

OFFER. = 871

Village: Chowkhandi.

Nature of acquisition: Permanent.

33 Bighas and 10½ Biswas of land was notified under the authority of the Chief Commissioner, Delhi vide Notification No.F.15(6)51-MIT, dated the 9th February, 1952, under section 3 of the Resettlement of Displaced Persons (Land Acquisition) Act, 1948, at the public expense, for a public purpose, namely for the construction of Out-Fall Nallah at Tihar and Tilaknagar. The Notification was given wide publicity in the locality and notices under section 4 of the said Act were also served on the persons interested.

MEASUREMENT & CLASSIFICATION: As already mentioned 33 Bighas and 10½ Biswas of land was notified, but by actual measurement at the spot, the area came out to be 15 Bighas and 17 Biswas only, comprising Field No.24/1/1. The Field Nos. given in the Notification differ from what it is at the spot and the position is given below:-

Field Nos. according to the Notification dated the 9th February, 1952.	Field Nos. according to the spot.
41m, 33m, 40m, 13m, 17m, 60m, 42m, 7m, 11m, 64m, 73m, 59m, 16m, having an area of 33 Bighas and 10½ Biswas.	24/1/1 having an area of 15 Bighas and 17 Biswas.

A move about corrigendum Notification is being made separately. This happened during the Consolidation of Holdings Operations in this Estate. The area was checked by the Naib. Tensildar and by me at the spot. The classification of the land under acquisition is Ghairmunkin Nallah.

COMPENSATION: The method to arrive at the market value is given under section 7-E of the Act as under:-

"The arbitrator, in making his award, shall have due regard to the provisions of sub section(1) of Section 23 of the Land Acquisition Act, 1894(1 of 1894), provided that the market value referred to in clause first of sub section (1) of Section 23 of the said Act shall be deemed to be the market value of such land on the date of publication of the notice under section 3, or on the 1st day of September, 1939, ^{with} an addition of 40 per cent, whichever is less; provided further that where such ⁵⁰ and ⁵⁰ ^{ont}

held by the owner thereof under a purchase made before the 1st day of April, 1948, but after the 1st day of September, 1939, by a registered document, or a decree for pre-emption between the aforesaid dates, the compensation shall be the price actually paid by the purchaser or the amount on payment of which he may have acquired the land in the decree for pre-emption". No sale transaction took place out of the land under acquisition during the period from 1.9.39 to 1.4.1948. According to the Proviso No.1 of Section 7 E, the calculations are given below:-

No.1. Market value on the date of publication of the Notice under section 3 of the Act.

There is no claim on the file. The land is Shamlat Peh. Only one transaction through mutation No.94, in respect of 10 Bighas and 10 Biswas of land for Rs.1000/- at the rate of Rs.95.24 Per Bigha took place in village Chowkhandi, within 5 years preceding the date of publication of Notification under section 3 of the Act. On the basis of Annual Rental Value the valuation of Rosli, over a period of 20 years comes to Rs.63.60 per bigha and the rate of Chahi by that method comes to Rs.40/- only. These are anomalous. But, whatever it may be this rate is in respect of the cultivated area while the land under acquisition is Ghairmunkin. On the basis of the Sale Transaction the rate per Bigha comes to Rs.95.24 or Rs.457.15 per acre, but an Award about 20 Bighas and 1 Biswa, under Notification No.F.15(T)52-MT,&CE, dated the 30th December, 1952 was given at the rate of Rs.45/- per Bigha, which should not be exceeded in any case.

No.2. Market value on the 1st September, 1939, with an addition of 40%.

No transaction took place within ⁴5 years preceding the 1st November, 1939. However, an average of Rs.31.79 per bigha is available in village Khyala (adjoining village Chowkhandi) on the basis of the Sale Transactions which took place in the year 1938. The land under acquisition adjoins the land in village Khyala, being acquired for the same purpose. 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 Khyala.

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 Chowkhandi is situated within the area near ^{to new chd.} it. In another village Tatarpur, in which land is also being acquired for the same purpose, the average per bigha of the valuation comes to Rs.63.80. The Naib. Tehsildar, Land Acquisition has suggested no rate and his report is not helpful. ^{to us.} The rate in my opinion, should be the average of the rates in villages Khyala and Tatarpur, according to the situation of the land under acquisition in village Chowkhandi, which is situated in between the lands of Khyala and Tatarpur. It comes to Rs.34.77 per bigha and with an addition of 40% it comes to Rs.48.67. This amount exceeds the amount calculated by method No.1 and therefore, ^{Rs 45.00 per bigha} it should be offered as compensation of land to the persons interested.

There is no tree, well or building in the land under acquisition. However, interest at the rate of 6% P.A. would be added from 7.4.55, the date of possession upto the date of payment which is likely to be the 25th June, 1958.

APPORTIONMENT:

The land under acquisition belongs to Shamlat Deh and the Land Reforms Act, 1954 does not apply to this Estate, therefore, the land does not invest in the Gaon-sabha and the amount of compensation has to be distributed to the persons interested, according to the measurement of rights, as entered in the Revenue records.

The offer is summarized as below:-

Sl.No.	Kind of Soil	Area Big - Bis.	Rate per bigha	Compensation amount.
1.	Ghairmunkin.	15-17	Rs. 48.67 ^{45.00} <i>li</i>	Rs. 771.42 ^{713.25} <i>li</i>
	Interest at the rate of 6% P.A. from the date of possession i.e. 7.4.55 upto the date of payment (offer) i.e. 25th June, 1958.		Rs. 140.04 ^{137.75} <i>li</i>
			Total:-	Rs. 920.46 ^{851.00} <i>li</i>

LAND REVENUE DEDUCTION:

No Land Revenue has been assessed over the land under acquisition, therefore, no deduction from the Khalsa Rent Roll

of village Chowkhandi for the acquisition of this land is necessary.

The persons entitled to compensation are being called for on the 25th inst; in my office in order to enable me to make the offer to them.

Miki
16.6.58
COMPETENT AUTHORITY.

O F F E R No.871A.

Name of the Village:

Chowkhandi.

Nature of Acquisition:

Permanent.

This is a case for the acquisition of land in village Chowkhandi required by the Government at the public expense for the public purpose namely for the Resettlement of Displaced persons, for the construction of Out-fall Nala at Tihar & Tilak Nagar. A declaration under section 3 of the Resettlement of Displaced persons Land Acquisition Act 1948 was made vide Notification No.F.15(6)/51MBT dated 9.2.52. The possession of the land was taken on 7.4.55. Offer No.871 was made by my predecessor for 15 Bighas 17 Biswas of the area which was actually acquired @ Rs.45/- per bigha. The land owners refused the offer and the cases were forwarded to the Arbitrator to assess the right compensation. The cases have not been decided so far. In the meanwhile, the Ministry of Rehabilitation has provided a sum of rupees 40 lakhs in addition to the amounts of the offer already made to the land owners whole land was acquired under the above Act, provided they compromise on this basis fully and finally and withdraw their cases from the Arbitrator. A scheme on the basis of Exgratia Grant was forwarded to the Delhi Administration and they have approved a rate of Rs.700/- per bigha for this village. This offer is, therefore, drawn on the basis of Exgratia Grant.

MEASUREMENT & OWNERSHIP.

According to the Notification, the total area to be acquired was 33 Bighas 10 $\frac{1}{2}$ Biswas. From actual measurement on the spot the area was found to be 15 Bighas 17 Biswas and Offer No.871 was made by my predecessor on this basis. The land ~~namely~~ is comprised in Khasra No.24/1/1 and the ownership of the land is as given below:-

Attar Singh s/o Ratti Ram 1/2,
Ami Chand s/o Ganga Ram 1/6,
Shri Miwas s/o Ram Rikh &
Shm.Surti widow of Ram Rakh 1/18,
Ram Chand & Phool Chand sons
of Piare in equal share 1/9,
Ram Jas s/o Mukh Ram 1/6.

The compensation according the Exgratia Grant is summarised as below:-

Compensation for 15 Bighas 17 Biswas of land @ Rs.700/- per bigha, according to the Exgratia Grant. Rs.11,095.00

Compensation according to the previous Offer. Rs. 713.25

Interest at 6% from 7.4.55 to 6.10.62. Rs. 320.96

Rs. 1,034.21

EXGRATIA GRANT.

Rs.10,060.79

The compensation will be paid on the basis of Exgratia Grant when the land owners withdraw their cases from the Arbitrator and are prepared to compromise on this basis in full and final settlement of their claim.

(Nand Kishore)
Land Acquisition Collector(I),
DELHI.
24.9.62.

Submitted to the Collector of District for information and filing.

(Nand Kishore)
Land Acquisition Collector
DELHI.
24.9.62.

Seen - Filed
[Signature]

3.10.62

DRAFT NOTIFICATION UNDER SECTION (4) ACT OF 1894.

Whereas it appears to the Chief Commissioner, Delhi that land is likely to be required to be taken by Government at the public expense for a public purpose, namely for the construction of
Out Fall Drain at Fithkura Tihar and Tikkar Nagar.

it is hereby notified that land in the locality described below is likely to be required for the above purpose.

This notification is, made under the provision of Section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid Section the Chief Commissioner is pleased to authorize the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

The Chief Commissioner is satisfied also that provisions of sub-section (1) of Section 17 of the said Act are applicable to this land and is further pleased under sub-section 4 of the said section to direct that the provisions of Section 5(A) shall apply.

(SPECIFICATION)

<u>Village</u>	<u>Total Area</u>	<u>Field Number or Part</u>
17. Tatarpur (Delhi State)	31 Bighas 17 Biswas.	16/10/1. 17/11/2. 17/12/1. 17/13/1. 17/18/1. 17/17/2. 17/25/1. 17/25/2. 25/2/1. 25/3/1. 25/4/1. 25/4/2. 24/1/1. 24/9/2/1. 24/9/2/2. 24/10/1. 24/10/2/1. 24/10/2/2. 24/10/2/3. 24/17/1. 24/16/1. 23/21/1. 23/21/2. 23/18/1. 23/15/2. 23/14/1. 23/14/2. 22/12/1. 22/11/2/1.
18. Chokhandi (Delhi State)	68 Bighas 3 Biswas.	2/11. 2/20. 2/21/2. 2/22. 3/1/1. 3/9. 3/10/1. 3/10/2. 3/11. 3/12. 3/21. 4/16. 4/25. 5/5. 5/6. 6/1. 6/10. 6/16/1. 6/16/2. 6/17. 9/9/1. 9/13/2. 9/14/1. 9/14/2. 15/21/1. 15/22/1. 11/1/1. 11/1/2. 11/3/1. 11/7/1. 11/8/1. 11/8/2. 12/13/1. 12/14/2. 12/15/1. 12/15/2. 12/18/2. 12/19/2. 12/20/1. 12/20/2. 16/9/2. 16/10/2/2. 16/10/2/3.
19. Nhyala, (Delhi State)	1 Bigha 17 Biswas.	13/20. 13/21. 14/16. 14/17. 14/1/6. 15/1. 15/10. 15/11.

DRAFT NOTIFICATION U/S 6 OF THE LAND ACQUISITION ACT, 1954

Whereas it appears to the Chief Commissioner of D.M. that land is required for a public purpose namely for _____

the construction of _____

Out Fall Blocks of _____ and _____ it is hereby notified that the land described in the specification below is required for the above purpose.

This declaration is made under the provision of Section 6 of the Land Acquisition Act, 1954 to all whom it may concern and under the provisions of Section 70 of the said Act, the Collector of D.M. is hereby directed to take order for the acquisition of the said land. A plan of the land may be inspected at the office of the Collector of D.M.

SPECIFICATION

LOCALITY **TOTAL AREA** **BOUNDARIES OR FIELD NOS.**

Tatarypur
(M.D. State)

11 Rights 17 Blocks.

16/10/1, 17/11/2, 17/12/1, 17/12/2, 17/12/3, 17/12/4, 17/12/5, 17/12/6, 17/12/7, 17/12/8, 17/12/9, 17/12/10, 17/12/11, 17/12/12, 17/12/13, 17/12/14, 17/12/15, 17/12/16, 17/12/17, 17/12/18, 17/12/19, 17/12/20, 17/12/21, 17/12/22, 17/12/23, 17/12/24, 17/12/25, 17/12/26, 17/12/27, 17/12/28, 17/12/29, 17/12/30, 17/12/31, 17/12/32, 17/12/33, 17/12/34, 17/12/35, 17/12/36, 17/12/37, 17/12/38, 17/12/39, 17/12/40, 17/12/41, 17/12/42, 17/12/43, 17/12/44, 17/12/45, 17/12/46, 17/12/47, 17/12/48, 17/12/49, 17/12/50, 17/12/51, 17/12/52, 17/12/53, 17/12/54, 17/12/55, 17/12/56, 17/12/57, 17/12/58, 17/12/59, 17/12/60, 17/12/61, 17/12/62, 17/12/63, 17/12/64, 17/12/65, 17/12/66, 17/12/67, 17/12/68, 17/12/69, 17/12/70, 17/12/71, 17/12/72, 17/12/73, 17/12/74, 17/12/75, 17/12/76, 17/12/77, 17/12/78, 17/12/79, 17/12/80, 17/12/81, 17/12/82, 17/12/83, 17/12/84, 17/12/85, 17/12/86, 17/12/87, 17/12/88, 17/12/89, 17/12/90, 17/12/91, 17/12/92, 17/12/93, 17/12/94, 17/12/95, 17/12/96, 17/12/97, 17/12/98, 17/12/99, 17/12/100.

Chakhanli
(M.D. State)

65 Rights . 3 Blocks.

2/11, 2/12, 2/13, 2/14, 2/15, 2/16, 2/17, 2/18, 2/19, 2/20, 2/21, 2/22, 2/23, 2/24, 2/25, 2/26, 2/27, 2/28, 2/29, 2/30, 2/31, 2/32, 2/33, 2/34, 2/35, 2/36, 2/37, 2/38, 2/39, 2/40, 2/41, 2/42, 2/43, 2/44, 2/45, 2/46, 2/47, 2/48, 2/49, 2/50, 2/51, 2/52, 2/53, 2/54, 2/55, 2/56, 2/57, 2/58, 2/59, 2/60, 2/61, 2/62, 2/63, 2/64, 2/65, 2/66, 2/67, 2/68, 2/69, 2/70, 2/71, 2/72, 2/73, 2/74, 2/75, 2/76, 2/77, 2/78, 2/79, 2/80, 2/81, 2/82, 2/83, 2/84, 2/85, 2/86, 2/87, 2/88, 2/89, 2/90, 2/91, 2/92, 2/93, 2/94, 2/95, 2/96, 2/97, 2/98, 2/99, 2/100.

Kyala,
(M.D. State)

1 Right 17 Blocks.

13/20, 13/21, 14/16, 14/17, 14/18, 14/19, 14/20, 14/21, 14/22, 14/23, 14/24, 14/25, 14/26, 14/27, 14/28, 14/29, 14/30, 14/31, 14/32, 14/33, 14/34, 14/35, 14/36, 14/37, 14/38, 14/39, 14/40, 14/41, 14/42, 14/43, 14/44, 14/45, 14/46, 14/47, 14/48, 14/49, 14/50, 14/51, 14/52, 14/53, 14/54, 14/55, 14/56, 14/57, 14/58, 14/59, 14/60, 14/61, 14/62, 14/63, 14/64, 14/65, 14/66, 14/67, 14/68, 14/69, 14/70, 14/71, 14/72, 14/73, 14/74, 14/75, 14/76, 14/77, 14/78, 14/79, 14/80, 14/81, 14/82, 14/83, 14/84, 14/85, 14/86, 14/87, 14/88, 14/89, 14/90, 14/91, 14/92, 14/93, 14/94, 14/95, 14/96, 14/97, 14/98, 14/99, 14/100.