

Award No.6-B/1971-72 Supplementary

Village.

Gharonda Neemka Banger

Purpose of Acquisition: Planned Development of Delhi

Nature of Acquisition: Permanent.

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These are proceedings u/s 11 of the Land Acquisition Act 1894 to determine compensation in respect of land measuring 20 big. 1 bis. situated in village Gharonda Neemka Banger. The land forms part of the general notification issued by the Delhi Admn. u/s 4 L.A Act vide No.F15(III)/59-L&H dt.13.11.59 for 34070 acres scheme. A declaration u/s 6 of the Act was issued vide No.F4(19)/65-L&H dt.20.6.66 notifying 1545 bigha 6 biswas land of this village alongwith the land in other villages. The land is required by the Govt. at the public expense for a public purpose namely for the Planned Development of Delhi.

Notices u/s 9 & 10 of the Act were issued to the persons interested in the land measuring 20 big. 1 bis. Claims filed in response to the notices, will be discussed under the heading 'Claims & Evidence'.

Measurement & correct area.

Out of an area measuring 1545 big.6 bis. notified u/s 6 L.A Act, an area measuring 77 bigha was acquired through awards No.6/1971-72 and 6-A/1971-72 supplementary. The present proceedings are confined to an area 20 big. 1 bis. as mentioned above and will be treated as a supplementary award. The area was measured on the spot by the field staff and found to be correct as 20 big. 1 bis. The remaining area notified u/s 6 will will be acquired through ~~other~~ supplementary

awards as and when required by the Govt.

The detail of the land under the present acquisition is as below:-

Khasra No.	Area	Kind of soil.

235/1/1	0-01	G.M. Plot.
235/2/1	0-07	do
235/3/1	0-01	do
235/4/1	0-01	do
236/1	0-01	do
236/2	0-04	do
236/3/1	0-01	do
236/5/1	0-01	do
236/6/1	less than biswa	do
236/6/3	0-01	do
236/7/1	less than biswa	do
236/9/1	0-01	do
236/10	0-04	do
236/11	0-03	do
236/12	0-09	do
236/13	0-09	do
236/14	0-02	do
236/15/2	0-09	do
236/17/2	0-02	do
236/18	0-04	do
236/19	0-04	do
236/20	0-01	do
236/21	0-01	do
236/22	0-01	do
236/23	0-05	do
236/24/2	0-04	do
236/25/1	0-01	do
237/1	0-04	do

237/2	0-01	G.M.Plot.
237/3	0-04	do
237/4/1	0-04	do
237/5/1	0-01	do
237/6/1	0-06	do
237/7	0-03	do
237/8	0-05	do
237/9	0-02	do
237/10	0-03	do
237/11/1	0-03	do
237/12/1	0-02	do
237/13/1	less than 2 biswa	do
237/15/1	0-01	do ✓
237/16	0-01	do
237/17/2	0-01	do
237/18	0-02	do
238/1	0-01	do
238/2	0-03	do
238/3	0-04	do
238/7/1	0-04	do
238/4	0-05	do
238/5/1	0-02	do
310/1	0-03	do
310/2	0-01	do
310/3/1	0-02	do
310/4/1	0-01	do
311/1	0-02	do
311/2	0-02	do
311/3	0-04	do
311/4	0-02	do
311/5	0-04	do
311/6	0-04	do

311/7	0-01	G.M. Plot.
311/8	0-02	do
311/9	0-04	do
311/10	0-04	do
311/11	0-03	do
311/12/1	0-03	do
311/13	0-04	do
311/14	0-04	do
311/15/1	0-02	do
311/20/1	0-02	do
311/21	0-04	do
313/1	less than biswa	do
313/2/1	do	do
313/6/1	do	do
313/5/1	0-01	do
314/1/2	0-08	do
314/2	0-12	do
314/3	0-04	do
314/4	0-02	do
314/5	0-04	do
314/6	0-02	do
314/7	0-04	do
314/8/1	0-01	do
314/9/1	0-01	do
315/1/1	0-02	do
315/2/1	0-01	do
315/3/1	0-02	do
315/3/3	less than biswa	do
315/4/1	0-01	do
315/5/1	0-04	do
315/6	0-02	do
315/7	0-01	do
316	1-19	do

317/1	0-11	G M Plot
317/2/1	0-07	do
317/4/1	0-01	do
317/5	0-01	do
317/6/1	less than biswa	do
317/8/1	0-01	do
317/9/1	less than biswa	do
318	1-01	do
319/1	0-03	do
319/2	1-00	do
319/3/1	0-19	do
319/4/1	0-07	do
319/5/1	0-04	do
320/1	0-01	do
320/2/1	0-02	do
320/3/1	0/01	do
324/1	0-02	do
324/2/1	0-08	do
324/3/1	0-02	do
325/1-2/1	0-01	Rosli
Rosli	0-01	
GM Plot	<u>20-00</u> 20-01	

Ownership & Occupancy.

S.No.	Name of owner	Occupancy if any.	Kh.No.	Area	Kind of soil
1.	Menta Krishan Lal s/o Menta Kanshi Ram (Mortgager).	Self	235/1/1	0-01	GM Plot
			235/3/1	0-01	"
	S. Mangal Singh s/o S. Sant Singh (Mortgagee).		235/4/1	0-01	"
			236/1	0-01	"
			236/6/1	less than biswa	"
			236/6/3	0-01	"

236/10	0-04	GM Plot
236/11	0-03	do
236/12	0-09	do
236/13	0-09	do
236/15/2	0-09	do
236/18	0-04	do
236/19	0-04	do
236/20	0-01	do
236/21	0-01	do
236/22	0-01	do
236/25/1	0-01	do
237/1	0-04	do
237/2	0-01	do
237/6/1	0-06	do
237/9	0-02	do
237/10	0-03	do
237/17/2	0-01	do
237/18	0-02	do
238/1	0-01	do
238/2	0-03	do
238/3	0-04	do
238/7/1	0-04	do
310/1	0-03	do
310/3/1	0-02	do
310/4/1	0-01	do
311/1	0-02	do
311/2	0-02	do
311/3	0-04	do
311/4	0-02	do
311/9	0-04	do
311/11	0-03	do
311/12/1	0-03	do

	311/14	0-04	GM Plot
	313/5/1	0-01	do
	313/6/1	less than biswa	do
	314/1/1	0-08	do
	314/4	0-02	do
	314/5	0-04	do
	314/6	0-02	do
	314/7	0-04	do
	314/8/1	0-01	do
	314/9/1	0-01	do
	316/1	less than biswa	do
	316/5	do	do
	6-15		
Mst. Tulsi Bai w/o Self	235/2/1	0-07	do
Amar Singh (mortgager). Mangal Singh s/o	236/14	0-02	do
S. Sant Singh (mortgagee)		0-09	
Subash Chand s/o do	236/9/1	0-01	do
Ram Sarup, Anand			
Kumar Manocha s/o			
Kewal Krishan (mortgager).			
S. Mangal Singh (mortgagee)			
Som Nath s/o Mehta Krishan	237/16	0-01	do
Mool Chand (mortgager) Lal s/o			
Mehta Kanshi	236/17/1	0-02	do
S. Mangal Singh Ram (mortgagee).			
Lila Ram s/o Mool Self	236/2	0-04	do
Chand through			
Marela 1 (mortgager)	236/3/1	0-01	do
S. Mangal Singh mortgagee.			
Smt. Jaswant Kaur do	236/5/1	0-01	do
w/o Sant Singh			
mortgager.			
S. Mangal Singh mortgagee.			
Jewan Chand s/o do	236/7/1	less than biswa	do
Indagar Chand mortgager.	237/5/1	0-01	do
S. Mangal Singh mortgagee.			

8. Lekh Raj s/o Self Bal Mukand Malhotra mortgager.	236/23	0-05	GM Plot
S. Mangal Singh mortgagee.	238/4	0-05	do
9. Lila Ram s/o self Mool Chand, Dewan Chand s/o Lilaram s/o Saudagar Mal Mool chand in equal share through M/S. Lila Ram piare Lal, mortgager. S. Mangal Singh, mortgagee.	236/24/2	0-04	do
	238/5/1	0-02	do
10. Mst. Sushil Kaur self w/o Hari Chand mortgager. S. Mangal Singh mortgagee.	237/3	0-04	do
	237/4/1	0-04	do
11. Sardari Lal s/o do Mool chand, mortgager. S. Mangal Singh, mortgagee.	237/7	0-03	do
12. Mst. Lajwanti do w/o Dina Nath mortgager. S. Mangal Singh, mortgagee.	237/8	0-05	do
13. Manohar Lal s/o do Mool. Chand. mortgager. Mangal Singh, mortgagee.	237/15/1	0-01	do
14. Smt. Premwati w/o do Bhirasthi Chaturth mortgager. S. Mangal Singh, mortgagee.	237/11/1	0-03	do
	237/12/1	0-02	do
	237/13/1	less than biswa	do
15. Rajinder Kumar do s/o Phool Chand mortgager. S. Mangal Singh mortgagee.	310/2	0-01	do
	311/8	0-02	do
16. Harbans Lal s/o do Amar Nath, mortgager. S. Mangal Singh, mortgagee.	311/6	0-04	do
17. R.N. Seth s/o do Bishan Dass Seth mortgager. S. Mangal Singh mortgagee.	311/7	0-01	do

18. Hem Raj & brothers Self	311/5	0-04	GM Plot
ss/o Hukam chand			
mortgager,	311/13	0-04	do
S. Mangat Singh,			
mortgagee.			
19. Avtar Singh s/o do	311/10	0-04	do
Gopal Singh,			
mortgager.			
Sander Mangal			
Singh, mortgagee.			
20. Raghunath s/o do	311/15/1	0-02	do
Tara chand,			
mortgager,			
S. Mangal Singh,			
mortgagee.			
21. Sh. Jaswant Lal do	311/20	0-02	do
s/o Beli Ram			
Yogesh Chand s/o	311/21	0-04	do
Jai Dev (mortgager)			
S. Mangal Singh	313/1	lessthan biswa	
mortgagee.	313/2/1	do	do
22. P.P. Verma s/o do	314/2	0-12	do
Ram Lubhaya,			
mortgager.			
S. Mangal Singh			
mortgagee.			
23. Om Parkash s/o do	314/3	0-04	do
Ram Lubhaya			
mortgager.	Mehta Kishan - 316/6	0-03	do
S. Mangal Singh Lal s/o			
mortgagee.	Mehta Kashi		
	Ram.		
24. Mangat Ram s/o do.	316/4	0-02	do
Mulk Raj, Milki			
Ram s/o Budha			
Ram, Kharaiti			
Lal s/o Lachhman			
Lal in equal			
share, 3/4 share.			
Smt. Ram, Piar			
w/o Chakanda Ram			
Bhagat, mortgager.			
1/4 share.			
S. Mangal Singh,			
mortgagee.			
25. Badri Nath s/o do	316/3	0-18	do
Chuni Lal,			
Manohar Lal s/o			
Sadhu Ram,			
Shadi Lal s/o			
Arjan Singh,			
Krishan Dutt s/o			
Ram Chander in			
equal share,			
mortgager.			
S. Mangal Singh,			
mortgagee.			

26. Ram Lubhaya s/o self Amir Chand Chopra mortgagor. S. Mangal Singh, mortgagee.	316/2	0-18	GM Plot.
27. Bholu Nath s/o Mehta Shankar Das Kishan Lal mortgagor. s/o Mehta S. Mangal Singh, Kashi Ram mortgagee.	316/7	0-07	do
28. Mehta Kishan Lal self s/o Mehta Kanshi Ram	315/1/1	0-02	do
	315/2/1	0-01	do
	315/4/1	0-01	do
	315/5/1	0-04	do
	315/6	0-02	do
29. Banarsi Dass s/o self Shadi Ram	315/3/1/	0-02	do
	315/3/3	less than	biswa do
30. Om Parkash s/o do Ram Lubhaya	315/7	0-01	do
	317/1	0-11	do
31. Bholu Nath s/o do Shankar Das	317/2/1	0-07	do
32. Mehta Kishan Lal do s/o Mehta Kanshi Ram.	317/4/1	0-01	do
	317/5	0-01	do
	317/6/1	less than	biswa do
	317/8/1	0-01	do
35. Prem Singh, Prem, do Ramji Raj ss/o Sumer Singh.	317/9/1	less than	biswa do
34. M/s Delhi Housing Mehta Co. Kishan Lal s/o Mehta Kanshi ram	318	1-01	do
35. Mehta Kishan Shantisarup 319/1) Lal s/o Mehta s/o Bholanath) Kanshi Ram. 319/4/1) 0-05 do 319/5/1)			
Jag Shankar,	320/1	0-01	do
Harishankar,			
Vijay Shankar,	324/2	0-02	do
Ravi Shankar,			
Partap Shankar	324/2/1	0-08	do
ss/o Uma Shankar in equal share.	324/3/1	0-02	do
	325/1-2/1	0-01	Rosli

36. Mangat Ram s/o Shanti 319/2 1-0 GM Plot
 Mulk Raj, Sarup s/o
 Milki Ram s/o Bholanath
 Buta Ram,
 Kharaiti Lal s/o
 Lachhman Lal,
 in equal share,
 3/4 share.
 Smt. Ram Piari,
 w/o Chakinda
 Ram Bhagat,
 1/4 share.

37. Gela Ram s/o do 319/3/1 0-19 do
 Asa wanda,
 K.L. Soni s/o
 Koka Ram.

38. Brijlal s/o do 320/2/1 0-2 do
 Gopal Rai
 320/3/1 0-1 do

Claims & evidence.

S.No. Name of claimant 'Kh.No.' Area Amount 'Evidence
 claimed.

1. Lt. Col. P.P. Verma 314/2 720 sq.yd Rs.40/- per sq. Copy
 yd. of sale
 15% solatium deed
 dt.
 23.2.56
 for ownership

2. Ram Piari w/o 319/2)
 Chankanda Ram) 0-4 Rs.80/- per sq. Nil
 Bhagat. 316/4)
 yd.
 15% Solatium
 Interest.

3. Joginder Singh 311/10 200 sq. do Nil
 s/o Avtar Singh yd.

4. Harbans Lal s/o 311/6 0-4 do Nil
 Amar Nath.

5. Banarsi Dass s/o 315/3/1
 Shadi Ram nil Rs.50/- per sq.yd. Nil
 315/3/1 plus interest.

6. Ram Lubbhaya s/o 316/2 0-18 do nil
 Ami Chand Chopra

7. Sardari Lal , 237/7 200 sq.yd Rs.60/- per sq. nil
 Manohar Lal, yd.
 ss/o Mool Chand 237/15/1 400 sq.yd 15% solatium.
 Krishna Rani 6% interest.
 w/o Som Nath. 236/17/2 200 sq.yd. Alternative
 & 237/16 site.

8. Jag Shankar, 324/1 Rs.15/- per sq.yd. nil
 Hari Shankar, Vijay 324/2/1 15% solatium
 Shankar, Ravi shankar 324/3/1 6% interest
 Partap Shankar ss/o 325/1-2/1
 Ram Shankar through Partap Shankar.

9. Shanti Sarup s/o Bholanath	319/1	As at S.No.8	nil.
	318/4/1		
	319/5/1		
	319/2		
	319/3/1		
	320/2/1		
	320/3/1		
10. Jaswant Kaur d/o Sant Singh	236/5 (400	Rs. 60/- per sq.yd. XXX	
	236/4 (sq.yd.	15% solatium. 6% interest. Alternative plot.	

XXX Copy of sale deed dt. 3.4.57
for ownership.

11. Lila Ram s/o Mool Chand	236/2	0-4	do	Copy of sale deed dt. 5.1.57 for ownership.
	236/3	0-1		
12. Lekhraj s/o Balmukand	236/23	0-5	do	Copy of sale deed dated 3.4.57 for ownership.
	238/4	0-5		
13. Lila Ram s/o Mool Chand, Dewan Chand s/o Saudagar Mal.	236/24/2	500 sq. yd.	do	As at S.No. 11.
	238/5/1			
14. Dewan Chand s/o Saudagar Chand	236/7/1	0-1	do	-do-
	237/5/1	0-1		
15. Mehta Kishanlal s/o Mehta Kanshi Ram.	235	1-12	Rs. 40/- per sq. yd.	A list of persons to be paid Rs. 15000/- as whom he cost of roads. had sold Rs. 30000/- for out land severance. in shape of plots.
	236	3-1		
	237	1-2		
	238	0-13		
	310	0-3		
	311	1-15		
	313	1-3		
	314	0-1		
	319	0-1		
	320	0-15		
	324	0-1		
	325	1-9		
	318	1-1		

16. Mangat Ram Chopra
S/o Mulkh Raj,
Smt. Ram Pauri W/o
Chakandaa Ram, Milki
Ram S/o Boota Ram
Kherati Lal s/o
Lachman Dass

330,331
(1000 sq.yds)

1. Rs. 150/- per Nil
sq.yds.
2. 15% Solatium
3. 9% Interest

17. Badri Nath S/o
Chuni Lal, Manohar
Lal Batra S/o Sadhu
Ram, Krishan Dutt Sharma
S/o Ram Chand, Shadi Lal
S/o Arjan Singh.

316
(1000 sq.yds)

-do- Nil

MARKET VALUE:

In the present case the date of preliminary notification is 13.11.59 and as such the market value is to be determined with reference to the price of land as prevailing during that time. The value of the land can be assessed with reference to bonafide sales of similar land possessing similar advantages.

The claimants in the present case have adduced no evidence to substantiate their exorbitant claims of compensation. Therefore, efforts were made at this end to evaluate the market value of the land with reference to the previous awards and sale transactions that took place in respect of land similarly circumstanced.

In this village there have been five awards so far of which three awards were made with reference to the date of preliminary notification as 3.3.64 and the material date in the remaining two awards is 13.11.59, as is in the present case. The details of these awards are as below:

6/1971-72	13.11.59	Rs. 2100/- Block A.
6-4/71-72(Sup.)	"	Rs. 1935/- B.
		Rs. 1425/-

The land acquired in awards No. 6/71-72 cannot compare with the land under acquisition as it is located at a distance from the present land and moreover it enjoys favourable location being abutting on the Main Bar Canj Road.

Award No. 6A/71-72 Supp., offers guidance in the present case as the land acquired

close vicinity of the land under acquisition and is of the same characteristic. The mkt. value in the award was based on transactions of sale having been struck on 11.5.59 vide mutation Nos. 920 & 1031 in respect of land measuring 11 Bis. & 9 Bis. respectively.

The record of rights of the land in the present case, reveal that there have been a largenumber of sale transactions in respect of land under acquisition in the shape of plots presumably for residential purposes. It appears that the sales took place with an idea to lay out a colony. But physically no colony was laid out at the spot, as per inspection made by the field staff. There is nothing like roads, lanes etc., existing physically at the spot for public facility. It is clear that the object of the various sale transactions could not be achieved, for reasons best known to the persons interested. The entire land under acquisition is lying vacant at the spot and it seems that the entry of G.M. plot in the revenue record is fake as no plots have been laid out. It is doubtful if the idea of laying out a colony could have materialized in the context of the Master Plan and the local municipal laws.

These sales reveal that the area transferred is similar and obviously sale prices can be deemed reasonable if the land is adjusted against a well lay out scheme of colonization. The land under acquisition is a chunk of land and cannot fetch prices of small plots unless a portion of it is set out for laying roads, lanes, schools paths and public amenities. There is no hard and fast rule for these deductions and therefore it would be reasonable to make a deduction of 25% for laying out of the land under acquisition into a colony out of the total price fetched.

In the sale transactions discussed earlier one bigha land was sold for a sum of Rs. 1900/- and on applying a deduction of 25% as discussed above, the rate per bigha .15/-.

works out to Rs. 1425/-. I consider this to be the fair market value of the land in the present case and award the same accordingly.

OTHER COMPENSATION:

Trees, wells, Structures: There are no wells, trees or structures on the land under acquisition.

SOLATIUUM: 15% solatium will be paid over and above the market value of the land towards compulsory nature of acquisition.

INTEREST:- The case falls within the purview of Land Acquisition (Amendment & Validation) Act, 1967. Therefore interest will be payable only on the market value of land from the period on expiry of three years from the date of notification u/s 4 of the Act, which in the present case is 13th Nov., 1959, to the date of announcement of Award which is tentatively fixed as 13.12.72.

LAND REVENUE:- The land under acquisition is assessed to Rs. 4-01 paise which will be deducted from the Khalsa Rent Roll of the village from the date of taking over possession.

APPORTIONMENT:- Compensation will be paid according to the latest entries in the revenue record. In case of dispute the matter will be referred to the court U/s 30&31 L.A. Act, 1894.

SUMMARY:

- | | |
|--|---------------|
| 1. Compensation for land measuring 20 big. 1 bis. @ Rs. 1425/- per bigha. | Rs. 28,571-25 |
| 2. Add 15% solatium | 4,285-69 |
| 3. Interest @ 6% per annum only on the market value i.e. Rs. 28,571-25 of the land v.e.f. 13.11.62 to 12.12.72 (10 years 1 months) | Rs. 17,285-61 |

GRAND TOTAL: Rs. 50,142-55

(Rupees Fifty thousand one hundred forty two & paise fifty five only.)

(V.K. BHALLA)

LAND ACQUISITION COLLECTOR (MSW)
DELHI.