

A W A R D No. 1763

Name of the village:

Chandrawali alias Shahdara.

Nature of acquisition:

Permanent.

This is a case for the acquisition of land in the estate of Chandrawali (Shahdara) required by the Government at the public expense for a public purpose namely for the Planned Development of Delhi (for the construction of a road). A ^{notification} declaration under section 4 of the Land Acquisition Act was made vide notification No. F.15(245)/60-LSG dated 24.10.1961. In this notification a big area of 16,000/- acres situated in various villages was involved. The substance of the notification was given due publicity and objections were invited from the interested persons. The objections were heard and a report along with objections in original was sent to the Delhi Administration for taking a decision on the objections. Areas out of the area notified under section 4 are being acquired from time to time as and when the necessity arises by making declarations under section 6 of the Land Acquisition Act. A declaration under section 6 regarding the land involved in this award was made vide notification No. F.1(54)/62-L&H (11) dated 30.3.1963. Notice under section 9(1) was given due publicity and notices under section 9(3) and 10(1) of the Land Acquisition Act were issued to the interested persons. Almost all the interested persons have responded to the notices given to them.

'MEASUREMENT AND OWNERSHIP'

According to the notification under section 6 of the Land Acquisition Act, the total area to be acquired was 56 bighas and Miswas. Out of this area Khasra Nos. 567/1, 569/1, 570/1, 592, 593/1, 594/1, 595/1, 597/1, 598/1, 1010/560 min, 1011/560 min, 4662/631/1, 4661/631, 4677/631, 4678/631, 4647/631, 4648/631, 4646/631, 4680/631, 4658/631, 4659/631, 4681/631, 4682/631, 4683/631, 4667/631, 4666/631, 4663/631, 4664/631, 4665/631, 4660/631/1, 4675/631, 4676/631, 4684/631, 4700/631/1.

563/1, 564/1, 565/1, 566/1, 1013/603/1, 1012/603/1 and 5154/634 min and 5147/634 total measuring 45 bighas and 4 biswas are not covered by 16000 acres notification; therefore a draft notification under section 6 covered by 34070 acres scheme i.e. notification No.F.15(111)/59-LSG dated 13.11.1959 have been forwarded to the Delhi Administration for publication. Land Acquisition proceedings in respect of this area of 45 bighas 4 biswas will therefore be taken up separately.

The detail of remaining area to be acquired under the present award is as follows:-

<u>Khasra No.</u>	<u>Area</u> <u>Big.Bis.</u>
5154/634/25-26/1	4 - 09
5154/634/27/1	4 - 10
5154/634/28/1	0 - 18
5154/634/24/1	0 - 18
	<u>10 - 15</u>

Some of the khasra Nos. were notified in parts and by further verification of measurement on the spot there has been a decrease in the area for acquisition. The total area for acquisition thus works out to 10 bighas and 15 biswas. Therefore I hold this area to be true at 10 bighas and 15 biswas. Before partition Khasra No.634 was divided into 18 parts beginning from 5137 to 5154. This was the property of Shamlat Deh in which the evacuees were also the owners. Thus this khasra No. was the composite property. The Competant Authority has completely ignored the previous tatimas and made freshly divided khasra No.634 into 18 parts beginning from 634/1 to 634/33. The old tatimas have, therefore become redundant. According to the new tatimas made by the competent Authority, only a few tatimas are included in the acquisition. The detail regarding the new ownership created by the Competant Authority is given below:-

<u>Name of the owner.</u>	<u>Khasra No.</u>	<u>Area</u> <u>Big. Bis.</u>	<u>Kind of land</u>
Shri Daulat Ram s/o Mohan	634/25-26/1	4 - 09	Gm. Plot.
	634/28/1	0 - 18	Gm. Plot.
		<u>5 - 07</u>	

Note: Shri Daulat Ram has claimed compensation @ Rs.25/- per sq.yd. There is a dispute regarding these khasra Numbers. Dev Smaj society has also claimed compensation @ Rs.25/- per sq.yd.

2. Sarvahi Dalip Singh s/o 634/24/1 0 - 18 Gm. Plot.
 Ram Saran 1/3, Dhara
 Singh s/o Ram Saran 1/12,
 Mikram Singh, Pritam
 Singh, Rajpal Singh ss/o
 Dhara Singh in equal
 shares 3/12.

Harsh Dev Singh s/o. Dev Singh 1/3

1. In a consolidated claim they have claimed compensation @ Rs.20/- per sq.yd.

2. Dev Smaj Society has also claimed compensation @ Rs.25/- per sq.yd.

3. Custodian of Evacuee property. 634/27/1 4 - 10 Gm. Plot.

No claim has been made by the Custodian though the notice was served.

Dev Smaj Regd. Society has claimed that they have purchased this land from Shri Gokal Chand etc; and are in possession from 22.4.1950 and they should be given the compensation at the rate of Rs.25/- per sq.yd.

Total area ...10 - 15

'CLAIMS AND EVIDENCE'

The claims made by the interested persons have already been discussed above. In evidence they have produced copies of certificates of sale deeds for the land not involved in the land under acquisition. The various sale transactions have taken place and the market value will be decided on the basis of these transactions.

'MARKET VALUE'

The land under acquisition is situated between Shahdara and Bahna Nagar. It has got potential value for building purposes and very little agricultural value. Most of the plots have been sold to various persons and the sale prices of the plots is as follows.

The total area of khasra No.631 is 6 bighas and 1 biswa, out of this 2 bighas and 12 biswas is in roads and the remaining 3 bighas 9 biswas is the forms of plots.

Mutation No.	Date of Registration.	Area Big. Bis.	Khasra No.	Total sale price.
4031	30.5.1959	0 - 08	631 min	Rs.2400/-
3959	30.3.1959	0 - 04	631 min	Rs.2500/-
3969	18.4.1960	0 - 04	631 min	Rs.1500/-
3968	18.4.1960	0 - 04	631 min	Rs.1500/-

Mutation No.3959 appears to be highly exaggerated, As a matter of fact only Rs.1500/- were paid before the sub-Registrar. The sale price of 4 biswas of plot in the year 1959-1960, according to this mutation was about Rs.1500/-. The average of this transaction comes to Rs.7.50 NP per sq.yd. As already stated, out of 6 big. 1 biswas, 2 bighas and 1 biswa is in roads and 3 bighas and 9 biswas was the plotted area. When the colonizer sells the plots, he also sells the right of use in land for the common purposes to the plot holders. The ratio of the plotted area to the non-plotted area works out to 4:3. The price of the gross area works out to Rs.7.50X4/7 i.e. about Rs.4/- per sq.yd. I, therefore, award Rs.4000/- per bigha for the area under acquisition.

'OTHER COMPENSATIONS'

There is neither well nor any structure or trees on the land under acquisition.

'APPORTIONMENT'

Apportionment has already been discussed under the various heads. As the mutation according to partition made by the Competant Authority has not yet been sanctioned and whole of area under acquisition is disputed and the compensation for this area will be sent to the Addl. Distt. Judge.

'THE AWARD IS SUMMARISED AS BELOW'

Compensation for 10 bighas and 15 bis.	Rs.43,000.00
Land @ Rs.4000/- per bigha.	
of the above as solatium for compul-	Rs. 6,450.00
sure of acquisition.	
	<u>Rs.49,450.00</u>

The land is assessed to no land Revenue.

Zal Nowsherwanji 3-12-64
(Zal Nowsherwanji)
Land Acquisition Collector,
Delhi Shahdara Circle,
DELHI.

Submitted to the District Collector, Delhi for information
and filing.

Zal Nowsherwanji 3-12-64
(Zal Nowsherwanji)
Land Acquisition Collector,
Delhi Shahdara Circle,
DELHI.

Scm.
Mahinder Singh
A.D.M. (L.A.)
with powers of Collector, Delhi
31.12.64
COLLECTOR, DELHI.

Please prepare A Statement -
and Dargah Munkazamin
of all revenue the area

in 13-1-65

31-1-65

M. K. Chaudhary
A.T.

4/1/65
in view
T. S.