Social Impact Assessment & Social Impact Management Plan for Land Acquisition in Revenue Estate Bharthal, South West Delhi Final Report, September 2023



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Submitted By:

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The Social Impact Assessment (SIA) Report and Social Impact Management Plan (SIMP) for Land Acquisition in Village Bharthal in Hindi and English languages are available on the website of the Land and Building Department, GNCTD. For print copies of the report, contact the AUD State SIA Unit.

Website: https://land.delhi.gov.in/doit-content/our-services

Table of Contents

List of Tables
List of Figures
Abbreviations
Glossary
Executive Summary
Introduction7
Public Purpose
Bare Minimum land7
Land Assessment7
The Social-economic Profile of Project Affected Families
The Social Impact of Land Acquisition
Analysis of Costs and Benefits and Recommendations on Acquisition9
Chapter 1: Introduction
1.1 Project Background10
1.2 Need for the Social Impact Study
1.2.1The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 201313
1.2.2Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (SIA Consent) Rules, 2014
CHAPTER 2: Approach and Methodology for SIA Study17
2.1. AUD State SIA Unit
2.2. Profile of the SIA Team
2.3. Objectives and Approach of the Study
2.4. Study Methodology
2.5. Study Definitions
2.6. Public Hearing and Social Impact Management Plan
CHAPTER 3: Public Purpose, Analysis of Alternatives and Estimation of Bare Minimum Land22
3.1 Public Purpose of the Project
3.2 Alternative Sites for the Proposed Road
3.3 Bare Minimum Land
CHAPTER 4: Land Assessment
4.1. Introduction
4.2. Chronology of events Pertaining to Land Parcel Proposed for Acquisition

4.3. Ownership and use of proposed land
4.4. Previous Acquisitions and Price of Land
Chapter 5: The Social Baseline: Socio-Economic Profile of landowners
5.1 Socio-economic Profile of South-West Delhi
5.2 Village Bharthal
5.3 Socio-economic Profile of Project Affected Person
Chapter 6: Social Impacts of Land Acquisition
Chapter 7: Public Hearing and Responses to the Draft SIA Report
7.1. Preliminary Steps: Report Dissemination and Publicity
7.2. Proceedings of the Jan Sunwai
7.3. Response to Objections and Suggestions
Chapter 8: Analysis of Costs and Benefits and Recommendations on Acquisition
8.1. Introduction
8.2. Social Costs and Benefits of the Project
Chapter 9: Social Impact Management plan
9.1 Recommendations for the Acquisition of Land
9.2 Entitlement Matrix for the landowners
Annexure 1: Notification F.No. 9(7)/ L&B/LA/2016/7704 to 7713 of the L&B Department of GNCTD under section 4(1) dated 03.03.2023
Annexure 2: The DDA chief engineer Dwarka made a request to Director of Land Management DDA to demarcate the land
Annexure 3: Delhi High Court gave order to DDA to return the remaining land parcel to his land owner
Annexure 4: Tentative Assessment of value of land (Khasra no. 4//21) submitted by DDA to Delhi High Court
Annexure 5: Notification of Public hearing
Annexure 6: Attendance sheet of Public Hearing
References

List of Tables

Table 1: Description of Land Assessment of Process Related Documents	.20
Table 2: Field Visit with their respective objective Undertaken by SIA unit	.20
Table 3: Chronology of events Pertaining to Khasra no. 4//21	
Table 4: Previous and Proposed Land acquisition in Bharthal Village (1986-2019)	
Table 5: Demographic Profile of Project Region (Census 2011)	.32
Table 6: Objections and Suggestions of PAFs and Response of SIA Unit	
Table 7: The entitlement matrix for the landowner	.47

List of Figures

Figure 1: Map of Urban Extension Road-2	12
Figure 2: Relevant sections of RFCTLARR ACT 2013 and RFCTLARR (SIA & Consent)	201416
Figure 3: Side view of permanent boundary constructed on Khasra no. 4//2	25
Figure 4: Inside view of permanent boundary constructed on the periphery of Khasra no.4/	//21 25
Figure 5: Demarcation of Khasra no. 4-21 performed by Revenue department South-west	on 5th
February 2016	26
Figure 6: Dimension of Khasra no. 4//21	27
Figure 7: Map Showing South-West District and Its subdivision (Source- Revenue Departu	ment South-
West)	
Figure 8: Public hearing posters in Bharthal	
Figure 9: Landowners speaking at the public hearing in the presence of the MLA	
Figure 10: Pictures of the Public Hearing	40

Abbreviations

AUD	Dr. B.R. Ambedkar University Delhi
DC	District Collector
DDA	Delhi Development Authority
L&B	Land & Building
LA	Land Acquisition
LO	Land Owners
MCD	Municipal Corporation of Delhi
MPD	Master Plan of Delhi
NCT	National Capital Territory
NGT	National Green Tribunal
PAP	Project Affected Persons
PWD	Public Works Department
PWDi	Persons with Disability
R&R	Resettlement and Rehabilitation
RFCTLARR	Right to Fair Compensation and Transparency in land Acquisition, Rehabilitation and Resettlement Act, 2013
SC	Scheduled Caste
SHE	School of Human Ecology
SIA	Social Impact Assessment
SIMP	Social Impact Management Plan
SOE	Self-Owned Enterprises
Sq. m	Square Meters

Glossary

Acre: Standard Unit of land measurement, equivalent to 4,046.86 square meters, or 4 Bigha and 16 Biswa

Bhumidar: Land Owner, as defined in the Delhi Land Reforms Act, 1954

Bigha: Approximately 1,008 sq m of land

Biswa: 1/20th of one Bigha

Kachcha: Temporary, roughly built structures

Khasra: Number denoting a land parcel in revenue records

Khata: Book of land records

Khatauni: Record of Land Ownership with the Revenue Department

Shajra: Detailed village map showing land ownership and khasra numbers

Tehsil: Sub-division of a district in North and Central India

Executive Summary

Introduction

The Social Impact Assessment (SIA) study has been carried out for the proposed acquisition of 1876 sq. m land that is required for completing the construction of Urban Extension Road-2 by Delhi Development Authority (DDA).

The Project Urban Extension Road-II is being Constructed at Dwarka Sector 23 Phase-II village Bharthal in South-West District of National Capital Territory (NCT) of Delhi. The SIA study was undertaken after commencement of the construction work of the project.

The SIA Study has been carried out by the AUD State SIA Unit, School of Human Ecology, Dr. B.R. Ambedkar University Delhi, as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (LARR) Act, 2013.

Public Purpose

The project fulfils the requirement of public purpose since it is an infrastructure project of the government and is included in the definition of public purpose in Section 2(1) of the RFCTLARR Act. Further, the road project which forms a semicircle on the western side of Delhi, will provide a critical service for commercial vehicles and commuters travelling between North and West Delhi. It will serve public purpose by reducing traffic congestion, vehicular population and increasing mobility in a key residential and commercial neighbourhood.

Bare Minimum land

The SIA study was undertaken after the commencement of the construction work of the project. Hence, the AUD State SIA Unit did not carry out an independent exercise to determine the bare minimum land.

Land Assessment

The land proposed for acquisition falls under Khasra No. 4//21 of Dwarka Sector 23, Phase-II, Village Bharthal, South-West District, Delhi. As per existing revenue records and the SIA study, there is only one Project Affected Person (PAP) who is the sole owner of this land. The land owned by this PAP is in the shape of a square and one part of this (1876 sq. m) has already been utilized for construction by the Delhi Development Authority since 2015 without acquisition or purchase. The land that the PAP now has access to is in the shape of a triangle, measures 2170.61 sq. m and is vacant and there are no permanent, semi-permanent structures or trees on the land.

The PAP has challenged the utilization of his land by the Requiring Body in the High Court of Delhi and the Hon'ble Court in its judgment dated 20th December 2021 has ruled that "It has been decided that the land measuring 2 Bigha 4.5 Biswa situated in Khasra no 4//21 of village Bharthal which has already been utilized in widening of the road no. 228 be acquired and pay compensation as per The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as possession of the utilized land cannot be returned to the Petitioner. The remaining land measuring 2 Bigha 11.5 Biswa out of Khasra no 4//21 of village Bharthal will not be included in the proposed Sports Complex and will be available to be utilized by the land owner as per provisions of Master Plan".

The key issue of contention in the present case of land acquisition is the price of land that will determine the award of compensation to the affected land owner. The price of land and compensation currently estimated by the Delhi Development Authority may not be equal to the market value of the land and may cause additional losses to the PAP, apart from the loss incurred by him due to non-possession of land from 2015 to 2023.

The Social-economic Profile of Project Affected Families

There is only one PAP in this proposed acquisition of land who purchased the land in 2008, and he is not an original resident of Bharthal village. The study has ascertained that no resident of Bharthal village has any livelihood or ownership claim over the land that has already been utilized. Residents of Bharthal village will not face any social impacts due to the proposed acquisition.

The impact of the proposed acquisition on the PAP is limited to the loss of land only. The affected person will not suffer any displacement since he does not reside in the area proposed for acquisition and the land has already been utilized by the Requiring Body.

The Social Impact of Land Acquisition

The social impact of land acquisition is likely to be limited in this instance since the area proposed for acquisition is not being used for any commercial activity or for residential use by the PAP or any other person. The social impact of the project is therefore limited to the loss of land for one land owner.

However, the social impacts of this acquisition will critically rely on the market value of land determined by the Collector as per Section 26 of the LARR Act. The land is situated close to Dwarka City and was urbanized when the revenue estate of Bharthal village was urbanized in 1994. Hence, the land should be considered as urban land and sale deeds for land in the vicinity may be considered under Section 26(a) of the Act while determining the market value of the land.

Analysis of Costs and Benefits and Recommendations on Acquisition

The social benefits of the Urban Expansion Road-2 project pertain to the improvement in transport services and traffic movement between North and West Delhi. The project is expected to contribute to decongestion of roads and reduction in air pollution in the city of Delhi.

The social costs of the project are limited due to the fact that the land has already been utilized by the Delhi Development Authority and it is not a source of livelihood or place of residence for any person. As mentioned above, the social impacts of this acquisition will critically rely on the market value of land determined as per Section 26 of the LARR Act.

After comparing the social costs of the project vis-à-vis the benefits that will accrue to the landowners once the project is completed, the AUD State SIA Unit is of the view that:

- 1. The proposed project fulfils the criteria set by sub-section (4) of section 4 of the Land Acquisition Act 2013, which requires that the project serves the public purpose.
- 2. The costs that will be incurred by the landowner can be mitigated and is replaceable.
- 3. There is no livelihood dependence on the land and no livelihood losses will be incurred; therefore, no rehabilitation provisions are to be implemented.

Therefore, land can be acquired for the project as requested by the Requiring Body (Delhi Development Authority) so that the project can be completed.

However, the acquisition of land should be subject to the conditions and recommendations laid down below:

- 1. Compensation amount awarded to the landowner should be based on the fair market value of the land, based on sale deeds of urban land in the vicinity of the area of acquisition;
- 2. Since the Requiring Body took possession of land in August 2015 without payment of compensation, the Collector should pay the award with an interest at the rate of nine percent per annum from August 2015 to September 2015, and at the rate of fifteen per cent per annum from September 2015 till the date of compensation as per Section 80 of the LARR Act.
- 3. The grievances of landowners who have been affected by past acquisition in Bharthal village, especially with regard to denial of alternative plots of land as per the scheme of Government of NCT of Delhi, should be addressed with sympathy and urgency.

Chapter 1: Introduction

Social Impact Assessment (SIA) is a tool designed to ensure that planned interventions, such as development projects, are implemented in a way that maximises their benefits and minimises their costs, especially the costs borne by the community (Vanclay, 2003). In order to be effective, Social Impact Assessments needs to be integrated into the planning stage of development projects. In India, SIA as a planning and policy tool is a new development and introduced specifically for those projects that involve acquisition of private land and involuntary resettlement (Mathur, 2016). In this case, the SIA study is carried out specifically in order to ascertain the possible impacts of land acquisition and involuntary resettlement on the local community.

The present SIA study has been carried out with regard to private land that is required, and is proposed to be acquired, for completing the construction of Urban Extension Road-2 at Dwarka Sector 23 Phase-II village Bharthal in South-West District of National Capital Territory (NCT) of Delhi.

The Hon'ble Lt. Governor of the NCT of Delhi assigned the State Social Impact Assessment Unit at the School of Human Ecology, Ambedkar University Delhi (AUD) (hereinafter referred to as AUD State SIA Unit) to carry out the aforementioned Social Impact Assessment study. The present SIA Report is an outcome of the study carried out for the proposed acquisition of land for construction of Urban Extension Road-2 section between NH8 and NH1 by Delhi Development Authority(DDA) (hereinafter referred to as 'the project').The SIA study has been conducted according to the procedure laid down for acquisition of land in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and Consent) Rules, 2014.

1.1 Project Background

Delhi has an extensive road network with the highest density of roads in the country (1,749 km per 100 sq. km) and a total of 33,198 km road length as of 2021. The population of motor vehicles has increased from 5.13 lakh in 1981 to 79.18 lakh in 2021-22, and the number of buses has increased from 8,600 to over 33 thousand during this period. To accommodate the periodic increase in regional traffic, the city planned the construction of Inner and Outer ring roads in 1962. However, only the inner ring road was completed, and the outer ring road remains incomplete. Consequently, there is a lack of a full ring road system. Moreover, non-Delhi destined traffic, which includes traffic to and from north Indian States (such as Punjab, Northern Haryana, Jammu & Kashmir) to the remaining Indian states (comprising Rajasthan, Southern Haryana, Gujarat, Maharashtra), is forced to pass through Delhi due to the absence of alternative networks. This situation has resulted in significant congestion on the existing ring roads (URS AECOM, 2018).

To address this challenge, Delhi Development Authority (DDA) has proposed the Urban Extension Road (UER) – 2 as a third ring road of Delhi connecting all the major National Highways on the western side of Delhi including NH 1, NH 10, NH 8 and NH 2. The Urban Extension Road-II (UER II) or NH-344M is an upcoming 75.7 Km long, 6-lane (main expressway) and 4-lane (service roads) wide access-controlled expressway in Delhi NCR, India. The Urban Extension Road (UER) 2 was included in the Delhi Master Plan to serve as the third Ring Road of Delhi, with the primary objective of relieving congestion in areas like Dhaula Kuan, as well as various sections of the outer and inner ring roads.

UER-II will start from National Highway 44 at Alipur, pass from Rohini, Mundka, Najafgarh, Dwarka areas of south and west Delhi and end at Delhi–Gurgaon Expressway on National Highway 48 near Mahipalpur. Its main route forms a semicircle on the western side of Delhi, additionally it has two side spurs - one from Bawana in Northwest Delhi to Sonipat in Bawana's North and second in west Delhi from between Tikri border & Najafgarh to NH9 Bahadurgarh south bypass (URS Scott Wilson India Private Limited, 2018).

Once UER 2 becomes operational, it will offer an alternative transportation route for both commuters and freight traffic, connecting the northern parts of Haryana, including districts like Ambala, Panipat, and Karnal, to Delhi and Gurgaon (URS Scott Wilson India Private Limited, 2018).

Land acquisition has been completed for the construction of a road of approximately 16 Km length between NH1 and NH8 in the western part of Delhi. Further land acquisition is pending due to the existence of built-up structures in the section between NH1 and NH8. Similar progress is yet to be made for the section between NH8 and NH2. The Requiring Body has requested the National Highways Authority of India (NHAI) to develop the UER 2 section between NH 8 and NH 1 and has requested NHAI to advise on suitable alignment options at hindrance locations.

The part of road project currently under consideration is located in Dwarka Sector 23 Phase-II in village Bharthal and the land has already been utilized for the construction of 80 m road of Urban Extension Road-2 (

Figure 1).

The proponent for the current project is the Delhi Development Authority (DDA). Established in 1957 by the Delhi Development Act, the Delhi Development Authority (DDA) functions as a planning authority with the primary objective of promoting the development of Delhi. Its responsibilities encompass the planning and execution of various projects, including housing initiatives, commercial land development, land management, and the provision of public amenities such as roads, bridges, drains, underground water reservoirs, community centers, sports facilities and green belts within the territory of the National Capital Territory of Delhi, India.





Source: Delhi Development Authority

1.2 Need for the Social Impact Study

Social Impact Assessment (SIA) is a tool for anticipating and mitigating the potentially negative impacts of projects, such as dams, roads, power projects, mining, and other development projects. SIA alerts project planners (public and private bodies) as to the likely social and economic costs and benefits of a proposed project. The knowledge of the potential costs, when weighed against the likely benefits of a project, helps decision-makers in deciding whether the project should be carried out, with or without modifications, or abandoned completely. The agency carrying out the SIA also develops a mitigation plan to overcome the potential negative impacts on individuals and communities (Mathur, 2016).

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (LARR) Act, 2013, which replaced the Land Acquisition Act of 1894, has been

considered one of the biggest reforms in the arena of land governance. Carrying out a SIA study prior to land acquisition and the provision of mandatory Free, Prior and Informed Consent from the Project Affected Families are two striking pillars of the 2013 legislation which upheld democratic decision-making in the country. Seeking consent of 70% (for Public Private Partnership Projects) and 80% (for privately owned projects) of the landowners before acquiring their land was made mandatory in the law. The law addresses serious injustices in the earlier practice, where the State could take away an individual's home, farm, or occupational rights by exercising the power of eminent domain. SIA is the only mechanism today to address the impacts of acquisition on the livelihoods of all those who do not own land but are dependent on it. The purpose of the SIA is to ascertain whether a project proposed by the developer is truly in the public purpose, and whether the project is located at a site which is least-displacing and requires the bare minimum amount of land. This is a prerequisite to formulate an inclusive and socially just rehabilitation and resettlement plan that improves the well-being of Project Affected Families (PAFs). The purpose of SIA, coupled with public hearings at the Gram Sabha, is to make the whole land acquisition process, fair and transparent and a process that recognises the rights of local community and PAFs. The study and the Social Impact Management Plan based upon it, also attempts to ensure that all affected families will have a right to compensation and rehabilitation in lieu of the land and livelihoods lost by them.

1.2.1 The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

The LARR Act, 2013 was introduced with an aim of ensuring a humane, participative, informed and transparent process for land acquisition in collaboration with the institutions of local self-government. The Act is applicable to the land acquisition being undertaken for industrialization, urbanization, and the development of essential infrastructural facilities. The aim of this Act is to ensure least disturbance to the owners of the land and other affected families. This is to be achieved by providing just and fair compensation to the affected families whose land has been acquired or is proposed to be acquired or are affected by such an acquisition.

This Act also requires for adequate provisions to be made for the resettlement of such affected families. These provisions should ensure that as part of the cumulative outcome of the acquisition, the social and economic status of the affected families should lead to an improvement from the pre-acquisition status and result in the families becoming partners in the development process.

The LARR Act, 2013, under sections 18, 19, 31, 32, Second and Third Schedule covers resettlement and rehabilitation. Under the second and third schedule, the act defines the losses like housing, land, job, resources, common land etc. which shall be covered for the proposed land for acquisition. The benefits are provided to the affected family whose

livelihood depends upon the proposed land for not less than years before the date of notification.

The LARR Act 2013 also covers fair compensation under sections 26-30, providing compensation up to 4 times the value of the average sale deed

Moreover, the LARR Act, 2013, inculcates provisions for transparency and public participation by adding the mandatory process of SIA (Social Impact assessment) as per section 4 of the Act. The previous law for land acquisition (Land Acquisition Act of 1894) had no process of public consultation and provided only one opportunity for affected families to object to the acquisition of land under section 5. However, In LARR Act, 2013, there is a due process with SIA, public hearing, hearing of objection and multiple opportunities for participation and consultation. The section 5 of LARR Act, 2013, made it mandatory to hold a public hearing whenever there is a requirement of SIA, enhancing the participation of the public in land acquisition.

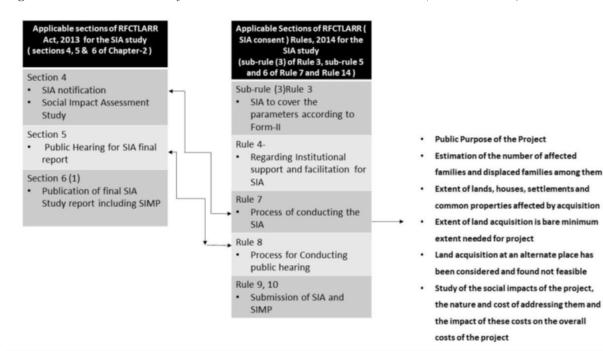
Moreover, sections 11, 15, 16 and 21 also add the safeguard of transparency and public participation. While section 11 makes it mandatory to publish details of land going to be acquired in the rural or urban area through the newspaper, the website of the appropriate government, and in the local language in the panchayat. Under section 15, a person who is notified of the acquiring of land has been given the right to object to the area and suitability of the proposed land. Section 16 makes it compulsory for the collector to prepare the scheme covering the resettlement and rehabilitation through the survey and census of affected families. It shall not cover only land and immovable properties but also the loss of livelihood for land losers and landless as well.

1.2.2 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (SIA Consent) Rules, 2014.

In exercise of the powers conferred by sub- section (1) of Section 109 of the LARR Act, 2013, the Government of India framed the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (SIA Consent) Rules, 2014. These rules are applicable in the case of Government of NCT of Delhi, and land acquired within the NCT of Delhi.

Figure 2 provides a summary of the above-mentioned act and rules, as applicable for the Social Impact Assessment study.

Figure 2: Relevant sections of RFCTLARR ACT 2013 and RFCTLARR (SIA & Consent) 2014



CHAPTER 2: Approach and Methodology for SIA Study

2.1. AUD State SIA Unit

Dr. B.R. Ambedkar University Delhi (AUD) is a multi-campus university, specialising in teaching and research in the humanities and social sciences, and established by the Government of National Capital Territory (NCT) of Delhi in 2007. The ten academic Schools of the university are located in three campuses in Kashmere Gate, Karampura and Lodhi Road, and cater to nearly 1800 students studying in BA, MA, MPhil and PhD programmes.

The School of Human Ecology (SHE) is one of the oldest schools of AUD with a mandate of working on issues of ecology and society. It is among the first departments in Indian universities to offer an interdisciplinary MA programme on issues of environment and development. This MA programme includes specialist courses taught by faculty, such as Environmental Impact Assessment (EIA), Social Impact Assessment (SIA), Environmental Law Policy and Governance (ELPG), Environmental and Ecological Economics (EEE), Urban Development and Ecology (UDE) and Displacement, Resettlement and Rehabilitation (DRR). SHE is also the first to offer a PhD programme in Human Ecology, an emerging discipline for studying the intersections of human society, non-human beings and the biophysical environment.

Senior faculty members of SHE have worked for international institutions like the World Bank and International Finance Corporation (IFC) on projects related to resettlement and rehabilitation (R&R). They also offer trainings on best practices in R&R to practitioners, including public officials, researchers and members of NGOs. Faculty members have contributed to the development of national and global law and policy frameworks on displacement and resettlement. Their areas of expertise include livelihood restoration, SIA, risk and vulnerability assessment and methods of valuation and cost-benefit analysis used in environmental economics.

2.2. Profile of the SIA Team

The SIA study was undertaken by experienced and competent social scientists, and guided by a multidisciplinary team of expert consultants. Team members included experts in the field of land assessment, and GIS, and have been professionals in their respective and relevant domain in finalisation of the SIA report including SIMP. A brief bio-data of each of them has been arranged briefly in the following paragraphs.

Professor Asmita Kabra, School of Human Ecology

Prof. Kabra completed her PhD in Economics in February 2008 from the Centre for Economic Studies and Planning, School of Social Sciences, Jawaharlal Nehru University, New Delhi. Her doctoral work was on the impact of conservation-induced displacement on the livelihood of poor and marginal Adivasi communities. This was among India's first full length studies of such displacement. She has over twenty years of experience of research and practice related to displacement, resettlement and rehabilitation in different parts of the country. Prof. Kabra has worked on a number of research projects, studies and consultancies related to conservation-induced displacement in various Protected Areas in India. She has a number of publications in edited volumes as well as reputed, peer-reviewed academic journals related to displacement and impact assessment, such as Impact Assessment and Project Appraisal, Land Use Policy, Conservation and Society, Social Change, and Economic and Political Weekly.

Dr. Budhaditya Das, Assistant Professor, School of Human Ecology

Dr. Das has extensive research experience in human-environment interactions and issues of rural poverty and development in the Global South. He completed his PhD in Human Ecology from the School of Human Ecology, Dr. B.R. Ambedkar University Delhi. His doctoral work was on the history and transforming livelihoods of an Adivasi community living in forest villages of Madhya Pradesh, India. He has many years of teaching experience, having taught courses on gender, environment, and development to postgraduate students in three public universities in New Delhi, India. He is currently working with the AUD State SIA Unit.

Mr. Mayank Kumar Chauhan, Junior Research Assistant, AUD State SIA Unit

Mr. Chauhan has completed his MA in Environment and Development from the School of Human Ecology, Ambedkar University Delhi (AUD), in 2022. He has also studied SIA as a subject in his post-graduation. During his master he was actively involved in primary and secondary data collection, which established him as reliable person for the post of field researcher. He is proficient in field-based data collection methods and software, including, QGIS and R Studio.

Ms Mausam, Junior Research Assistant, AUD SIA Unit

Ms Mousam has completed her M.A in Geography from HLG Government College, Gurugram University, Gurugram, Haryana, in 2022. In her post-graduation, she pursued SIA as a subject and actively engaged in gathering both primary and secondary data. In addition, she possesses expertise in various field-based data collection techniques and software applications like, ArcGIS and QGIS.

Ms Anjali Lomas, Research Intern, AUD State SIA Unit

Ms Anjali Lomas has completed her MA in Environment and Development from the School of Human Ecology, Ambedkar University Delhi (AUD), in 2023. In her post-graduation, she pursued SIA as a subject and actively engaged in gathering both primary and secondary data. This experience has earned her a reputation as a dependable researcher intern. Additionally,

she possesses expertise in various field-based data collection techniques and software applications like QGIS and R Studio.

Mr. Akash Singh, Research Intern, AUD State SIA Unit

Mr. Akash Singh also completed his masters in MA in Environment and Development from the School of Human Ecology, Ambedkar University Delhi (AUD), in 2023. During his postgraduation, he specialized in SIA (Social Impact Assessment) and actively engaged in primary and secondary data collection. He possesses skills in using software like QGIS and R Studio for data analysis and visualization. With a solid educational background in SIA and field-based research experience, he is a reputable and well-rounded researcher intern.

2.3. Objectives and Approach of the Study

The assessment of social impacts as provided in this document, have been undertaken with the following objectives:

- i. To assess whether the proposed land acquisition for the project would serve public purpose;
- ii. To estimate the number of affected families, magnitude of land assets based on the actual holdings of the families and the number of families among them likely to be displaced physically or economically due to land acquisition;
- iii. Identify the extent of lands, houses, settlements and other common properties likely to be affected.
- To study the social impacts of the project by covering both direct land loser households as well as the indirectly affected households due to loss of common property resources (CPRs), socio-economic infrastructure etc. and the impact of these costs on the overall costs of the project vis-a-vis the benefits of the project;
- v. To suggest remedial intervention measures by designing appropriate policies and programmes through a social impact management plan or mitigation plan (SIMP).

For establishing the social baseline and undertaking the social impact assessment, a participatory approach was adopted. The participative approach allowed for:

- Triangulation of the information available from secondary sources along with the qualitative and quantitative information made available by residents of Bharthal village and Project Affected Persons;
- An understanding of the local community's perceptions of the project and its activities, and the impacts likely to be caused by the construction of the project, and the desirable mitigation measures.

2.4. Study Methodology

The SIA process begins with screening of the significant and not-so-significant impacts of the proposed acquisition. A reconnaissance visit was undertaken by the AUD State SIA Unit on 10th May 2023, in the beginning of the study to understand different components, such as type of land, settlement pattern etc. and identification of other receptors. After reconnaissance visit, the SIA Unit conducted three site visits to collect information regarding the project (Table 2).

A desk-based review and assessment of the available primary and secondary data and information relevant to the project area was completed. Information about the project and the private land was requested and received from Delhi Development Authority, and the Land Owner of land that is proposed to be acquired (Khasra no. 4//21) and the District Magistrate's Office (South West Delhi) (Table 1).

Date	Responsible Body/ Person	Description of Information received			
03/03/2023	Land & Building	Notification declaring the School of Human Ecology			
	Department, Government	as the designated SIA Unit to carry out the Social			
	of NCT of Delhi	Impact Assessment study.			
30/05/2023	Delhi Development	Requested for the identification on the ground of the			
	Authority office at Palam,	area of land that is proposed to be acquired, Map of			
	Delhi	the UER-2 road construction, dimensions of land			
		parcel intend to be acquired.			
31/08/2023	Shri Vinod Rajoria	Project Affected Person shared the representation			
		submitted by him to the Delhi Development Authority			

Table 2: Field	Visit with the	ir respective of	bjective Underta	aken by SIA unit

S.no	Date	Objective of Field Visit			
1	10/05/2023	To identify the land owner in the village Bharthal and collect data			
		pertaining to SIA report.			
2.	30/05/2023	To visit field site with DDA officers, to observe the construction on			
		land, to know the history of construction of road on the land through			
		DDA and to know the details of legal dispute as the land owner has			
		taken the matter to court.			
3.	10/07/2023	To understand the ownership of property, price of land and other			
		details relating to the land			

The principal method of assessing social impact of the proposed land acquisition was through in-depth interviews and group discussions. Survey instruments were used to elicit information and ensure transparency in the process of data collection. The AUD SIA Unit team ensured transparency, involvement, and participation of landowners and informed them about the process laid down under the new law of land acquisition. Questions like what is the new LARR Act, 2013, what is SIA and the process of public hearing, and information about the AUD State SIA Unit were given to the landowner, Occupant and Owner and shopkeeper during the interviews.

2.5. Study Definitions

The following definitions were framed based on stakeholder consultations, mapping of the project area and site visits.

Area Proposed for Acquisition: As per clause (b) of section 3 in RFCTLARR Act 2013, affected area is any area that is notified for the purpose of acquisition. For this study, the area proposed for acquisition for completing the Urban Extension Road-2 is Khasra number 4//21(1876 square metre) of private land located in Dwarka Sector- 23 Phase-II.

Landowners: As per clause (r) of section 3 in RFCTLARR Act 2013, landowners are defined as those whose names are recorded in the revenue records. The study has identified only one landowner who will be affected by the project.

Market Value of Land: As per clause (u) of section 3 in LARR Act, 2013, the market value of land is determined as per Section 26 of the Act. According to Section 26(1) of the Act, the Collector may determine the market value of the land by (a) assessing the market value specified in the registration of sale deeds or agreements; (b) assessing the average sale price for a similar piece of land located in the nearest vicinity; (c) agreed upon consented compensation, in case of land acquisition for private or public-private partnership project, whichever amount is higher.

2.6. Public Hearing and Social Impact Management Plan

According to section 5 of LARR Act, 2013 and sub-rule (1) to (11) of Rule 8 of LARR (SIA and Consent) Rules, 2014, a public hearing was conducted after three weeks of submitting the draft SIA report on 7th August 2023. The public hearing was organized on 31st August 2023 to share the main findings of the SIA Study in the study area and seek views on findings, additional information and views of all stakeholders and Project Affected Families.

The findings from the public hearing and the suggestions of all stakeholders were incorporated in the final SIA report (see Chapter 8). Video recording and transcript of the public hearing will be submitted along with the analysis in the final SIA Report.

CHAPTER 3: Public Purpose, Analysis of Alternatives and Estimation of Bare Minimum Land

3.1 Public Purpose of the Project

According to subsection (1) of Section 2 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the proposed project falls under category of Infrastructure projects which further includes road and bridges as sub-Sector under transport category (Notification No. F. No. 13/6/2009-INF dated 07/10/2013).

Since the Urban Extension Road-2 is a public road being constructed by the Delhi Development Authority, a department of the Government of NCT of Delhi, the acquisition of land for the same can undoubtedly be defined as public purpose as per the definitions of the RFCTLARR Act, 2013.

It needs to be underscored that the present SIA study is being undertaken after commencement of the construction work of Urban Extension road-2 project in Dwarka Sector 23 Phase-II.

3.2 Alternative Sites for the Proposed Road

The process of analysis of alternatives attempts to consider the most efficient way of meeting the purpose of the project while also considering the socio-environmental factors and avoiding other significant potential negative impacts.

The SIA study was undertaken after commencement of the construction work of the project. The alignment of the road is final and cannot be changed at this stage without considerable waste of public funds and resources. Hence, the AUD State SIA Unit did not carry out an independent study of the best alternative for the project.

3.3 Bare Minimum Land

In accordance with subsection (4)(d) of section 4 of the LARR Act, 2013, the SIA Unit is responsible for assessing whether the extent of land proposed for acquisition is the absolute bare minimum extent needed for the project.

It is be noted that the SIA study notification was published after the commencement of construction on the land that is proposed to be acquired. While the construction of road started in 2015, the SIA study was notified on 31st March 2023. Since the proposed acquisition is only for 1876 sqm of land and is already part of the utilized land, the SIA unit did not carry out any exercise to determine the Bare Minimum Land.

CHAPTER 4: Land Assessment

4.1. Introduction

Urban Extension Road-II (UER II) or NH-344M is an upcoming 75.7 Km long, 6-lane (main expressway) and 4-lane (service roads) wide access-controlled expressway in Delhi NCR, India. The project was envisioned in the early 2000s by DDA as part of Delhi's 2021 Master Plan.

The land that is proposed to be acquired in the present case for completing the project lies in Dwarka Sector 23, Phase-II and is adjacent to DDA sports complex, which is under construction. The land parcel proposed for acquisition has already been utilized by the Requiring Body without purchase or acquisition from the original owner. The land owner has challenged the legal validity of this construction in the High Court of Delhi. A large part of the private agricultural land of Bharthal village has been previously acquired by the Delhi Development Authority (DDA) in 1987-88 and 2002-03 for the purpose of "Planned Development of Delhi". It is important to understand the chronology and details of land acquisition in order to comprehend the challenges associated with acquisition that is proposed for UER-2 road project.

4.2. Chronology of events Pertaining to Land Parcel Proposed for Acquisition

There is only one owner of Khasra No. 4//21 and according to the said owner, the land was purchased by him on 24th July 2008. The land remained unutilized until 2015, when the owner became aware of the construction of road on his land without his permission or consent. He opposed the said construction and requested the Requiring Body to carry out a demarcation of his private land in order to distinguish it from the adjacent public land that was owned by DDA (Annexure 2).

This demarcation was completed on 5th February 2016 and it was confirmed by the Delhi Development Authority that 1876 square metre of land in Khasra No. 4//21, which belonged to the owner, had already been utilized for the widening of Road No. 226 under the UER-2 project.

The land owner has filed a representation to the Delhi Development Authority dated 27th September 2021 describing the injustice suffered by him and has put forward the following claims:

- The land of the owner is "urban land" since Village Bharthal was urbanized vide notification dated 24.10.1994 issued under Section 507 of the Delhi Municipal Corporation Act, 1957.
- (2) The land of the owner falls in Category 'D' at Sl. No. 530 in the list of colonies/ localities/ areas indicating category as per Zonal Development Plan Zone K-II (Dwarka). The minimal land rate (circle rate) for residential use for valuation of lands and immoveable properties notified by the Lt. Governor for Dwarka is Rs. 1,27,680/-

(Rupees One Lakh Twenty-Seven Thousand Six Hundred Eighty Only) per square meter.

(3) The market value of land cannot be less than the aforementioned minimum circle rate fixed by the Government for Category 'D' localities.

The land owner also petitioned the High Court of Delhi challenging this unauthorized construction. The Hon'ble High Court of Delhi delivered its judgment on 20th December 2021 and ordered the Requiring Body to return the remaining land parcel to the land owner (Annexure-3). Following this, DDA has returned the remaining unutilized portion of land in Khasra No. 4//21 to the original owner. The High Court also ordered the acquisition of the utilized land under provisions of the LARR Act 2013.

The proposed acquisition is for the parcel of land that has already been utilized by the DDA that cannot be returned to the original owner without changing the alignment of the UER-2 road project. The land parcel of Khasra no 4//21 is in the shape of a square and one part of it measuring 1876 square metre (2 bigha 4.5 biswa) has been used for the construction of the road. The remaining land parcel, measuring 2170.61 square metre (2 bigha 11.5 biswa), which has been now returned to the owner, is in the shape of a triangle (Figure 5). The owner has now constructed a permanent boundary on the periphery of his land to clearly demarcate it from the adjacent public land owned by the DDA (Figure 3 and 4). The chronology of events is also shown in Table 3.

S.no	Date	Event
1	24/07/2008	Land owner purchased the land (Khasra no. 4//21) in Village Bharthal
2	05/08/2014	The DDA Chief Engineer of Dwarka made a request to Director of Land Management DDA to demarcate the land.
3	5/02/2016	According to DDA, demarcation of land was completed by Department of Revenue South-West, Delhi and it was noted that 1876 square metre of land (Khasra no. 4//21) belonging to the land owner was already utilized in UER-2 project
4	20/12/21	Hon'ble High Court of Delhi directed the DDA to return the remaining land parcel (2170.6 square metre) to the original land owner. The High Court also ordered the acquisition of the utilized land under provisions of the LARR Act 2013.
5	31/03/2023	The SIA Unit of School of Human Ecology, Dr. B.R. Ambedkar University Delhi received work order to carry out SIA study for land (Khasra no. 4//21)

Table 3: Chronology of events Pertaining to Khasra no. 4//21



Figure 3: Side view of permanent boundary constructed on Khasra no. 4//2

Figure 4: Inside view of permanent boundary constructed on the periphery of Khasra no.4//21



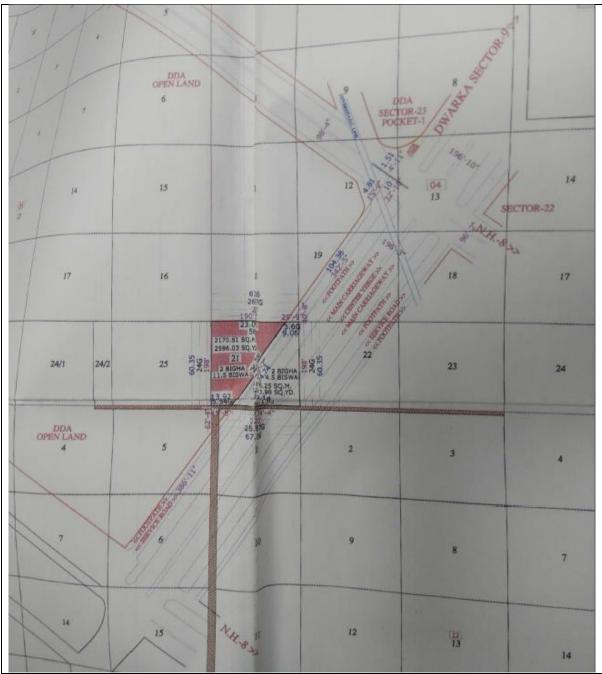
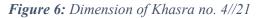
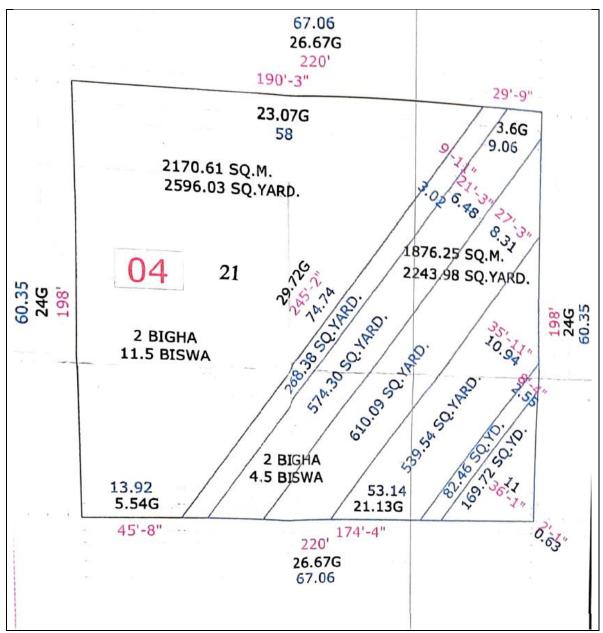


Figure 5: Demarcation of Khasra no. 4-21 performed by Revenue department South-west on 5th February 2016

Source: Delhi Development Authority





Source: Delhi Development Authority

4.3. Ownership and use of proposed land

The land proposed for the construction of Urban Extension road-2 highway, service road and footpath is located in village Bharthal. The land proposed for acquisition falls under Khasra no. 4//21. There is only one land owner of Khasra No. 4//21 who purchased the land in 2008 and is not a resident of the village.

The land owner is willing to relinquish his land if monetary compensation at market value is awarded for the acquisition, or land of equivalent value is provided to him in exchange for land. He has filed representation regarding the same to the Government of NCT of Delhi and Delhi Development Authority.

The land parcel at Khasra no 4//21 was in the shape of a square; since 1876 square metre (2 bigha 4.5 biswa) has been already utilized for the construction of road, the remaining land parcel measuring 2170.61 square metre (2 bigha 11.5 biswa) is in the form of a triangle.

There will be no physical displacement of any family or individual on account of the proposed acquisition since the land has already been utilized for road construction. The land was lying vacant and was not being utilized by the owner for any commercial or residential purposes at the time of the unauthorized construction and hence, the owner did not suffer any other losses or social impacts apart from the loss of his land. The impact of the acquisition on the landowner has been documented in Chapter 5 of this report.

4.4. Previous Acquisitions and Price of Land

According to the LARR Act 2013, the compensation for land acquisition is to be calculated by the Collector following a procedure and criteria laid down in Sections 23, 26 and 27 of the law. The compensation has to be based on the market value of the land, and owners have to be paid this value along with the solatium (100 percent of the market value) and the value of all assets attached to the land (Sections 26(2) and 27 read with the First Schedule to the Act).

Also, the value for the attached asset (building) should be done based on section 29 (1) of the law. According to this section, the appropriate government should determine the market value for building or immovable asset by using services of a competent engineer or other specialist of the relevant field.

The market value of land that is assessed by the Collector is the key criterion that will mitigate the impact of this acquisition since the landowner is only losing his land due to the acquisition. There is no physical or livelihood displacement associated with the acquisition. As per section 26(a) of the law, the value given in sale and registration deeds of land purchases is one of the criteria by which the market value of the land is determined.

Landowners whose land were acquired in the previous instances of acquisition strongly put forward their grievances during the public hearing with regard to the faulty implementation of the "Allotment of Alternative Plots: Guidelines for Applicants" of the Government of NCT of Delhi (see Chapter 7). The landowners claimed that many individuals (adult sons) who were eligible for the allotment of alternative plots were not given the plots even though their lands were acquired by the Delhi Government. The SIA report has recommended that the grievances of landowners who have been affected by past acquisition in Bharthal village, especially with regard to denial of alternative plots of land as per the scheme of Government of NCT of Delhi, should be addressed with sympathy and urgency.

As per the records of DDA, land has been acquired in Bharthal village several times for different purposes related to planned development of Dwarka Phase-II, in Delhi.

Table 4 depicts the past instance of land acquisition in Bharthal Village.

The DDA has estimated the value of land to be Rs. Ninety-Eight Lakh Twenty Seven Thousand and Eighty Two only (Rs. 98,27,082/-) following the provisions of the LARR Act and has submitted this value in the court as estimated monetary compensation (Annexure-4).

However, the landowner has strongly disputed this compensation estimation as it is based on

- (a) The categorisation of land is "Agricultural Land" whereas the land should be considered as "Urban Land"
- (b) The price of land has been calculated at the rate of Rs. 1202.68 per square metre (Rs. 53,00,000 per acre) whereas the minimum circle rate for urban land in Dwarka is Rs. 1,27,680/- per square meter.

It is the contention of the landowner that the market value of the land should be calculated based on its characteristics of an urban land located in Dwarka and he has submitted the same in a representation to the Delhi Development Authority.

The SIA study has also determined that the land is not under agricultural use and **should be considered as urban land** with the market value to be determined as per Section 26 of the LARR Act.

Year of Acquisition	Purpose of Acquisition	Area of Acquisition	No. of land owners as per notification	Rate and Terms of Compensation (In rupees)	Total Compensation (In rupees)
1986-87 ¹	Planned Development of Delhi	378.11 acre (604 bighas 02 biwas)	40	Rs. 13,000 per bigha per, Solatium 30% Under LA Act, 1894	1,28,42,391
2002-03 ²	Dwarka Phase- II, Planned Development of Delhi	1797.87 acre (2875 bigha 5 biwas)	205	Rs. 13.82 lakh per acre, Solatium 30% Under LA Act, 1894	125,54,65,435
2019 ³	Development of Dwarka Expressway for NHAI (National Highway Authority of India)	.412 acre (.393-acre Public Land+ .019 private)	NA	Rs. 53,00,000/- Per acre Solatium 100% Under LARR 2013	95,62,539
2023	Acquisition of Land for Urban Expansion Road -2 (Proposed)	0.1876 Hectare	1	Rs. 53,00,000/- per acre solatium 100% under LARR Act 2013	98,27,082

 Table 4: Previous and Proposed Land acquisition in Bharthal Village (1986-2019)

 ¹ https://revenue.delhi.gov.in/sites/default/files/revenue/land-acquisition-award/Bharthal_19d-86-87_1.pdf
 ² https://revenue.delhi.gov.in/sites/default/files/revenue/land-acquisition-award/Bharthal_26_02-03.pdf

³ https://cdn.s3waas.gov.in/s388ae6372cfdc5df69a976e893f4d554b/uploads/2020/09/2020090889-1.pdf

Chapter 5: The Social Baseline: Socio-Economic Profile of landowners

This chapter provides information about the socio-economic profile of village Bharthal, where the study area is located, followed by a detailed baseline of the Project Affected Families. The baseline for village level information is based on primary data collection and analysis. The data and analysis contained in this chapter are based on the methodology described in Chapter 2 of the Study.

5.1 Socio-economic Profile of South-West Delhi

The National Capital Territory of Delhi is located between the Himalayas and Aravalli ranges and can be divided into three segments, namely the Yamuna flood plains, the ridge and the plains. The study area is situated in the plains of South-west district of NCT of Delhi. As discussed in Section 1.1 of Chapter 1, this study area includes the area proposed for acquisition at Dwarka Sector-23, Phase-II Village Bharthal.

According to the census of 2011, Delhi has a population of about 1.6 crore, of which 97.5 percent occupy the urban areas and only 2.5 percent live in the rural areas. Due to unprecedented development and progress in the city, the population rise and density of people per square Km. are considerably high as compared to the total area of the city. The 2011 census data records show that the area under acquisition comes within the South-west District of Delhi. The district occupies an area of approximately 420 sq. Km inhabited by a population of 2,292,958. There are 1,246,046 males and 1,046,912 females. There are 77 villages in the district.

Description	Delhi	South-west Delhi	Kapashera
Population	16787941	22,92,958	74,073
Male population	8987326	12,46,046	50,123
Female population	7800615	10,46,912	23,950
Sex Ratio	868	840	478
Literacy rate (%)	86.2	77.9	84.49
Male literacy rate (%)	90.9	82.28	89.35
Female literacy rate (%)	80.8	72.82	73.13
Total Main workers (%)	31.61	34.68	54.5
Male (%)	50.77	53.6	74.5
Female (%)	9.55	12.1	11.4
Total Non-workers (%)	66.72	65.32	45.5
Male (%)	47.02	46.39	25.5
Female (%)	89.42	87.83	88.6

Table 5: Demographic Profile of Project Region (Census 2011)

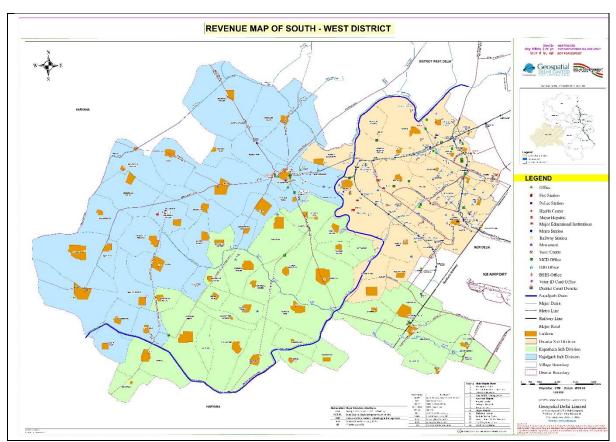


Figure 7: Map Showing South-West District and Its subdivision (Source- Revenue Department South-West)

5.2 Village Bharthal

Village Bharthal is part of the Kapashera sub-division of the South-West district in NCT Delhi. Kapashera sub-Division has population of 74,073, among which 50,123 are males and 23,950 are females (Census of India 2011). Literacy rate of Kapashera city is 84.49 % out of which male literacy is around 89.35 % and female literacy rate is 73.13 %. Kapashera has total administration over 21,370 houses to which it supplies basic amenities such as water and sewerage.

Bharthal Village is a village in South West Delhi, New Delhi, India. It is located 3Km from the Dwarka Sector 21 metro station. It shares vicinity with Sector 23 Dwarka (3.52 Km), Sector 22 Dwarka (4.26 Km), Sector 8 Dwarka (5.27 Km) and Sector 29 Dwarka (5.33 Km). It also shares proximity with Delhi- Bombay Express Highway which is under construction. Bharthal is an urbanized village and has the facilities of warehouses, flats built by the DDA, a printing shop and cement and concrete roads. Village residents are employed in various kinds of non-agricultural occupations, including car rentals and taxi service industries The village residents will be unaffected by the proposed land acquisition and therefore, further details have not been included in this SIA report.

5.3 Socio-economic Profile of Project Affected Person

Mr. Vinod Kumar Rajoria is only land owner of the land intended to be acquired. He purchased the land on 24/07/2008 The primary occupation of land owner is the real estate business. The land owner did not prefer to disclose information regarding his family income, assets and dependents. Therefore, this information is not included in this SIA report.

There will be no physical displacement of any family or individual on account of the proposed acquisition since the land has already been utilized for road construction. The land was lying vacant and was not being utilized by the owner for any commercial or residential purposes at the time of the unauthorized construction and hence, the owner did not suffer any other losses or social impacts apart from the loss of his land.

Chapter 6: Social Impacts of Land Acquisition

The proposed acquisition of 1876 sq. m of land will primarily have an impact on the land holding of the landowner.

The social impact of land acquisition is likely to be limited in this instance, since the area proposed for acquisition is not a residential area, and none of the residents of village Bharthal will experience any involuntary resettlement. There is no livelihood dependence on the land that has already been utilized for road construction, and hence no rehabilitation will be required.

However, the social impacts of this acquisition will critically rely on the market value of land determined by the Collector as per Section 26 of the LARR Act. The land is situated close to Dwarka City and was urbanized when the revenue estate of Bharthal village was urbanized in 1994. Hence, the land should be considered as urban land and sale deeds for land in the vicinity may be considered under Section 26(a) of the Act while determining the market value of the land.

The loss suffered by the owner in this case also includes the loss of potential income and litigation costs that he had to incur to challenge the unauthorized construction on his land from 2014 to 2023 by the Requiring Body. Section 80 of the LARR Act refers to the payment of interest in cases when the amount of compensation is not paid before taking possession of the land. Therefore, compensation amount awarded to the landowner should include interest payment at the rate of nine percent per annum from August 2015 to September 2015, and at the rate of fifteen precent per annum from September 2015 till the date of compensation as per Section 80 of the LARR Act.

Chapter 7: Public Hearing and Responses to the Draft SIA Report

7.1. Preliminary Steps: Report Dissemination and Publicity

The State SIA Unit submitted the draft Social Impact Assessment Report on 07.08.2023 to the Land and Building Department, GNCTD, and District Collector, South West, Delhi, according to the procedure laid down in the LARR Act, 2013. Soft copies and print copies of the report were available at the State SIA Unit, AUD. They were made available to all stakeholders on request. Following its publication, as per Section 5 of the Act, the State SIA Unit was required to organize a public hearing (*Jan Sunwai*) in Village Bharthal to discuss its findings and recommendations. Rule 8 of the RFCTLARR (Social Impact Assessment and Consent) Rules, 2014 lays down the procedure for conducting public hearings transparently and with effective participation by the local community and PAFs. The following steps were taken in order to ensure that all stakeholders were informed about the hearing and had adequate time to read the draft SIA report:

- Advertisement was given in the newspaper for Public Hearing.
- The venue of the public hearing is finalized with the Ward Member.



Figure 8: Public hearing posters in Bharthal

The premises of Shree Dada Mota Shree Shyam ji Mandir, in Bharthal, was chosen to be the most appropriate venue. The meeting was scheduled to be held on Thursday, 31.08.2023, three weeks after the draft SIA report had been shared publicly. A public notice informing the general public about the meeting was published in one of the largest-selling Hindi dailies of the National Capital Region, Dainik Jagran. The advertisements, published on 10.08.2023, clearly mentioned the date, time, and venue of the proposed hearing (See Annexure 5). Finally, invitations and requests for participation were sent to elected representatives, Municipal Ward representatives, officials of the Requiring Body (Delhi Development Authority) as well as the Member of Parliament (MP) from Lok Sabha Constituency and Member of Legislative Assembly (MLA), Ward member in whose area Village Bharthal located. Officials and representatives were requested to attend the hearing or send their representatives to participate in it. They were also encouraged to read the draft SIA report.

7.2. Proceedings of the Jan Sunwai

The public hearing was organized on Thursday, 31.08.2023 at Shree Dada Mota Shree Shyam Mandir, Bharthal. The meeting commenced around 11:30 a.m. in the presence of landowners, public officials, and other guests. Representatives of DDA (the Requiring Body) and the Office of the ADM South West (the Acquiring Body) participated in the meeting.

At the outset, the State SIA Unit welcomed the public officials and DDA officials by presenting bouquets on behalf of Dr. B.R. Ambedkar University Delhi to the dignitaries as a gesture of appreciation.

Dr. Budhaditya Das opened the meeting by welcoming all participants, including the Additional District Magistrate (South West) Sh. Balram Meena, DDA Representative Assistant Director Shri Deepak Solanki, and Land & Building Department representative Shri Ashish Patwari. Dr. Das explained the context and purpose of the public hearing, the roles and responsibilities of various participants, and the expected outcomes from it. Then he invited Professor Asmita Kabra from the School of Human Ecology, Dr. B.R. Ambedkar University Delhi, to speak about the SIA Unit and the new land acquisition law of 2013.

Professor Kabra informed the audience about the empanelment of AUD as a State SIA Unit by the Government of NCT of Delhi to carry out Social Impact Assessments. She described the importance of the new law, LARR Act 2013, and the provisions under it, which have widened the definition of Project Affected Families. She also expressed her gratitude to the villagers for supporting and assisting the State SIA Unit in carrying out the SIA Study.

After this introductory account, Mr. Mousam, Junior Research Assistant, presented a synopsis and principal findings of the Social Impact Assessment carried out in the past three months. Dr. Das added to this by sharing the key recommendations of the SIA report with the audience.

Dr. Das invited ADM Sh. Balram Meena spoke, explained the description of the acquired land, and asked if anyone had any questions they could ask. He assured that Whoever is eligible will be allotted alternative plots as per law.

Around 100 people attended the hearing, including the landowner likely to be affected by land acquisition. Participants were able to discuss their concerns, aspirations, and apprehensions related to acquisition with the public officials in a fair and transparent manner, without any fear or pressure, in keeping with the spirit of the 2013 legislation. In the next section, the report considers the objections and concerns that have been raised by the landowners in the public hearing. In this manner, the public hearing, one of the key features of the Social Impact Assessment study, was successfully completed.

Figure 9: Landowners speaking at the public hearing in the presence of the MLA



7.3. Response to Objections and Suggestions

The objections received during the public hearing, and suggestions made to them are summarized in Table 11. After the objections and suggestions of PAFs, ADM Sh. Balram Meena and ward member Smt. Sunita answered the queries of the participants. The meeting was also attended by Shri Surjeet Singh, who was the Pradhan of several villages.

The project affected person Shri. Vinod Rajoria raised his objections due to the proposed acquisition in the public hearing. Other villagers mentioned their objections due to the land acquisition of 2002 in the public hearing.

S.No	. Name of Person raising the objection	Details of the Objections and Feedback Received
1.	Shri. Vinod Rajoria	 His land (Khasra no- 4/21) is taken forcefully and without any prior information. He has demanded land for land & doesn't want monetary compensation. The present compensation for his land awarded by DDA is 53 lakh per acres which he denies accepting. He demands that the rate for his land should be calculated as per urban land rate as per laws and should be awarded.
2.	Shri. Ram Niwas, Shri Bharat Ram, Shri Rajeev Kumar etc.	 After the acquisition in 2002, families who had multiple sons, only one for them were allotted alternate plots. Some families were allotted no alternative plots.
3.	Shri Mandeep Singh Bhola	• Demands alternative plot for the land acquisition in 2002
4.	All women (Rajesh, Vimal, Saroj, Kamla, Sherni, Krishna, Usha, Roshni, Nirmala, Shanta, Kanta, Shushila, Sattan, Shushma, Sunila, Bala	 Renaming of Dwarka Sec 25 metro station to Bharthal metro station. Demanding Bus service in the village. Mohalla Clinic in Bhagat Singh Park in Bharthal village. Name of Bharthal village on underpass board. DDA made a sewage system in the village but it overflows making it difficult for the people to access the road. Due this improper sewage management in the area cases of dengue and other waterborne diseases are on the rise.

Table 6: Objections and Suggestions of PAFs and Response of SIA Unit

All the Objections from serial no. 1- 4 have been recorded and included in the final SIA report as per law.





Figure 10: Pictures of the Public Hearing







Chapter 8: Analysis of Costs and Benefits and Recommendations on Acquisition

8.1. Introduction

This chapter summarizes the costs and benefits of the project based on the Social Impact Assessment study. This is followed by recommendations based on the cost-benefit analysis. However, it is important to note that construction of the UER-2 road project was already underway before the commencement of the present SIA study. While the construction of road started in 2015, the SIA study was notified on 31st March 2023. Therefore, the present study and the recommendations are based on the fact that the project is already under construction and no retrospective study has been done to estimate the minimum land required for the project or studying the possible alternatives for the project.

The alignment of the road is final and cannot be changed at this stage without considerable waste of public funds and resources. The AUD State SIA Unit did not carry out an independent study of other possible alternative sites or alignments for the project. The proposed acquisition is only for 1876 sqm of land and is already part of the utilized land, therefore SIA unit did not carry out any exercise to determine the Bare Minimum Land.

The land that will be required to complete the project cannot be located at any other site now. Hence, the social costs and benefits of the proposed land acquisition have been assessed assuming that there will be no change in the location of the project or the quantum of land that will be acquired.

8.2. Social Costs and Benefits of the Project

The social benefits of the Urban Expansion Road-2 project pertain to the improvement in transport services and traffic movement between North and West Delhi. The project is expected to contribute to decongestion of roads and reduction in air pollution in the city of Delhi.

The social costs of the project are limited due to the fact that the land has already been utilized by the Delhi Development Authority and it is not a source of livelihood or place of residence for any person. As mentioned above, the social impacts of this acquisition will critically rely on the market value of land determined as per Section 26 of the LARR Act.

After comparing the social costs of the project vis-à-vis the benefits that will accrue to the landowners once the project is completed, the AUD State SIA Unit is of the view that:

- 1. The proposed project fulfils the criteria set by sub-section (4) of section 4 of the Land Acquisition Act 2013, which requires that the project serves the public purpose.
- 2. The costs that will be incurred by the landowner can be mitigated and is replaceable.

3. There is no livelihood dependence on the land and no livelihood losses will be incurred; therefore, no rehabilitation provisions are to be implemented.

Therefore, land can be acquired for the project as requested by the Requiring Body (Delhi Development Authority) so that the project can be completed.

However, the acquisition of land should be subject to the conditions and recommendations laid down below:

- 1. Compensation amount awarded to the landowner should be based on the fair market value of the land, based on sale deeds of urban land in the vicinity of the area of acquisition.
- 2. Since the Requiring Body took possession of land in August 2015 without payment of compensation, the Collector should pay the award with an interest payment at the rate of nine percent per annum from August 2015 to September 2015, and at the rate of fifteen percent per annum from September 2015 till the date of compensation as per Section 80 of the LARR Act.
- 3. The grievances of landowners who have been affected by past acquisition in Bharthal village, especially with regard to denial of alternative plots of land as per the scheme of Government of NCT of Delhi, should be addressed with sympathy and urgency.

Chapter 9: Social Impact Management plan

The Social Impact Management plan (SIMP) is a part of the Social Impact Assessment for Land Acquisition in Bharthal Village, South-West Delhi. The SIMP has been prepared as part of Social Impact Assessment, which has been carried out as per the Gazette Notification issued by the Land and Building Department, Government of NCT of Delhi on 03.03.2023 (Notification F. No. 9(7)/ L&B/LA/2016/7704 to 7713).

The Land and Building Department intends to acquire land measuring 1876 square meters pertaining to Khasra No. 4//21 Dwarka Sector 23, Phase-II, Village Bharthal, South-West District, Delhi. The said land is required by the Delhi Development Authority for the Construction of Urban Extension Road-II at Dwarka Sector 23 Phase-II village Bharthal in South-West District of National Capital Territory (NCT) of Delhi.

The SIA Study has been carried out by the AUD State SIA Unit, School of Human Ecology, Dr. B.R. Ambedkar University Delhi, as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013.

The State SIA Unit at Dr. B.R. Ambedkar University Delhi has carried out a study assessing the social impacts of this proposed acquisition. On the basis of social impacts identified in the SIA report, the strategies presented in this SIMP are based on interactions with key stakeholders as well as relevant provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR Act, 2013) and RFCTLARR (SIA and Consent) Rules, 2014. This report includes the recommendations, entitlement framework and Computation of entitlements and roles and responsibilities for the finalization, monitoring of the Land Acquisition, Rehabilitation and Resettlement award.

9.1 Recommendations for the Acquisition of Land

The social benefits of the Urban Expansion Road-2 project pertain to the improvement in transport services and traffic movement between North and West Delhi. The project is expected to contribute to decongestion of roads and reduction in air pollution in the city of Delhi.

The social costs of the project are limited due to the fact that the land has already been utilized by the Delhi Development Authority and it is not a source of livelihood or place of residence for any person. As mentioned above, the social impacts of this acquisition will critically rely on the market value of land determined as per Section 26 of the LARR Act. After comparing the social costs of the project vis-à-vis the benefits that will accrue to the landowners once the project is completed, the AUD State SIA Unit is of the view that: 1. The proposed project fulfils the criteria set by sub-section (4) of section 4 of the Land Acquisition Act 2013, which requires that the project serves the public purpose.

2. The costs that will be incurred by the landowner can be mitigated and is replaceable.

3. There is no livelihood dependence on the land and no livelihood losses will be incurred; therefore, no rehabilitation provisions are to be implemented.

Therefore, land can be acquired for the project as requested by the Requiring Body (Delhi Development Authority) so that the project can be completed.

However, the acquisition of land should be subject to the conditions and recommendations laid down below:

1. Compensation amount awarded to the landowner should be based on the fair market value of the land, based on sale deeds of urban land in the vicinity of the area of acquisition;

2. Since the Requiring Body took possession of land in August 2015 without payment of compensation, the Collector should pay the award with an interest at the rate of nine percent per annum from August 2015 to September 2015, and at the rate of fifteen per cent per annum from September 2015 till the date of compensation as per Section 80 of the LARR Act.

3. The grievances of landowners who have been affected by past acquisition in Bharthal village, especially with regard to denial of alternative plots of land as per the scheme of Government of NCT of Delhi, should be addressed with sympathy and urgency.

9.2 Entitlement Matrix for the landowners

The Table below provides the entitlements of the landowner as per the provisions of the RFCTLARR Act, 2013.

S.no.	Type of loss	Unit of Entitlement	Entitlement		Implementing Agency
1	Loss of land	Landowners whose names are recorded in the Khatauni/ revenue records	Market value of land	provided under section 26	Delhi Development Authority (DDA)
			Factor by which the market value is to be multiplied in the case of urban areas	1(One).	
			Value of assets attached to land or building	To be determined as provided under section 29	
			Solatium	Equivalent to one hundred per cent. of the market value of land mentioned against serial number 1 multiplied by the factor specified against serial number 2 for rural areas or serial number 3 for urban areas plus value of assets attached to land or building against serial number 4 under column (2).	

 Table 7: The entitlement matrix for the landowner

Annexure 1: Notification F.No. 9(7)/ L&B/LA/2016/7704 to 7713 of the L&B Department of GNCTD under section 4(1) dated 03.03.2023

(TO BE PUBLISHED IN PART IV OF THE DELHI GAZETTE, EXTRA ORDINARY) GOVERNMENT OF NATIONAL CAPITAL TERRIOTRYOF DELHI, LAND & BUILDING DEPARTMENT VIKAS BHAWAN, IP ESTATE, NEW DELHI (LAND ACQUISITION BRANCH)

NOTIFICATION

.....day of March, 2023

F. No. 9(7)/L&B/LA/2016/ :- In exercise of powers conferred by sub rule (1) of rule 4 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact, Assessment and Consent) Rules, 2014, read with Government of India, Ministry of Home Affair's Notification No. S.O.2740(E) dated 21st October 2014, read with S.O. 2004 (E) dated 21st July 2015, the Lieutenant Governor of National Capital Territory of Delhi, is pleased to assign the School of Human Ecology, Ambedkar University Delhi , Lothian Road, Kashmere Gate, Delhi-110006 which was identified as Social Impact Assessment Unit vide Notification No. F8(2)/9/2015/L&B/LA/2373 dated 13th June 2017 to carry out Social Impact Assessment Study and to prepare Social Impact Assessment report for acquisition of land which has already been utilized in road by Delhi Development Authority and intends to acquire the requisite parcel of land in village Bharthal of South West revenue district.

The School of Human Ecology, Ambedkar University Delhi, Lothian Road, Kashmere Gate, Delhi-110006 shall carry out the Social Impact Assessment study as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within a period of six months from the date of publication of this notification in the official gazette.

> By Order and in the Name of Lieutenant Governor, National Capital Territory of Delhi,

> > (AJAY KUMAR GAMBHIR) Deputy Secretary (Land & Building) Govt. of NCT of Delhi

> > > contd. 24

F.No. 9(7)/L&B/LA/ 2016/ 7704 207713

Copy forwarded to:

Pr. Secretary to Lt. Governor Delhi, Raj Niwas, Delhi -110054.

-2-

Staff Officer to Chief Secretary, GNCT of Delhi, Delhi Secretariat, I.P 1.

2. Estate, New Delhi 110002.

- District Magistrate (HQ-I), 5, Sham Nath Marg, New Delhi -110054.
- District Magistrate (South West), O/o DM (South-West) Office Complex 3.
- Old Terminal Tax Building, Kapashera, Delhi 110037. 4.
- Director (LM) SWZ, Delhi Development Authority, Vikas Sadan , INA, 5. New Delhi-110023.
- Additional District Magistrate (South West), O/o DM (South-West) Office Complex, Old Terminal Tax Building, Kapashera, Delhi-110037. 6.
- Dy. Secretary, General Administration Department, GNCT of Delhi, I.P. Estate, Delhi Secretariat New Delhi-110002, for Publication in Delhi 7.
 - Gazette. P.S. to Divisional Commissioner, 5, Sham Nath Marg, Delhi-110054.
- S.O. to Additional Chief Secretary (L&B), GNCTD Vikas Bhawan, New 8. 9. Delhi-110002.

Dr. Budhaditya Das, School of Human Ecology, Ambedkar University 10 Delhi, Lothian Road, Kashmere Gate, Delhi-110006.

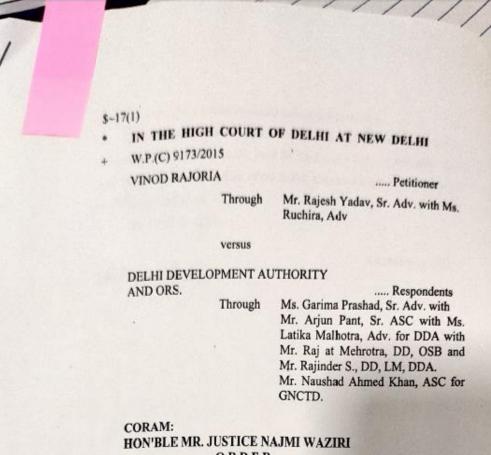
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(AJAY KUMAR GAMBHIR) Deputy Secretary (Land & Building) Govt. of NCT of Delhi

Annexure 2: The DDA chief engineer Dwarka made a request to Director of Land Management DDA to demarcate the land

Dy No Start DAL ZONE 12/8/96 10 60 3 7/8/14 DELHI DEVELOPMENT AUTHORITY OFFICE OF THE CHIEF ENGINEER (DWARKA) MANGLA PURI : DWARKA : NEW DELHI-110 045 Dated: No: (Er Owk) 10 (7) 141 Land | 5353 578/14 To DLM-1 The Director (LM) DDA, Vikas Sadan New Delhi. Sub:- Demarcation of Khasra No. 21(4) at village Bharthal. This office has awarded the work of widening of road No. 226 near IOC culvert including construction of drains in sector 22 of Dwarka. There is a piece of land failing in the alignment of road which is part of Khasra No. 21(4) of revenue land of village Bharthal. The owner of this land is not allowing the work to proceed EE / WD-3 has requested Dy Director (NL) and Dy Director (LM) WZ to demarcate the site but no action has been taken by the LM Branch. Copies of letters written by EE are enclosed for ready reference. The work is suffering badly due to obstruction by the owner of above piece of land. It is requested that concerned Revenue Staff be immediately directed to demarcate the site so that the work can be taken up in the DDA land to complete the same in time. Encl_ As stated above. (D.P. Singh Chief Engineer (Dwarka n DD (LM) WZ , Subhash Nagar, New Delhi- 110018 EE / WD - 3, DDA for information & necessary action. on m/w2 Chief Engineer (Dwarka) Sh Tyat Pal N 814 Patrican'

Annexure 3: Delhi High Court gave order to DDA to return the remaining land parcel to his land owner



ORDER

20.12.2021

The hearing has been conducted through hybrid mode (physical and

virtual hearing).

%

CM APPL. 21613/2021 (for directions)

1. The learned Senior Advocate for DDA submits that the unacquired land still in possession of DDA has been identified, poles have been placed at its four corners and it is for the petitioner to go and fence it off.

2. Let the land be identified to the petitioner by DDA on 23.12.2021 at 12:00 p.m. at the site. The local SHO shall also depute an officer to the site, so that the identity of the land and of the petitioner is clear and that nobody

Signature Not Verified Distanty agent by ANLESH KUMA Signate Day 32 j2 3021 raises an issue of the petitioner taking possession at the site.

3. The original indemnity bonds in favour of the DDA and the GNCTD, in terms of the previous order, shall be filed and a copy of the same shall also be delivered to the office of the SDM, Kapashera and to the officer of the DDA present at site.

4. List on 30.03.2022.

NAJMI WAZIRI, J

DECEMBER 20, 2021 J

Signature Not Verified Deputy open By AMLESH KUMAR Signation Date 22 (2.202)

Annexure 4: Tentative Assessment of value of land (Khasra no. 4//21) submitted by DDA to Delhi High Court

<i></i>	GOVERNMENT OF NCT OF DELHI OFFICE OF THE ADDITIONAL DISTRICT MAGIS	TRATE (SW)				
	OFFICE OF THE ADDITIONAL DISTRICT MAN	DELHI - 110037				
No. ADM	I/LAC/SW/096519877/2022-23/1839 Dated:	07 01 2023				
To,	eputy Director (LM) SWZ,					
	belhi Development Authority,					
	outh-West Zone, DDA Market,					
	lear Post Office, Sector-6,					
	Dwarka, New Delhi – 110075.					
	a provide the planet of land of	f Khasra No. 4//21 min (
Sub:- A	equisition of 0.1876 Hectare (2 Bigha 4.5 Biswa) of land o	I Khasta 100. 4021 mill o				
	Village Bharthal.					
Sir,	Kindly refer your letter No. HC/LM(22905)15/Legal/734 date	d 25/05/2022 on the abov				
said ma	ther in which the evaluation/tentative cost for acquisition of 0	.1876 Hectare (2 Bigha 4.				
Biswa)	of land of Khasra No. 4//21 min of Village Bharthal.					
		I				
0000000	In this regard, the tentative cost of acquisition for the lands ha	der:-				
provisio	ons of the RFCTLARR Act, 2013 and the Rules they are as un	uci				
TENT	ATIVE STATEMENT OF LAND ACQUISTION FOR DD	Α.				
	Value as per Category Agriculture Land.					
Name	of Village: Bharthal					
Kh. No	Kh. No. (with Area): 4//21 min (0.1876 Hectare or 2 Bigha 4.5 Biswa).					
Total	. (with Area): 4//21 min (0.1870 rectare of 2 bight 4.5 bisw	/a).				
Total A	rea: Total 2 Bigha 4.5 Biswa = 44.5 Biswa.	/a).				
Total A Catego	rea: Total 2 Bigha 4.5 Biswa = 44.5 Biswa. ry of Land:- Agriculture					
Total A Catego Rate:-	rea: Total 2 Bigha 4.5 Biswa = 44.5 Biswa.					
Total A Catego Rate:- F.1(177 Value o	rea: Total 2 Bigha 4.5 Biswa = 44.5 Biswa. ry of Land:- Agriculture Rs. 53,00,000/- per Acre (=Rs. 55,208.33 per Biswa) //Regn.Br./Div.Com./07/254-279 dated 14/03/2008) of Agriculture Land= Rs. 55,208.33 X Rs. 44.5 = 24,56,770.	(As per Notification N 69/-				
Total A Catego Rate:- F.1(177 Value o (Assum	rea: Total 2 Bigha 4.5 Biswa = 44.5 Biswa. ry of Land:- Agriculture Rs. 53,00,000/- per Acre (=Rs. 55,208.33 per Biswa) //Regn.Br./Div.Com./07/254-279 dated 14/03/2008) of Agriculture Land= Rs. 55,208.33 X Rs. 44.5 = 24,56,770. ing maximum value of multiplication factor for Rural Area	(As per Notification N 69/- as 02.00 (two) vide Gaze				
Total A Catego Rate:- F.1(177 Value o (Assum	rea: Total 2 Bigha 4.5 Biswa = 44.5 Biswa. ry of Land:- Agriculture Rs. 53,00,000/- per Acre (=Rs. 55,208.33 per Biswa) //Regn.Br./Div.Com./07/254-279 dated 14/03/2008) of Agriculture Land= Rs. 55,208.33 X Rs. 44.5 = 24,56,770.	(As per Notification N 69/- as 02.00 (two) vide Gaze				
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Total A Catego Rate:- F.1(177 Value o (Assum Notifica	trea: Total 2 Bigha 4.5 Biswa = 44.5 Biswa. ry of Land:- Agriculture Rs. 53,00,000/- per Acre (=Rs. 55,208.33 per Biswa) ()/Regn.Br./Div.Com./07/254-279 dated 14/03/2008) of Agriculture Land= Rs. 55,208.33 X Rs. 44.5 = 24,56,770. ing maximum value of multiplication factor for Rural Area ation of Ministry of Rural Development No. S.O. 425(E) date Determination of Compensation Market value of land in accordance with sub-section (1)	(As per Notification N 69/- as 02.00 (two) vide Gaze d 09/02/2016.)				
Total A Catego Rate:- F.1(177 Value o (Assum Notifica	 Total 2 Bigha 4.5 Biswa = 44.5 Biswa. ry of Land:- Agriculture Rs. 53,00,000/- per Acre (=Rs. 55,208.33 per Biswa))/Regn.Br./Div.Com./07/254-279 dated 14/03/2008) of Agriculture Land= Rs. 55,208.33 X Rs. 44.5 = 24,56,770. ing maximum value of multiplication factor for Rural Area ation of Ministry of Rural Development No. S.O. 425(E) date Determination of Compensation 	(As per Notification N 69/- as 02.00 (two) vide Gaze d 09/02/2016.) Amount				
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Total A Catego Rate:- F.1(177 Value c (Assum Notifica	area: Total 2 Bigha 4.5 Biswa = 44.5 Biswa. ry of Land:- Agriculture Rs. 53,00,000/- per Acre (=Rs. 55,208.33 per Biswa) //Regn.Br./Div.Com./07/254-279 dated 14/03/2008) of Agriculture Land= Rs. 55,208.33 X Rs. 44.5 = 24,56,770. ing maximum value of multiplication factor for Rural Area ation of Ministry of Rural Development No. S.O. 425(E) date Determination of Compensation Market value of land in accordance with sub-section (1) of section 26, read with sub-section (3) of section 26 and Section 28 of the RFCTLARR Act, 2013; Market Value of Land measuring 44.5 Biswa @ Rs.	(As per Notification N 69/- as 02.00 (two) vide Gaze d 09/02/2016.) Amount				
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2.	Multiplication Factor (for rural area) applicable to the market value amount determined as in Sr. No. 1 above in terms of sub-section (2) of Section 26 of the RFCTLARR Act, 2013; Multiplication Factor (2) X Rs. 24,56,770.69	Rs. 49,13,541.38
3.	Value of assets (Structures & Trees) attached to the land under acquisition in terms of section 29 of the RFCTLARR Act, 2013; if available	
4.	Total (2+3)	Rs. 49,13,541.31
5.	(+)100% solatium on the amount in accordance with section 30 of the RFCTLARR Act, 2013, arrived at Sr. no 4 (2+3) X 2	Rs. 98,27,082.74
6.	Addl. 12% Interest amt. U/s 3 of section 30 of the RFCTLARR Act, 2013 on Market Value of Land; if available	-
7.	Total Compensation Amount (5 + 6)	Rs.98,27,082.74

(Rupees Ninety Eight Lakhs Twenty Seven Thousand Eighty Two Rupees Seventy Six Paise only).

*Interest amount under section 30(3) and value of assets (Structure & Tree) under section 29 of RFCTLARR Act, 2013 has not been mentioned as the same will be calculated on the basis of actual survey.

Submitted for further necessary action at your end.

(BALR (MEENA) ADM (SOUTH-WEST)

568

Annexure 5: Notification of Public hearing

सार्वजनिक सूचना

गाँव भरथल दक्षिण पश्चिमी दिल्ली में जमीन के प्रस्तावित अधिग्रहण के लिए होने वाली जनसुनवाई

गांव भरथल के खसरा नंबर 4//21 में स्थित दो बीघा 4.5 बिस्वा (1876 वर्ग मीटर) जमीन के प्रस्तावित अधिग्रहण हेतु, सामाजिक प्रभाव आकलन की रिपोर्ट पूरी हो गयी है। भूमि अधिग्रहण, पुनर्व्यव्स्थापन और पुनर्वासन में उचित प्रतिकर तथा पारदर्शिता का अधिकार अधिनियम, 2013, के अनुसार इस संबंध में एक जनसुनवाई का आयोजन किया जा रहा है। परियोजना से प्रभावित सभी परिवारों से निवेदन है कि वे इस जनसुनवाई का हिस्सा बने, और अध्ययन की रिपोर्ट पर अपना सुझाव दें। रिपोर्ट की प्रतियां निम्नलिखित वेब साइट या आयोजक के कार्यालय से प्राप्त की जा सकती हैः

वेबसाइट— https://dmsouthwest.delhi.gov.in/

समय– सुबह 11:00 बजे

दिनांक— गुरुवार, 31 अगस्त 2023

सथान— श्रीँ दादा मोटा श्री श्याम जी मंदिर, भरथल गाँव, सेक्टर 26 द्वारका, नयी दिल्ली, 110077

आयोजक— राज्य सामाजिक प्रभाव इकाई (राज्यएस.आई.एइकाई), डॉ. बी.आर. अम्बेडकर विश्वविद्यालय दिल्ली

ईमेल— siaunit@aud.ac.in

Annexure 6: Attendance sheet of Public Hearing

State SIA Unit, School of Human Ecology Dr. B.R. Ambedkar University Delhi Public Hearing (31 August 2023)

Land acquisition at Village Bharthal, Dwarka Sec-23 South West Delhi, July 2022

5. N	o.		Name	Designation	Contact Number	Signature
Y K		K	ishan Godar	4	951850055	an.
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State SIA Unit, School of Human Ecology Dr. B.R. Ambedkar University Delhi Public Hearing (31 August 2023)

Land acquisition at Village Bharthal, Dwarka Sec-23 South West Delhi, July 2022

S. No.	Name	Designation	Contact Number	Signature
21	The tig some	भूताले २ म	9560247134	ta in y anuz
22	Pardeep Kuga	Barthal	99907512	8 R
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