

AWARD NO. 20-13/75-76 (supp)

NAME OF VILLAGE : CHANDRAWALI ALIAS SHAHDARA.

NATURE OF ACQUISITION : PERMANENT

PURPOSE OF ACQUISITION: PLANNED DEVELOPMENT OF DELHI.

INTRODUCTION:

This is an award for acquiring the land measuring an area of 14 bighas 6 biswas situated in the revenue estate of village Chandrawali alias Shahdara. The above land was notified u/s 4 & 6 of the Land Acquisition Act vide notification No. F.15(111)/59-LSG dated 13-11-1959 and F.4(19)/65-L&H dt. 3-12-1958 respectively at the public expense for a public purpose namely for the Planned Development of Delhi. The above mentioned declaration u/s 6 of the L.A. Act was made for an area 970 Bighas. Out of this area, measuring 3 Bighas 18 Biswas only has been acquired under award No. 20/75-76 & the rest area of this notification u/s 6 will be acquired on the instruction of Land & Bldg. Deptt. This land measuring 14 bighas 6 biswas is being acquired under the instructions of the Under Secretary (L.A.) vide letter No. F.8(9)/79-L&B/18774 dated 13-6-1984. Notices u/s 9 & 10 of the L.A. Act were issued to all the interested persons and the claims filed by them are discussed under the heading "CLAIMS".

MEASUREMENT AND OWNERSHIP:

Out of the area notified u/s 6 of the Land Acquisition Act, the area under present acquisition is 14 bighas 6 Biswas. This area was found to be correct from further verification on the spot u/s 8 of the L.A. Act. I, therefore, hold the area under acquisition to be true at 14 bighas 6 biswas, as detailed below:-

<u>Kh. NO.</u>	<u>AREA</u>	<u>OWNERSHIP</u>	<u>TENANT</u>	<u>KIND OF SOIL</u>
1025/665	4 - 1	Balbair Saran etc.	---	G.M. Rasta.
667	4 - 4	Jai Narain s/o Jagat- Narain 1/2 share, Shjv Narain, Jagdish Narain, Inder Narain ss/o Jai N Narain equal share in 1/2 share.	---	G.M. Plot.
672	3-9	-do-	---	-do-
3112/683	0-11	-do-	---	-do-
3114/684	1-9	-do-	---	-do-
3116/690	0-12	-do-	---	-do-

contd....2/-

Grand Total:- 14-6

CLAIMS:-

The following persons have filed their claims in response to the notices u/s 9 & 10 of the L.A. Act:-

<u>S.No.</u>	<u>Name of claimant</u>	<u>Compensation claimed.</u>
1.	M/s. Nav Bharat Hirman Ltd., through its Manager Sh. Parn Nath Sarvaria.	1. Claimed @ Rs. 500/- per sq.yd. for the land alongwith the Solatium & interest. 2. Alternative allotment against the said acquisition & Rs. 10,000/- in respect of super-structure & Rs. 10,000/- for trees etc.
2.	S/Shri Shanti Narain, Parkash Narain ss/o Late Prem Narain, Kailash Narain etc ss/o Jai Narain.	Claimed Rs. 500/- per sq.yd. for the land with Solatium at 30% and interest at 12% p.a.

EVIDENCE:-

No evidence has been filed by the claimants.

MARKET VALUE:-

That the land under present acquisition is situated near the Railway Station Shahdara and City.

In this village award Nos. 1542, 1544, 1700, 1850, 1903, 1964, 2127 have been made in respect of land notified on 13-11-1959 which is also the date of notification u/s 4 in the present case.

In these awards the L.A.C. fixed the market value of various kinds of land between Rs. 500/- per bigha and Rs. 4000/- per bigha. Under award No. 1542, the A.D.J. Delhi enhanced the market value from Rs. 1250/- to Rs. 4500/- and Rs. 5000/- per bigha. Under award No. 1544, the A.D.J. enhanced the market value from Rs. 1250/- to Rs. 4500/- per bigha. Under award No. 1700 the market value was enhanced from Rs. 1500/- to Rs. 2000/- and similar enhancement was allowed under award No. 1903. Under award No. 1850 the A.D.J. enhanced the market value from 3000/- per bigha to Rs. 6000/- per bigha, from Rs. 2500/- per bigha to Rs. 5000/- per bigha. In almost all cases under the above mentioned awards no appeal was filed against the decision of the A.D.J. Delhi. Under award No. 2127 also the market

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value was enhanced from Rs. 3000/- to Rs. 6000/- per bigha but appeals have been filed against the decision of the A.D.J. Delhi in these cases.

The land acquired under the above mentioned awards is situated very far from the land under acquisition. These awards along with the enhancement allowed against them cannot offer proper guidance in arriving at the market value of the land under acquisition.

In the original award No. 43/71-72 and 43-A/71-72 (Suppl.) of this village the market value of the land was assessed at the rate of Rs. 3000/- per bigha. The land acquired in award No. 43/71-72 falls to the south of G.T. Road whereas the land under present acquisition falls near the Railway Station Shahdara and city. I, therefore, consider fair and reasonable to base the market value of the land under acquisition at the rate of Rs. 6,000/- per bigha. I, therefore, assess the market value of 14 bighas 06 biswas at the rate of Rs. 6,000/- per bigha.

OTHER COMPENSATION:-

There are some structures on the land under acquisition which are after the date of notification u/s of the L.A. Act dated 13/11/1959 and as such no compensation is, therefore, assessed for the same, but owners are, however, allowed to remove the material immediately after the announcement of the award.

AMOUNT U/S 23 (1a):

The notification u/s 4 is dated 13-11-59 in this case. Therefore, the amount u/s 23(1a) as additional market value is repayable @ Rs. 12% per annum w.e.f. 13-11-1959 to the date of award, to the persons interested.

SOLATUM:

30 % solatium on the market value will be paid on account of compulsory nature of acquisition as provided u/s 23(2) of the Land Acquisition Act.

INTEREST:

According to the provisions of the Land Acquisition Act, simple interest u/s 4(3) at the rate of Rs. 6% per annum is allowed

contd....4/-

on the market value of the land as assessed from the date of expiry of 3 years viz. 13.11.1962 to the date of award. The final declaration u/s 6 of the Land Acquisition Act, was made after three years from the date of publication of the notification u/s 4 of the Land Acquisition Act dt. 13.11.59.

APPORTIONMENT:

The compensation will be paid according to the latest entries in the revenue record. In case of dispute, which is not settled between the parties, the matter will be referred to the A.D.J. Delhi for proper adjudication.

LAND REVENUE:

The land revenue is not assessed against the land under acquisition.

SUMMARY OF THE AWARD:

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| 1. | Market value of the land measuring 14 bighas 6 biswas @ Rs. 6000/- per bigha. | Rs. 85,800.00 |
| 2. | 30% solatium for compulsory acquisition | Rs. 25,740.00 |
| 3. | Interest u/s 4(3) @ Rs. 6% Per annum from 13.11.62 to 15.2.85 i.e. 22 years & 95 days. | Rs. 114,595.88 |
| 4. | Amount u/s 23(1a) @ Rs. 12% w.e.f. 13.11.59 to 15.2.85 i.e. 25 yrs. 95 days. | Rs. 260,079.76 |

Rs. 486215.64

(Rupees four lacs eighty six thousand two hundred & fifteen & paise sixty four only).

Vijay Singh

(VIJAY SINGH)
LAND ACQUISITION COLLECTOR (DS)
DELHI.

Announced in the open Court.
Mr. Prannath Sarbani present.

W. Singh
16/11/81