

TIME BOUND MATTER
COURT MATTER

LAND & BUILDING DEPARTMENT
GOVT. OF NCT OF DELHI
VIKAS BHAWAN, IP ESTATE, NEW DELHI
(LAND ACQUISITION BRANCH)
B-BLOCK, VIKAS BHAWAN, NEW DELHI-02

F.No. F.7(55)/2018/L&B/LA/

Dated

To,

District Magistrate (West),
Revenue Department, District West,
D.C. West Office Complex,
Plot No.3, Shivaji Ppace, Near West Gate Mall,
Raja Garden, New Delhi-110027.

Sub: - Regarding Acquisition of land for providing approach road to Cremation Ground in Village Bakkarwala, New Delhi.

Sir,

Please find enclosed herewith report of Multi Disciplinary Group for acquisition of land measuring 1853.00 Sq.Mtr. bearing Khara No 5/11,12,13, & 17 of revenue estate Bakkarwal for construction of approach Road/path to cremation Ground at Bakkarwala.

As per the provisions of Section 7(6) of RFCTLARR, Act 2013, the recommendation of the Expert Group shall be made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be and the offices of the District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be Published in the affected areas, in such manner as may be prescribed and uploaded on the website of the appropriate Government.

Therefore, you are requested to take appropriate action in the matter at the earliest.

Yours faithfully

Encl: As above


(TAPAN JHA)
DY.SECRETARY(LA)

F.No. F.7(55)/2018/L&B/LA/206-208

Dated 12/04/2021

Copy forwarded to :-

1. Additional District Magistrate (West), D.C. Office Complex, Plot No. 3, Shivaji Place near West Gate Mall, Raja Garden, New Delhi 110027.
2. Programmer (L&B), with request to upload the recommendation of Expert Group on the official website of this office.


DY.SECRETARY(LA)

Report of Multi-Disciplinary Expert Group for the acquisition of land Measuring 1853 sq. mtr. bearing Khasra No. 5/11, 12, 13 & 17 of revenue estate Bakkarwala village for construction of approach Road/ Path to Cremation Ground at Bakkarwala Village, New Delhi.

Brief facts:

A requisition was received from PWD Department for the acquisition of land Measuring 1853 sq. mtr. bearing Khasra No. 5/11, 12, 13 & 17 of revenue estate Bakkarwala village for construction of approach Road/ Path to Cremation Ground at Bakkarwala Village, New Delhi. As provided under Rule 3 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and Consent) Rules, 2014, School of Human Ecology, Ambedkar University, AUD was identified to carry out the Social Impact Assessment as provided under the Act and Rules vide Notification dt.05/08/2019. School of Human Ecology, Ambedkar University, AUD carried out the social impact assessment for the project in terms of Rules 6,7 & 8 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and Consent) Rules, 2014, and submitted its final report alongwith Management Plan on 01/10/2020 to the Government and published/uploaded as provided in Rule 9 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and Consent) Rules, 2014.

Further as provided u/s 7 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the said report was to be examined by the multi-disciplinary expert group and the Hon'ble Lt. Governor, Delhi being the appropriate Government notified the same on 23/10/2020. This group was to examine the report within a period of two months. Meeting of multi- disciplinary expert group was held on 04.01.2021 and the report of the Dr. Ambedkar University was evaluated by this independent multi- disciplinary expert group.

OFFICE OF THE DIVISIONAL COMMISSIONER
(REVENUE DEPARTMENT)
GOVT. OF NCT OF DELHI
5, SHAM NATH MARG, DELHI-54

197/c
भूमि एवं विकास विभाग
आपरी संख्या 5492
दिनांक 01/02/21

F.No. F.124/SDM-V (HQ)/LAND/2020/087630616/ 28

DATED: 01/02/21

To
The Additional Secretary,
Land & Building Department,
Govt. of NCT of Delhi,
B-Block, Vikas Bhawan,
I.P. Estate, New Delhi-110002.

Sub: Report of the Multi-disciplinary Expert Group for the acquisition of land measuring 1853 sq.mtr., bearing khasra no. 5/11, 12, 13, & 17 of revenue estate Bakkarwala village for construction of approach Road/Path to Cremation Ground at Bakkarwala Village, New Delhi.

Sir/Madam,

Please find enclosed herewith the report of Multi-disciplinary Expert Group of land measuring 1853 sq.mtr., bearing khasra no. 5/11, 12, 13, & 17 of revenue estate Bakkarwala village for construction of approach Road/Path to Cremation Ground at Bakkarwala Village, New Delhi.

Thanking you,

Yours faithfully,

(AMOD BARTHWAL)
SDM-V (HQ)

DATED: 01/02/21

F.No. F.124/SDM-V (HQ)/LAND/2020/087630616/ 28

Copy to:

1. Dr. (Ms) Vidhu Verma, Member of the committee on the above stated subject, A-26, Hill View Apartment, Vasant Vihar, New Delhi-57.
2. Prof. V.K. Minocha, Member of the committee on the above stated subject, through Registrar, Delhi Technological University, Shahbad Daultapur, Delhi.
3. Dr. S.K. Jena, Member of the committee on the above stated subject, National Disaster Management Authority, Govt. of India, NDMA Bhawan, A-1, Safdarjung Enclave, New Delhi-29.
4. PA to Divisional Commissioner, Govt. of NCT of Delhi.
5. PA to DC (HQ)/Lands, Revenue Department, GNCTD.

(AMOD BARTHWAL)
SDM-V (HQ)

EVALUATION

Based upon parameters laid down in Rule-7 (3) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and Consent) Rules, 2014 , i.e.,

7. Process of conducting the Social Impact Assessment

(3) A detailed assessment based on a thorough analysis of all relevant land records and data, field verification, review and comparison with similar projects shall be conducted by the Social Impact Assessment team. The assessment shall determine the following, namely:-

- (a) area of impact under the proposed project, including both land to be acquired and areas that will be affected by environmental, social or other impacts of the projects;
- (b) quantity and location of land proposed to be acquired for the project;
- (c) the land proposed for acquisition is the bare minimum required;
- (d) possible alternative sites for the project and their feasibility;
- (e) whether, the land proposed for acquisition in Scheduled Area is demonstrable last resort;
- (f) land, if any, already purchased, alienated, leased or acquired, and the intended use for each plot of land required for the project;
- (g) the possibility of use of any public, unutilized land for the project and whether any of such land is under occupation;
- (h) nature of the land, present use and classification of land and if it is in agricultural land, the irrigation coverage for the said land and the cropping pattern;
- (i) the special provisions with respect to food security have been adhered to in the proposed land acquisition;
- (j) size of holdings, ownership patterns, land distribution, number of residential houses, and public and private infrastructure and assets; and
- (k) land prices and recent changes in ownership, transfer and use of lands over the last three years.

The SIA Unit has submitted the recommendation after the detailed study of the proposal and has recommended that the project fulfills the criteria set by sub-section-4 of Section-4 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, which required :

1. The Projects fulfills the criteria set by sub-section (4) of Section 4 of RFCTLARR Act, 2013, which requires that the Project serves the public purpose and the bare the minimum amount of land is being acquired for it.
2. The costs that will be incurred by the potential project affected families (PAFs) and environment can be mitigated and are not completely irreplaceable.
3. Therefore, land can be acquired as requested by the Requiring Body so that the Project can be completed.

It has further referred the conditions on which the Collector shall pay attention while determining the compensation for land as well as rehabilitation and they are :

1. Compensation amount awarded to the Land Owners based on Fair Market Value of Land ;
2. Compensation for all affected families

Clarifications provided to the Multi-Disciplinary Expert Group:-

1. It was clarified that none of the affected people/families in the land acquisition project are from the vulnerable communities.
2. A kuccha road already exists which is being used by the villagers/residents as unpaved access road to the cremation ground.

Additional Recommendations:-

1. Electric crematorium:- Request for modern electric crematorium in addition to the traditional system.
2. Improvement in physical infrastructure of Bakkarwala
3. Beautification of village ponds and wells

Evaluation & Recommendation:

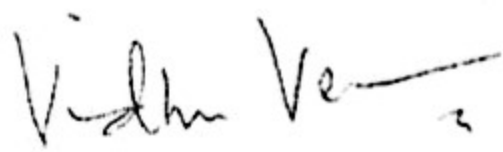
After the examination of the report in detail, evaluating the same and the presentation made before us, we are of the view that the extent of land

proposed to be acquired is the absolute bare minimum needed for the Project and there is no other less dispensing option available.

We endorse the recommendations of the SIA Unit of the report. The Collector concerned shall take into consideration this report while determining the compensation U/A 23 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in letter and spirit for cost of land as well as cost of rehabilitation.

To avoid waterlogging, proper drainage facility during construction of approach road/path to the cremation ground be ensured.

Appropriate IS code as per standards for construction of any infrastructure inside the cremation ground be ensured.



(Dr. Ms Vidhu Verma)
Member



(Dr.S.K.JENA)
Member



(Dr. (Prof) V.K. Minocha)
Member



(Sanjeev Khirwar)
Chairperson