AWARD NO. 75/80-81

NAME OF THE VILLAGE BANKOLI

NATURE OF ACQUISITION PERMANENT

PURPOSE OF ACQUISITION Widening of G.T.Karnal Road from Auchandi Marg to Haryana Border.

INTRODUCTION

These are proceedings of determinating of compensation in tems of Section 11 of the Land Acquisition Act, 1894 The land measuring 24 bighas 13 biswas situated in village Bakoli was notified vide notification No.F.7(47)/79-L&B dated 9.1.80 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 Land Acquisition Act, Delhi Administration issued a declaration U/s 6 of the Land Acquisition Act in respect of land measuring 24 bighas 13 biswas situated in village Bakoli vide notification No.F.7(47)/79-L&B dated 2.7.80 for acquisition of the land for the purpose mentioned above.

In persuance 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 ".

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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. 24 bighas 13 biswas. The detail of land under acquisition is as under:-

S.No.	Kh.No.	Area. Big.Bis.	Quality of land According to ~~staff.~~ spot	Quality of land According to revenue record.
1.	2.	3.	4.	5.
1.	227	0-11	G.M.Chah (~~closed~~ abandoned)	G.M.Tube well, Kotha pukhta.
2.	228/~~min~~ 1	2-05	G.M.Karkhana Dhan	G.M.Makan 1-09 Banjar 1-00
3.	241/1	3-01	Chahi	Chahi
4.	257/1	3-01	G.M.Karkhana Dhan	Makan, Pukhta, Banjar
5.	538	0-11	G.M.Chah pukhta	G.M.Chah pukhta.
6.	540	0-07	-do-	-do-
7.	549/1	4-04	Chahi	Banjar, Chahi
8.	550/1	0-14	G.M.Sark	G.M.Sark
9.	551/1	3-15	G.M.Factory Dhan	G.M.Makan, Tube well, pukhta, char dewari, Bagichi.
10.	563/1-2/1	3-04	-do-	G.M.Karkhana Dhan
11.	564/1	3-00	-do-	-do-

The land owner have not raised any objection regarding the measurement and classification of land. At present

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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 of Khasra Girdawari and other relevant revenue record at the time of notification U/s. 4 of the L.A.Act.

CLASSIFICATION OF LAND

	Big.		Bis.
Gair Mumkin Factory ;	16	-	14
Chahi	7	-	05
Gair Mumkin Sarak	0	-	14

Having land revenue Rs. 10.67 p.

There is a variation in quality of land in some of Khasra No. in the record and on the spot. From the local enquiry and the record it reveals that this variation is 82. on account of the wrong entries written in col. 18 of the Kh. Girdawari by the Patwari. So the inspection report of the N.T.(LA) will be taken as correct.

CLAIMS

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

S.No.	Name of Claimants	Kh.No.	Claimed	Proof	Remarks
1.	Sh. Ram Dhan s/o L. Mauji Ram, r/o 8257, New Anaj Mandi, near Filmistan, Delhi.	257/1	Claimed Rs. 350/- per sq.yd. for land Rs. 100/- per sq.yd for severance charges One lakh for structure & removal charges total Rs. 250000/-, 15%, solatium interest & alternative site.	No. evidence submit only copy of plan map of factory.	

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Name of the claimants	Kh.No.	Claimed	Proof	Remarks.
Sh.Jeewan Ram S/o.Balind Ram 6789, Beriwala Bagh, Pul Bangash Delhi.	227 228 min	-do- total compensation Rs.7,00,000/-& 15% solatium, Interest & alternative site.	No evidence [illegible]	
Sh.Som Nath S/o.Kala Ram, Mangia, 2841, Kucha Chelan Darya Ganj, Delhi.	257/1 564/1	-do-	-do- only. Submitted site plan of factory.	
Smt.Indra Devi W/o.Som Nath Mangia	-do-	-do-	-do-	
Sh.Lalit Kumar S/o.Lakhpat Rai r/o. 1020, Phateh Muftiwalan, Darya Ganj, Delhi.	563/2	-do-	No evidence.	
Sh.Subhash Chand S/o. Om Perkash -do	-do-	-do-	-do-	
Sh.Surender Kumar S/o.Krishan Land -do-	562/2	-do-	-do-	
Smt.Tilha Rani w/o. Narain Singh, 3937, Gali Ahiran, Pahari Dhiraj, Delhi.	228/2	-do-	-do-	
Smt.Sudesh Kumari W/o.Nathu Ram r/o.E-D/73, Tagore Garden New Delhi.	228/1	-do-	-do-	
Rahesh Kumar S/o. Ram Perkash r/o.1020, Phaten Muftiwalan, Darya Ganj, Delhi.	563/2	-do-	-do-	
Sh.Raj Kumar Aggarwal Prop. M/s. Aggarwal Trading Co., Bankoli	257/1	Total compensation [illegible] lakh & alternative site.	-do-	
M/s.Mahabir Trading Co., 6789 Beriwala Bagh.	227 228 min	Total compensation of Rs.10 lakh & alternative site.		

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of the claimants.	Kh.No.	Claimed	Proof	Remarks.
Chattar Singh Aggarwal .Sh.Jai Bal r/o.9673, gh Raoji, Kishan Ganj, Delhi.	551	Compensation of land @ Rs.300/-per sq.yd., Rs.25000/- for removal charges, Rs.5 lakh for loss of earnings, Rs.25000/- for 150 fruit bearing, trees, Rs.20000/-for tubewell, Elts. fitting, 15% solatium, interest & alternative site, 15lakh for building etc.	He produced a sale deed of Kh.No.551,552 & site plan in support of his claim.	
Om Perkash S/o. Chatter ingh Aggarwal. -do-	551 & 563	Compensation for land @ Rs.300/-per sq.yd., Rs.100/-per sq.yd.severance charges, Rs.5 lakhs for loss of business, Rs.one lakh removal charges, 15% solatium, interest and alternative plot	-do-	
nder Pal Begai S/o. Wazir nd Begai, r/o. 4-Chamelian d, near Filmistan Cinema Delhi.	257/1 564/1	Compensation @ Rs.350/-per sq.yd., Rs.100/- per sq.yd.as severance charges, Rs.~~100/xxx~~ 100,000/-removal charges, 15% solatium, interest, total compensation Rs.7 lakh & a ternative site.	No evidence.	
Amar Nath Begai S/o.Wazir nd Begai r/o. -do-	-do-	-do-	-do-	
im Singh S/o. Mohan Lal /o. Village Bakoli	549/2	Compensation @ Rs.200/-per sq.yd. Rs.50000/-for structures Rs.5000/-trees, 15% solatium, 15% interest,& alternative site.	-do-	
rjun Das S/o. Man Chand /o. 8329, New Anaj Mandi, Delhi.	257/1	Compensation @ Rs.350/-per sq.yd., Rs.100/- per sq.yd. for severance charges, Rs.100000/-for structures,& removal charges, 15% solatium& interest total Rs.700000/-& alternative site.	-do-	
Surat Singh S/o. Khima r/o. Bankoli Delhi.	551/2	Rs.5000/-for structure & alternative site.	-do-	
Sh.Sahib Singh S/o. Sh. Kishan Lal r/o. Bankoli Delhi.	241/1	Claimed compensation @ Rs.25000/- per bigha and severance charges.	-do-	

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MARKET VALUE

The market value of the land under acquisition is to be assessed keeping in view the provision of section 23(2) of the L.A.Act the situation potentiality attached to the land on the date of notification u/s.4 of the L.A.Act. The location of the land is also to play an important role. The provisions of Delhi Land Reforms Act is also applicable to the land under acquisition. Thus the restrictions contemplated u/s.22 & 23 of the Delhi Land Reforms Act are applicable according to which the land can only be used for agriculture, horticulture or animal husbondary etc.

The land under acquisition is situated in the north of G.T.Road abutting the road. The quality of the land in the surrounding of the land under acquisition is productive. It is a low lying area. In this village land has been previously acquired through the following awards. Details is as under :-

Sl.No.	Award No.	Date & notification u/s.4	Area Big. Bis.	Compensation awarded per bigha.
1.	2163	F.15(94)/67-L&B(1) dt.2.2.68	41 - 03	Rs.800/-
2.	68/80=81	F.7(47)/79-L&B(A) dt.9.1.80	119 - 03	Rs.3000/-

Besides it, as per revenue record the following sale transactions are reported to have taken place in this village. Detail is as under :-

S.No.	Mutation No.& date.	Date of Regd.	Kh.No.	Area Big. Bis.	Amount involved.	Average per bigha.
1.	106 dt.2.2.76	26.11.75	350min	3 - 10	Rs.25000/-	Rs.7142-80
2.	107 dt.6.2.76	25.11.75	349 min	2-15	Rs.20000/-	Rs.7272-90

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S.No.	Mutation No. and date.	Date of Regd.	Kh.No.	Area Big.Bis	Amount involved	Average per bigha
3.	108 dt.6.2.76	29.11.75	350min	3-09	Rs.25000/-	Rs.7247=40p.
4.	128 dt.1.2.78	-	612/2(Salam)	1-00	Rs.6500/-	Rs.6500/-
5.	129 dt.1.2.78	-	612/3(Salam)	1-00	Rs.7000/-	Rs.7000/-

Besides it the claimant also filed register deed. ~~bearing No.~~

Detail is as under :-

Registration	Date of Registry.	Area	Amount	Average per sq.yd.	Distance from the land
14036	29.6.74	1181 sq.yds.	Rs.17700/-	14-14 p.	Under acquisition.
	14.6.74	1443 sq.yds.	Rs.21645/-	Rs.15/-	-do-

The average per bigha come to about Rs.14000/-per bigha but the quality of the land involved in both the transactions is about 1½ bigha. So it cannot be considered in assessing the correct fair and reasonable market value of the land under acquisition, as the small pieces of land fatches good price than the bigger chunk of land. Since the land involved under these transactions is a part of acquisition of the present scheme so we cannot ignore it abruptly and have to give due consideration in arriving out the market value of the land under acquisition.

Having all in view and considering the other factors I am of the opinion that Rs.8000/- per bigha could be fair and reasonable market value of the land under acquisition and I award accordingly.

TREES Compensation of trees is assessed as under :-

Kh.No.	Description of trees.	No.	Rate per tree.	Total.
551/1	Amrood	14	Rs.200/-	Rs.2800/-
	Anar	3	Rs.150/-	Rs.450/-
	Nimboo	3.	Rs.200/-	Rs.600/-
	Ashoka	5	Rs.300/-	Rs.1500/-
	Shehtoot	3	Rs.100/-	Rs.300/-
	Jamun	1	Rs.150/-	Rs.150/-
	Shisham	1	Rs.50/-	Rs.50/-
	Aam	2	Rs.100/-	Rs.200/-
	Safeda	11	Rs.100/-	Rs.1100/-
			Total	Rs.7150/-

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WELLS

There are three wells in the land under acquisition. The folloowing wells were constructed prior to 9.1.80.

Kh.No.	Well	Value in Rs.
538	1	Rs.3000/-
540	1	Rs.3000/-
227	1	There is abandent well in Kh.No.227. So no compensation is assessed to be paid.

TUBE WELL

There are Tube Wells in Kh.N.s. 551/1,563/1/2/1,564/1,257/1,228/1. The owners are allowed to remove their pipes and motors etc. They will be allowed a sumof Rs.250/-each for removal charges.

STRUCTURES

I inspected the land under acquisition. There are large Nos. of str comprising of factories and tin shed etc. All these structures are pacca there plinth area appeared to have been filled by earth of 2ft to 8ft deep Besides this the levelling of the some of the portion of the land covered the structures and close surrounding of these structures have also been up by earth being low level area. The detail of these structures are as under:-

Kh.No.	Area Big.Bis.	Name of the Owner/occupant.	Kind of Structure.	Measurement of covered area in sq.ft.	Rate per sq.ft.	Total assessed value.	E
551/1	3-15	Chhatter Sain Aggarwal		5 rooms8'x7'x13=560 Hall 1st 42½' x39=1657 2nd 32'x39½' =1264 3rd 24'x39' =936 3room 10'x9' =270 1room 13'x14' =182 1room 12'x9' =108 1gallry 15'x17'=255 Total covered area. = 5232	~~Rs.30/- per sq.~~ ft. Rs.35/- per sq.ft.	~~Rs.1,80,~~ Rs.2,1	

3 water tank 12'x14=3000/-@ Rs.1000/p.tank
4 Brick furnaces 5'x32' Rs.800/-@ Rs.200/-pe
1 Chabottra pacca 5,8'x70'= Rs.500/-
Filling of earth for levelling up to 7ft.Rs.

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Area	Name of the owner/occupant	Kind of structure	Measurement of covered area in sq.ft.		Rate per sq.ft.	Total assessed value	Remarks
-04	Subhash Chand etc.	Office room	12' x13' =	156	Rs.20/-		
		Motor room	20' x7' =	140			
		Hall	20' x18' =	360			
		Rice milling hall	65' x28' =	1820			
		Hall	18' x34' =	612			
		Tinshed	49' x10' =	490			
		Tinshed	16' x34' =	544			
		Godown hall	64' x31' =	1984			
		One tinshed	10½' x11' =	115			
		one room with roof	18' x34' =	612			
			Total	6833		1,57,159.	
		3 Water tank=	14' x39' =	3000/-			
		of earth for levelling upto 2-3 ft. Rs.1500/-					
3-00	Som Nath etc.	Hall 1st	28' x29' =	812	Rs.20/-		
		2nd	39' x30' =	1170			
		3rd	29' x30½' =	1189			
		2 room	14' x15' =	420			
		1 room	10½' x10' =	105			
		1 room	11' x 11½' =	127			
		1 room	11' x12' =	132			
		1 room	10½' x8½' =	84			
		1 room	8' x8' =	64			
		1 varanda	6½' x13' =	84			
			Total	4187			
		3 water tanks	16' x10' =	3000/-			
		4 bricks furnaces	25"22' =	800/-			
		2 furnaces	22' x11'	400/-		96,301.	
		1 pipe boring	52'				
		ing of earth for levelling upto 2-3 ft. Rs.1500/-					
/1 3-01	Ram Dhan etc.	Hall 1st	30' x26½' =	795	Rs.20/-		
		2nd	25' x21½' =	538			
		3rd	20½' x 30½ =	758			
		4th	34½' x 13 =	448			
		One room	10' x 13' =	130			
		One room	9½' x 9½' =	85			
		One room	19½' x 9½' =	185			
		One room	13½ x 8 =	108			
		One room	12½ x 13½ =	169			
		One room	10' x 10' =	100			
		One room	13' x10' =	130			
			Grand total	3436 Sq.feets.		79,028.00	

Filing of earth for levelling upto 2-3 fts. Rs, 1500/-

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	Name of the owner/occupant	Kind of structure	Measurement	Covered area in sq.ft.	Rate per sq.ft.	Total assessed value	Remarks.
	Arjun Dass	Hall 1st	45' x21' =	945	Rs.20/-		
		2nd	24½' x21' =	514			
		3rd	20½' x21' =	430			
		4th "	26½' x21' =	546			
		1 varanda	79' x118' =	914			
		office room	15' x10' =	150			
		2ndoffice room	10' x9' =	90			
			Total=	3589			
		3 water tank	14' x12' =	3000/-			
		8 furnaces bricks	32½x32½'	1600/-		Rs.82,547/-	
		Tin shed	15' x18-9" =	280			
		Tin shed 2nd	25' x18-9"	462			
		t 3rd	35' x18 -9"	655			
	of earth for levelling up to 2.to3 ft.			Rs.1500/-			
	Jiwan Ram etc.	Office room	13' x12' =	156	Rs.20/-		
		2nd	12' x13' =	156			
		3rd	13½' x11' =	149			
		Hall 1st	38' x28' =	1064			
		2nd	19' 28' =	532			
		3rd	26' x29' =	754			
		4th	12' x29' =	348			
		5th	28' x29' =	812		1,34,458/-	
		room	18' x10' =	180			
		Room	14' x10' =	140			
		Room	10' x8' =	80			
		Bath room	5' x10'/	50			
		Room tin shed	25'x19' =	475			
		Room tin shed	19' x15' =	285			
		Room tin shed	35' x19' =	665			
			Total=	5846			
		4 tanks	52' x14' =	4000/-			
		8 bhatti	32' x33' =	1600/-			
	Filing of earth for levelling upto 2-3 ft.			Rs.150 0/-			

DOORS:

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

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SEWERANCE CHARGES:

The claimants have demanded sum ranging from Rs.1,00,000/- to Rs.5,00,000 as sewerance charges. But keeping in view the machinery fittings 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).

S.No.	Name of the claimants.	Claimed	Kh.No.	Assessed.
1.	Chhattar Sain Aggarwal	Rs. Five lakh	551/1	Rs.20,000/-
2.	Subhash Chand etc.	Rs. one lakh	563/1-2/1	Rs.12,000/-
3.	Som Nath etc.	-do-	56 4/1	Rs.15,000/-
4.	Ram Dhan etc.	-do-	257/1	Rs.15,000/-
5.	Arjun Dass etc.	-uo-	257/1	Rs.12,000/-
6.	Jiwan Ram etc.	-do-	228/1	Rs.15,000/-

SOLATIUM:

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 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 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.10-67 which will be deducted from the khatauni w.e.f. the date of taking over possession ~~ixx~~.

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SUMMARY OF THE AWARD:

1. Compensation of the land measuring 24 bighas 13 biswas @Rs.5000/-per bigha.	Rs.	1,23,250-00
2. Compensation for the covered area of the factories and water tank etc.	Rs.	7,10,580-00
3. Compensation for wells.	Rs.	6,000-00
	Rs.	8,39,830-00
4. 15% solatium	Rs.	1,25,974-50
5. Compensation for trees.	Rs.	7,150-00
6. Compensation for levelling	Rs.	10,500-00
7. Severance Allowance	Rs.	89,000-00
8. Removal charges for iron gates	Rs.	350-00
9. Removal charges for Tubewells @ Rs.250/-per tubewell.	Rs.	1,500-00
GRAND TOTAL	Rs.	10,74,304-50

(Rupees Ten lacs seventy four thousand three hundred four and paise fifty only).

22.10.80

(SHIV RAJ)
LAND ACQUISITION COLLECTOR(DS)
DELHI.

Announced today in the open court in the presence of the following claimants.)

22.10.80.

L. Ac.
22-10-80

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1- श्री राम [illegible] 22.10.80

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L.A.C (DS)

14.2.80

कब्जा [illegible] नं. 75/80 [illegible]

श्रीमान जी, [illegible] मुताबिक आदेश जनाब [illegible] साहब [illegible] मौजा [illegible] Marking [illegible] बाबत [illegible] कब्जा [illegible] प्रकाश पटवारी व श्री [illegible] मौजा [illegible] मौके पर मुताबिक [illegible] मौके पर मौजा [illegible] पहुंचा [illegible] व श्री M.R. Verma श्री S.M. Bansal [illegible] मौके पर मिले। मौके पर [illegible]

खसरा 327, 228/1, 241/1, 257/1, 538, 540, 549/1
0-11, (2-5), (3-11), (3-11), (0-11), 0-7, 4-0

550/1, 551/1, 563/1-2/1, 564/1 कुल तादाद 24-[illegible] बिस्वा
(0-15), (3-15), 3-4, (3-0)

जिस में खसरा 241/1, 549/1, 550/1 मौके पर खाली
(3-11), (4-0), 0-15

है। बाकी नम्बरान खसरा में Structures व [illegible] बने हुए हैं। नम्बरान खसरा 257/1, 551/1, 563/1-2/1, 564/1 [illegible] 228/1 में कब्जा बने हुए हैं। नं खसरा 551/1 में [illegible] है। [illegible] में [illegible] नं खसरा 563/1-2/1 में [illegible] नं खसरा 564/1 में [illegible] नं खसरा [illegible] में [illegible] नं खसरा 228/1 में [illegible] मौजूद है। [illegible] 24 Big - [illegible] श्री S.M. Bansal [illegible] P.W.D. [illegible] किया गया। नं खसरा 564/1 [illegible]

[illegible]

(60) निशानदेही हुई है। जिन का कब्जा बीस से ज्यादा

को अन्दर हुई लिहाजा पट्टे कब्जा बाद में दिया जा

बरवक्त कब्जा आबादी मौके पर कोई मजाहमत

कब्जा आबादी को मुताबिक प्रस्तावित आबादी

गांव के मौके पर मौजूद थे। मौजा रोड चल

करदी गई। मौके पर पटवारी हल्का हाजिर

मिला लिहाजा इस की रपट तहत मोहर्रिर

तहसीलदार किन्तु पटवारी हल्का के पास भी

प्रस्तावित क्षेत्र निशानदेही [illegible] निशानदेही आदि

जाती है। लिहाजा कब्जा आबादी मुकम्मल हो

रिपोर्ट बराय उचित कार्यवाही प्रस्तुत है। 12/11/80

[illegible] P.W.D ने प्रस्तावित आबादी बता दिया है।

देवेन्द्र प्रकाश
पटवारी L.A.
12/11/80

मौजीराम
12/11/80

इन सभी फैक्ट्रियों को नायब तहसीलदार श्री करन सिंह तथा सहायक इन्जीनियर पी० डब्लू० डी० के उपस्थिति में निरीक्षण किया गया तथा कार्यपालक इन्जीनियर ने भी निरीक्षण किया जिसका कि विवरण 1 पेज से 6 पेज तक का नोटिंग ~~[illegible]~~ (कापी) संलग्न है।

12/11/80

12.11.80

12/11/8 AE

L. AE 12-11-80