OFFE Chowkhandi. Permanent. Acqn. In pursuance of the Chief Commissioner, Delhi's tion No.F.15(14)/54-LSG, dated the 11th December, 1954 s and 3 Biswas of land was notified under section 3 Resettlement of Displaced Tersons (Land Acquisition), or the construction of Cut-Fall Mallah at villages nd Tilaknagar in village Chowkhandi. The Notification tion was given wide publicity in the locality concerned ices under section 4 of the said Act were also served persons interested. TEMENT & CLASSIFICATION: The Consolidation of Holdings Operations took place the date of the Notification, on account of which the and Field Mos. changed. The position before and after the lidation of Holdings Operations, of the land under accus is given below: -Position after consoldat tion before consolidation of Holdings Operations <u>ldings Operations.</u> Big Field No. 6/20/ 2/20,2/21/2,2/22,2/1/1, 3/9,3/10/1,3/10/2,3/11, 2,3/20,3/21,4/16,4/26,5/5, 5/14,5/15,6/1,6/10, 6/16/1, 21/1,2/2/1,9/31,9/9/1,9/13/2, 16/2,9/17/2, 15/21/1, 15/22/1, /2/1,11/2/1/1,11/3/1,11/7/1, /8/1,11/15/1,12/11/1,12/13/1, 0021200000010022 2/14/2, 12/15/1/2,12/16,12/17, 3/18/2,12/19/2,12/20/1,16/3/2, 6/8,16/9/2,16/10/2/2,16/11,16/12, 5/3/2, measuring 68 Bighas and Biswas. contd...2.

es, the compensation shall

81tion hefana	consolidation
ELECTION OF DOLONG	Consolidation
TOIDINGS One	CO TE TOTAL OTOIL
O O O O	aulons.

of Holdings	er consolidat <u>Porations</u> .
Field No.	Area Big - Bi
12/20/2 •16/10/2/2 •16/10/1/1 •16/9/2	2 - 0 0 - 14 0 - 3
16/11/1 16/12/1 16/3/1/2	1 - 18 1 - 4 0 - 1 0 - 3
16/8/2- 16/3/2/2 20/2 12/15/1/1	1 - 6 0 5 0 - 5
Total:-	42 - 5

Satisfaction has been made about the measurement area at the spot by the Naib. Tehsildar and the Competent thority. The classification of the land under acquisition given as below:-

<u>Kind of Soil</u>		Area
Chahi. Rosli.		Big -Bis.
Flots. Abadi Bhatta.		25 - 1 3 - 17
Fits. Ghairmumkin Pa Ghairmumkin Na	77	2 - 17 3 - 5 0 - 5
Ghairmumkin We	11.	3 - 16 0 - 3.
	Total:-	12 - 5

PENSATION:

The method to arrive at the market value, as laid down r section 7-E of the Act is as under:-

"The arbitrator, in making his award, shall have due rd to the provisions of sub section (1) of Section 23 of the Acquisition 1ct, 1894(1 of 1894), provided that the market e referred to in clause first of sub section (1) of Section 1 the said 1ct shall be deemed to be the market value of land on the date of publication of the notice under section is on the 1st day of September, 1939, with an addition of cent, whichever is less; provided further that where land has been held by the owner thereof under a purchase before the 1st day of 1948, but after the 1st day

ber, 1939, by a Registered document, or a decree for tion between the afovesaid dates. the compensation shall

he price actually paid by the purchaser or the amount or ent of which he may have acquired the land in the decree pre-emption,". No Sale Transaction took place in the la er acquisition during the period from lst September, 193 1st April, 1948, as reported by the Naib. Tehsildar, Land uisition. Now there is one following method left:-1. Market value on the date of publication of Notification under section 3 (date of Notification - 11.12.1954). Shri Shri Niwas and Attar Singh, La-bardars of AIMS. illage Chowkhandi described the measurement as incorrect but satisfaction has been made by the Kanungo, at the spo over which they were also satisfied. On a similar applica made on behalf of Sant Singh, satisfaction was made by t Kanungo. By other applications Shri Attar Singh and Smt.

Devi w/o Shri Sant Singh demanded compensation at the re varying from Rs.10/- to 12/- per square yard with inter at the rate of 6% P.A., vide their written claim dated 30th September, 1957. Mr.K.P. Sinha, Income Tax Officer, I & II Surve Delhi vide his written claim, dated the 30th November, claimed Rs.4496/- for Jia Ial 5/16 share, Rs.5354/- for Singh 6/16 share and s.4496/- for Sant Singh 5/16 Sha Rs.14386/-.

Sant Singh by another written claim, dated th September, 1957 demanded s.4077/- towards compensati another claim of the same date, he demanded as .2658/2 compensation. He further stated that he produced Re Ext.P-1 to P-14 and a copy of agreement Ext.P-15 tog 2 copies of Registered Deed Ext.P-16-17 and one com Nagar colony Txt.P-18. His claim was in respect of under Brick Eiln, with which he produced Ext.F-19, dated the 25th June, 1951 and Ext, P-20 is another 1 dated the 8th February, 1952. Together with a cory

assessment of the Income Tax Ext.P-21 and his claim for 3.4077/-. He filed claim "C" for the land on conto no para to his lab

cont.d...

e of the Mallah to the extent of 22 Bighas in the snape of ong strip of land situated near the plots which was rendere less. Shri Attar Singh Lambardar stated that he transferre Bighas and 7 Biswas of land for Rs. 68700/- in favour of Car ht Singh s/o Jiwan Singh in village Chowkhandi, where Malla been constructed now. There were many pits in that land, ich were got levelled by Shri Sant Singh and he made a heme to make a colony there. He produced a written statemen t.F-22. Shri Bhagwati Sarup stated on the 31st December, 57 that he was the sole-owner of M/s.Bhagwati Sarup Shamshe ingh, when he took on lease 39 Bighas and 13 Biswas of land village Chowkhandi through a Registered Sale Deed dated e 5th November, 1951, for running his Brick-kiln business which the Registered Deed was executed Ext.C-1/1-4 and ceipts of payment were Ext.C-1/5 to 8. Ext.C-1/9 to 11 were he copies of the ledger that he only prepared for the Brickiln, upto the date of acquisition, where he made that ched ats for labourers, made an office, sink a well and engaged abour am servants, about which he menti ned in his claim ated the 4th January, 1951 that receipts Ext. 0-1/12-15 were h respect of the payment of sinking a well, Ext. C-1/16 was copy of the Khata, Ext.C-1/17 were receipts of 3.1051/4/6md Ext.C-1/18 was receipt of plaster material, Ext.C-1/19-we eceipts about the payment of Ss. 1620/-, Ext. C-1/21 was an greement about the ex-cavation of Kiln, Ext.C-1/22 was a eceipt of Rs.2154/11/9, Ext.0-1/23 were receipts of material f Rs.30330/11/6, Ext.C-1/24 was the receipt of Rs.160/- about ome implement, Ext.C-1/25 was a copy of ledger, Ext.C-1/26-2 ere the receipts, in agreement about the salaries of the sta xt.C-1/30 was a receipt of Rs.1430/-, Ext.C-1/31 was receipt f Rs.143/-. After the date of accuisition of the land in uestion, the cliamant took on lesse the land for funning the rick-kiln about 2 miles away from the land under acquisition or Ps.24500/- of which copies were Ext.C-1/32,C-1/37 and 1/38. That he ran a loss of Rs. 48000/- but claimed only thousands towards the demages, that he paid to his lab contd...2

n, that he sustained a loss of Rs.18000/- during this periodicate from the Board of Kiln Owners Association, which Ext.C-1/39.

IR AND REASONABLE VALUE:

The spot was inspected by the Naib. Tehsilder, Land equisition as well as by me. The valuation of the land to be assessed as it was at the time of the publication which was at the time of the publication the Notification or as it was on the lat day of September, 1939 + 40%. The question of all ling up the pits and levelling the ground does not arise.

The following transactions took place within 5 years receding the date of publication of Notification under Section of the Act:-

Mutation No. Date of Tegn. Area involved Big - Bis. <u>. Consideration :</u> Rs.68862/8/-Rs.27562/8/-- 6 -15 1-11-53 15 1-11-53 9.6.53 14.6.53 1000/-୍ବ ଅନ Rs. - 2 - 2 1000/ 20-11-53 0-12 3000/. $\mathbb{R}\mathbf{s}$. 11-5-53 -4 Rs. 1000/-Rs.14000/-1000/ 0 11 -14

(Oral)

137 6.5.53(Oral) 3 -7 Rs.68700/140 21.10.53 0 - 4 Rs. 900/141 3-9-53 0 - 2 Rs. 600/142 11.8.53 0 - 2 Rs. 540/146 15.6.53 0 - 3 Rs.630/
The above sales Transactions give an average of Rs.1820/9/5

per bigha or Rs.8738.83 per acre.

Notification No.F.15(7)/52-NT &CE, dated the 30th December, 1952, at the rate of Fs.45/- per bigha. The award was drawn up on the 31st July, 1953. After that many transactions took place as given above and there appears to be no reason as to why the average of the Sale Transactions should not be adopted for the assessment of the valuation of the land under acquisi which comes to Ps.1820/9/5 per bigha. The annual Rental value

is too low to be depended upon, specially when Sales Transact

are available. contd...6.

2. Market value on the 1st September, 939, with an addition of 40%.

No transaction took place within 5 years preceding he 1st November, 1939. However, an average of Rs.31.79 n er bigha is available in village Khyala (adjoining village howkhandi) on the basis of the Gale Transactions which took lace in the year 1938. The land under acquisition adjoins he land in village Khyala, being acquired for the same burpose. With an addition of 40% the rate comes to Rs.45/per bigha Kham. The land of village Chowkhandi is better than the land of village Ahyala, as found at the time of my inspection at the spot. The land of village Khyala is away from the inhabited site, while the land of village Chowkhand is situated within the area near the new Abadi. In another village Tatarpur, in which land is also being acquired for the same purpose, the average per bigha of the valuation com to Rs.63.80. The Maib-Teheildar, Jand Acquisition has sugges no rate and his report is not helpful. The rate in my opinion should be the average of the rates in villages Khyala and Ta pur, according to the situation of the land under acquisitie in village Chowkhandi, which is situated in between the land of Khyala and "atarpur. It comes to Es.34.77 per bishe and

div

Out of the rates given above the rate of 3s.48.67 per bigha as it was on the 1st September, 1939 + 40% is less and therefore, adopted.

There are 4 buildings in the land under acquisition of which compensation was assessed at Rs.6947/- by the Executive Engineer, Pevelopment Pivision, C.F.V.D, New Delhi

of	which	the details are given	below:-
SL	No.	Name of the person	<u>ímount.</u>
1.		Smt.Dhan Devi.	1347/-
2.		S. Gajinder "ingh.	2538 /-
3.		Smt.Nanki Devi.	850/-
4.		Sant Bhata Co.	2212/-

with an addition of 40% it comes to Rs.42.67.

Total:- Rs.6947/-

contd....7.

There is a well, which on my inspection was four to be a narrow one. I am of the opinion that its value shows the Rs. 400/-.

Interest at the rate of 6% F.A. would be added to the amount of compensation except that of Structures from 7th April, 1955, the date of possession, while that of the structures interest at the same rate would be chargefrom the 27th April, 1956, when the possession was transfaccording to letter No.1330/IACB, dated the 3rd Tay, 1956 from the then Land Acquisition Col ector to the executive Engineer, Development Division, C.T...D., New Delhi.

APPORTIONALENT:

land under acquisition, therefore, the previous rights coas before. There are some non-occupancy tenants and mortg over the land under acquisition. The land under mortgage redeemed, while for the land with non-occupancy tenants, the lease holders were entitled to compensation according the terms of the Lease. The details of the persons into e

The Land Reforms Act, 1954 does not apply to th

The offer is summerized as below:-

Sl.No. Kind of Soil	Area <u>Big-Bis</u> .	Rate per Bigha	Compensatio
1. Chahi. 2. Rosli. 3. Plots. 4. Abadi. 5. Bhatta. 6. Pits 7. Ghairmumkin.	1 - 17) 1 - 17) 25 - 4) 3 - 17) 2 - 17 3 - 5) 4 - 4) 42 - 5	Flat rate of Rs.48.67	Rs. 2056.31

4 Structures details of which are given in the body of the Offer.

are given in Appendix "A".

1 Well. ... Rs. 400.00

Interest at the rate of Rs.6% P.A.

Interest at the rate of Ps.6% P.A. from 4.7.55, to 25.6.58 on the land and from 27.4.56 to 25.6.58 on the Buildings etc.

.... Rs. 1352.38

Rs. 6947.00

TOTAL: - Rs.10755.69

CAND REVENUE DEDUCTION:

An amount of Rs.12.39 would be deducted from Aberif, from the Khalsa Tent Roll of village Chowkhandi.

The persons interested are being called for on the 25 inst; positively, to enable me to make the offer to them.

CONTETENT (USOIT

O F F E R No. 870A.

of the village:

Choukhandi.

re of acquisition:

Permanent.

This is a case for the acquisition of land the estate of Choukhandi required by the Government the public expense for a public purpose, namely, for resettlement of displaced persons from Pakistan. Laration under section 3 of the Resettlement of Dis-Persons Land Acquisition Act, 1948 for the construcof out-fall Nala at Tihar and Tilak Nagar was made Notification No.F.15(40)/54-LSG dated 11.12.54. Offer 70 was made by my predecessor Ch. Murari Singh for sighas 5 Biswas of land which was acquired vide that r @ Rs.48.67 nP per bigha plus interest at 6% from 55 to the date of payment. A sum of Rs. 347/- was for the structure. The then owners accepted the ensation regarding the structures, but refused the regarding the land. The cases went to the Arbitrator ave not yet been decided. The Ministry of Rehabilion in the meanwhile decided that a sum of 40 lakhs in tion to the previous offers may be given to the land from whom the land has been acquired under this Act hi. A scheme for the distribution of the Exgratia was prepared and was submitted to the Delhi Adminion. A rate of Rs.700/- per bigha for Choukhandi proved vide their letter No. 2010 F.15(175)/60-256 8. 2. 1962. According to the Act, the land owners chased the land between 1939 and September 1948 were eid the purchase price. The Delhi Administration 1r letter No.F. 15(175)/60-LSGz dated 24.8.62 hat even in those cases in which the land was after September 1948 but before the date of notiunder section 3 of the Act may also be given the wice if they are prepared to compromise the cases finally. Some of the land owners have come being

cases on the basis of these principles. There is, therefore, a necessity of the placing of the present offer. The compensation on this basis will be paid only to those who compromise the cases fully and finally and withdraw their applications from the Court of the Arbitrator. The details regarding such transactions are given below:-

of the owner	er Khasra No.	Area Big-Bis.	Date of purchase	Purchase price.	Remar
der Nath s/c	12/14/2/2 12/15/1/2 12/17/2/1	0 - 18 0 - 15 0 - 6 1 - 19	19.7.53	3373•92	This is a of 39-16 land pure for Rs. 688 vide Muta
	16/3/1/2	0 - 3	3 • 5 • 5 4	262.50	Part of 1 of land p chased for Rs. 27562.5 Mutation
	it. .nt	0 - 11 $2 - 0$ $2 - 11$	12.2.53	3012. 66	Part of 1 purchased Rs. 14000 Mutation 1 1.26.
agh.	9/14/1 9/17/2 15/20/2	2 - 4 2 - 4 1 - 9 1 - 11 N i 11			Part of 3 of land p chased for Rs. 68,700/vide Muta
	$y = \frac{15\sqrt{21/2}}{\text{m}}$ $\frac{10 21 2}{2}$	9 - 4	12.12.53	Rs. 18400/-	
Kaur Singh	11/3-8/ 2/2 Min.	0 - 4	9.6.53	Rs. 1000/-	Vide Muta
Rani • Lal	do	0 - 2	27.11.53	Rs. 500/-	Vide Muta No.131.
Bevi w/	o do	0 - 2	do	Rs. 500/-	Vide Muta No.132.
h s/o	do	0 - 4	do	Rs.1000/-	Vide Muta No.133
s/o	do o -	0 - 4	do	do	Vide Muta No.134
llu, irpa	do	0 - 12	do	Rs • 3000/-	Vide Nuta No.135.
	do	0 - 4	30.4.53	Rs. 1000/-	Vide i
				3/4 Sept.	

Unkinown. % - 8 Unknown Rs. 2000/-

This compen sation show be paid if transaction of a date previous to the date of notificatio under secti duction of regd.sale otherwise t compensation of Rs.700/per bigha v be paid for this area.

```
Rs.36049.08
                          16 -
                                   1
          Total...
                                  19
             9/9/1
                                                     He is the original
ns/o
             12/13/1
                                                           owner.
             12/18/2
                            2 -
                                   5
            12/19/2
12/15/1/1/
12/14/1/1
12/17/1/1
9/2/1
                            2
                                 14
                            0 =
                                   1
                            1 -
             5/16/1
                            0 - 17
                             Nill
                                   8
                            2 -
             11/6/2/2
11/15/1
                             Nill
                            2 -
                                       less 0-8 for item No.12.
```

Note:- Sant Singh states that out of this land 11 Bighas of land was awned under the leases while Bhri Attar Singh states that only 3 Bighas 5 Biswas was under the lease, of Sant Singh. The latter view is supported by the Khasra Girdawri. According to the lease dated 8.2.92 if the land was acquired within the period of 3 years of the date of lease then the whole compensation will go to the lease then only half the amount of compensation will go to the lease then only half the amount of compensation will go to the lessee. The other half going to the owner In this case the possession was taken on 4.7.55 i.e. 3 years and 5 months after the date of the lease. Half compensation will, therefore, go to the lessee and half to the owner. Further enquir will have to be made as to the amount of land und the lease.

Shm. 16/3/2/2 Nill.
Rem 16/8/2 1 - 6
11/2/2/11 0 - 13
11/3-8/11
Min.
1 - 19

Original owner.

10/22/1/2 0 - 5 10/11/2/1/1 1- 12

	•			
Mukhram	12/6/ 2 •12/15/2/2 16/10/1/1 16/10/2/2 16/9/2	1 - 4 0 - 3 0 - 14 1 - 18 1 - 4		
		7 - 5	Origin	al owner.
h.	20/2	0 - 5		
Grand T	otal	42 - 5	America - com see	

The land from Sl.No.1 to 12 measuring 16 Bighas 1 Biswa purchased for Rs. 36,049.08 ng. According to the principles tled withthe Delhi Administration, the owners of Sl. No.1 to ill get the pruchase price. The remaining Tand owners will compensation @ Rs. 700/- per bigha provided they compromise cases fully and finally and withdraw the cases pending with Arbitrator.

THE AWARD IS SUMMERRISED AS BELOW.

Compensation for 16 Bighas swa of land from Sl. No. 1 to 12. Rs.36,049.08 Compensation for 26 Bighas was of land @ Rs.700/- per bigha. Rs.18,340.00 Rs.54,389.08 msation according to the previous of 42 Bighas 5 Biswas of land @ 67 nP per bigha. .Rs. 2,056.31 est at 60 per annum from 4.7.55 7.63. 987.02 Rs. Rs. 3943.33 EXGRATIA GRANT. Rs. 51,345.75

Nand Kishore COMPERANT AUTHORITY 28.6.1963.

Submitted to the Collector of District for information ✓ (Nand Kishore) COMPRIENT AUTHORIS

NAME OF VILLAGE..... CHOWKHANDI.
NATURE OF ACQUISITION... PERMANENT.
SUPLLEMENTARY OFFER NO... 870-B

While drawing up award for the land of village Chowkhand notified u/s 6 vide notification No.F.4(24)/64-L&H dated the 18th Oct. 1965 it was noticed by the Land Acquisition Collector (P) that 2 big. 2 bis were acquired twice, first in offer No. 715 and secondly in offer No. 870, followeds by Supplementary Offer No. 715-A and 870-A respectively. The compensation paid in excess is, therefore, recoverable from the owners whose land is now being acquired as per the said notification. The details are as under:-

S.	No. Name	Kh.No.	Area	Compensation paid	
1)	Attar Singh Rati Ram.	s/o 12/14/1/1 min	0-10	8. 350-00	⁸ s₊ 350∙
		12/15/1/1	0-04	Ps. 140-00 Total	Ps. 140 Ps. 490-(
2)	Ramjas s/o Mukh Ram	12/15/2/2 min. 16/10/2/2	1-01	¹ 5• 735 - 00	is• 735 - €
		min	0-07	Ps. 245-00_ Total	명• 245-(명• 980-(
		Total	2-02		B•1470-0

It was also noticed that owning to ommission of entry in respect of mutation No. 124 in the revenue record the subnumbers and area of a few Kh.Nos have been wrongly entered the offer No. 870. Also some sub-numbers and area of other Kh.Nos have been wrongly entered. Correction is, therefore, necessary. The details are as under:-

S.No. Name	Kh.Nos acquired	Area	Amendment to be made Kh.No. Area.
1) Attar Singh	22/14/1/1	010	not to be acquired.
s/o Rati Ram	12/15/1/1	010	12/15/1/1/2 0-06
	9/8/1	008	9/8/2 008
	12/13/1	002	12/13/2/1 002
	12/18/2	205	12/18/1/2 205
	12/9/2	214	12/19/1/2 214
		609	515
2)Narinder Nath s/o Raja Ram.		015	12/15/1/2/2 0-15

Contd.....2

3) Ramjas s/o Mukh Ram. 12/15/2/2 16/10/2/2

1--04 0--14 12/15/2/1/2 0--3 16/10/2/2/1 <u>0--7</u>

Total

9-07

7--00

The revised summary of offer No. 870-A will be as under:-

SUMMARY

Compensation for 16 big 1 bis of land from S.No. 1 to 12 of offer No.870-A

Ps. 36049-08

Instead of 26 big.4 bis. compensation of 24 big. 2 bis @ %.700/- per bigha.

Ps. 16870-00

Instead of compensation according to the previous offer No. 870-A of 42 big. 5 bis of land @ %.48.67 P per bigha compensation of 40 big.3 bis at the rate of %. 48.67P per bigha.

Ps. 1954-11

Interest @ 6% per annum from 4.7.58 to 3.7.63

Ps. 937-67

Exgratia Grant.

Ps. 50027-30

As such amendment of Kh.Nos required in offer No. 870-A is made through this Supplementary Offer. The LAC(P) must be given a note for recovery of compensation paid in excess to the said owners in respect of 2 big. 2 bis as mentioned above.

Soon. Ilea.

(ZAINOWSHERWAM)

COMPETENT AUTHORITY.

RESETTLEMENT OF DISPLACED PERSONS.

(LAND ACQUISITION ACT 1948)

Belhi Dated 1.3.67

Re Supply Ceffer will be annaced an 13.36). Suform ell Camernes.

ZEFE JS

Dated the 11ths December, 1934.

15(14) /54-LSS: Whereas it appears to the Chief Couthat it is necessary to acquire specially land for placed persons by the Covernment at the public of repettlen 4 10 to bord ed that the land specified below will be exquired ton of Out Fall allah at Tehar and link Magazithe date of publication of this notification.

This notification is made unler the provisions of Section 3 of the Rement of Displaced Persons (Land Acquisition) Act, 1948, to all t may concern.

SECTIONION.

f villege Potel Area. Meld Futher. rpur State) q to) - 16 - 16 + 11 12 - 16 10 1 Big.17 Ms. 101 Mg.17 Ma By Order,

SA.(8. SMAROCE) Secretary (Local Self Government Department) to delhi State Government, Delhi.