

AWARD NO. 4/88-89

NAME OF VILLAGE : BIJWASAN
NATURE OF ACQUISITION PERMANENT
PURPOSE OF ACQUISITION FOR APPROACH ROAD, BIJWASAN OIL
TERMINAL FOR BHARAT PETROLEUM.

These are the proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land under acquisition situated in village Bijwasan was notified u/s 4, 6, and 17 vide notification No. F. 7(63)/79-L&B (i) (ii) (iii) dated 20/6/86 and 23/6/86 for a public purpose namely for approach road, Bijwasan Oil Terminal for Bharat petroleum. In pursuance of abovesaid notifications, notice u/s 9 and 10 of the Land Acquisition Act were issued to the interested persons for inviting their claims and claims filed by them are discussed under the heading 'Claims for Compensation'.

TR-UE AND CORRECT AREA

The land was measured on the spot by the field staff which was found correct according to the notification u/s 4 & 6 details of Khasra Nos. and areas are as under:-

<u>Kh. No.</u>	<u>Area</u>	<u>Kind of soil</u>
<u>33</u> <u>28</u> 1	1-16	Parti Zadid No. 2

Compensation claims

The following persons have filed their claims for compensation.

<u>S.No.</u>	<u>Name of Claimant</u>	<u>Kh. No.</u>	<u>Claimed compensation</u>
1.	Smt. Nalini Mahajan W/o Rakesh Mahajan r/o E-1 & 2, NDSE-II New Delhi.	33/28 min	Claimed Compensation for land @ Rs. 500/- per sq. yd. along with solatium 30% and interest 15% p.a.

Documentary E-evidence

No documentary evidence has been produced by the claimant.

MARKET VALUE

The market value of the land under acquisition is to be determined with reference to the price of land prevailing at the time of notification u/s 4 & 6. The claimant in the case have claimed exorbitant compensation, but no evidence has been furnished in support of the same. In assessing the market value of the land under acquisition, bonafide sale transactions of land parallel in all circumstances to the land under acquisition in the same village and also awards for similar land made with reference to the date of notification u/s 4 are taken into account. In this village following sales transactions are reported to have been made in the near past.

Market Value

The market value of the land under acquisition is to be determined with reference to the price of land prevailing at the time of notification u/s 4 i.e. 26.6.66. The claimant in the case have claimed exorbitant compensation, but no evidence has been furnished in support of the same. In assessing the market value of the land under acquisition, bonafied sales transactions of land parallel in all circumstances to the land under acquisition in the same village and also awards for similar land made with reference to the date of notification u/s 4 are taken into account. In this village following sales transactions are reported to have been made in the near past.

S.No.	Registration No. and date	Kh. No.	Area	Consideration Amount
1.	<u>1778</u> 21.3.65	<u>36</u> 2	4-16	Rs.44,000/-
2.	<u>1779</u> 21.3.65	<u>17</u> 22	4-16	Rs.44,000/-
3.	<u>944</u> 8.12.64	175 min	8-15	Rs.2,33,437/-
4.	<u>945</u> 13.2.65	175 min	1-11	Rs.48,750/-
5.	<u>905</u> 12.2.65	195 min	4-00	Rs.40,000/-
6.	<u>906</u> 12.2.65	<u>33</u> 26 min	2-09	Rs.20,000/-
7.	<u>907</u> 12.2.65	<u>33</u> 22 24 min	3-04 2-00	Rs.48,000/-
8.	<u>1085</u> 18.2.65	44/3 45/23 24 Share	<u>5-04</u> 3-05 2-10 2-10 8-05	Rs.34,000/-
9.	<u>1086</u> 18.2.65	-do-	-do-	Rs.34,000/-

From the above table it is clear that sale transactions at S.No.6 and 7 pertain to the area adjacent to the land under acquisition and the average rate per bigha comes to Rs.8,888/-. These sale transactions were executed on 12.2.85. In the present acquisition proceedings, the date of notification u/s 4 is 20.6.86. Besides above, one award No.50/86-87 has been made in the near past. The date of notification u/s 4 of this award is 18.6.84. LAC has assessed compensation @ Rs.17,000/- per bigha in the above award. But the potential market value and the situation of the land involved in the above mentioned transactions are the same as of the land acquisition. The sale transactions pertaining the area adjacent to the land under acquisition and the sale transactions being the latest than the above discussed award, are the best evidence for assessing the market value of the land under acquisition. Keeping in view the time gap between the date of sale transactions and the date of notification u/s 4 of the present acquisition proceedings, I am of the opinion that Rs.10,500/- is fair, just and reasonable market value of the land under acquisition and I award the same accordingly.

OTHER COMPENSATION

There is no well, tree or structure on the land under acquisition.

SOLATIUUM

30% solatium will be payable on the market value of the land on account of compulsory nature of acquisition.

ADDITIONAL AMOUNT U/s 23(1-A)

An additional amount @ 12% p.a. on the market value of the land u/s 23(1-A) is payable from the date of notification u/s 4 i.e. 20.6.86 to the date of taking over of possession i.e. 3.9.86.

PURCHASE

The possession of the land under acquisition has been taken over and handed over to the acquiring department on 3.9.86, therefore interest u/s 34 will be payable to the interested persons w.e.f. 3.9.86 to the date of announcement of the Award.

LAND REVENUE

The land under acquisition is assessed 0.65 paise as land revenue which will be deducted from the rent roll of the village from the date of taking over possession of the land.

APPORTIONMENT

The compensation of the land will be paid according to the latest entries in the revenue record.

SUMMARY OF THE AWARD

1. Compensation of land measuring 1 bigha 16 biswas @ Rs. 10,500/- p.a.	Rs. 10,900.00
2. Solatigm 30%	Rs. 9,570.00
3. Additional amount u/s 23(1-A) from 20.6.86 to 2.9.86 (75 days) @ 12% p.a.	Rs. 24,570.00
4. Interest u/s 34 from 3.9.86 to 2.9.87 @ 9% p.a. (One year)	Rs. 466.05
5. Interest u/s 34 from 3.9.87 to 19.6.88 (290 days) @ 15% p.a.	Rs. 2,211.30
	Rs. 2,920.20
	Rs. 30,175.55

(Rupees Thirty Thousand One Hundred Seventy Five and paise Fifty Five only).

N. K. Sharma

(N. K. SHARMA)
LAND ACQUISITION COLLECTOR (PS)
DELHI

Announced in the open court.
Notices u/s 12(2) of the L.A. Act, be issued to the interested persons
16/6/88
N. K. Sharma
21/6/88

AWARD NO.

4/88-89

Name of village : Bijwasan
 Nature of acquisition : Permanent
 Purpose of acquisition : For approach road, Bijwasan Oil Terminal for Bharat Petroleum.

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These are the proceedings for determination of compensation u/s 11 of the Land Acquisition Act, 1894. The land under acquisition situated in village Bijwasan was notified u/s 4, 6 and 17 vide notification No.F.7(63)/79-L&B (i)(ii)(iii) dated 20.6.86 and 23.6.86 for a public purpose namely for approach road, Bijwasan Oil Terminal for Bharat Petroleum. In pursuance of abovesaid notifications, notices u/s 9 and 10 of the Land Acquisition Act were issued to the interested persons for inviting their claims and claims filed by them are discussed under the heading 'Claims for Compensation'.

TRUE AND CORRECT AREA

The land was measured on the spot by the field staff which was found correct according to the notification u/s 4 & 6 details of Khasra Nos. and area are as under:-

<u>Kh. No.</u>	<u>Area</u>	<u>Kind of soil</u>
33	1-16	Parti Zadid No.2
28		
1		

Compensation claims

The following persons have filed their claims for compensation.

<u>S.No.</u>	<u>Name of Claimant</u>	<u>Kh. No.</u>	<u>Claimed Compensation</u>
1.	Smt. Nalini Mahajan W/o Rakesh Mahajan r/o E-1 & 2, NDSE-II New Delhi.	33/28 min	Claimed compensation for land @ Rs.500/- per sq. yd. along with solatium 30% and interest % 15% p.a.

Documentary Evidence

No documentary evidence has been produced by the claimant.

heading Claims for Compensation

Market Value

The market value of the land under acquisition is to be determined with reference to the price of land prevailing at the time of notification u/s 4 i.e. 20.6.86. The claimant in the case have claimed exorbitant compensation, but no evidence has been furnished in support of the same. In assessing the market value of the land under acquisition, bonafide sales transactions of land parallel in all circumstances to the land under acquisition in the same village and also awards for similar land made with reference to the date of notification u/s 4 are taken into account. In this village following sales transactions are reported to have been made in the near past:

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heading claims for compensation

:3:

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ADDITIONAL AMOUNT U/s 23(1-A)

An additional amount @ 12% p.a. on the market value of the land u/s 23(1-A) is payable from the date of notification u/s 4 i.e. 20.6.86 to the date of taking over of possession i.e. 3.9.86.

heading claims for compensation

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188

(PS)

INTEREST

The possession of the land under acquisition has been taken over and handed over to the acquiring department on 3.9.86, therefore interest u/s 34 will be payable to the interested persons w.e.f. 3.9.86 to the date of announcement of the Award.

LAND REVENUE

The land under acquisition is assessed 0.65 paise as land revenue which will be deducted from the rent roll of the village from the date of taking over possession of the land.

APPORTIONMENT

The compensation of the land will be paid according to the latest entries in the revenue record.

SUMMARY OF THE AWARD

1. Compensation of land measuring 1 bigha 16 biswas @ Rs.10,500/- p.a.	Rs.18,900.00
2. Solatigm 30%	Rs. 5,670.00
3. Additional amount u/s 23(1-A) from 20.6.86 to 2.9.86 (75days) @ 12% p.a.	Rs.24,570.00
	Rs. 466.05
4. Interest u/s 34 from 3.9.86 to 2.9.87 @ 9% p.a. (One year)	Rs. 2,211.30
5. Interest u/s 34 from 3.9.87 to 19.6.88 (290 days) @ 15% p.a.	Rs. 2,928.20
	Rs.30,175.55

(Rupees Thirty Thousand One Hundred Seventy Five and paise Fifty Five only).

APPROVED

Munul

SECRETARY (REVENUE)

16/6/88

Announced in the open court.

Notices u/s 12(2) of the L.A. Act, be issued to the interested persons

(N. K. SHARMA)
LAND ACQUISITION COLLECTOR (PS)
DELHI

N. Sharma

N. Sharma
20/6/88

heading "claims for compensation"

(TO BE PUBLISHED IN PART IV OF DELHI EXTRA ORDINARY GAZETTE)
LAND AND BUILDING DEPARTMENT, DELHI ADMINISTRATION, DELHI

NOTIFICATION

Dated the 23rd June, 1986

No. F. 7(63)/79-L&B(2): Whereas the Lt. Governor, Delhi is satisfied that the land is required to be taken by the Government at the public expense for a public purpose namely, for approach road, Bijwasan Oil Terminal for Bharat Petroleum, it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector of Delhi is hereby directed to take orders for the acquisition of the said land.

A plan of the land may be inspected at the office of the Collector of Delhi.

SPECIFICATION

Sr.No.	Name of Village	Total Area	Rect.No.	Khasra No.	Area (Big-Bis)
1	2	3	4	5	6
1.	BIJWASAN	1-16	33	28 min	1-16
2.	BHARTHAL	8-13	84	22 min	1-02
			59	2 min	1-02
				9 min	0-17
				12/1 min	1-00
				12/2 min	0-02
				19 min	1-02
				22/1 min	0-10
				22/2 min	0-11
			69	2 min	1-02
				9/1 min	1-05

By Order,

Sol/-

(A.S. AWASTHI)
JOINT SECRETARY (LAND & BULDG.)
DELHI ADMINISTRATION, DELHI.

Attest/-

लायवाही कागजात

भू.अ.अ. के निर्देश अनुसार आज दिनांक 3/9/86 को व
हमराह श्री ग्यारलाल Kgo (L.A) व श्री रामचन्द्र पटवारा (L.A)
व श्री अब्दुल रहीम चपडासी (L.A) ग्राम - बिजवासन 12.00 A.M.
पर पहुंचे। मौके पर महबूबा भारत पैट्रोलियम को ओर से
श्री M.M. Chawla (Deputy Manager Engineering) व
श्री Sharad Kant Sharma (Senior operation officer)
मौके पर मौजूद मिले। ग्राम - बिजवासन में Land Acqui-
sition Act को चारा 4, 6, 17 के अन्तर्गत Notification
No F7(63)/79-14B(2) दिनांक 23/6/66 के सम्बन्ध
रखकर $\frac{33}{28}$ (1-16) कुल क्षेत्रफल ^{अंश अंश} 1-16 का कागजात वास्त
द्वारा से प्राप्त कर के सम्बन्धित महबूबा को मौके पर
निशान देहा कर के मय पैमाइश करने उपरान्त निशान
लगवा कर Acquiring विभाग के श्री M.M. Chawla
(Deputy Manager Engineering) व श्री Sharad Kant Sharma (Senior
operation officer) को धूना फिला कर बतलाने का कर
उपरीत रखने का कागजात वास्त देखा गया।
लतबदीली कागजात को लायवाही को देखा के बजरया
श्री अब्दुल रहीम चपडासी मुनाइश व मुशतही का आवाज
मन्द कर दो गई। लायवाही कागजात के समय

is also adjust to the proposed land to be acquired.

7. That the claimant is filing this claim without prejudice to her right to challenge the acquisition proceedings in an appropriate court of law, as the

19

मौल पल ब्याड आपसी नदी आई। पटवारी हलका
 दिवाल जाल साब्या हाजल नदी आ सबा। जिल
 एव प्रातिलीप बजाये तहसीलदार साहब पटवारी हल
 का मेज हो जाएगा। एव प्रातिलीप कहलाना ACP
 का तल दीव जाल जल दे हो जाएगा। कायवादी एव
 मुवम्मल हो चुका हो मौल पल उपलक्ष्य सब
 हलताइल लिप गाए।

अबुल फ़ैय
 NPLA
 3/9/86

Acquired &
 demarcated at site
 Site possession taken

Possession
 3/9/86

Chawla
 3/9/86

अबुल फ़ैय
 3/9/86
 Pyan Lal Logo
 LA

अबुल
 3-9-86
 (ABDUL AHIM)
 PLOA (LA)