

Name of the village:	Chandrawali Alias Shahdara.
Nature of acquisition:	Permanent.
Purpose of acquisition:	Planned Development of Delhi.

INTRODUCTION:

The land situate in the estate of Chandrawali (Shahdara) is required by the Government at the public expense for a public purpose namely for the Planned Development of Delhi. A notification 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 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 Land Acquisition Act. A declaration under section 6 regarding the land involved in this award was made vide notification No.F.15(49)/64-LSG dated 10.12.1964. 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:

According to the notification under section 6 of the Land Acquisition Act, 1894, total area to be acquired was 26 bighas 14 biswas but from the further

verification made at the site under section 8 of the Land Acquisition Act, it was seen that the actual area under acquisition comes to 20 bighas 14 biswas. The difference of 6 bighas is due to the measurement at the site by the field staff and verification by the Naib Tehsildar at the site. The notification under section 6 included the the khasra Nos. 5148/634 and 5154/634 min, but the 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 the khasra Number was the composite property. The competent Authority has completely ignored the previous tatimas and made freshly divided khasra Nos. 634 into 33 parts beginning from 634/1 to 634/33. The old tatimas have, therefore, become redundant. According to the new tatimas made by the Competant Authority only a few tatimas are included in this acquisition. The new khasra Nos. according to the Competant Authority as in the notification under section 6 are 5148-5154/634/28/2 and 5154/634/29/1 total measuring 20 bighas 14 biswas. I, therefore, hold the area under acquisition to be true at 20 bighas 14 biswas which is detailed as below:-

<u>Khasra Nos.</u>	<u>Area</u> <u>Big. Bis.</u>	<u>Kind of land.</u>
5148-5154/634/28/2.	14-08	Ghairmumkin Plot.
5154/634/29/1	6-06	-do-
	<u>20-14</u>	

Note: According to the revenue record the kind of the land under acquisition has been entered as Gm. Plot. But at the site it is not Gm. Plot.

COMPENSATION CLAIMS:

The following persons have filed claims for compensation :-

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Sl.No.	Name of the claimants.	Compensation Demanded.	Remarks.
1.	Shmt.Mata Brahm Giri Kali Kamliwali through Amarat Lal-Advocate.	Rs.40/- per sq.yd.	The claim is exhorbitant and fabulous.
2.	Sham Narain alias Sham Singh.	Rs.40/- per sq.yd.	-do-
3.	Daya Nand ad.s/o Ram Jiwan.	Rs.40/- per sq.yd.	-do-
4.	Narain Singh through (Harnam Singh,Mukhatare-am).	Rs.40/- per sq.yd.	-do-
5.	Shri Krishan Gopal etc.	Rs.40/- per sq.yd.	-do-
6.	Shri Budh Prakash s/o Ram Mehr.	An alternative plot.	-
7.	Sh.Budh Prakash s/o Basanta.	-do-	-
8.	Chhajju s/o Nathu.	-do-	-
9.	Jai Singh s/o Chhajju.	-do-	-
10.	Mantori s/o Paina. <i>Sange</i>	-do-	-
11.	Prakash s/o Lachhu.	-do-	-
12.	<i>Sangro</i> Lehu s/o Saddlu.	-do-	-
13.	Nathi s/o Goli.	-do-	-
14.	Rattan s/o Khile	-do-	-
15.	Chhaida s/o Makhan.	--	-
16.	Daulat Ram Khanna.	Rs.30/- per sq.yd. & Rs.3000/- for the well.	The claim is exhorbitant and fabulous.
17.	Hari Chander through Gordhan Dass-advocate.	Rs.30/- per sq.yd.	-do-
18.	Sukhbir Saran.	Rs.25/- per sq.yd.	-do-
19.	Jai Narain.	Rs.40/- per sq.yd.	-do-

The following persons have produced the following documents in support of their ownership and claims :-

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Sl.No.	Name of the producer.	Detail of documents produced.	Remarks.
1.	Daya Nand ad.s/o Ram Jiwan.	<ol style="list-style-type: none"> 1. Copy of Registry dated 30.12.1860. 2. Copy of Registry of Mohan Lal s/o Thakar Dass. 3. Copy of Registry dated 30.12.1860 of vendor Mohan Lal s/o Thakar Dass. 4. Copy of registry dated 5.8.1853. 5. Copy of registry dated 14.3.1864. 6. Copy of registry dated Samat 1920 of Kirayenama. 7. Copy of registry dated 21.11.1870. of Shri Tanor s/o Kalyan Vs.Mohan Lal Vendee. 8. Copy of Shart Vazubularz of 1860, of village Chandrawali alias Shahdara under section 15, which is unattested and very old. 9. An application dated 26.8.1965 in which he has stated that Shri Daulat Ram is selling the earth dug from the khasra No.634. 	-
2.	Shri Daulat Ram Khanna.	<ol style="list-style-type: none"> 1. Copy of the judgement of Competant Authority dated 30.3.1959 in which the claim of Shri Daya Nand has been dismissed. 2. Copy of the judgement of the Competant Officer dated 26.7.1961 in which the claim os Shri Karam Chand has been dismissed. 3. Copy of agreement between Daulat Ram and Nand Kishore regarding 1000 sq.yds. @ Rs.12/- per sq.yd. of Khasra No.634. 	

4. Copy of the Judgement dated 14.7.1965 of Shri Harminder Singh, Sub Judge, Ist Class, Delhi regarding the case of Shri Ishwar Dass Vs.Pindi Lal etc. -

5. Copy of the judgement dated 29.5.1959 of Shri Mohinder Singh Joshi, P.C.S., Sub Judge, Ist Class, Delhi regarding the case of Shri Daulat Ram Vs.Rammumal. -

6. Copy of the judgement dated 20.8.1963 of Shri P.N. Thukral, Addl.District Judge, Delhi regarding the case of Shri Rammumal Vs. Ram. -
He also stated that Shri Rammumal and Daya Nand are neither the owners nor the occupier of the land.

3. Shri Pindi Lal etc.

1. Copy of registry of Shri Daulat Ram etc. Vs. Pindi Lal etc. dated 24.11.1949 regarding 21235 sq.yds. of land for Rs.9622/-.

2. Copy of the registry of Shri Devi Sahai Vs.Daulat Ram dated 18.11.1944 of 21235 sq.yds.of land for Rs.5000/-.

3. Copy of registry of Shri Devi Sahai ~~Vs. Baulat~~ dated 18.10.1944 regarding 21235 sq.yds. of land for Rs.4000/-.

4. Copy of khasra girdawari regarding khasra No.634 from the year kharif 1955 to kharif 1957.

5. Copy of notice of the Municipal Committee, Shahdara dated 14.11.1952 regarding the house tax of the property No.459/1 to Shri Mam Chand etc. for Rs.324/-.

6. Copy of the notice of the Chairman of Delhi Improvement Trust to Shri Mam Chand s/o Karam Chand under section 38.

7. Copy of the judgement dated 25.5.1959 of Shri Dev Raj Khanna, Sub Judge Ist Class, Delhi regarding the case No. 119/55, Mst. Bismilla Jahan Vs.Daulat Ram.

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| <p>4. <u>Shri Sat Narain.</u></p> <p>5. Shri Sham Narain
alias Sham Singh.</p> <p>6. Harnam Singh-mukhtaire-am
of Shri Narain Singh.</p> <p>7. Shri Bhagwan Dass on
behalf of Shmt. Mata
Kamliwali.</p> | <p>8. Copy of judgement dated
5.12.1932 of Shri Malik Fateh
Khan M.A., Sub Judge IInd Class,
Delhi regarding the case of Shri
Kehar Singh Vs. Ram Narain etc.</p> <p>1. Copy of the judgement dated 5.12.32
of Shri Malik Fateh Khan M.A., Sub
Judge IInd Class, Delhi regarding
the case of Shri Kehar Singh Vs.
Ram Narain etc.</p> <p>2. Copy of the judgement dated 24.5.59
of Shri Dev Raj Khanna, Sub Judge
Ist Class, Delhi regarding the case
No.119/55, Mst. Bismilla Jahan Vs.
Daulat Ram.</p> <p>3. A poster.</p> <p>A copy of the registry No.625
dated 3.3.1952.</p> <p>A copy of the registry No.626
dated 3.3.1952.</p> <p>A copy of the registry No.627
dated 3.3.1952.</p> |
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The documents at Sl. Nos. 1 to 4 have been produced as evidence by the respective claimants in support of their ownership rights. The documents from Sl. No.5 to 7 are in nature of evidence for claims. The evidence for claims cannot be relied upon as the registries executed are unauthorised.

'MARKET VALUE'

The land under acquisition is situated between Shahdara and Krishna Nagar. It has got potential value for building purposes and a very little agriculture value.

I have inspected the site, and I found that the land under acquisition is quite similar and adjacent to the land already acquired vide the award No.1763, in which a rate of Rs.4000/- per bigha was awarded. Moreover the land under present acquisition is a part of the khasra No.634 which was acquired vide the above said award, and the date of notification under section 4 in both the awards is also the same i.e.24.10.1961. On my site inspection, it was found that the land had been excavated about two to three feet deep. Due to this reason the rate of 4000/- per bigha already awarded in the award No.1763 cannot be assessed for the present land under acquisition. I, therefore, consider a rate of Rs.3800/- per bigha to be the fair and reasonable compensation for the land under acquisition and I award accordingly.

'OTHER COMPENSATION'

There is one well in khasra No.5148-5154/634/28/2.
The Naib Tehsildar(LA) has assessed Rs.624/- as compensation for the above said well.

There are 10 huts in the land under acquisition, the values of which have also been assessed by the Naib Tehsildar (LA) as follows:-

<u>Sl.No.</u>	<u>Name of the owner.</u>	<u>Khasra No.</u>	<u>Value assessed.</u>
1.	Rattan s/o Khillu.	5148/5154/634/- 28/2.	Rs.50.00
2.	Nathan s/o Goli.	-do-	Rs.40.00
3.	Samera s/o Sadlu.	-do-	Rs.70.00
4.	Prakash s/o Labhu Ram.	-do-	Rs.50.00
5.	Chheda s/o Makhan.	-do-	Rs.150.00
6.	Mantori s/o ^{Tena} Sanna .	-do-	Rs.50.00
7.	Jai Singh s/o Chhajju.	-do-	Rs.40.00
8.	Chhajju s/o Nathu.	-do-	Rs.100.00
9.	Budh Prakash s/o Ram Swarup.	-do-	Rs.50.00
10.	Budh Prakash s/o Basanta Ram.	-do-	Rs.50.00
Total			<u>Rs.650.00</u>

28/4/72
I have inspected site and I found that the values assessed for the well, as well as for the huts by the Naib Tehsildar (LA) are quite fair and reasonable and I award accordingly.

INTEREST: As the possession of the land under acquisition has not been taken, therefore, the question of payment of interest does not arise.

'APPORTIONMENT.'

As themutation according to the partition made by the Competant Authority has not yet been sanctioned and the whole of the area under acquisition is disputed, the

compensation for this area will be sent to the Additional Distt.Judge, Delhi.

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15% FOR COMPULSORY ACQUISITION:

15% shall be paid on account of compulsory acquisition charges as provided in section 23(2) of the Land Acquisition Act, (I), 1894.

LAND REVENUE DEDUCTION:

The land is assessed to no land revenue, therefore, the question of deduction of land revenue from the khalsa rent roll does not arise.

SUMMARY OF THE AWARD:

Sl.No.	Area big. Bis.	Rate per bigha.	Amount of compensation.
1.	20 - 14	Rs.3800/- per bigha.	Rs.78,660.00
2.	Add price of the well.		Rs. 4,624.00
3.	Add price of the huts.		Rs. 650.00 Rs.79,934.00
4.	Add 15% for compulsory acquisition charges.		Rs.11,990.10 ps.
G. Total			Rs.91,924.10 ps.

(Zal Nowsherwanji)
Land Acquisition Collector,
Delhi Shahdara Circle,
DELHI.
18.10.1965.

Submitted to the Collector of Delhi for information and filing.

(Zal Nowsherwanji)
Land Acquisition Collector,
Delhi Shahdara Circle,
DELHI.
18.10.1965

Seen filed
20.10.65
8.12.65
COLLECTOR, DELHI