

AWARD NO.

45/84-85

NAME OF THE VILLAGE : Chandrawali alias Shandara.
 NATURE OF ACQUISITION : Permanent
 PURPOSE OF ACQUISITION : Planned Development of Delhi.

These are proceedings u/s 11 of Land Acquisition Act, 1894 for determination of compensation in respect of land measuring 6332 sq. yds situated in the Village Chandrawali alias Shandara. The notification u/s 4 L.A. Act issued by Delhi Administration vide No. F.3(127)/61-L&E dated 27.2.1968 for an area 6332 sq. yds scheme and declaration u/s 6 of the Act issued vide notification No. F.3(127)/61-L&E dated 17.2.1971 for 6332 sq. yds. The land is required by the Government at the public expense for a public purpose namely for Planned Development of Delhi. Notices u/s 9 & 10 of the Act were issued to the persons interested in the land under acquisition. Claims filed will be discussed separately under the heading 'Claims & Evidence.'

MEASUREMENT & TRUE AREA

The notification u/s 4 & 6 issued for the area measuring 6332 sq. yds instead of 7256 sq. yds. There was clerical mistake at the time of preparation of draft notification u/s 4 & 6 of the L.A. Act, 1894.

The area of plot No. 129, 130 and 130 to 123 measuring 1058 sq. yds is being left out from the present scheme vide letter No. 1403/3/L&E dated 22.3.1973 received from the Manager, Land & Estate Deptt of the Municipal Corporation of Delhi.

Plots No. 152-153 (Khasra No. 1438/624) measuring 4029 sq. yds is also being left from the present award due to being govt. fly over area.

High Court. Plots No. 126, 127 and 131 measuring area 592 sq. yds is also being left out at present due to built up area.

According to the above facts the actual area measuring 5900 sq. yds is being acquired under present scheme.

The details of the land is as under:-

Kh. No.	Plot No.	Kind of soil	
		Area	
624 min	123	200 sq. yds	G.M. Abadi
1455/624	146	200 sq. yds	do
	147	200 sq. yds	do

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1444/624	148	200 sq.yds	G.M. Ab-di
624 min	149	200 sq.yds	-do-
1448/624	150 & 151	450 "	-do-
1444/624	150 & 151	450 "	-do-
1494/624	154 & 155 & 156	550 "	-do-
2274/1342/624/ 1	157	400 "	-do-
2274/1342/624/ 2	158		
1505/624	159 to & 161 min	475 "	-do-
1495/624	162 min	322 "	-do-
1491/624	163	200 "	-do-
3835/1493/624	164	200 "	-do-
3834/1493/624	165 to & 166	750 "	-do-
1507/624	176 to 179	250 "	-do-
Total area		5900 "	

OWNERSHIP & OCCUPANCY

S.No.	Name of owner	Occupant	S.No.	Area
1.	Musmat Mohan Davi w/o Shaj Dass r/o New Delhi.	Self	1455/624 146 & 147	0-2
2.	Mukun Singh s/o Bhagat Singh, Bahu Ram s/o Sibia Mal, equal share	Self	1444/624 P.No. 142	0-4
3.	Gaya Dutt s/o Parbhu Dutt, Gaya Dutt Press Bag Bihar, Delhi	Self	1448/624 P.No. 150 & 151	0-9
4.	Balak Raj Seth c/o Arena Chemical Industries, Industrial Area, Sonapat.	Self	1489/624 P.No. 152 & 153	0-8
5.	Prem Chand s/o Raj Krishan r/o 23, Barya Ganj, Delhi	Self	1494/624 154 to 156	0-11
6.	Minu Nath s/o Jagat Ram r/o 5/221, Gaju Katra, Sonahra.	Self	2274/1342/ 624/1 P.No. 157	0-4
7.	Burga Dass s/o Jagat Ram Bhatia r/o Bardhwa Bengal.	Self	2274/1342/ 624/0	
8.	Lajpat Rai s/o Shog Ram Dass, Kothi No.7, Barya Ganj, Delhi.	Self	1505/624 min P.No. 159 to 161	0-10

9. Sat. Chander Devi wd/o Madhe Bahari r/o Kucha Sahar Lal Bazar Sita Ram, Delhi.	Self	1495/624 min P.No. 162.	0-6
10. Barga Parsad, Maya Parsad ss/o Bhagwati Parsad equal share r/o Bazar Sita Ram, Delhi	Self	1491/624 P.No. 163	0-4
11. Purna Chand s/o Amar Nath r/o Kutra Neel Chandni Chowk, Delhi	Self	3335/1493/ 624 P.No. 164	0-4
12. Jivan Lal s/o Payre Lal r/o 409, Mansilla Bakur Dwara, Shandra, Delhi	Self	3334/1493/ 624 P.No. 165 to 168	0-15
13. Raja Ram s/o Yad Ram r/o Delhi	Self	1507/624 P.No. 176 to 179	0-17
14. Lakmi Bai w/o Ram Lal r/o Bagreli Mistt. Bara Banki (U.P.)	Self	624 min P.No. 123	0-4
15. Radhe Sanyal s/o	Self	128 149	0-4

CLAIMS & EVIDENCE

S.No.	Name of the claimant	Ka.No. Plot No.	Area	Amount claimed	Evidence.
1.	Indrawati Devi w/o Mayo Hand Vill. & P.O. Asheda, Distt. Meerut, U.P.	150 & 151	-	Nil	Nil
2.	Rajender Kumar Sharma s/o Sh. Daya Hand Sharma Vill. & P.O. Asheda Distt. Meerut, U.P.	-do-	-do-	-do-	-do-
3.	Prem Chand Jain s/o Late Sh. Raj Kishan Jain, 1, Darya Ganj, New Delhi-2	154, 155 & 156	500 sq. yds	Rs. 300/- 15 & solution 6 & instt.	-do-
4.	Prem Chandra Jain r/o 1, Bagari Road, Darya Ganj, Delhi	154, 155 & 156	500 sq. yds	-do-	-do-
5.	Rukam Singh s/o Bharat Singh	140	0-4 (220 sq. yds)	-do-	-do-
6.	Sh. Rajpat Rai s/o Sh. Govind Dass Chandra r/o D. 22, N.E. E. Part 1st, New Delhi	139 to 161	475 sq. yds	Rs. 300/- P. No. 74	-do-

7. Jivan Lal s/o Pearey Lal r/o 409, Mohalla Thakurdwara, Shahdara, Delhi.	166 to 168	0-15	Rs. 350/- p. sq. yd 15 % solatium	Nil
8. Daya Band Shastri & Smt. Vimla Devi d/o Sh. Ganga Datt r/o Ganga Datt Press, 41, Baghbiwar, Delhi	P.No. 150 151	-	Rs. 300/- p. sq. yd -	-
9. Smt. Vimla Devi d/o Sh. Ganga Datt Sharma r/o Vimla Bastkari School Budhana Gate, Meerut City, U.P.	P.No. 150 151	-	-do-	-do-
10. Indrawati Devi w/o Daya Band Village & P.O. Ashodha Distt. Deotak, Haryana	-do-	-	-	-
11. -do-	-do-	-	-	-
12. Tilak Raj Seth c/o Arima Chemical Industrial area, Sonapat	P.No. 152 153	400 sq. yds	-do-	help left - affix stamp due to stay order
13. Bina Nath Shastri s/o Jagat Ram Shastri	P.No. 157	200 sq. yds	-do-	-
14. Smt. Pushpa Devi w/o Sh. Barga Dass 1-3/125, Lalpat Nagar, New Delhi.	P.No. 158	-do-	-do-	-
15. Sh. Hire Lal Sharma s/o Sh. Jivan Lal Sharma Bhogand Bazar (Maya Bazar) Delhi-6.	P.No. 148	0-4	Rs. 250/- per sq. yd. 15 % solatium & Instt.	-

MARKET VALUE

In the present case, the date of preliminary notification is 27.2.1968 and as such the market value is to be determined as prevailing during that period. The claimants have demanded exorbitant rates of compensation but adduced no evidence to support their claims.

Before we embark upon the sale transactions in determining the market value, it would be helpful to look into the awards that have been made in respect of this Village, the particulars of which are given below :-

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Award No.	Date of notification	Rate awarded by L.A.C.
2178	15.1.1964	Rs. 13,000/- per bigha
2176	17.6.1967	Rs. 27,000/- per bigha
2174	17.6.1967	Rs. 27,000/- per bigha

The following ~~share~~ sales were also found to have been made during 1965 to 1967: - The year-wise break up is as under: -

Year	Area	Consideration amount	Average per bigha
	B1g-B1s		
1965	1-1	Rs. 22,400-00	Rs. 21,240/-
1966	1-4	Rs. 34,700-00	Rs. 29,000/-
1967	0-6	Rs. 7,800-00	Rs. 26,000/-

REFERENCE u/s 12

The persons interested have filed references u/s 12 in the Court of ADJ. The details of the decided reference are as under: -

S.No.	L.A.C. Case No.	Date of decision	Enhanced amount
1.	7/69 (Award No. 2176)	1-9-1970	Rs. 35,000/- <i>per bigha</i>
2.	6/69 (Award No. 2174)	-de-	Rs. 33,000/- <i>per bigha</i>
3.	5/69 (Award No. 2174)	-de-	-de-

The Govt. has filed appeals in the High Court against the above judgement. Thus it will be seen that there are a number of awards made like 2174, ²¹⁷⁵2178 pertaining to this Village under notification dated 17.6.1967, 17.6.1967 and 15.1.1964. Judicial determination of the market value of land in respect of above awards was made at Rs. 33,000/-, 33000/- & 35,000/- as against 27,000/-, 27000/- and 13,000/- assessed by L.A.Cs. Present notification was issued on 27.2.1968 i.e. near to the above notification. No evidence for higher compensation has been produced.

The Govt. is reported to have filed appeals against.

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the enhancement determined by Ld. ADJ which are still pending in the High Court. I, therefore, assess the market value at Rs. 27,000/- per bigha.

OTHER COMPENSATION OF STRUCTURE AND WELL :- There is no well or structure on the land under acquisition.

SOLATUM

15 % solatium will be paid on the market value of the land.

INTEREST

Interest @ 6 % is ^{not} payable in this case. The possession of the land in question has not been taken over as yet.

LAND REVENUE

The land under acquisition is assessed to Rs. 1.39 as land revenue which would be deducted from the Khalsa Rent Bell from the date of taking over possession.

APPORTIONMENT

As regards payment, it will be made according to the latest entries in the revenue Record except where persons other than owners/occupants claim compensation.

SUMMARY

Compensation for land measuring 6200 sq. yds @ Rs. 27,000/- per bigha	Rs. 1,49,400-00
Solatium @ 15 % of market value	Rs. 21,060-00
	Rs. 1,61,460-00

(Rupees one Lakh Sixty One Thousand & Four Hundred & Sixty only)

U.K. Samrpal
28/3/85
(S. C. GURU)
LAND ACQUISITION COLLECTOR (H.S.)
DELHI.

Announced
U.K. Samrpal
28/3/85