OFFER NO. : 105/1972-73.

NAME OF THE VILLAGE : HOLAMBI KHURD

NATURE OF ACQUISITION : TEMPORARY

PURPOSE OF ACQUISITION : FOR THE NAYA BANS LINK DRAIN FROM R.D 0 to R.D. 10,700.

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These are proceedings U/s 35 Land Acquisition Act,1894 for determination of compensation in respect of land measuring 13 big. 4 bis. in village Holambi Khurd. The land was required by the Govt for temprary occupatin and use for a period of one year from the commencement of such occupation, for a public purpose namely, for the Naya Bans Link Drain from R.D. 0 to R.D. 10,700.

The Delhi Administration made an order u/s 35(1) of the Act in this behalf, which was issued vide No. F.15(42)/58-L&H (17) dated 10th June, 1968.

The persons interested in the land were issued notices u/s 35(1) to file their claims for compensation in respect of temporary use of the land for period of one year. The claims filed in response to the notices would be discussed under the appropriate heading "Claims & Evidence".

MEASUREMENT & TRUE AREA:

The Land Acquisition Field staff carried out measurement of the land at the spot and the area was found as 13 bighas 04 biswas instead of 13 bighas 05 biswas as notified.

The present proceedings are therefore confined to the area 13 bighas 04 biswas. The details of the land are as below :-

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Kh.No.	Area	Kind of soil
135/2 min	2-01	Abpash
136/2 min	1-16	"-do-
147/2 min	0-01	G.M.Rasta
148/2 min	0-05	Banjar Qadeem
642/2 min	0-16	Abpash
643/2 min	1-09	Parti Jadid No. I
651/2 min	0-11	Gair Abpash
652/2 min	0-10	-do-
653/2 min	0-01	-do-
654/2 min	0-05	-do-
655/2 min ~~653/2 min~~	0-11	-do-
656/2 min	0-15	Gair Abpash
657/2 min	0-07	Abpash
663/2 min	0-05	-do-
664/2 min	0-09	-do-
665/2 min	Less than bis.	G.M.Khal
668/2 min	0-08	Abpash
673/2 min	0-04	-do-
674/2 min	0-04	-do-
675/2 min	0-07	-do-
676/2 min	0-09	-do-
678/2 min	0-07	-do-
679/2 min	0-09	-do-
695/2 min	0-12	Parti Jadid No. I
696/2 min	0-05	-do.
	13-04	

OWNERSHIP & OCCUPANCY:

S.No.	Name of owner.	Name of occupant.	Kh.No.	Area	Kind of Soil.
1.	Baljit Singh S/o Sarwar Singh, Mst. Hardai (M/o Baljit Singh), Smt. Inder Kaur W/o Baljit Singh all in equal share 1/3 share. Sarup Singh alias Ram Sarup s/o Umrao Singh, Ranjit Singh	Umrao Co-op, Soc. as per Kh.Girdwari year 68-69.	135/2m	2-01	Abpash
			642/2m	0-15	-do-
			643/2m	1-09	P.Jadid I
			663/2m	0-05	Abpash
			664/2m	0-09	-do-
			679/2m	0-09	-do-
				5-8	

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Jagjit Singh, Jaikishan
Ss/o Sarup Singh alias
Ram Sarup all 2 in equal
share in 1/3 share.
Jai Lal s/o Umrao Singh,
[illegible] Pal, Rajpal,
Dharam Pal, Vijaypal, Mahipal
Ss/o Jai Lal all six in
equal share in 1/3 share.

2. Mst. Sarju W/o Tara S.S.Mon Society as per 651/2m 0-11 G.Abpash
Chand, Hoshiar Singh Kh.Girdwari 652/2m 0-10 -do-
S/o [illegible] Singh, year 1968-69. 668/2m 0-06 Abpash
Jawahar Singh S/o 695/2m 0-12 F.Jadid I
Hoshiar Singh 696/2m 0-05 -do-
Mst. Angoori W/o Hoshiar 2-04
Singh all four in equal
share.

3. Chandgi Ram s/o Ami Self 653/2m 0-01 G.Abpash
Lal, Lalje Ram S/o as per Kh. 654/2m 0-06 --do--
Kuria all in equal Girdwari year 655/2m 0-11 --do--
share. 1968-69 0-17

4. [illegible], Chhotey Ss/o Self 656/2m 0-15 G.Abpash
(a) Bada Ram all in equal
equal share.
(b) [illegible] s/o Rupan 1/4 share.
Shera s/o Jawan 1/4 share.
Risal Singh, Suraj Mal
Ss/o Jeta Ram all in equl
share in 1/4 share.
Mange s/o Fattan 1/4 share.
(c) Saruare, Mukhtyare Ss/o
Jeki, Ram Pat, Munshi Ss/o
Jeet Ram all in equal share
(d) Partap Singh s/o Nanu Ram,
Mauira Kanshi Ram
Note:-Kh. No. 656/2min is in the Bhumidari in Khatas from 4(a) to (d).

5. Duli Chand s/o Ram Self 657/2m 0-07 Abpash
(a) Jeth 1/2 share. Lok
Chand s/o Bhagwana
1/2 share.
(b) Sudhan Singh, Pahlad
Singh, Randhir Singh, Raghubir Singh,
Piare Lal Ss/o Prabhu
Dayal all in equal share.
Note:- Kh. No. 657/2min is in Bhumidari from Khatas 5(a) to (b)

6. Monji Ram s/o Budh Self 673/2min 0-04 Abpash
Ram, Mst. Har Kaur,
Ram Dei Ws/o Monji Ram,
Jit Singh S/o Mauji Ram
all four in equal share
in 1/2 share.
Mst. Dharmo w/o Shartu,
Shartu s/o Budh Ram,
Dhani Singh, Daljit Singh,
Ranjit Singh Ss/o Shartu.
Mst. Chameli w/o Vijay
Singh all in equal share
in 1/2 share.~~xxxxxx~~

...Contd.

7. Hoshiar Singh, Dheeam Singh, Daryao Singh, Pahlad Singh Ss/o Dhani Ram all in equal share.	Self	674/2min	0-04	Abpash
8. Sis Ram s/o Bhimu	Self	675/2min	0-07	Abpash
9. Shree Lal, Ram Sarup Ss/o Diya both in equal share in 1/2 share. Suraj Mal, Jai Lal Ss/o Khubi equal share in 1/2 share.	Self	676/2min	0-09	Abpash
10. Balwant Singh s/o (a) Ram Chand (b) Ram Pat, Ram Kala, Shree Prakash Ss/o Maha Singh all in equal share.	Self	678/2min	0-07	Abpash

<u>Note:-</u> Kh.No. 678/2min is in Bhumidari in Khatas at 104(a) to (b).

11. Gaon Sabha	Self	147/2min 665/2min	0-01 Less than bis.	G.M.Rasta G.M.Khal.
12. Temple Shri Radha Kishan Ji situated in Delhi under the Management of Sarvshri Laxmi Narain, Ram Kishan, Prem Chand, Tara Chand, Kabul Chand, Chand Mal, Mul Chand Ss/o Ram Sarup.	As per Kh. Girdwari year 1968-69. No. Kh.136/2min occupied by (1) Amar Singh Musara (11-0) (2) Giani S/o Amar Singh (11-03) (3) Shera s/o Jagan (10-00) (4) Hanu s/o Amar Singh (4-00) Kh. No. 148/2 occupied by (5) Duli Chand s/o Ram Nath, Bhagwana S/o Ved Ram (1-04) (6) Sudhan, Piare, Randhir Singh, Pahlad Singh, Raghubir Singh Ss/o Prabhu Dayal (1-04) (7) Daljit Singh s/o Sardare (2-00) (8) Ram Sarup, Jai Lal Ss/o Umrao Singh (3-15)	136/2min 148/2min	1-16 <u>0-05</u> 2-01	Abpash B.Qadeem.

<u>CLAIM & EVIDENCE:</u>

<u>S.No.</u> <u>Name of claimant</u>	<u>Kh.No.</u>	<u>Area</u>	<u>Rate claimed.</u>	<u>Evidence</u>
1. I Sudan Singh S/o Prabhu Dayal 1/5 share. II. Piare Lal III. Pahlad Singh IV. Randhir Singh V. Raghbir Singh Ss/o Prabhu Dayal.	657/2m	0-07	1. Rs.3000/-P.B. as cost of earth. 2. Cost of Nala.	Nil

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2.	Rampat, Sardar Singh, Mukhtyar Singh, Munshi Ram, Chhote, Share in 1/4 of (0-15)	656/2min	0-15	Rs.2009/- p.b.	Nil
3.	Baljit Singh S/o Bhartu, Bhartu S/o Budh Ram, Chameli w/o Jai Singh, Dharmo w/o Bhartu, Jai Singh s/o Bhartu, Ranjit Singh s/o Bhartu.	670/2	0-04	1. Rs.2000/-p.b. for cost of earth. 2. Cost of Nala with interest.	Nil
	Note:- The claim is not signed.				
4.	1. Baljit Singh s/o Sardar Singh	135/2min	2-01	Rs.3000/-P.B. for earth.	Nil
	2. Smt. Indrawati w/o Sh. Baljit Singh	642/2min	0-15		
	3. Smt. Hardei	643/2min	1-09		
	4. Jai Lal				
	5. Rajinder s/o Jai Lal	663/2min	0-05		
	6. Rajpal s/o -do-	679/2min	0-09		
	7. Dharam Pal s/o -do-	664/2min	0-09		
	8. Mahipal s/o -do-	Total	5-08		
	9. Ram Sarup				
	10. Ranjit Singh s/o Ram Sarup				
	11. Jagjit Singh s/o -do-				
	12. Jai Kishan s/o -do-				
	13. Vijay Pal s/o Jai Lal.				
5.	Siri Lal s/o Deepa Ram Sarup s/o -do- Suraj Mal s/o Khushi Ram Jai Lal s/o -do-	676/2min	0-09	1. Rs.5000/-P.B. 2. Compensation for severance also. 3. Compensation for damages to crops.	Nil
6.	Hoshiar Singh s/o Sh. Bholer Singh, Smt. Sarjan W/o Tara Chand, Jawahar Singh s/o Hoshar Singh, Smt. Anguri w/o Hoshar Singh	651 652 695 696 666M	2-04	1. Rs.5000/- P.B. 2. Compensation for severence.	Nil
7.	Jai Lal s/o Ummao Singh, Rajinder Pal S/o Jai Lal, Rajpal s/o -do-, Dharam Pal s/o -do-, Mahipal s/o -do-, Vijay Pal s/o -do- of 1/18 share. →	135/2min 642/2min 643/2min 663/2min 664/2min 679/2min	2-01 0-15 1-09 0-05 0-09 0-09 5-08	1. Rs.5000/-P.B. 2. Compensation for severance.	Nil
8.	Balwant s/o Mam Chand Rampat s/o Maha Singh Ram Kala s/o -do- Shiv Prakash s/o -do-	678/2min	0-07	1. Rs.5000/- p.b. 2. Compensation for severance	Nil
9.	Sis Ram s/o Bhim Singh	675/2min	0-07	-do-	Nil
10.	Hoshiar Singh, Pardhan	147min 665min	0-01	-do-	Nil
11.	Pahlad Singh s/o Dhani Ram, Daryao Singh s/o Dhani Ram, Dharam Singh s/o -do-, Hoshiar Singh s/o -do-. of 1/4 share	671/2min	0-04	-do-	Nil

COMPENSATION:

As mentioned earlier the land was required for temporary use and occupation for a period of one year, the letting value is therefore to be assessed by way of compensation for a period of one year only.

The land in question falls within the purview of the Delhi Land Reform Act, 1954 and as per provisions U/s 35 thereof subletting of the land by Bhumidars or Asamies was barred except in case of disabled persons or other specified class of persons. It being so, it has not been possible to find out suitable examplars from the revenue record where lease hold rights were executed for temporary occupation of the land. The revenue field staff also made enquiries in this behalf, but to no avail.

The claimants have not come forward with any evidence with which it should have been possible to obtain guidance for determination of annual rent for the land in question.

It would have been helpful to consult the previous awards in the village, in respect of land acquired, but no award has been made in the village in the near past.

Record of rights was consulted by the field staff and only one sale transaction could be found out during the period preceding five years of the date of order in the present case. The details of the said transaction are as below:-

Mutation No.	Date of Reg.	Kh. No.	Area	Amount	Average per bigha.
192	16.7.58	712	2-03	Rs.2800/-	Rs.281-40
		713	2-18		
		714	4-18		
			9-19		

We find that the date of execution of the above transaction is anterior by about five years to the date of order and as such it would not be proper to place

..............P/7/-

reliance on the same in the present case.

In the absence of relevent examplers in this village it would therefore be helpful to obtain guidance from the bonafide transaction of purchase of land adjacent to the land under ~~to the land~~ under acquisition and possessing similar advantages. It has been held that the price paid with in a resonable time for the land adjacent to the land acquired and possessing similar advantages is a correct method of valuation. Adjoinedto this village is village 'Holambi Kalan' from where relevent sale transaction can be referred. The following sales transaction where found in the record of rights during the period preceeding five years to the date of order in the present case.

S.No.	Mutation No.	Date of Reg.	Kh. No.	Area	Amount	Av. per Big.
1.	398	16.2.65	96/23	0-11	Rs.2000/-	Rs. 3636-20
2.	399	20.7.65	189/1	0-18	Rs.2000/-	Rs. 2222-20
3.	416	21.4.66	96/12/2	0-02	Rs. 400/-	Rs. 4000/-
4.	417	---	96/12/1	0-06	Rs.1100/-	Rs. 3666-60
5.	420	11.7.66	57/8 14	6-08 5-02 11-10	Rs.8000/-	Rs. 695-60
6.	0-4/12	18.2.67	33/3 8	4-16 4-16 9-12	Rs. 6000/-	Rs. 625-00
7.	0-4/18	9.11.67	189/2	0-10	Rs. 2500-00	Rs. 5000-00
8.	0-4/21-22-23	16.11.67	10/2 etc.	90-13	Rs. 90,650/-	Rs. 1000/-

Out of the above, the land involved in transaction at Sl.No. 1,2,3,4, and 7 is of very small pieces and as such reliance can not be placed on these sales.

The date of execution of the sale in the transaction at S.No. 5 & 6 is lagging behind by about two years and 1½ years respectively.

The best example in the transaction at S.No. 8 is

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which considerable area involving 90 bigha 13 biswa land was sold for a sum of Rs. 90,650 making an average of Rs. 1000/- per bigha. The date of execution in this transaction in nearest to the date of order in the present case and as such it would be safe, to rely on this sale. Accordingly I consider that fair market value of the land in question should be Rs. 1000/- per bigha, on the bases of which the interest for one year at 6% per annum works out to Rs. 60/- per bigha. It would therefore be fair and reasonable to assess the compensation at Rs. 60/- per bigha for land classified as 'Abpash' 'Gair Abpash ' and 'Parti Jadid'.

An area measuring 5 biswas in Kh. No. 148/2 min classified as 'Banjer Qadeem' is comperatively inferior in quality to the kind of land mentioned above. Therefore it would be fair and resonable to assess its rental value at Rs. 30/- per bigha per annum.

Land measuring 0-1 biswas in Kh. Nos. 147/2 min and 665/2 min is recorded as G.M. Rasta and G.M. Khal respectively in the ownership of Gaon Sabha. This area is dedicated to common public use and as such no compensation is awarded for the same.

APPORTIONMENT:

Compensation will be paid according to the entries in the Revenue Record during the period 26.11.68 to 25.11.69 (Period of use and occupation).

In this case the order u/s 35(1) L.A. Act was made prior to the consolidation operations in the village and as such compensation will be paid to the persons interested on furnishing proof by them regarding their interest in the land during the period of occupation.

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SUMMARY.

I) Annual rent @ Rs. 60/- per bigha for 12 bighas 18 biswas.	Rs. 774-00
II) Annual rent @ Rs. 30/- per bigha for 5 biswas land.	Rs. 7-50
III) Annual rent for 1 biswas land.	Nil
	Rs. 781-50

(Rupees Seven hundred Eighty one and paise fifty only).

(V.K.BHALLA)
LAND ACQUISITION COLLECTOR (MSW)
DELHI.

Offer awarded today. Filed

29/3/73

(143)

[illegible]

[illegible] L.A.C. [illegible]

[illegible] L.A. [illegible]

[illegible] S.D.O. [illegible] S.O. [illegible] A. [illegible]

656/2	655/2	654/2	653/2	652/2	651/2	643/2	642/2	140/2	137/2	136/2	135/2
10	11	5	1	10	11	9	10	5	1	14	3
695/2	679/2	678/2	676/2	675/2	674/2	673/2	666/2	665/2	664/2	663/2	657/2

696/2

[illegible] L.A. [illegible]

[illegible] S.D.O. [illegible]

[illegible]

[illegible]

[illegible]

[illegible] 26/11/68

रामकिशन Kgo

गंगाप्रसाद 26-11-68

Ratna 26/11

Kgo-IA 26/11/68

जीतराम

26/11/68

2-6-11-68

नत्थाराम E.W.A.