

AWARD NO. : 11/2001-02

NAME OF VILLAGE : HOLAMBI KALAN

NATURE OF ACQUISITION: PERMANENT

PURPOSE OF ACQUISITION: FOR SHIFTING OF INDUSTRIAL UNITS FROM
CITY AREA OF DELHI/NEW DELHI.

INTRODUCTORY

These are the proceedings U/S 11 of the Land Acquisition Act, 1894 for determination of compensation in respect of the land measuring 211 bighas 14 biswas in Village Holambi Kalan. The land is required by the Govt. for a public purpose namely for shifting of industrial units from the city area of Delhi/New Delhi. The land stands notified U/S 4 and 17(1) of the LA Act. vide notification No. F.10(20)/2000-L&B/LA/6640 dated 7-8-2000. In view of the urgency of the scheme provision of section 17(1) of the Act are applicable to this land. The DELHI GOVT. issued declaration U/S 6 of the Land Acquisition Act vide notification No.F.10(20)/2000-L&B/LA/8578 dated 11-9-2000. Notices U/S 9 & 10 of the aforesaid Act were issued to the interested persons. In response to the notices claims filed by the interested persons have been mentioned under the heading 'CLAIMS'.

MEASUREMENT :- The area to be acquired as given in the declaration U/S 6 is 211 bighas 14 biswas. As such present award confines to an area measuring 211 bighas 14 biswas. Details of the same are as under:-

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KHASRA NO.	AREA (BIGHA-BISWA)
18/25 min	0-03
19/15	3-06
19/16	4-16
19/17	5-04
19/18 min	1-11
19/21 min	2-14
19/22 min	4-12
19/23	4-16
19/24	3-15
19/25	2-02
20/6	4-10
20/7	4-16
20/8	4-16
20/9	4-13
20/10	1-09
20/11	4-16
20/12	4-16
20/13	4-16
20/14	4-16
20/15/1	1-14
20/15/2	0-07
20/17	4-18
20/18	4-18
20/19	3-12

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20/20	4-16
41/1	4-16
41/2	3-16
41/3	3-01
41/10	4-13
41/11	0-18
42/4	1-14
42/5	4-10
42/6	4-16
42/7 min	4-14
42/8 min	1-19
42/13	3-17
42/18	1-17
65/1	4-16
65/10	4-16
65/11	4-16
65/12	4-16
65/18	4-16
65/19/1	2-08
65/19/2	2-08
65/20	4-16
65/21	4-16
65/22	4-16
65/23	4-16

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71/1	4-16
71/2	4-16
71/3	4-16
71/4	4-16
71/7	2-06
71/8	2-10
71/9	3-04
71/10	3-07
TOTAL	211-14

CLAIMS

S. No.	Name of the Claimants	Khasra No.	Area	Claims & Objections
1.	Ram Lal S/o Hukam Chand	65/19/2, 22, 23	min	Rs.5000/-per sq.yds
2.	Jaswant S/o Kishan Lal	20/19		Rs.5000/-per sq.yds
3.	Jai Pal S/o Kishan Lal	20/19		Rs.5000/-per sq.yds
4.	Bhim Singh S/o Mahender	20/18		Rs.5000/-per sq.yds
5.	Satbir S/o Kishan Lal	20/19		Rs.5000/-per sq.yds
6.	Zile Singh S/o Zandu Ram	20/17		Rs.5000/-per sq.yds
7.	Ramdhari S/o Hukam Chand	65/19/2 min, 22, 23 19/2 min, 22 min, 23 min		Rs.5000/-per sq.yds
8.	Ishwar Chand S/o Hukam Chand	----do--		Rs.5000/-per sq.yds

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9. Ramesh Chand S/o Hukam Chand	-----do--	Rs.5000/-per sq.yds
10. Nand Lal S/o Parbhu	65/12	Rs.10000/-per sq.yds
11. Balwan Singh S/o Mehar Chand	20/18	Rs.10000/-per sq.yds
12. Sat Parkash, Om Parkash, Ved Parkash, Rajinder Parshad sons of Nathu Ram	65/1, 10	Rs.10000/-per sq.yds
13. Bhim Singh S/o Mehar Chand	20/18	Rs.10000/-per sq.yds
14. Amit Sachdeva S/o Jai Gopal Sachdeva	20/19 min, 19-A, 20, 21, 22, 38/1, 2, 9/1	Rs.10000/-per sq.yds
15. Suresh Kumar S/o Hardwari Lal & Ramesh Kumar S/o Balbir Singh	19/21 min, 22 min	Rs.10000/-per sq.yds
16. Zile Singh S/o Parbhu	65/12	Rs.10000/-per sq.yds
17. Krishan Kumar S/o Smt.Bhoti Devi Naresh Kumar, Shyam Sunder & Raj Kumar Sons of Sh. Parbhu Dayal	42/7	Rs.5000/-per sq.yds
18. Mange S/o Kanhiya	41/10, 11	Rs.5000/-per sq.yds
19. Smt. Darshna W/o Rishal Singh, & Narender, Virender, Surinder, Sachin sons of Sh. Rishal Singh	19/18, 12	Rs.10000/-per sq.yds
20. Mahesh Kumar, Naresh Kumar, Suresh Kumar, Sunil Kumar, Parmod sons of Jai Parkash	65/18, 19/1	Rs.10000/-per sq.yds

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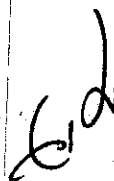
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21. Pirthi Singh, Ramesh Kumar, Shiv Charan, Gajraj all sons of Richh Pal	42/18	Rs.10000/-per sq.yds
22. Bhim Singh S/o Parbhu	65/12	Rs.10000/-per sq.yds
23. Satpal S/o Beg Raj	65/12	Rs.10000/-per sq.yds
24. Smt. Khajani W/o Shera	42/6	Rs.10000/-per sq.yds
25. Jagat Singh S/o Het Ram	65/21, 71/1, 10	Rs.10000/-per sq.yds
26. Parkash S/o Mai Chand	19/23	Rs.10000/-per sq.yds
27. Prem Singh, Anoop Singh, Satbir Singh all sons of Sh. Dharm Singh	73/3, 2/2, 8, 9	Rs.10000/-per sq.yds
28. Jagdeswar, Om Parkash, Gajraj, Vasudev all sons of Sh. Het Ram	65/21, 71/1, 10	Rs.10000/-per sq.yds
29. Smt. Prem Lata W/o Inder Mohan Aggarwal	20/7, 8 min, 13 min, 14	Rs.10000/-per sq.yds .
30. Inder Mohan Aggarwal S/o Sh. Ram Chander Aggarwal	27/7, 8 min, 13 min, 14	Rs.10000/-per sq.yds
31. Brahm Dutt S/o Rattan Lal	71/7	Rs.10000/-per sq.yds
32. Angoori Devi W/o Kishori Lal	20/6, 15/1	Rs.10000/-per sq.yds

The above mentioned claimants are the recorded owners as per the revenue record.

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MARKET VALUE:-

While determining the market value of land as on 7-8-2000 i.e. the date of notification under section 4 of the Land Acquisition Act, several factors such as location of the land, nature of soil, awards announced in the recent past of the same or adjoining villages, pronouncement of different courts, claims filed by the interested persons, sale deed and price policy of the Govt. regarding acquisition of agricultural land are to be taken into consideration.

The land under acquisition is agricultural land and is being used for agriculture.

The interested persons have generally claimed exorbitant prices of their land by making claims from about Rs.5000.00 per sq.yds. to Rs. 10,000.00 per sq.yds. They have, however, not filed any documentary evidence in support of their claims. The claims, therefore can not form the basis of determination of market value.

In a policy announcement which came into effect from the financial year 1999-2000 & 2000-2001 i.e. 1-4-99 & 1-4-2000 the Govt. of National Capital Territory of Delhi fixed the indicative prices of agricultural land @ 12.16 & 13.82 lakh per acre for the acquisition of agricultural land vide their order No. F9(20)/80/L&B/LA/B490 dated 11-9-01 which are applicable w.e.f. 1-4-99 and 1-4-2000 respectively.

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In view of the absence of any documentary evidence on record to the contrary, I find Rs. 13.82 lakhs per acre to be the most reasonable price as on 01-04-2000. The notification under section 4 was issued on 7-8-2000 and the price of the land is to be determined as on the date of notification under section 4 itself. I, accordingly, determine the market value of the land @ Rs. 13.82 lakhs per acre or Rs. 287916.66 per bigha.

INTEREST :-

Interest U/S 2B of LA Act will be given on market value + solitium + additional amount as per judgement of Hon'ble Supreme Court of India.

In addition to the market value fixed above, land owner will be entitled to all other benefits as per the provisions of the L.A. Act.

CROPS

At the time of taking over possession of land on 5-10-2000, there was no Kharif Crop on the whole land. Therefore no need to give the compensation for the crops in the award. Hence, the crop has not been assessed for the purpose of compensation.

TUBEWELL

There are 4 tubewells alongwith Kotha in Khasra No. 20/7, 20/13, 15/2, 65/1 Land owner are at liberty to remove the structure/pipes and I allow Rs.2500/- per tubewell-kotha as removal charges.

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TREES :-

There is one Kikar Tree on the land under acquisition in Khasra No. 19/21 value of the same Rs.240/-.

STRUCTURES :- There is no structure.

SOLATIUUM

As provided under sub-section 2 of section 23 of the Land Acquisition (Amendment) Act, 1984, the interested persons will be paid 30% solatium on the market value of the land due to compulsory nature of the acquisition.

POSSESSION

The physical possession of the land measuring 211 bigha 14 biswa has been taken over and handed over to the requisitioning department on 5-10-2000.

ADDITIONAL AMOUNT :-

The interested persons are entitled to additional amount under section 23-1-A of the Land Acquisition Act @ 12% per annum on the market value of the land from the date of notification U/S 4 till the date of possession or the announcement of the Award whichever is earlier.

APPORTIONMENT

Compensation will be paid to the interested persons according to the latest entires in the revenue record. In case of any dispute regarding title, apportionment the matter would be referred to the Court of ADJ, Delhi under section 30-31 of the Land Acquisition Act.

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LAND REVENUE

Land revenue to be assessed and to be deducted from the Khalsa rent roll of the Village the date of taking over possession of the land.

SUMMARY OF THE AWARD

1.	Market value of 211.14 bigha @ Rs. 13.82 lac per acre or Rs.287916.66 per bigha	60951958.33
2	30% solitium on market value Rs. 60951958.33	18285587.49
3.	12% Addl. amount on the market value w.e.f. 7-8-2000 to 4-10-2000 = 59 days	1182300.99
TOTAL (SL.NO.1 + 2 + 3)		80419846.81
4.	9% interest on market value + solitium + additional amount i.e. Rs.80419846.81 w.e.f. 5-10-2000 to 4-10-2001 (365 days)	7237786.21
5.	15% interest on market value + solitium + additional amount i.e. Rs.80419846.81 w.e.f. 5-10-2001 to 11-2-2002 (129 days)	4263353.52
GRANT TOTAL OF 9% INTT. & 15% (1 to 5)		91920986.54
6.	Cost of removal charges of 4 tubewell & kotha @ Rs. 2500/- each	10000.00
7.	Cost of tree (1)	240.00
GRAND TOTAL OF AMOUNT (SL.NO. 1 TO 7)		91931226.54

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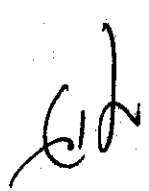
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a)	9% intt. w.e.f. 4-9-2001 to 4-10-2001 on Rs.6314304/- for 31 days in r/o Sh. Sanjay Jain	49794.26
b)	15% intt. w.e.f. 5-10-2001 to 11-2-2002 = 129 days	345347.34
c)	9% intt. w.e.f. 18-7-2001 to 4-10-2001 on Rs.1182179.94 for 79 days in r/o Smt.Khazani Devi	23028.21
d)	15% intt. w.e.f. 5-10-2001 to 11-2-2002 = 129 days	62671.73
e)	9% intt. w.e.f. 18-7-2001 to 4-10-2001 on Rs.1182179.94 for 79 days in r/o Sh. Parkash	23028.21
f)	15% intt. w.e.f. 5-10-2001 to 11-2-2002 = 129 days	62671.73
g)	9% intt. w.e.f. 24-7-2001 to 4-10-2001 on Rs.1773269.91 for 72 days in r/o Smt.Prem Lata	31481.61
h)	15% intt. w.e.f. 5-10-2001 to 11-2-2002 = 129 days	94007.59
i)	9% intt. w.e.f. 24-7-2001 to 4-10-2001 on Rs.1773269.91 for 72 days in r/o Sh. Inder Mohan	31481.61
j)	15% intt. w.e.f. 5-10-2001 to 11-2-2002 = 129 days	94007.59
k)	9% intt. w.e.f. 2-8-2001 to 4-10-2001 on Rs.603404.34 for 64 days in r/o Sh. Balwan Singh	9522.21
l)	15% intt. w.e.f. 5-10-2001 to 11-2-2002 = 129 days	31988.69
m)	9% intt. w.e.f. 2-8-2001 to 4-10-2001 on Rs.603404.34 for 64 days in r/o Sh. Bhim Singh	9522.21
n)	15% intt. w.e.f. 5-10-2001 to 11-2-2002 = 129 days	31988.69

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o) 9% intt. w.e.f. 4-10-2001 to
4-10-2001 on Rs.3509596.71 for
1 day in r/o Sh. Krishan Kumar

865.38

p) 15% intt. w.e.f. 5-10-2001 to
11-2-2002 = 129 days

186056.70

q) 15% intt. w.e.f. 4-11-2001 to
11-2-2002 on Rs.2364359.89 for
100 days in r/o Sh. Babu Ram

97165.47

TOTAL (A TO Q)

1184629.23

GRAND TOTAL OF AMOUNT (SL.NO. 1 TO 7)
LESS : TOTAL (A TO Q)

91931226.54

1184629.23

GRAND TOTAL OF AWARD

90746597.31

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(Rs. Nine Crore Seven Lakhs Forty Six Thousand Five Hundred
Ninety Seven & Thirty One Paise Only)

APPROVED

LAND ACQUISITION COLLECTOR (NORTH-WEST)
KANJHAWALA, DELHI

Ambar
8.2.02
SECRETARY (REVENUE)

Award Announced in the open Court. None present.

Ambar
11/2/02