

AWARD NO. : 6/71-72
 NAME OF VILLAGE : GHARONDA NEEMKA BANGER.
 NATURE OF ACQUISITION : PERMANENT
 PURPOSE OF ACQUISITION : PLANNED DEVELOPMENT OF DELHI.
A W A R D

In pursuance of Delhi Administration notification F.15(iii) /59-LSG dated the 13th November, 1959 issued under the provisions of section 4 of the Land Acquisition Act 1894 the 34070 acres of land in various villages was notified for a public purpose namely for Planned Development of Delhi. The measuring 1545 bighas 6 bis in village Gharonda Neemka Banger was included in the aforesaid notification. Wide publicity was given. The appropriate Government after considering the report made u/s 5(a) sub-section 2 and being satisfied that the land was needed for a public purpose declared 1545 bighas 10 bis of land vide notification No.4(19)/65-L&H dated 20th June, 1966, u/s 6 of the said Act. Out of the land notified u/s 6 measuring 17 big. 9 bis is only being acquired through the award. The remaining area ~~shall~~ be acquired through a supplementary award or when instructions are received from the Land & Building Department.

O W N E R S H I P

The details of area under acquisition, ownership, tenancy Kh.Nos. and classification of soil is as under:-

S.No. Name of owner Name of occupant Kh.No. Area Kind of soil

1. Delhi Housing Co.,
 through Banwari Lal
 s/o Sheo Dayal r/o
 Pahar Ganj, Delhi.

3/3/1	0-11	G.M.Road	
3/3/6	0-01	- do -	
3/3/9	0-02	G.M.Plot	ot
3/3/10	0-02	- do -	
3/3/11	0-02	- do -	
3/3/18	0-02	- do -	t
3/3/21	0-02	- do -	
3/3/23	1-02	-do-Road	
3/3/24	0-03	G.M.Plot	
3/3/35	0-08	- do -	ot.
3/3/36	0-03	- do -	
3/3/36/1	0-05	- do -	
3/3/37	0-05	- do -	lot
3/3/38	0-05	- do -	
3/3/39	0-04	- do -	
3/3/42	0-05	- do -	Plot
3/3/45	0-01	- do -	
3/3/46	0-05	- do -Road	
18/3/1	0-12	- do -	Plot
18/3/3	0-03	- do -	
18/3/6	0-02	G.M.Plot	
18/3/12	0-02	- do -	
18/3/14	0-02	- do -	
18/3/1	0-02	- do -	...4/
18/3			
18/3/20	0-01	G.M.Road	
18/3/21	0-02	G.M.Plot	
18/3/22	0-02	- do -	
18/3/23	0-02	- do -	
18/3/24	0-02	- do -	
18/3/25	1-03	- do -	

2. Satya Narain s/o
Chander Bhan.
3. Smt. Kamlesh Kumari
d/o Gian Chand
w/o Amar Nath.
4. Bishamber Dayal
s/o Gajju Mal.
5. Hazari Lal s/o
Gokal Chand.
6. Ved Nath s/o
Hazari Lal
7. Amar Nath s/o
Nawal Kishore.
8. Ajudhaya Parshad
s/o Babu Lal
9. Parsnotam Lal s/o
Ram Rakha Mal.
10. Shiv Datt s/o
Amar Singh
11. Smt. Raj Kumari w/o
Ravinder Nath Gulati
12. Smt. Incha Devi
d/o Khubi Ram
w/o Nanak Chand.
13. Smt. Ram Vati Devi
w/o Ram Dhan.
14. Smt. Raj Rani
w/o Ram Bahadur.
15. Mani Lal Jain
s/o Pat Ram Jain.
16. Smt. Raj Kumari
w/o Bishambar Chand.

18/3/26 0-01 G.M. Plot
18/3/31 0-02 - do -
18/3/32 0-02 - do -
18/3/34 0-03 - do -
18/3/35 0-04 - do -
18/3/37 0-03 - do -
18/3/38 0-03 - do -
18/3/39 0-03 - do -
18/3/45 0-02 - do -
18/3/46 1-13 G.M. Road
10-06 G.M. Plot
(4-15)
G.M. Road (5-11)

3/3/2 0-02 G.M. Plot
3/3/3 0-02 - do -
0-04

3/3/5 0-02 G.M. Plot
18/3/4 0-02 - do -
18/3/5 0-02 - do -
0-06

3/3/4 0-02 G.M. Plot
3/3/40 0-04 - do -
0-06

3/3/7 0-02 G.M. Plot
3/3/29 0-04 - do -
0-06

3/3/8 0-02 G.M. Plot
3/3/30 0-04 - do -
0-06

3/3/12 0-02 G.M. Plot
3/3/13 0-02 - do -
3/3/14 0-02 - do -
3/3/15 0-02 - do -
3/3/41 0-02 - do -
18/3/17 0-02 - do -
0-12

3/3/16 0-02 G.M. Plot

3/3/17 0-02 G.M. Plot

3/3/19 0-02 G.M. Plot

3/3/20 0-02 G.M. Plot

3/3/22 0-02 G.M. Plot
18/3/2 0-02 - do -
0-04

3/3/25 0-03 G.M. Plot.

3/3/27 0-04 G.M. Plot

3/3/28 0-05 G.M. Plot

3/3/31 0-05 G.M. Plot
3/3/32 0-05 - do -
0-10

17. Smt. Sobhagaya Kumari w/o Gian Das Jain.	3/3/33 3/3/34	0-05 G.M.Plot 0-06 - do- 0-11
18. Smt. Maya Devi w/o Lal Singh.	3/3/43	0-04 G.M.Plot.
19. Om Parkash s/o Kanshi Ram.	3/3/44 18/3/26	0-01 G.M.Plot 0-02 - do- 0-03
20. Hari Chand s/o Gordhan Das Jain.	18/3/7 18/3/30	0-02 G.M.Plot 0-03 - do- 0-05
21. Smt. Bimla Vati w/o Kesho Ram.	18/3/8 18/3/29	0-02 G.M.Plot. 0-03 - do- 0-05
22. Smt. Kartar Kaur w/o Nirodh Singh.	18/3/9	0-02 G.M.Plot.
23. Jit Singh s/o Ishawar Singh.	18/3/10	0-02 G.M.Plot.
24. Sohan Lal s/o Wazir Chand.	18/3/11	0-02 G.M.Plot.
25. Shanti Kumar s/o Ram Sarup	18/3/18	0-02 - do-
26. Fateh Chand s/o Hari Ram.	18/3/19	0-02 - do -
27. Mahender Parshad s/o Munshi Ram.	18/3/27 18/3/28	0-04 - do- 0-04 - do- 0-08
28. Dan Singh s/o Har Nath Singh.	18/3/33	0-03 G.M.Plot.
29. Teja Singh s/o Bhagat Singh.	18/3/36	0-02 - do-
30. Babu Ram s/o Chhuttan Lal.	18/3/40	0-03 G.M.Plot
31. Bishamber Dayal s/o Hargian.	18/3/41 18/3/42	0-03 G.M.Plot 0-04 - do- 0-07
32. Asa Ram s/o Piarey Lal	18/3/43	0-04 - do -
33. Mohabir Parshad s/o Ram Parshad Jain.	18/3/44	0-04 - do-

17-9
G.M.Plot (12-18) G.M.Road (5-11)

CLAIMS AND EVIDENCE

In response to the notices u/s 9 and 10 of the Land Acquisition Act 1894 the following claims have been received which are as under:-

S.No.	Name of Claimants	Kh.No.	Rate claimed	Remarks.
1.	Delhi Housing Co. through Banwari Lal Managing Partner.	3/3/1, 3/3/6 3/3/23, 3/3/ 46, 18/3/1, 18/3/3, 18/3/20 18/3/25, 18/3/46.	Rs. 30/- per sq. yds for stated that the land in the compen- sation of the schedule I. land inclu- ded in sche- dule II be assessed in favour of & paid to the interested persons.	

In support they have filed following uncertified copies of saledeeds and judgements.

Copy of the decision of ADJ dated 7.6.69 in L.A. Case No. 122 of 1968, Delhi Housing Company v/s UOI in respect of 24 bighas 5 bis of land acquired through Award No. 1932 of village Gharonda Neemka Bangar notified u/s 4 on 3.3.1964.

L.A. Case No. 3 of 67 in respect of 3 bis of land acquired ~~in~~ ~~through~~ through Award No. 1932 of Village Jharonda ~~Kat~~ Neemka Bangar. Jagmondar Das Vs. UOI. The ADJ vide his judgement dated 28.1.69 made enhancement as under:-

From L.A.C. A.D.J.
Rs. 1700/- to Rs. 5000/-

The claimant ~~6~~ filed the following copies of Redg. Sale transactions:-

S.No.	Kh.No.	Area	Date of Regd.	Considera- tion.	Amount Average per sq. yds.
I	Plot No. 5 Block. H.	83.4 sq. yds	15.9.59	Rs. 834/-	Rs. 10/-
II	Plot No. 91 Block D Kh. No. 466/23/ 25, 470/23/78	200 sq. yds	11.6.62	Rs. 1200/-	Rs. 6/-
III.	Kh. No. 10/4 Plot No. 78 Block I.	200 sq. yds	17.10.62	Rs. 1400/-	Rs. 7/-
iv.	Plot 289 Block K.	200 sq. yds	17.6.61	Rs. 1000/-	Rs. 5/-
3.	Kashi Devi w/o Hazari Lal.	3/3/7 3/3/29 (6 bis)		Rs. 30/- per sq. yds plus 15% solatium	She states that the land is not agricultural but is in the shape of resi- dential plot.

3. Baij Nath s/o Hazari Lal. 3/3/8 As at S.No.2 As at S.No.2
3/3/30(6bis)
4. Khalinda Ram s/o Bala Ram. 3/3/15 - do- - do-
(2 bis)
5. Amar Nath s/o Nawal Kishore. 1/2 share of Rs.50/-per
Kh.Nos.18/3/17, sq. yds.
3/3/14,18/3/8, & 15%
3/3/41.
6. Pritam Singh s/o Plot No.H/11 Inder Singh. (100 sq.yds) Rs.50/- He states that
per sq.yds mutationhas
been sanctioned or
in his favour.
7. Harbhajan Singh Plot No.H/12 s/o Inder Singh (100 sq. yds) - do-
8. Brihaspati Lal Kh.No.3/3/16 s/o Jiwan Dass. (2 bis) Rs.100/- per
sq. yds &
solatium.
9. Parshotam Lal Plot No.27/H Plana s/o Ram 100 sq.yds) Rs.50/- per
sq.yds cost
of develop-
ment Rs.2000/-
and 15% solatium.
10. Gurbux Singh s/o Plot No.H/ Daleep Singh. 24(100 sq.yds) Rs.50/- sq. yds
& 15 % solatium.
11. Anchha Devi w/o Nanak Chand. Kh.No.3/3/22 and 18/3/2 Rs. 50/- per sq.yds.
(4 bis)
12. Smt.Raj Rani w/o Ram Bahadur Saxina. Kh.No.3/3/27 (4 bis) Rs.30/- per
sq. yds and
15% solatium
13. Muni Lal Jain s/o Hans Raj Jain. Plot H.I-37 (238.6)sq.yds Rs.50/- & He claims Rs.
9000/- for
structure com-
prising of two
room and latrine and Rs.1500/-
for the loss of
residence and
damages etc.
14. Smt.Raj Kumari w/o Sumer Chand Jain. Kh.Nos.3/3/31 3/3/32(10bis) Rs.30/- & solatium.
15. Om Parkash s/o L.Kanshi Ram. Kh.Nos.18/3/26 3/3/44. - do-
16. Sohan Singh s/o Basant Singh. Kh.No.18/3/7 (100 sq.yds) Rs.50/- & solatium He claims Rs.3000/
for structures
comprising one
room & boundry
wall, Rs.500/-for
loss of residen-
ce etc.Rs.2500/-
for development.

17. Shanti Kumar Kh.No.18/3/18 Rs.50/- They state that
s/o Ram Sarup Plot No.6 Shanti Kumar is
Brij Mohan s/o Block H owner of Plot 6
Ram Sarup. (100 sq. yds) Block and the other
Kh.No.118/1-2/ plot belongs to
26. Plot No. both of them.
253. Block K
(300 sq.yds)
18. Fateh Chand s/o Kh.No.18/3/19 -do- In support of his
Hari Ram. (2 bis) claim he has filed
Plot No.5 a copy of Registry
Block H.83.4 No.7469 executed
sq. yds. on 15.9.59 whereby
he purchased 83.4
sq.yds of plot for
Rs. 834/-
19. Budhan s/o Plot 20Block - do- He claims Rs.4000/-
Jhootar Harijan. H-I,100 sq.yds. for structure com-
prising one room,
Rs.1000/- for loss of
residence etc. and
Rs. 250/- for deve-
lopment.
20. Dhan Singh(Dhan Kh.No. Rs.30/-per
Singh) s/o Har 18/3/33 sq.yds.&
Nath Singh. (3 bis) solatium.
21. Teja Singh s/o Plot No. Rs.50/- per
Bhagat Singh. H-I/10 sq.yds and
133.4sq.yds solatium. He claims Rs.5000/-
for structure com-
prising one room
one Kitchen and
boundary wall for
loss of residence
and Rs.1550/- for
development.
22. Babu Ram s/o Plot H-1/6 Rs.30/- per
Chnutan Lal 168 sq. yds.sq.yds and
solatium.
23. Tejinder Singh Kh.No. -do-
s/o Thakur Singh 18/3/68
24. MahabirParshad Kh.No.18/3/
Jain s/o Ram 44 and
Parsad Jain. 26/105(11 bis) - do-
25. Mahesh Swaraup 3/3/35 Rs.50/- He claims Rs.15000/-
Bhatnagar s/o (213 sq.yds per sq. for structure com-
Babu Jagat Narain yds. prising of 3 room
Bhatnagar. 1 verandah, 1 ki-
-an, and 4 bound-
walls, Rs.1500/-
shifting expenses
Rs.1400/- for deve-
lopment.
26. Puran Singh 18/3/16 Rs.30/- per
s/o Ishawar Singh (2 bis) sq. yds and
solatium-
27. Lekhbir Singh Kh.No.18/3/
s/o Harnam Singh 15(2 bis. - do-
28. Moti Ram s/o 3/3/18,14/4
Siri Ramji. 14/3,470/23/-do-
142.

29. Smt. Kiran Wati w/o 18/3/38, As at S.No.28
Om Parkash Gupta. 468/2/9
30. Badri Nath Bagga Plot No.H. Rs.50/-per He claims Rs.4000,
s/o L.Babu Ram. 1/23 C.151- sq.yds. for structure
152 comprising 2rooms
and boundary wall
Rs.1500/- for
shifting expen-
ses and Rs.8000/- for development.
31. Smt. Neelam Sodhi 3/3/43 Rs.30/- per Sq. ft. *Rs.30/- per Sq. ft. is a solution*
w/o L.S. Sodhi. (4 bis)
32. Lakshmi Devi Plot No. Rs.60/- per They state that
w/o Vidya Wati, 215, 216 sq. yds. Sh. Anant Ram
Santosh Kumari ~~217~~ 41 & 7 Sharma had died
s/o Anant Ram and they were
Sharma. legal heirs.
33. Bishamber Dayal Kh.No.18/3/ Rs.50/- He claims Rs.5000
s/o Hargin Singh 41 and 18/ per sq.yd for structure
3/42(7 bis) comprising sheds,
Rs.10000/- for development.
34. Asha Ram s/o Plot H.1/3 Rs.50/- He claims Rs.
Piare Lal. 189 sq.yds. per sq.yd 3300/- for development.
35. Kamlesh Kumari Kh.No.18/3/5 Rs.50/-
w/o Amar Nath. 18/3/4 & 3/3/5 per sq.yd.

MARKET VALUE

17 bighas ~~8~~ bis situated in village Gharoda Neem Ka Bangar are under acquisition. It was notified u/s 4 on 13.11.1959. The notification covers 1545 bighas 6 bis.

One Award No.1932 was made in 1966. The land in question was notified u/s 4 on 3.3.1964. The L.A.C. granted Rs.1800/- per bigha kham for Block I and Rs. 1700/- per bigha kham for Block II. The ADJ in L.A. Case No.122 of 1968 Delhi Housing Co. Vs. UOI has critically discussed all aspects. He determined Rs. 2750/- per bigha kham for land in block I and Rs. 2500/- per bigha kham for land in block II in the case of the owner only.

The land under acquisition was notified u/s 4 on 13.11.59. The market value fixed by the ADJ relates to March 1964. So the same rate cannot be allowed.

In the L.A. Case No.179/67 the ADJ determined market value by allowing 5% interest for the period between date of notification and the rate allowed in Award No.1834. When

market value could be calculated by this method, in this case, I see no reason not to apply the same method. The difference here would be that 5% interest would have to be deducted from the predetermined rate to arrive at the market price prevailing in November 1959. Accepting the value of land to be Rs.2750/- of Block I on March 1964, 5% interest for $4\frac{1}{2}$ years which comes to Rs. 618.75P is deducted from it (Rs.2750), the value of land is Rs.2131.25P on 13.11.59.

Similarly in the case of Block II the value of it is Rs. 1937-50P.

I am accepting the rates fixed by the ADJ in L.A. Case No.122/1968 because the rates allowed by him in other references arising out of the same award have been appealed against. In this particular case appeal has not been filed. That means that the rate allowed to the owners is the tangible market value of the land acquired in award No.1932. It also implies that the rate does not exclusively relate to the colonizer.

The situation and conditions of the land under acquisition are similar to the land acquired in Award No.1932. That being so the land under acquisition would also have to be divided into two blocks; one adjoining the Delhi — Patpar Ganj Road and the other beyond it. The Block I will comprise of Kh.No:

3/3/1, 3/3/2 to 3/3/22

and 18/3/1, 18/3/2 to 18/3/42 measuring 5 bighas 8 bis. *and 18/3/14 to 18/3/24*

and Block II of Kh.Nos:

3/3/23, 3/3/35, 3/3/36/1, 3/3/37 to 3/3/46, 18/3/25, 18/3/26 to 18/3/26/1, 18/3/27 to 18/3/46 measuring 12 bighas 1 bis.

In the result I hold the market value of Block I to be Rs. 2100/- and Block II Rs.1935/- per bigha kham and award the same.

TREES AND WELLS

There is no tree or well on the land under acquisition.

STRUCTURES

There are a number of structures in the land under acquisition. The details are as under:-

S.No.	Kh.No.	Name of occupant	Details of structure	Remarks
1.	18/3/27	Budhan s/o Jhootar	One room.	
2.	3/3/28	Muni Lal Jain s/o Hans Raj.	Two rooms and Laterine.	
3.	3/3/35	Mahesh Sarup Bhatnagar s/o Jagat Narain Bhat Nagar.	three rooms, one verandah and Kitchen and boundary wall.	
4.	3/3/42	Badhri Nath Bagga s/o Babu Ram.	Two rooms and boundary wall.	
5.	18/3/36	Teja Singh s/o Bhagat Singh.	One room, Kitahan & Boundry wall.	
6.	18/3/41-42.	Bishamber Dayal s/o Hargian.	That-ched shed.	
7.	18/3/7	Sohan Singh s/o Basant Singh	One room and boundary wall.	

The claimants did not produce any proof to show when they constructed the above structure. According to Revenue Record no structure existed in the date of notification u/s 4. The claimants or persons interested should file prove within a month from the date of announcement of the award. Each case will be examined separately and compensation assessed and will be awarded through a supplementary award.

I N T E R E S T

The land was notified u/s 4 on 13.11.59 and u/s 6 on 20.6.1966. As such interest u/s 4(3) on the amount of compensation for the period from 13.11.62 to the date of announcement of award is payable and will be allowed.

DEDUCTION OF LAND REVENUE

The land under acquisition is assessed at 20P as land revenue. The same shall be deducted from the land revenue roll of the village from the next harvest after the possession of the land is taken over.

APPORTIONMENT

1. Compensation of the land under acquisition will be paid to the owners according to the latest entries in the Revenue Record.
2. Kh.Nos. 3/3/9, 3/3/10, 3/3/18, 3/3/21, 3/3/24, 3/3/26, 3/3/35, 3/3/36, 3/3/36, 3/3/37 to 3/3/39, 3/3/42, 3/3/45, 18/3/6, 18/3/12, 18/3/13 to 18/3/16, 18/3/21 to 18/3/24, 18/3/26/1, 18/3/31, 18/3/32, 18/3/34, ^{18/3/35} 18/3/37 to 18/3/39 and 18/3/45 according to Revenue records belong to Delhi Housing Corporation who have not claimed compensation for these Kh.Nos. Other interested persons ^{have} claimed it. The compensation as such shall remain disputed.
3. Kh.No. 3/3/8 and 3/3/30 according to Revenue records belongs to Ved Nath s/o Hazari Lal but Sh. Baij Nath s/o Hazari Lal has claimed it. The compensation shall remain disputed.
4. Kh.Nos. 3/3/12, 3/3/13, 3/3/15 belong to Amar Nath who has not mentioned these Kh.Nos. in his claim. Beside ^{nda} Khali ~~and~~ Ram has claimed Kh.No. 3/3/15. Compensation of these Kh.Nos. shall remain disputed.
5. Kh.No. 3/3/16 belongs to Ajudhaya Parshad who has not claimed it. Brihaspati Lal s/o Jiwan Das has claimed it. As such compensation shall remain disputed.
6. Kh.No. 3/3/20 belongs to Smt. Raj Kuma ri-who has not claimed it. But Gubax Singh s/o Daleep Singh has claimed its compensation. Its compensation shall remain disputed.
7. Kh.No. 18/3/7 belongs to Hari Chand s/o Gordhan Dass Jain who has not claimed it. Sh. Sohan Singh s/o Basant Singh has claimed it. Its compensation shall remain disputed.
8. Kh.No. 18/3/8 belongs to Smt. Bimla Wati w/o Kesho Ram who has not filed her claim. Instead Amar Nath s/o Nawal Kishore has filed his claim for it. Its compensation shall remain disputed.

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9. Kh.No.18/3/27 belongs to Mehender Parshad who has not filed his claim. Sh. Budhan s/o Tootar has claimed it. Its compensation shall remain disputed.
10. Kh.No.3/3/24 and 18/3/39 belong to Delhi Housing Co. Smt. Lakshmi Devi and Santosh Kumari heirs of Anant Ram have claimed their compensation. The amount of compensation shall remain disputed.
11. Kh.No.18/3/46 belong to Delhi Housing Co. who have claimed it. Besides Asha Ram s/o Piare Lal has also claimed it. Its compensation shall remain disputed.

The Award is summarised as under:-

SUMMARY

Compensation of Block I land
measuring 5 bighas 8 bis @
Rs. 2100/- per bigha kham.

Rs. 11,340-00

Compensation of Block II land
measuring 12bighas 1 bis @
Rs. 1935 per bigha kham.

Rs. 23,316-75
Rs. 34,666-75

15% solatium.

Rs. 5,198-51

Interest u/s 4(3) @ 6% per
annum from 13.11.62 to
6.5.71. 8-35/73 years.

Rs. 17,632-21
~~Rs. 17,632-21~~

GRAND TOTAL

Rs. 57,487-47

(Rupees fifty ^{seven} ~~seven~~ thousand four hundred ^{eighty} ~~seven~~ and paise fourty seven only)

(SHAM KARAN)

LAND ACQUISITION COLLECTOR (P)
DELHI.

Announced and filed today

7.5.71.