

Award No. — 20-A/75-76 (Supp.)

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NAME OF VILLAGE : Chandrawali alias Shahdara
NATURE OF ACQUISITION: PERMANENT
PURPOSE OF ACQUISITION : PLANNED DEVELOPMENT OF DELHI.

INTRODUCTION:

This is a Supplementary award for acquisition of land measuring 3 bighas 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(III)/59-L&H dated 13.11.59 and F.4(19)/65-L&H dated 3.12.1968 respectively at the public expense for a public purpose namely for the Planned Development of Delhi. The above mentioned notification u/s 6 of the L.A. Act was made for an area 970 Bighas. Out of this area, measuring 3 Bighas 18 Biswas has already been acquired vide Award No. 20/75-76 and for an area measuring 14 Bighas 06 Biswas, an award has been drawn, this land measuring 3 Bighas is being acquired vide letter No. F.14(43)/69/CRC/DDA/Pt. dated 19.2.85 received from Delhi Development Authority Vikas Bhawan Sahan, T.N.A. Market New Delhi. 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 & Evidence'.

MEASUREMENT & OWNERSHIP:

Out of the area notified u/s 6 of the L.A. Act, the area under present acquisition is 3 Bighas. 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 3 Bighas only as detailed below:

<u>KHASRA NO.</u>	<u>AREA</u> B.g. Bis.	<u>OWNERSHIP</u>	<u>TENANT</u>	<u>KIND OF SOIL</u>
731	3 0	Sh. Santokh Singh Tshar Singh s/o Kirpa Ram, Krishan Lal, Bhagat Ram s/o Harj Chand, Harj Chand s/o Gopi Chand	---	Bangar Badam

CLAIMS & EVIDENCE: 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>KH. NO.</u>	<u>COMPENSATION CLAIMED</u>
1.	Sh. Santokh Singh-etc. 731 R/o 8/88 Gali Jain Mandir Shahdara: DELHI.		Claimed Rs. 1000/- per sq. yd. as compensation for the land along with the solatium & interest as per provisions of L.A. Act.

No evidence has been produced or filed by the claimant in support of the claim.

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MARKET VALUE: The land under present acquisition is situated in the city of Shahdara and near to the Farash Bazar of the 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/- 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 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 (Supl.) 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 ~~filed~~ falls to the south of G.T. Road whereas the land under present acquisition is situated in the city of Shahdara. I, therefore, consider fair and reasonable rate to base the market value of the land under acquisition at the rate of Rs. 6000/- per bigha. I, therefore, assess the market value of ~~3~~ ³ bighas ~~at the rate of Rs. 6,000/- P.Bigha.~~

OTHER COMPENSATION: There are some structures on the land under acquisition which are built up after the date of Notification u/s 4 of the L.A. Act i.e. 13.11.59 and as such no compensation is, therefore, assessed for the same, but the owners are, however, allowed to remove their material immediately after the announcement of the Award.

ADDITIONAL AMOUNT U/S 23 (1-A): The Notification u/s 4 is dt. 13.11.59 in this case, therefore, the amount u/s 23(1-A) as additional market value is payable @ Rs. 12% p.a. w.e.f. 13.11.59 to the date of Award, to the interested persons.

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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 L.A. Act.

INTEREST: According to the provisions of the Land Acquisition Act, simple interest u/s 4(3) @ Rs. 6% p.a. is allowed on the market value of the land as assessed, w.e.f. 13.11.62 to the date of award. The final declaration u/s 6 of the L.A. Act was made after three years from the date of publication of the notification u/s 4 of the L.A. Act dated 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 court of A.D.J. Delhi for proper adjudication u/s 30-31 of the L.A. Act.

LAND REVENUE: The land revenue is assessed to Rs. 0.72 Paise against the land under acquisition, which will be deducted from the rent roll of the village after taking over the possession of the land.

SUMMARY OF THE AWARD:

1.	Market value of the land measuring 3 bighas @ Rs. 6000/- per bigha.	Rs. 18000.00
2.	30% Solatium	Rs. 5400.00
3.	Int. u/s 4(3) @ Rs. 6% p.a. w.e.f. 13.11.52 to 1.5.85 i.e. 22 yrs. and 170 days.	Rs. 24263.01
4.	Amount u/s 23(1-A) on the market value @ Rs. 12% p.a. w.e.f. 13.11.59 to 1.5.85 i.e. 25 yrs. & 170 days.	Rs. 55006.03

GRAND TOTAL

Rs. 102669.04

(G.C. PILLAI)

LAND ACQUISITION COLLECTOR (DS)
DELHI.

APPROVED

SECRETARY (Revenue)
Delhi Admin., Delhi.

Presented by Shri Singh & Co
Krupa Ram & Ajaya Kumar & Co
Vishwan Lal who are interested
persons. Award Announced in the
Open Court

16/7/85