

AWARD NO. : 1/2003-04

Name of Village : 1-B & 2-B, Rajendra Park, Pusa Road, New Delhi.

Nature of Acquisition : Permanent

Purpose for Acquisition : M.R.T.S. Project

These are the proceedings for acquisition of land U/s 11 of Land Acquisition Act, 1894 initiated for the purpose of Mass Rapid Transit System Project. The notification for land measuring 2093 Sq. meter was issued by the Land & Building Department on 19-02-2003 u/s 4 vide notification No. F.7(60)/2001/L & B/MRTS-II/18618 of the Land Acquisition Act. The declaration u/s 6 of Land Acquisition Act was issued vide Notification No. F.7(60)/2001/LA/L&B/MRTS-II/476 dated 17-01-03.

Since the land was also notified u/s 17(i) of the L.A. Act too vide Notification No. F.7(60)/2001/LA/L&B/MRTS-II/477 dated 17-01-03, the provisions of Section 5 (A) of the L.A. Act were dispensed off. The details of area under present acquisition is as under:-

S. NO.	PROPERTY NO.	LOCALITY	AREA IN SQ. METER
1.	1-B, Rajendra Park	Pusa Road, New Delhi.	1046.5
2.	2-B, Rajindra Park	- do -	1046.5
TOTAL			2093.0

Wide publicity of the notification was given through important Dailies both in English (The Times of India) and Hindi (Nav Bharat Times) having the largest circulation in Delhi, for the knowledge of interested parties/persons.

The Notices u/s-9(1) & 10(1) of the L.A. Act were issued inviting claims from the owners/occupants/interested persons of the properties & we received two claims filed by the owner of these properties which are detailed under the heading 'Claims & Evidences'. This acquisition involves land & structures appurtenant thereto. The structures were got evaluated by Govt. approved valuers and vetted by PWD of GNCT of Delhi and submitted by DMRC.

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MEASUREMENT AND TRUE AREA

As per the notification, the total area of land measuring 2093 sqm. was notified for acquisition. On physical survey conducted by a team of the staff of LAC (Central), Land & Building Department, Transport Department and DMRC, the total area was found to be the same i.e. 2093 sqm. The entire area required for MRTS project have been covered in the notification and declaration and there is no discrepancy on this account.

CLAIMS & EVIDENCES

In response to the notices issued u/s 9(1) and 10(1) of the Land Acquisition Act, 1894 to the owners/occupants/interested persons, the following persons filed their claims:-

S.No	Property No.	Name of the claimant	Claims
1.	1-B	M/s. Keshav Marketing (P) Ltd. & M/s. Seema Mercantile (P) Ltd.	Total 20.62 Cr. @ of Rs. 1.50 lacs per sq. meter of land plus interest & other compensations.
2.	2-B	Mr. Praveen Kr. Jolly Mr. Gulshan Kr. Jolly Mr. Pradeep Kr. Jolly	Total 17.07 Cr. @ 1.25 lacs per sq. meter of land plus interest & other compensations.

A perusal of all the claims reveals that the claims are exorbitantly high & do not bear the true worth. These claims were considered on merits and rejected.

MARKET VALUE

A. LAND

These properties are situated in the very very close proximity of main commercial center Karol Bagh, Rajindra Place etc. They also have hitech and reputed hospitals like Sir Ganga Ram Hospital, Kolmet Hospital, Appollo Millennium and CT Scant center and others & best and modern educational centers like Bal Dharti Public School, Springdales School, Salwan Public School, Indian Agricultural Research Centre and Pusa Institute of Catering & Nutrition in the vicinity. These properties are also in the proximity of posh residential areas like Old & New Rajinder Nagar, East Patel Nagar, Prasad Nagar, WEA Karol Bagh. The Green area like Budha Jayanti Park, Radha Krishna Park and Pusa Hill Forest are also in very

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close proximity of these properties. All these properties are situated on main Pusa Road which is well connected to various parts of Delhi including Railway stations, Bus-stops etc. possess great commercial as well as residential potentialities.

Keeping the above facts in mind, two methods of valuation of land under acquisition were followed. In the first method, the schedule of rates circulated by Deptt. of Urban Development, Ministry of Urban Affairs & Employment vide letter No. J-22011/4/95-LD dated 16.4.1999 was referred. It was noted that indicative price of land in the nearby area was given at Rs.11,550/- per sqm. for residential use as no rate for Pusa Road has been given. But these rates were applicable till March 2000 and not revised yet, thus making the method inherently deficient.

In another method of valuation, the price paid within a reasonable time-frame in bonafide transactions of purchase of similar lands possessing similar advantages has been followed. So the certified registered sale deeds of rates of similar lands in the adjacent areas of Pusa Road, Shankar Road, Karol Bagh were collected to estimate the fair market value. The details of sales transactions have been summarized as under :-

Sl.No.	Identification of Sales Deeds	Locality	Area in sqm.	Total transaction value	Rate per sqm.
1.	1/240-1/9009 20.12.95	B-8, Rajindra Park, Pusa Road	1049.18	Rs.3,05,00,000/-	Rs.29,070/-
2.	1710/216 26.7.95	No. 3, Panchkuniya Road	2925.43	Rs.6,80,00,000/-	Rs.23,244/-
3.	8873/1 23.8.95	1/5-B, NEA Karol Bagh	2200 sq.yards or 1837 sqm.	Rs.3,90,00,000/-	Rs.21,230/-
4.	2138-2141 9.5.2002	Plot No. 43, Block No. 6-A, WEA Karol Bagh	80.73 sq.yards or 67.4 sqm.	Rs.1,50,000/-	Rs.2,226/-
5.	2076/1 14.5.2002	13/31, WEA Naiwala, Karol Bagh	112 sq.feet	Rs.3,50,000/-	Rs.33,686/-
6.	5099/1 25.7.2003	7886/XV, Ram Nagar, Arakashan Nagar, Paharganj	236.6 sqm. or 283.40 sq.yards.	Rs.22,00,000/-	Rs.9298/-
7.	509/1 25.7.2003	Plot No. 95, Site 1, New Rajinder Nagar	100 sq.yards or 83.5 sqm.	Rs.6,00,000/-	Rs.7186/-

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Most of these transactions constituted land and old structures appurtenant thereto. The average sale price of these transactions comes to Rs.17,991/- per sqm. But as the price includes the cost of structure which are old, average of 30% to 35% for these structures are discounted from the average sale price. Thus the market value of land component only was arrived at Rs.12,600/- per sqm.

By comparing the above two methods and in view of the factors discussed above for potentiality and use of land under acquisition, the market value of the land component only is awarded as Rs.12,127/- per sq. metre. Before determining the amount of compensation, a notice u/s 50 (I) was given to the DMRC Limited for which the land was acquired.

B. STRUCTURES

Value of structures including permanent structure, boundary wall, gate and any other things should be given as per the valuation report submitted by DMRC Ltd., duly vetted by PWD. The summary of the values awarded is summarized as under :-

S.No	Property No.	Name of Firm/Owner/Occupant	Cost of Structure
1.	1-B	M/s. Keshav Marketing (P) Ltd. & M/s. Seema Mercantile (P) Ltd.	Rs. 5,79,636.00
2.	2-B	Mr. Praveen Kr. Jolly Mr. Gulshan Kr. Jolly Mr. Pradeep Kr. Jolly	Rs. 2,80,268.00

OTHER COMPENSATIONS

A. SOLATIUM

On the market-value so determined by the LAC, the owners/interested persons are entitled to get 30% extra compensation as solatium as per the provisions of L.A. Act.

B. ADDITIONAL BENEFITS

The interested persons are also entitled to have additional benefits @ 12% per annum on the market value of the land and solatium u/s 23(i)(ii)(a) of the Land Acquisition Act from the date of notification u/s 4 till the date of possession i.e. from 19-02-03 to 21-07-2003.

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C. INTEREST U/s 34

The interest at the rate of 9% will also be paid to the interested persons from date of possession till the date of award i.e. from 22-07-03 to 08-09-03.

D. COMPENSATION FOR TREES

On survey of the land under acquisition, it was found that 1, large trees, 4 Medium trees and 2 small trees are standing on. Taking size of each tree, the compensation is assessed at Rs. 3,000/- for a large tree, Rs. 2,000/- for a medium tree and Rs. 1,000/- for a small tree. The total compensation is assessed as Rs. 13,000/- (Rs.11,000/- for 1-B & Rs.2,000/- for 2-B) for all trees.

E. APPORTIONMENT

The compensation will be paid to the rightful owners/interested persons on the basis of latest records. The details of recorded owners of land under acquisition were collected from the revenue record. The details of share of each interested person is as under :

S.No	Property No.	Area in Sq. meter	Name of the Recorded owner	Amount
1.	1-B	1046.5	M/s. Keshav Marketing (P) Ltd.	Rs.90,36,014/-
			M/s. Seema Mercantile (P) Ltd.	Rs.90,36,014/-
2.	2-B	1046.5	Mr. Praveen Kr. Jolly	Rs.59,21,220/-
			Mr. Gulshan Kr. Jolly	Rs.59,21,220/-
			Mr. Pradeep Kr. Jolly	Rs.59,21,220/-
Total :				Rs.3,58,35,688/-

As per the land record of L&DO both the properties are freehold and no other persons have any claim, the total compensation is assessed in the name of owners.

SUMMARY OF AWARD

<u>Item</u>	<u>Rupees</u>
1. Compensation for the land measuring 2093 sqm. @ Rs.12,127/-per sqm.	2,53,81,811.00
2. Solatium @ 30%	76,14,543.00

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3.	Addl. Benefits @ 12% per annum on item 1 & 2 for the period 19.2.2003 to 21.7.2003(153 days) i.e. from the date of Notification to date of possession.	16,59,762.00
4.	Interest u/s 34 @ 9% per annum for the period 22.7.2003 to 8.9.2003(49 days) i.e. from the date of possession to date Award.	3,06,661.00
5.	Value of structures as assessed by the Regd. Valuer & vetted by PWD.	8,59,000.00
6.	Compensation for trees.	13,000.00
<u>Total :</u>		<u>3,58,35,000.00</u>

(Rupees Three crore fifty eight lacs thirty five thousand six hundred eighty eight 00/100)

Approved

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[Secy (Revenue)]

(KRISHAN KUMAR)
LAND ACQUISITION COLLECTOR
CENTRAL DISTRICT, DELHI

Award announced in open court today by
Smt. Praveen Jolly, Gulshan Jolly and Smt. Anshdeep Jolly

[Signature] 29/09/03
(GULSHAN KUMAR JOLLY)

on behalf of all the
claimants

Certified True Copy
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8/10/03

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8/9/2003