

RECORD NO.

25/74-75

Name of village : Holambi Khurd.
 Nature of acquisition : Permanent.
 Purpose of acquisition : Naya Bans Link Drain.

INTRODUCTION:

These are proceedings for the determination of compensation u/s 11 of the L.A. Act, 1894. The land measuring 43.17 bighas situated in village Holambi Khurd was notified u/s 4 read with section 17 and section 6 of the Land Acquisition Act vide notification Nos.F.14(42)/68-L&H(1) & F.14(42)/68-L&H(11) & F.14(42)/68-L&H(111) dated 10.6.1968 for a public purpose namely for the construction of the drain. In pursuance of the said notifications, notices u/s 9 & 10 of the L.A. Act were issued to all the interested persons and the claims which were received from them are discussed hereafter under the heading 'compensation claims'.

TRUE & CORRECT AREA

The area under acquisition as given in the declaration u/s 6 is 43.17 bighas and the same has been found correct at the time of measurement by the field staff of this office.

CLASSIFICATION OF LAND

The details of field numbers in form 7-A have been prepared u/s 55 of the Financial Commissioner's order No.28 which are as under:

Field No.	Area	Kind of soil
1 etc/39/1	2.01	Abpash
1 etc/40/1	0.08	G.M. Rasta
1 etc/41/1	2.10	G. Abpash.
1 etc/42/1	1.11	-do-
1 etc/43/1	0.10	-do-
1 etc/44/1	0.09	-do-
1 etc/45/1	1.11	Abpash
1 etc/46/1	1.07	-do-
1 etc/47/1	2.06	-do-
1 etc/48/1	1.04	-do-
1 etc/50/1	1.05	-do-
1 etc/61/1	1.10	G.Abpash.

Handwritten signature

Contd.....2/-

652/1	0.08	Abpash
653/1	5.04	-do-
654/1	1.19	-do-
655/1	1.13	-do-
656/1	0.15	-do-
657/1	0.15	-do-
658/1	1.06	-do-
659/1	4.06	-do-
660/1	1.16	Nehri
661/1	0.01	G.M. Rasta.
662/1	0.06	Nehri
663/1	0.15	Abpash
664/1	1.09	-do-
665/1	0.11	G. Abpash
666/1	0.10	-do-
667/1	0.01	-do-
668/1	0.05	-do-
669/1	0.12	-do-
670/1	0.15	Banjar Jadid
671/1	0.07	G. Abpash
672/1	0.09	-do-
673/1	0.08	Banjar Jadid
674/1	less than	G.M. Khel
675/1	one biswa	
676/1	0.05	Abpash
677/1	0.04	G. Abpash
678/1	0.04	-do-
679/1	0.07	-do-
680/1	0.09	-do-
681/1	0.07	-do-
682/1	0.09	-do-
683/1	0.12	Abpash
684/1	0.04	-do-
Total:	43.17	

Abpash(27.08); G. Abpash(12.14); G.M. Rajbana(0.05);
Nehri(2.01); B. Jadid (1.00); G.M. Rasta(0.09); G.M. Khel
(less than one biswa).

NOTE: The area of Holambi Khurd was put under the consolidation of holdings operations after the notification u/s 4, 6 & 17(1) and after taking over possession of the aforesaid khasra numbers. The above khasra numbers and area have been given according to the entries in the records prior to above operations. The above khasra numbers have ceased and have now been given a part of new khasra number 76.

POSSESSION

The possession of the land was taken by the Government (Drainage Department) on 26.11.1968.

CLAIMS & COMPENSATION

In response to the notices issued u/s 9 & 10 of the L.A. Act, the following persons have filed their claims which are discussed below:

K.L. Chopra

Contd.....3/-

S.No. Name of the claimant

Amount Claimed compensation @ Rs. 8/- per bigha for ploughing and Rs. 200/- per bigha for damages of crops.

They did not claim compensation and requested to grant other date for filing claims.

1. Chandai Ram & Jai Ram
2. S/Shri Mauji Ram s/o Lala Ram, Ram Sarup s/o Umrao Singh, Hoshlar Singh s/o Bholar Singh, Dalel Singh s/o Managat Ram, Jai Lal s/o Umrao Singh, Hoshlar Singh s/o Dhani Ram, Baljit Singh s/o Sardar Singh, Kartar Singh s/o Shly Dayal, & Jai Singh s/o Bharat Singh.

Claimed compensation @ Rs. 4,000/- per bigha for land plus Rs. 50,000/- for severance charges.

3. Shri Baljit Singh s/o Sardar Singh, Smt. Hardevi wd/o Sardar Singh, Smt. Inderawati w/o Baljit Singh.

-do-

4. Shri Jai Singh s/o Bharat Singh.

-do-

5. Charan Singh s/o Mani Ram.

-do-

6. Mauji Ram & Dharti ss/o Budh Ram.

Claimed compensation @ Rs. 10,000/- per bigha plus severance charges.

7. Hoshlar Singh s/o Bholar Singh & 19 others.

Note: No evidence in support of above claims have been filed by the claimants.

MARKET VALUE

The market value of the land under acquisition is the value to the owner of the land in its actual condition at the time of publication of notification u/s 4 of the Land Acquisition Act and with all its advantages and with all its potentialities. The best evidence available to arrive at the correct market value of the land would be the evidence of the genuine sales effected about the time of notification either in respect of land under acquisition or a portion thereof or sales of land precisely parallel in all respects to the land under acquisition or judicial judgments or awards.

K.L. Gupta

Contd.....4/-

The following awards have since been announced in
village Holambi Khurd.

Award No.	Date of notification u/s 4 of the L.A. Act.	Amount of compensation awarded by L.A.C.
1429	7.1.61	Rs. 700/-
1657	24.11.63	Rs. 540/-

Award No. 1429 is not relevant as the date of notification in this award is 7.1.61 while the date of notification u/s 4 of the L.A. Act in the present case is 10.6.68. It is however, added that the court of A.D.J. had dismissed the reference petitions against this award. The other award No. 1657 is also not relevant as the date of notification u/s 4 of the Act in this award is 24.11.63 while the date of notification u/s 4 of the Act in the present case is 10.6.68. It is however, added that the court of A.D.J. had enhanced the rate of compensation from Rs. 540/- to Rs. 1460/- in case No. 483/66, obviously on the ground that the land in this award was nearer to the village abadi. After taking into consideration all factors, I, therefore, assess the rate of compensation of the land which is being presently acquired at Rs. 1500/- per bigha.

TREES, WELLS & STRUCTURES

There was no tree, well or structure on the land under acquisition at the time of taking over its possession.

CROPS

The Revenue staff has reported the existence of following crops at the time of taking over possession of the land in November, 1963, which was the time of ploughing and sowing the land. I, therefore, assess the damage of the crops @ Rs. 40/- per bigha.

Contd.....5/-

the detail of the
is given below:

No.	Area under crop		Kind of crop.
	Fig.	Bis.	
41/1	2.10		Wheat.
739/1	2.01		-do-
6/42/1	1.11		-do-
etc/43/1	0.10		-do-
etc/44/1	0.99		-do-
etc/45/1	1.11		-do-
1 etc/46/1	1.07		-do-
1 etc/48/1	1.04		-do-
1 etc/47/1	2.06		-do-
1 etc/61/1	1.10		-do-
1 etc/125/1	5.04		-do-
1 etc/126/1	1.19		-do-
1 etc/127/1	1.13		-do-
1 etc/128/1	0.15		-do-
1 etc/129/1	0.15		-do-
1 etc/134/1	1.06		-do-
1 etc/135/1	4.06		-do-
xxxx 642/1	0.15		Barley
653/1	0.01		-do-
654/1	0.05		-do-
655/1	0.12		Wheat
664/1	0.09		-do-
666/1	0.05		-do-
673/1	0.04		-do-
674/1	0.04		-do-
675/1	0.07		-do-
676/1	0.09		-do-
678/1	0.07		-do-
679/1	0.09		
Total:	35.04		

K. L. Singh

Contd. 16/-

land owned by the Government and (0.08) and 1 etc/147/1(0.01) was Gairmunkia Rusta owned by the Rajon Sabha. Therefore, no compensation is assessed for the said total area of 0.14 biswas.

SOLATIM

The persons interested are entitled to 15% solatim on the awarded amount for compulsory acquisition of land also.

INTEREST

Since the possession of the land under acquisition has been taken on 26.11.1968 by the Govt., the persons interested in the land are entitled to interest @ Rs.6/- per annum from 26.11.68 to the date of announcement of the award.

APPORTIONMENT

The payment of compensation shall be paid to the recorded owners according to the latest entries in the revenue record provided there has been no change in ownership on account of consolidation of holding or operations.

LAND REVENUE DEDUCTIONS

The land under acquisition is assessed to Rs.14.66 as land revenue. The same shall be deducted from the Khalsa Rent Roll w.e.f. Rabi 1968.69 i.e. from the date of taking over possession of the land.

SUMMARY

The award is summarised as under:

1. Compensation of land 43 bis. 8 bis. @ Rs.1500/- per bigha.	Rs.64,725.00
2. Compensation of land measuring 0.14 bis. (G.M. Rusta & Rajbaha).	Rs. 9,708.75
3. 15% solatim	Rs. 1,408.00
4. Damages for crops in 35 acres of 35 bis. 01 bis. @ Rs.40/- per bigha.	Rs.22,799.09
5. Interest from 26.11.68 to 26.3.75 (6 years 120 days) @ 6% per annum.	Rs.1,04,640.84
Total:	Rs.1,04,640.84

(Rupees one lakh four thousand six hundred forty and paise eighty four only.)

K.L. Chopra
(S.D. Officer)
LAND ACQUISITION COLLECTOR(S)
DELHI.

Announced & filed today

K.L. Chopra
26.3.75

