

CHANDIGARH ADMINISTRATION
FINANCE DEPARTMENT
ESTATE BRANCH
Notification

No. 41/8/283-UTFI(5)-2017/ 13756

Dated 30-11-2017

Whereas the Chandigarh Administration issued a notification u/s 4 of the Land Acquisition Act, 1894 on 27.9.2006 for acquisition of 167.55 acres of land for the public purpose namely "For Rehabilitation of Slum Dwellers in village Maloya, U.T., Chandigarh". After hearing the objection u/s 5-A of the said Act, 1894, the declaration u/s 6 of the Land Acquisition Act, 1894 was issued on 21.9.2007. The Award was announced on 18.9.2009.

Whereas, the petitioners filed Civil Writ Petitions before the Hon'ble High Court, Chandigarh for quashing the notification dated 27.9.2006 issued u/s 4 and Award dated 18.9.2009.

Whereas, the Hon'ble Punjab and Haryana High Court, Chandigarh vide orders dated 09.12.2016 directed the Chandigarh Administration to constitute a team of officers including the Land Acquisition Collector to conduct a fresh survey and wherever residential houses/structures are found in existence before Section 4 notification was issued and if such structures are adjoining or near to the village abadi deh or the exempted land/properties, let such structures/houses be also released from acquisition subject to the deposit of development and other statutory charges by the owners/occupiers of the properties. It ^{was} also directed to release some reasonable open space also to enable the owners to utilize their houses/structures. Rest of the vacant land/area can be kept under acquisition.

Whereas, the Chandigarh Administration, as per the directions of the Hon'ble High Court dated 09.12.2016 constituted a committee vide order issued on 11.9.2017. The members of the Committee inspected the site in question at village Maloya on 29.9.2017. After verifying the physical position of houses/structures, it was found that only three petitioners were having pucca residential houses adjoining to village Abadi deh before Section 4 notification was issued and the remaining petitioners were having cattle shed-cum-store type structures built at the site. Therefore, the said Committee recommended to release the land of the said three petitioners only from acquisition, namely, Sh. Madan Lal S/o Sh. Hans Raj bearing Khasra No. 22//50 (0K-10M) and S/Sh. Harjodh Singh and Sh. Karnail Singh sons of Sh. Dal Singh bearing Khasra No. 29//4/1/2, 5/1/2 (0K-10M) who had houses on their lands prior to Section 4 notification of the Act, 1894. On the recommendations of the Committee, the Administrator, U.T., Chandigarh hereby orders to de-notify the residential houses/structures of the petitioners i.e. Sh. Madan Lal S/o Sh. Hans Raj bearing Khasra No. 22//50 (0K-10M) in CWP No. 21363 of 2011 – Madan Lal & Another and S/Sh. Harjodh Singh and Sh. Karnail Singh sons of Sh. Dal Singh bearing Khasra No. 29//4/1/2, 5/1/2 (0K-10M) in CWP No. 14135 of 2011 – Harjodh Singh & Another (total = 20 Marla i.e one kanal only) out of total 2.50 acres under litigation, from acquisition subject to the deposit of development and other statutory charges by the owners/occupiers of the properties.

Dated 26.10.2017

Administrator
Union Territory, Chandigarh
(By order and in the name of Administrator)

No. 41/8/283-UTFI(5)-2017/

Dated

A copy is forwarded to the Controller, Printing and Stationery, U.T. Chandigarh with the request to publish in this notification in the Chandigarh Administration Gazettee (Extra-ordinary) of today and to supply 30 copies thereof for official record.

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Additional Secretary (Estate)
For Secretary Estate
Chandigarh Administration