
		Tin shed	20' x 11' = 230	
		Godown 1	41' x 43' = 1763	
		Godown 2	20' x 43' = 882	
		Godown 3	31' x 43' = 1355	
		Godown 4	27' x 43' = 1161	
			6279	

3 water tank 15' x 12' = 3000/- Rs. 1000/- per tank.
4 furnaces Rs. 200/- @ Rs. 200/- per furnace.

Filling of earth for levelling upto 2 to 3 ft. per Rs. 1500/-.

212-213	1-11 Deep Chand	Room No. 1	11' x 10' = 110	Rs. 30/-
2-3		Motor Room	11' 9' = 99	
1.		Room No. 3	8' x 12' = 96	
		Tin shed	9' x 8' = 72	
		Veranda	97' x 10' = 970	
		Godown 1	38' x 20' = 760	
		Godown No. 2	40' x 20' = 800	
		Godown No. 3	19' x 20' = 380	
		Double storey room	20' x 10' = 200 x 2 = 400	
		Room	18' x 20' = 360	
		Office	12' x 9' = 108	
		Room	17' x 9' = 153	
		Room	17' x 8' = 136	
		Total	4444	

Filling of earth upto 2-3 ft. Rs. 1500/-

Four water tanks Rs. 1000/- per tank & four furnaces @ Rs. 200/- per furnace.

202/1	3-02 Tara Chand	Room No. 1	15' x 13' = 195	Rs. 20/-
		Room No. 2	15' x 13' = 195	
		Room No. 3	20' x 22' = 440	
		Motor room	19' x 10' = 190	
		Godown tin shed.	15' x 28' = 364	
		Total	1384	

Four tanks @ Rs. 1000/- per tank = Rs. 4000/-

Filling of earth upto 2-3 ft. for levelling Rs. 1500/-

202min 3-02 Jivan Singh S/o. Hari Singh. There are temporary tin sheds and the owner can remove the tins of the sheds. There are two boundary walls of 10' high and measuring 140' & 91' in length for which a sum of Rs. 1500/- is awarded.

Filling of earth for levelling upto 2-3 ft. Rs. 1500/-.

TUBE WELLS

There is one tube well in Kh. No. 213-213/2-3/1 and 202/1. The owners are allowed to remove the pipes and motors etc. and a sum of Rs. 250/- each is awarded for removal charges. There is no tube well in the portion of Sh. Jivan Singh S/o. Hari Singh.

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Generally outer Gate of all the factories are made of iron and are costly one. So claimants will be at their liberty to remove same for the removal of a gate. Removal charges Rs.50/- each is assessed.

SEWERAGE CHARGES:

The claimants have demanded sums ranging from Rs.5,00,000/- as sewerage charges. But keeping in view the machinery fitting and the nature of the business, it is assessed as under. But no claim will be given to all the claimants for construction of calvert as this land does not belonging to them (being Govt. land).

Sl. No.	Name of the claimants	Claimed	Kh. No.	Assessed.
		Rs. Five lakhs	212-213/1/1	Rs. 15000/-
1.	Ram Kishan etc.	Do-	212-213/2-3/1	Rs. 15000/- Rs. 15000/-
2.	Deep Chand	Rs. 15000/-	202 min	Rs. 15000/-
3.	Jivan Singh	Do-	202 min	Rs. 15000/-
4.	Tara Chand			

SOLATUM

As provided u/s 2 of section 23 of the L.A Act 15% solatium will be paid to the interested persons on the market value of the land under aquisition and covered area for the compulsory nature of acquisition.

INTEREST:

The possession of the land under acquisition has been not taken over so far. No interest will be paid to the ~~interested~~ interested persons.

APPORTIONMENT:

Payment of compensation will be made to the interested persons according to the latest entries in the revenue record. In case of any dispute arising in the apportionment of the compensation the matter will be referred to the court of A.D.J. for adjudication u/s 30-31 of the L.A. Act.

LAND REVENUE

Land revenue for the land under acquisition is assessed at Rs. 1-32P which will be deducted from the Khatami w.e.f. the date of taking over possession.

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SUMMARY OF THE AWARD:

Compensation for land measuring
6 bighas 3 biswas @ Rs.5000/-
per bigha.

Rs. 30,750-00

Compensation for land covered
area of the factory, water tank,
and boundary wall etc.

Rs. 3,76,970-00

Rs. 4,07,720-00

15% solatium.

Rs. 61,356-00

Compensation for levelling

Rs. 6,000-00

Severance allowance.

Rs. 60,000-00

Removal charges for tubewells.

Rs. 750-00

Removal charges for iron gate.

Rs. 200-00

G.Total:

Rs. 5,35,826-00

(THREE FIVE LAKH THIRTY FIVE THOUSAND EIGHT
HUNDRED AND TWENTY EIGHT ONLY.)

*Announced in the
Court before
under the provisions of the
Land (D.S.)*

(SHIV RAJ PYAGI)
LAND ACQUISITION COLLECTOR (D.S.)
DELHI.

1. श्रीमान श्री सुखदेव
शर्मा

2. श्रीमान श्री जयदेव
शर्मा

3. श्रीमान श्री लालचंद
शर्मा

4. श्रीमान श्री लालचंद
शर्मा

कठला कारवाही अर्वा 4/81-82 ग्राम लोकाली
widening of G.T. Road

सीमानती

आज मुताबिक आदेश जमात L.A.C. (Muzila Datta)

सादर वाता देने कठला का हमराह-डी चिर-जी जाल पठानी
डी देवदु प्रकाश पठानी व डी सुरज मान पठानी L.A.

मीका पर ग्राम लोकाली पहुंचा। मीका पर मुताबिक क
मी ग्राम महकमा P.W.D. की तरफ से डी L.A.

मन-चदा यू. ई व डी S.M. बसल सादर Eng.

मीका पर हाजीर मिले। मीका पर निम्नानुसार खतरा 202

212-213	212-213	212-213	3-02
$\frac{1}{2}$	$\frac{2}{1}$	$\frac{3}{1}$	कुल तायादी 6-3
1-11	8-15	8-15	

जीन में मीका पर Structures (Factories) जनी
हई है। मजदूर खतरा 212-213, 212-213 में जोयाफ

मजदूर 2, 3 में बरत नही है। बाकी सब $\frac{3}{1}$ जोयाफ व कमरा
डीक पोपुलरी। मजदूर खतरा 212-213 में जोयाफ नमर।

2, 3 में बरत नही है। बाकी सब कमराजाह व जोयाफ डीक
हालत में परिगए। बाकी मजदूर खतरा 202 में कमराजाह

डीक हालत में है। जीन नमर की Factory में कोई
Convent वरत नही है। लिहाजा मजदूर मलका के व पा-

दीवाही सिमर महकमा P.W.D. के डी L.A. मन-चदा
यू. ई व डी S.M. बसल सादर Eng. के कठला

बाकनी हासिल कर के हवाले किया गया। बरतका
कठला कारवाही मीका पर निम्नानुसार खतरा लगावारे

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गये। मित्रों पर बरबक काज काखवा को मजाहमत पे
नही आई। इस उमर की मुवातही व मुनाही का अंवाज
बुलन्द बजाहे। श्री सूरज भाग चपरासी L.A से मो
पा व देहाई का मे कासू जरी। मित्रों पर चपरासी हतका
वजह का साका होन के दाजि (नही) हैं। इस (लिख)
के एक मकल माजत तहसील दार रिडी मजारी हतका
के माह मिजवाई जमीनी वाजीव है। लीके अमल वरास
का गजाल माल रकिया जो सिके। काज का खराई उ
हो चुकी है। रिपटि पलुत है। 22/6/81

Chirrup Lal Patwari

22-6-81

सुनीमा
22-6-81

दण्ड पठाया

42मासी
22/6/81

Seen
82-22-6-81
L.A.