

WARD NO.....28/1969.

NAME OF VILLAGE..... GARHI PIRAN.

NATURE OF ACQUISITION.. PERMANENT.

PURPOSE OF ACQUISITION. PLANNED DEVELOPMENT OF DELHI.

In pursuance of Delhi Administration notification No.F.

15(111)/59-LSG dated the 13th November, 1959 issued under

the provisions of section 4 of the Land Acquisition Act

1894, 34070 acres of land in various villages was notified

for a public purpose namely for Planned Development of

Delhi. The land measuring 7 bighas 2 bis alongwith other

land measuring in village Garhi Piran was included in the

aforsaid notification. & Wide publicity was given.

Objections were received u/s 5(a) of the said Act and same

were submitted with a report for the decision of the

appropriate Government. The appropriate Government after

considering the report made u/s 5(a) needed for a public

purpose declared 7 bighas 2 bis of land vide notification

No.F.4(30)/63-L&H dated 24.4.1968 u/s 6 of the said Act.

Thereafter notices u/s 9(1),9(11) and 10(1) of the/above

were issued to the interested persons to submit their claims

which will be discussed at proper place.

MEASUREMENT

The area given in the notification u/s 6 of the Land

Acquisition Act is 7 bighas 2 bis and the same is found

correct as per measurement done by the field staff.

OWNERSHIP

The detail of area under acquisition, ownership, tenancy

Kh.Nos and classification of soil is as follows:-

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

1) Darbari s/o Self 376 3-02 Fellow No. 2.

2) Ram Sarup s/o Self 374 1-18 G.M.Factory
Ram Lal. 375 2-02 - do-
4-00

Total land under acquisition.

7-02

Fellow No.2(3.02) G.M.Factory(4-0)

C L A I M S A N D E V I D E N C E

In response to notices u/s 9 and 10 of the land Acquisition Act 1894 the following interested persons filed their claims

No.	Name of claimant.	Kh.Nos.	claimed Rate of compensation claimed.	Other perticul- ars.
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	M/S Capital Glue Manufacturing Co. through S/Sh.Om Parkash Aneja and Gurmukh Das Grover.	374, 376 and 375	--	They have stated that at the notices was given to Sh. Ram Sarup a partner of the claimant firm. Though the mutation has not been done in the name of Capital Glue Manufacturing Co. who are the owners of the land. The firm has obtained a declaratory decree from the court of Sh.K.K.Sethi. They have further stated that their firm has taken on 99 years lease the land from Sh. Darbari.
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2)	M/S Capital Glue Manufacturing Co. through Sh. O.P. Aneja partner. through Ragnbir Singh & Chandu Lal Counsels.	374 to 376 7 big.2 bis	Rs.1500/- per bigha for land.Rs.80000/- for structures including well. Rs. 50000/- for the machinery Rs. 100000/- for the damages on account of change of the site of the Industry. Rs.20000/- for damages on account of transportation of machinery. Rs. one lak for damages owing to loss of earnings Rs. 50000/- for damages on account of change of occupation. 15% for compulsory acquisition. 6% interest because of the interference of the industry between notification u/s 4 and 6 according to amendment Act.	They state that vide Rgd.Deed No. 1786 dated 28.6.57. Sh. Darbari transpered Kh.No 376 for Rs.4500/- to the company. Since than the claimant company is in possession of Kh.No.376(3 bigha 2 bis) as Bhomidar. They have further stated that whole of the land under acquisition in the company of the scheme is in the possession of the company and there is no lease, tenant mortgage or any encumbrances thereon. The factory is being used as such since the last 16 years.
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3) Ram Sarup
s/o Ram Lal

He states that Kh.No 374 & 375 do not belong to him. The Company filed a declaratory suit and obtained a decree

against him in the Civil Court. He did not file any appeal against the judgment. M/S Capital Glue Manufacturing is the right claimant to

In support of their claim M/S Capital Glue Manufacturing filed a plan, estimate of construction showing the cost amounting to Rs. 83309/- and a copy of Regd. deed No.1786 registered on 28.6.1957 whereby land bearing Kh.No.376 was leased out by Sh. Darbari s/o Nihal Singh in favour of the said company on consideration of Rs. 4500/- for 99 years. The lesser has stated in the agreement that he was the owner of less than 8 standard Acres and as such has given the land on lease.

MARKET VALUE

In the revenue Estate of village Garni Piran governed by the Delhi Land Reform Act 1954, 7 bighas 2 bis fall under acquisition in the present scheme. The date of notification u/s 4 of the present scheme is 13.11.59. The market value prevailing on that date is to be determined and awarded. For this purpose the sale transactions taking place during the five years from 1954-55 to 1958-59 are apparently to be considered. Only during 1958-59 two sale transactions are reported. They are as under:-

S.No.	Mutation No.	Date of registration.	Kh.No.	Area	Price per bigha
1)	507	15.10.59	207 208	3-03 3-00	Rs. 1625/-
2)	509	24.1.59	559 560	2-11	Rs. 2353/-

The relevancy of these sale transactions is undisputable. Both took place earlier to the date of preliminary notification. But the situation varies. One (mutation No.509) is on the Delhi Rohtak road and the other (Mutation No.507) is a little further from the said road. Compared with the situation of the land of these sale transactions the land under acquisition is similarly situated./

Before accepting or rejecting these sales it is expedient to take into the awards that have already been made in

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the village. Although several awards have been made the one that strikes the eye is award No.1658. The land acquired through award No.1658 touches the land under acquisition. In it the LAC dividing the land into two Blocks and awarded for Block A Rs.1500/- and for Block B Rs. 1000/- .

The ADJ in references u/s 18 has enhanced compensation awarded by the L.A.C. He has divided the land acquired in Award No.1658 into four categories. The first category of land is that land which abuts the Delhi Rohtak Road, second is that land which is flat and even the third is that which is dug up but has the advantage of a 'Rasta' and fourthly that which is Bhatta having no access, or advantages like the other three.

✓ According to this break up of land the land under acquisition is covered under the first category. It abuts Delhi Rohtak Road. For this category of land the ADJ has allowed Rs. 2500/- per bigha kham. No appeal was filed by the U.O.I. The L.A. case numbers are 532/1965 Mukhtiar Singh V/s. U.O.I. and 835/1965 Sh. Chand and others V/S U.O.I. As such I accept the value of the land under acquisition to be Rs. 2500/- per bigha and award for the same for the date of notification u/s 4 and the situation and conditions are similar to 1st Category of land as placed by the ADJ in his judgement mentioned above relating to Award No.1658.

I N T E R E S T

The land under acquisition was notified u/s 4 on 13.11.59 and it was declared u/s 6 on 24.4.1968. Under the provision made in Amendment Act. Interest @ Rs.6% per annum on the amount of compensation is payable.

S T R U C T U R E S (W E L L S T A N K S E T C)

There are some structures on the land under acquisition for which M/S Capital Glue Manufacturing Co. has claimed a huge amount, It has been evaluated at Rs. 62690/- by Sh. B.D. Sharma Assistant Engineer(Valuation). The valuation statement submitted by him on 3.2.69 has been filed, in the acquisition file. As such I hold the value of the structures to be Rs.62,690/- and award the same. I also allow Rs. 200/- for shifting machinery

S O L A T I U M

15% solatium will be allowed as required under the Act.

ABUTEMENT OF LAND REVENUE

The land under acquisition is assessed to Rs. 3.33P as land Revenue. The same shall be deducted from the Land Revenue Roll of this village from the next harvest after possession of the land is taken over.

A P P O R T I O N M E N T

Compensation will be paid to the interested persons according to the latest entries made in the Revenue Record.

The award is summarised as under:-

S U M M A R Y

Compensation of 7 bigha 2 bis of land @ Rs.2500/- per bigha kham.	Rs. 17,750-00
Value of Structures.	Rs. 62,690-00
15% solatium	Rs. 12,066-00
Interest @ 6% per annum on the amount of compensation u/s 4(3) of the Amendment Act 1967 for the period from 13.11.62 to 12.10.69 i.e. (6 years 11 months).	Rs. 33,382-60
Shifting charges for the removal of machinery, oil engine, Pumping set alongwith pipe line Boiling Tank and Evaporator etc.	Rs. 200-00
G.Total	Rs. 1,26,088-60

(Rupees One Lak twenty six thousand eighty eight and paisa sixty only.)

(SHAM KARAN)
LAND ACQUISITION COLLECTOR (P)
DELHI.

Announced and paid today

4-12-69

DEPT. ADMINISTRATION, DELHI.

NOTIFICATION

Dated the 11 April, 1958.

No. S. 4(30)/53-LAH. Whereas it appears to the Government of Delhi that land is required to be taken by Government at the public expense for a public purpose, namely for the planned development of Delhi, it is hereby declared that land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1954 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector of Delhi 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 Delhi.

SPECIFICATION

Village or Area Locality. M.C. No. Field Nos. or boundaries.

Garhi Pitham. 7 - 08 376, 375, 376.

By order,

(D.P. HANUWALA)
Deputy Secretary III (Land & Building)
Delhi Administration, New Delhi.

No. S. 4(30)/53-LAH. Dated the 11 April, 1958.

Copy forwarded to the:-

1. Public relations Department, Delhi Administration, (in duplicate) for publication in the Delhi Gazette.
2. Additional District Magistrate (Land Acquisition) Delhi.
3. Land Acquisition Collector (Palam Circle) Delhi.
4. Legal Advisor, Land & Building Department, Delhi.
5. Tehsildar (Land & Building Department) New Delhi.
6. Central Record Cell (Land & Building Department) Delhi.

D. P. HANUWALA

(D.P. HANUWALA)
Deputy Secretary III (Land & Building)
Delhi Administration, Delhi.

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8/11/58