

Award No.	: 1/2011-12 (District North-East, Delhi)
Name of village	: Jhilmil Tahirpur
Nature of acquisition	: Permanent
Purpose of acquisition	: Widening of road at G.T. Road near Apsara Border, Delhi.
Notification u/s 4 of LA Act.	: F.8(10)/08/L&B/LA/3498 dated 29.06.09
Notification u/s 6 of LA Act.	: F.8(10)/08/L&B/LA/4348 dated 13.07.09
Notification u/s 17 of LA Act.	: F.8(10)/08/L&B/LA/4349 dated 13.07.09
Date of Possession	: 20.10.2009
Area under Award	: 1012.50 Sq. Mtrs.

These are the proceedings for acquisition of land u/s 11 of Land Acquisition Act, 1894 initiated for the public purpose, namely for widening of road at G.T. Road near Apsara Border by Public Works Department (PWD), Govt. of NCT of Delhi in village Jhilmil Tahirpur of District North-East, Delhi.

The land under acquisition was notified by Land & Building Department, Govt. of NCT of Delhi u/s 4 of Land Acquisition Act, 1894 vide Notification No. F.8(10)/08/L&B/LA/3498 dated 29.06.09 followed by a declaration u/s 6 of the said Act vide Notification No. F.8(10)/08/L&B/LA/4348 dated 13.07.09 in respect of an area admeasuring 1012.50 Sq. Mtrs. of village Jhilmil Tahirpur, Delhi. A notification u/s 17(1) of the said act was also issued vide No.F.8(10)/08/L&B/LA/4349

dated 13.07.09 directing the Land Acquisition Collector to take possession of the specified land on expiry of 15 days from publication of the notice under sub-section (1) of section 9 of the said Act.

The substance of the said notifications was given wide publicity through leading newspapers, both in English and Hindi, having large circulation in Delhi as well as by pasting at the various points in the notified area for the knowledge of interested persons.

The notices u/s 9 (1) & 10 (1) of the Land Acquisition Act, 1894 were issued inviting claims from the owners/occupants/interested persons of the land. A public notice u/s 9(1) and 10(1) of the said Act was also pasted at the site for the information of the interested persons. In response to this, the claims from the interested persons were received, which are discussed under the heading "Claims & Evidence".

MEASUREMENT & TRUE AREA

The land was demarcated and measured on spot through joint survey by the officials of Land & Building Department, Public Works Department (PWD), Delhi Development Authority (DDA) and revenue staff of S.D.M. (Seemapuri) office with the assistance of the officials of Land Acquisition branch of District North-East, Delhi. The details of the area under present acquisition as available at the spot is as under :-



Khasra Number	Area (Sq. Mtrs)
1183/220/1 min	96
1183/220/3 min	180
1183/220/2 min	41
1183/220/4 min	180
1182/220 min	232
1096/283-289/226-299 min	60
1096/283-289/226-299 min	22.50
1097/283-289/226-299 min	105
1098/226-289 min	85
1099/226-289 min	11
Total	1012.50

CLAIMS & EVIDENCE

The following owners/occupants/interested persons have filed their claims in response to the notices issued u/s 9(1) & 10 (1) of L.A. Act, 1894, which are discussed as under :-

S. No.	Name & Address of the claimant	Khasra No. & Area	Claim and evidence
1	Smt. Parveen w/o Sh. Yasin, Property No.485-A/4, G.T. Road, Dilshad Garden Industrial Area, Shahdara, Delhi.	1182/220 19.65 Sqm.	Market value of industrial plot @ Rs. 2 lacs per Sqm., Rs.3,73,047 as cost of structure, Rs. 5 lacs on account of loss of income, Rs. 3 lacs for reconstruction of partly demolished structure, besides other statutory benefits. (copy of valuation report submitted)
2	Sh. Darshan Singh Bhatti s/o Late Sh. Narain Singh, Property No.486/1, G.T. Road, Dilshad Garden, Delhi.	1081/282/2/1 (old) 1183/220/4 (new) 30.04 Sqm.	Market value of industrial plot @ Rs. 2 lacs per Sqm. Rs.1,72,534 as cost of structure, Rs. 10 lacs on account of loss of income, Rs. 5 lacs for reconstruction of partly demolished structure, besides other statutory benefits. (copy of valuation report submitted)

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S. No.	Name & Address of the claimant	Khasra No. & Area	Claim and evidence
3	M/s. Ganesh Cold Storage & Ice through it partner Smt. Anju Agarwal w/o Sh. Ajay Agarwal Property No.1/486, G.T. Road, Dilshad Garden, Delhi.	1081/282/2/1 (old) 1183/220/4 (new) 180 Sqm.	Market value of industrial plot @ Rs. 2 lacs per Sqm., Rs.22,38,604.78 as cost of structure, Rs. 15 lacs on account of loss of income, Rs. 5 lacs for reconstruction of partly demolished structure, besides other statutory benefits. (copy of valuation report submitted)
4	Sh. Jaspal Singh Manchanda s/o Sh. Kartar Singh Manchanda and Sh. Vinod Kumar Aggarwal s/o Late Sh. Sohan Lal Aggarwal Property No. 27/4, G.T. Road, Dilshad Garden, Delhi.	1183/220/1 45.73 Sqm.	Market value of industrial plot @ Rs. 2 lacs per Sqm., Rs.11,39,467.02 as cost of structure, Rs. 10 lacs on account of loss of income, Rs. 5 lacs for reconstruction of partly demolished structure, besides other statutory benefits. (copy of valuation report submitted)
5	Sh. Jagmohan Gupta s/o Sh. H. D. Gupta, Property No.485-A/4-B, G.T. Road, Dilshad Garden, Delhi.	1182/220 19.65 Sqm.	Market value of industrial plot @ Rs. 2 lacs per Sqm., Rs.3,73,047 as cost of structure, Rs. 5 lacs on account of loss of income, Rs. 3 lacs for reconstruction of partly demolished structure, besides other statutory benefits. (copy of valuation report submitted)
6	Smt. Urmila Sehgal w/o Late Sh. B.S. Sehgal, Property No.485-A/5, G.T. Road, Dilshad Garden, Delhi	1182/220 38.39 Sqm.	Market value of industrial plot @ Rs. 2 lacs per Sqm. Rs.8,07,713 as cost of structure, Rs. 10 lacs on account of loss of income, Rs. 5 lacs for reconstruction of partly demolished structure, besides other statutory benefits. (copy of valuation report submitted)

S. No.	Name & Address of the claimant	Khasra No. & Area	Claim and evidence
7	Sh. Harpreet Singh Chawla, Sh. Ajeet Singh Chawla and Sh. Veerinder Singh Chawla, all sons of Late Sh. Joginder Singh Chawla, R/o N-32, Panchsheel Park, New Delhi-17. Sh. Kanwaljit Singh Chawla s/o Late Sh. Jagjit Singh Chawla, Smt. Narinder Kaur Chawla w/o Late Sh. Jagjit Singh Chawla and Smt. Simrit Dhall d/o Late Sh. Jagjit Singh Chawla, all c/o Sh. Harpreet Singh Chawla, R/o N-32, Panchsheel Park, New Delhi-17.	1183/220/3 180 Sqm.	Market value of industrial plot @ Rs. 2.5 lacs per Sqm., Rs. 5 lacs as cost of structure, Rs.10 lacs on account of loss of income. (no documentary evidence submitted)
8	(1) Smt. Meena w/o Sh. Shyam Sunder, (2) Smt. Renu w/o Sh. Krishan Kumar (3) Smt. Lata Devi w/o Sh. Rajinder Kumar Bansal (4) M/s. Raghuvanshi Motors Pvt. Ltd. through its Director Sh. Rajinder Bansal, Property No.485-A/1 and 485-A/2, G.T. Road, Dilshad Garden, Jhilmil Tahirpur, Delhi.	1182/220 85.82 Sqm.	Market value of industrial plot @ Rs. 2 lacs per Sqm., Rs.14,60,379/- as cost of structure, Rs. 15 lacs on account of loss of income, Rs. 5 lacs for reconstruction of partly demolished structure, besides other statutory benefits. (copy of valuation report submitted)
9	Sh. Ram Niwas Sharma s/o Late Sh. K.R. Sharma, Plot No.4, 1 st Floor, Sec-2-A, Vaishalli, Ghaziabad, U.P. in respect of Property No.485-A, G.T. Road, Jhilmil Tahirpur, Delhi.	1182/220 25 Sq. Yds.	Market value of industrial plot @ Rs. 2 lacs per Sqm., Rs.1,35,000/- as cost of structure, Rs. 10 lacs on account of loss of income, Rs. 1 lac for reconstruction of partly demolished structure, besides other statutory benefits. (no documentary evidence submitted)
10	Sh. Vipin Jain s/o Sh. V.C. Jain, C-431, Yojna Vihar, Delhi in respect of Plot No.485-A, G.T. Road, Jhilmil Tahirpur, Delhi.	1182/220 50 Sq. Yds.	Market value of industrial plot @ Rs. 2 lacs per Sqm., besides other statutory benefits. (no documentary evidence submitted)

S. No.	Name & Address of the claimant	Khasra No. & Area	Claim and evidence
11	Sh. Suresh Chandiram s/o Late Sh. H. Chandiram, Plot No. 485, G.T. Road, Dilshad Garden, Shahdara, Delhi.	1096/289-283/ 229-226 60 Sqm.	Market value of industrial plot @ Rs. 2 lacs per Sqm., Rs.10 lacs for cost of structure, Rs. 10 lacs on account of loss of income, Rs. 5 lacs for reconstruction of partly demolished structure, besides other statutory benefits. (no documentary evidence submitted)
12	M/s Fair Deal Cars Pvt. Ltd., G.T. Road, Dilshad Garden through its Director and authorised signatory Sh. Raju Aggarwal, C-1, South Ganesh Nagar, Patparganj Road, Delhi (lease holder) in respect of Property No.485/A, 485/B, 485/A/4B and 485-A/4, Dilshad Garden Industrial Area, G.T. Road, Shahdara.	1182/220 77.70 Sqm.	Market value of industrial land @ Rs.2.5 lacs per Sqm., Rs.7 lacs as cost of structure, Rs. 5 lacs for reconstruction of partly demolished structure, besides other statutory benefits. (copies of registered lease agreements and valuation report submitted)
13	Sh. Mahender Singh and Sh. Sunder Singh, both s/o Sh. Khajan Singh, R/o 484/A, G.T. Road, opposite Taneja Petrol Pump, Shahdara, Delhi.	1096/283-289/226-229 (min) Sarai 66 Sq. Yds.	Market value @ Rs.29,000/- per Sq. Yard as per circle rate, Rs. 3 lacs as cost of structure. (no documentary evidence of valuation submitted)
14	Sh. Sanjay Gupta, HUF R/o A-191, Surajmal Vihar, Delhi-92 in respect of property bearing Municipal No.467 & 483, G.T. Road, Village Jhilmil Tahirpur.	1097/283-289/226-299 (min) 44 Sqm.	Market value of commercial land @ Rs.41,100/- per Sqm., Rs.4,05,000/- as cost of structure. (copy of registered sale deed and valuation report submitted)
15	Sh. Praveen Gupta, Director, M/s. Durga Buildcon Pvt. Ltd., R/o A-191, Surajmal Vihar, Delhi in respect of property bearing Municipal No. 467 & 483, G.T. Road, Village Jhilmil Tahirpur.	1097/283-289/226-299 64 Sqm.	Market value of commercial land @ Rs.41,100/- per Sqm., Rs.5,66,500/- as cost of structure. (copy of registered sale deed and valuation report submitted)
16	Smt. Anita Jain, R/o 221, Bank Enclave, Delhi in respect of property bearing Municipal No. 467 & 483, G.T. Road, Village Jhilmil Tahirpur.	1097/283-289/226-299 (min) 31.50 Sqm.	Market value of commercial land @ Rs.41,100/- per Sqm., Rs.3,86,372/- as cost of structure. (copies of registered sale deeds and valuation report submitted)

S. No.	Name & Address of the claimant	Khasra No. & Area	Claim and evidence
17	Smt. Sharda Gupta w/o Sh. S.S. Aggarwal, R/o D-141, Anand Vihar, Delhi in respect of property No.485-A/3-B, G.T. Road, Dilshad Garden, Delhi.	1182/220	Market value of industrial land @ Rs.2.5 lacs per Sqm., Rs.5,76,000/- as cost of structure, Rs. 9 lacs on account of loss of income, Rs. 4.5 lacs for reconstruction of partly demolished structures, besides other statutory benefits. (copy of registered sale deed submitted)
18	Sh. Umesh Gupta s/o Late Sh. Bhagwan Dass, R/o B-99, Surya Nagar, Ghaziabad, U.P. in respect of property No.485-A/3-A, G.T. Road, Dilshad Garden, Delhi.	1182/220	Market value of industrial land @ Rs.2.5 lacs per Sqm., Rs.5,76,000/- as cost of structures, Rs. 9 lacs on account of loss of income, Rs.4.5 lacs for reconstruction of partly demolished structures, besides other statutory benefits. (copy of registered sale deed submitted)
19	Sh. Ravi Bansal s/o Sh. R.D. Bansal and M/s. Paras Laminates Pvt. Ltd., R/o 4, Ishwar Nagar, Mathura Road, New Delhi in respect of property No.B-3, Dilshad Garden, Delhi.		Market value @ Rs. 2 lacs per Sqm., Rs.6 lacs on account of loss of income, Rs.15,00,000/- for reconstruction of partly demolished structure, besides other statutory benefits. (no documentary evidence submitted)

MARKET VALUE OF LAND

Section 23(1) of L.A. Act, 1894 provides that market value of land at the date of publication of the notification u/s 4(1) shall be taken into consideration in determining the amount of compensation to be awarded for land acquired under the said act. In order to determine the market value of land as on the date of the notification u/s 4 of L.A. Act, 1894 (29.6.2009 in this case) several factors are taken into consideration such as location of

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land, use of land, land use as per Master/Zonal development plan, claims filed by the interested persons, awards announced in the recent past of the same or adjoining villages, registered sale deeds, price policy of the Government regarding acquisition of land etc.

From perusal of claims filed by the interested persons in response to the notices issued u/s 9(1) & 10(1) of L.A. Act, 1894, it is seen that the interested persons have claimed compensation of land as industrial plot/land as well as commercial plot/land. The claimants have claimed market value at the rate ranging from Rs. 2 lacs to Rs.2.5 lacs per Sq. Mtr. in respect of industrial plot/land alongwith other compensation on account of loss of income, cost of structures etc. Further, the claimants have claimed market value at the rate of Rs.41,100/- per Sq. Mtr. in respect of commercial plot/land alongwith other compensation on account of loss of income and cost of structures etc. Some of the claimants have submitted reports of valuation by Govt. approved valuers and architects and some have submitted copies of registered sale deeds in support of their claims.

The Delhi Development Authority was asked to clarify the status of land under acquisition as per Master/Zonal Development Plan. The DDA in its reply dated 28.02.2011 stated that the land use of the site under reference is "partly industrial and partly commercial (District Center)" as per Zonal development Plan of 'Zone E'. Thereafter, the DDA was further asked to clarify the part of land which is of industrial use and the part of land which is of commercial use (District Center) as per Zonal Development Plan. In response, the DDA provided survey plan of District Center Dilshad Garden (near 'I' pocket) of the year 1996-97, which indicates the Khasra No. falls

within District Center Dilshad Garden. These Khasra Nos. are claimed by the interested persons as commercial land/plot at S. No.14, 15 & 16 under the heading "Claims and Evidence".

Further, before determining the amount of compensation, a notice u/s 50(2) of L.A. Act, 1894 was given to requisitioning department/agency i.e. Public Works Department (PWD), Govt. of NCT of Delhi. In response, E.E., PWD informed that it has no objection on the rates of land under acquisition.

The notification u/s 4 was issued on 29.06.2009 and therefore matters arising on or before the date of notification u/s 4 are relevant for deciding the market value of land under acquisition.

I have perused the claims submitted by the interested persons, statement of PWD as well as reports from DDA. From perusal of claims, it is seen that some of the claimants have submitted reports of valuation by Govt. approved valuers and architects, whereas others submitted the copies of registered sale deeds/lease agreement, in support of their claims in response to the notices issued u/s 9(1) & 10(1) of L.A. Act, 1894. From the perusal and examination of claims, it is observed that the claimants have submitted claims of compensation in respect of market value of land on very higher side in comparison to the valuation made by the valuers in their respective reports. As per valuation reports, the land under acquisition is valued at the rate Rs.1,48,000/- per Sq. Mtr., whereas the interested persons have claimed market value of land between Rs. 2 lacs to Rs.2.5 lacs per Sq. Mtr. Besides it, as per valuation reports placed on record, the valuation of

cost of land is made on the sole basis of prevailing market rates of G.T. road, Shahdara as per survey, however no documentary evidences are made available with the valuation reports in respect of such assessment of cost of land. Therefore these claims are itself contradictory as well as without any backing of reliable and convincing documentary evidences.

Further some of the interested persons have submitted registered lease agreements and sale deeds in support of their claim, with or without valuation report, and also claimed compensation of land as commercial plot/land. The registered lease agreements and sale deeds submitted by claimants are discussed below :-

S. No.	S. No. of claimant under the heading Claims & Evidence	Khasra No. (as per document)	Nature of document	Registered deed No. and date	Property type as claimed in registered deed	Consideration Value (In Rs.)	Stamp duty paid (In Rs.)	Area (as per document)	Consideration Value as per document (In Rs.) [per unit]
1	12	1182/220	Lease agreement	3891 dated 08.08.2006	Residential	45,000/-	10,900/-	114 Sq. Yds.	-
2	12	1182/220	Lease agreement	3892 dated 08.08.2006	Residential	45,000/-	10,900/-	114 Sq. Yds.	-
3	12	1182/220	Lease agreement	905 dated 05.05.2009	Commercial	55,000/-	13,300/-	166.70 Sq. Mtrs.	-
4	12	1182/220	Lease agreement	906 dated 05.05.2009	Commercial	55,000/-	13,300/-	166.70 Sq. Mtrs.	-
5	14	1097/283-289/226-299	Sale deed	1075 dated 27.02.2006	Commercial	10,00,000/-	80,000/-	441 Sq. Yds.	2267.57 per Sq. Yard
6	15	1097/283-289/226-299	Sale deed	1078 dated 22.02.2006	Residential	48,75,000/-	3,90,000/-	1860 Sq. Yds.	2620.96 Per sq. Yard
7.	16	1097/283-289/226-299	Sale deed	1081 dated 27.02.2006	Commercial	9,00,000/-	54,000/-	300 Sq. Yds.	3000.00 Per Sq. Yard
8.	16	1097/283-289/226-299	Sale deed	5275 dated 06.12.2006	Commercial	4,90,000/-	29,400/-	150 Sq. Yds.	3266.67 Per sq. Yard

S. No.	S. No. of claimant under the heading Claims & Evidence	Khasra No. (as per document)	Nature of document	Registered deed No. and date	Property type as claimed in registered deed	Consideration Value (In Rs.)	Stamp duty paid (In Rs.)	Area (as per document)	Consideration Value as per document (In Rs.) [per unit]
9	16	1097/283-289/226-299	Sale deed	2860 dated 06.07.2007	Industrial	4,90,000/-	29,400/-	150 Sq. Yds.	3266.67 Per sq. Yard
10	17	1182/220	Sale deed	2837 dated 05.06.2006	Residential	4,50,000/-	27,000/-	113.83 Sq. Yds.	3953.26 Per Sq. Yard
11	18	1182/220	Sale deed	2836 dated 05.06.2006	Residential	4,50,000/-	36,000/-	113.83 Sq. Yds.	3953.26 Per Sq. Yard

From perusal and analysis of above mentioned documents submitted in support of the claims, it can be seen that the sale deeds have been got registered by the interested persons/owners of the land of the same Khasra Nos. under acquisition not only as commercial property but also as residential and industrial properties/land. Besides it, the consideration value, on which property/land is assessed and stamp duty is paid to the Government, is determined by the parties ranging from Rs.2267.57 to Rs.3953.26 per Sq. Yard only. Therefore the claims of interested persons at the rate of Rs.41,100/- per Sq. Mtr. in respect of commercial plot/land is highly exaggerated and not tenable.

Further, as per the report of DDA, the land use of site under acquisition is partly industrial and partly commercial (District Center). Therefore the land under commercial use is specifically earmarked for District Center Dilshad Garden as per the Zonal Development Plan 'E' of the area. There is no District Center on the site. Moreover, as discussed above, the owners of the said land had not been assessing the market value of said land as commercial while making transfer of land/property by way

of sale, lease etc. Further the entire land under acquisition falls within Dilshad Garden Industrial area of Delhi which is predominantly notified Industrial Area.

In view of the above discussion, it is clear that the claims of interested persons in respect of land under acquisition are without any convincing evidences and appears to be highly exaggerated. Thus, the claims of compensation which are received from claimants do not serve the purpose to arrive at the appropriate market value of land under acquisition on or around 29.06.2009. I, therefore, can not rely upon and hence reject the exaggerated claims submitted by the interested persons.

The land under acquisition is a part of Dilshad Garden Industrial area within the boundaries of revenue estate of village Jhilmil Tahairpur, which is an urbanised village of Delhi.

In order to determine the market value of the land, the factors prevailing on or before the date of notification u/s 4 of L.A. Act, 1894 are most relevant. So, the price within a reasonable time frame of bonafide transactions of purchase/sale of similar land possessing similar advantage may be considered. The details of registered sale deeds of properties in the adjacent area of the land under acquisition were collected to estimate the fair market value, which are discussed below :-



S. No	Registered Sale Deed No. and Date	Property No./ (Khasra No.)	Type of property as mentioned in sale deed	Consideration Value ** (In Rs.)	Area (Sq. Mtr).	Land value Rate Per Meter (In Rs.)
1	171 dated 02.02.2009	5, Main G.T. Road Dilshad Garden Industrial Area, Delhi-95. (Kh.No.381/302-299/3) Village Jhilmil Tahirpur	others	10,50,000	75.25	27,400
2	263 dated 13.02.2009	537/7, Gali No.8, Friends Colony, Shahdara, Delhi. (Kh. No.1156/320) Village Jhilmil Tahirpur	Commercial	60,00,000	138.79	27,400
3	461 dated 13.03.2009	488-B/1, Damodar Park, Jhilmil, Shahdara, Delhi (Kh.No.393/267/16) Village Jhilmil Tahirpur	Industrial	29,50,000	69.39	27,400
4	574 dated 28.03.2009	1/536-E, Friends Colony Industrial Area, G.T. Road, Delhi-95 (Kh. No.334/35-32-29, 313-311-310) Village Jhilmil Tahirpur	Industrial	25,00,000	84.38	27,400
5	636 dated 04.04.2009	Plot No.4, Property No.458-466 Basement, Friends Colony, Jhilmil Industrial Area, Delhi (Kh.No.372/39-51) Village Jhilmil Tahirpur	Industrial	10,15,000	72.83	27,400
6	1104 dated 30.05.2009	488/17, Old Plot No.4, Damodar Park, Dilshad Garden Industrial Area, G.T. Road, Delhi-95 (Kh. No.392/267-13/5) Village Jhilmil Tahirpur	Industrial	65,50,000	209	27,400
7	1130 dated 01.06.2009	Plot No.54-A/3-B, Abadi Dilshad Garden, Village Jhilmil Tahirpur, Delhi-95 (Kh. No.420/214-215-217, 310-299-267-218-301) Village Jhilmil Tahirpur	Industrial	12,50,000	43.88	27,400
8	436 dated 12.03.2009	Property No.487, Plot No.4, Block No.7, Private No.ZB-7/487, Dilshad Garden Industrial Area, Delhi-95 (Kh. No.417/267) Village Jhilmil Tahirpur	Industrial	35,00,000	83.60	27,400
9	724 dated 15.04.2009	Property No.467-483/11, Burgees Park, Dilshad Garden Industrial Area, Delhi-95 (1083/287 to 299) Village Jhilmil Tahirpur	Industrial	18,50,000	66.89	27,400
10	920 dated 08.05.2009	Property No.467-483, Burgees Park, Dilshad Garden Industrial Area, Delhi-95 (1083/287 to 299) Village Jhilmil Tahirpur	Industrial	47,00,000	171.40	27,400

S. No	Registered Sale Deed No. and Date	Property No./ (Khasra No.)	Type of property as mentioned in sale deed	Consideration Value ** (In Rs.)	Area (Sq. Mtr).	Land value Rate Per Meter (In Rs.)
11	175 dated 02.02.2009	Property No.18 & 19-A, Dilshad Garden Extn.I Industrial Area, Delhi-95 (1084/287,286,299,289, 1083/287 & 299) Village Jhilmil Tahirpur	Industrial	15,30,000	55.75	27,400
12	407 dated 06.03.2009	Property No.467-483, Burgees Park, Dilshad Garden Industrial Area, Delhi-95 (1083/287 to 299) Village Jhilmil Tahirpur	Industrial	31,00,000	112.88	27,400
13	399 dated 05.03.2009	Property No.467-483/1, Burgees Park, Dilshad Garden Industrial Area, Delhi-95 (1097/283 to 289 and 226 and 299) Village Jhilmil Tahirpur	Commercial	18,00,000	137.96	27,400
14	400 dated 05.03.2009	Property No.467-483/2, Burgees Park, Dilshad Garden Industrial Area, Delhi-95 (1097/283 to 289 and 226 and 299) Village Jhilmil Tahirpur	Commercial	25,00,000	313.54	27,400

* Land rate as mentioned in the Annexure to sale deed.

** Value includes the cost of construction etc. also.

On the basis of above sale deeds, it is seen that the rate at which the sale transactions have taken place is Rs.27,400/- per Sq. Mtr. in respect of industrial as well as commercial properties in Dilshad Garden Industrial area immediately before the date of notification u/s 4 i.e. 29.06.2009 in the present acquisition.

The Govt. of NCT of Delhi vide notification No.F.9(20)/80/L&B/LA/15346 dated 23.02.2011 has notified that the minimum rates for valuation of land and immovable properties (Circle Rates) shall henceforth be considered by the Land Acquisition Collector as

one of the factor for determining the compensation of land under the provisions of L.A. Act, 1894. The circle rates have been notified by the Govt. of NCT of Delhi on 18.07.2007 vide notification No.F.2(12)/Fin(E-1)/Part File/Vol-I(ii)/3548 dated 18.07.2007. Therefore the most reasonable and appropriate cost that can be taken as criteria to determine the market value of land under acquisition is the circle rates notified by the Govt. of NCT of Delhi.

The land under acquisition falls within Dilshad Garden Industrial Area, which is under category "G" of the circle rates. According to the aforesaid notification dated 18.07.2007, the circle rate for "G" category is Rs.13,700/- per sq. mtr. for residential use and for industrial use multiplicative factor is 2 and therefore circle rate for industrial use in "G" category comes to Rs.27,400/- per sq. mtr. The circle rates have been implemented w.e.f. 18.07.2007 and the notification u/s 4 for the present acquisition was issued on 29.06.2009, therefore the circle rate notified before the date of notification u/s 4 is very much relevant to arrive at the fair market value of land.

I have carefully considered all the factors mentioned above for arriving at fair market value of the land. Accordingly, I assess the market value of land specified in the table under the heading "Measurement and True Area" at the rate of Rs.27,400/- per sq. mtr.

STRUCTURES

This acquisition includes value of land & structures appurtenant thereto. Since the assessment of value of structure is a technical matter, the structures were got evaluated from PWD, Govt. of NCT of Delhi.



The value of the structures including permanent structures, boundary walls and other fittings is being given as per the evaluation report dated 15.07.2009 & 01.12.2009 submitted by the PWD, Govt. of NCT of Delhi. The summary of the value of structures being awarded is given as under :-

S. No.	Details of Properties	Name of persons available on property	Area	Cost (In Rs.)
1	Pepsi Godown (only walls)	Sh. Pradeep Gupta	20.61 Cu. Mtrs.	21,869/-
2	Shop	Sh. Ravi Bansal	19.59 Sqm.	53,459/-
3	Capital Abgle Shop	Sh. Sudhir	19.58 Sqm	53,404/-
4	Ambuja Cement (shop)	Mrs. Kamal Rattan	3.38 Sqm.	9,219/-
5	Marble Godown	Mrs. Kamal Rattan	7.14 Sqm.	19,474/-
6	Maruti, TATA Spare Parts	Sh. Malkiyat Singh	8.21 Sqm.	22,393/-
7	Batra Batteries	Sh. Kishan Lal	11.96 Sqm.	32,621/-
8	Vinay Tours & Travels	Sh. Kishan Lal	4.39 Sqm.	11,973/-
9	Apple Stationary Pvt. Ltd.	Sh. Kishan Lal	4.89 Sqm.	13,337/-
10	Premier Auto Works, General Store	Sh. Kishan Lal	12.29 Sqm.	33,521/-
11	Godown	Sh. Raj Jain	19.59 Sqm.	20,761/-
12	Godown & factory (half brick wall)	Sh. Yasir	87.27 Sqm.	15,335/-
13	Factory (Steel Truss Shade)	Sh. S. Chandiram	48.28 Sqm.	1,31,683/-
14	Sarai	Sh. S. Chandiram	25.00 Sqm.	14,512/-
15	Transformer House BSES	Smt. Urmila Sehgal	14.01 Sqm.	40,449/-
16	Suzuki Motors	Smt. Urmila Sehgal	9.77 Sqm.	37,345/-
17	Maruti Car	Sh. Umesh Gupta	19.71 Sqm.	75,263/-
18	TATA Motors	Smt. Renu Bansal	29.39 Sqm.	1,12,225/-
19	Ganesh Cold Storage	Sh. Ajay Aggarwal	156.56 Sqm.	4,27,017/-
20	BSES	Sh. Ajay Aggarwal	34.41 Sqm.	93,853/-
21	Shop	Sh. Ramesh Punj	49.93 Sqm.	1,36,184/-
22	Khalsa Real Estate	Sh. Jaspal Singh Manchanda	56.27 Sqm	1,53,476/-
			Total	15,29,373/-

CROPS & TREES

NIL

POSSESSION

The physical possession of the land has been taken over and handed over to the Land & Building Department, GNCTD on 20.10.2009 and simultaneously handed over to Public Works Department (PWD), GNCTD by L&B Department on the same day.

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 Section 23(2) of the Land Acquisition Act, 1894.

ADDITIONAL AMOUNT

The interested persons are also entitled to have an additional amount @ 12% per annum on the market value of the land as per section 23(1A) of the Land Acquisition Act, 1894 from the date of Notification u/s 4 (29.06.2009 in this case) till the date of possession (20.10.2009 in this case).

INTEREST

The interested persons are entitled for interest u/s 34 of the L.A. Act, 1894 @ 9% p.a. from the date of taking possession for one year period and @ 15% p.a. after one year.

APPORTIONMENT

The compensation shall be paid to the rightful owners/interested persons on the basis of latest entries in the revenue records. In case of any dispute on the issue of ownership or apportionment between the parties which is not settled, the matter will be referred to the competent court u/s 30 & 31 of Land Acquisition Act, 1894.



SUMMARY OF THE AWARD (01/2011-12 Distt. North-East, Delhi)

1.	Market Value of land admeasuring 1012.50 Sq. Mtrs. @ Rs.27,400/- per Sq. Mtr.	Rs.	2,77,42,500.00
2.	Solatium @ 30% of market value u/s 23(2) of L.A. Act, 1894	Rs.	83,22,750.00
3.	Additional Amount u/s 23(1A) of L.A. Act, 1894 @ 12% p.a. on market value of land (Item No.1 above) from 29.06.2009 (Date of Notification u/s 4) to 20.10.2009 (Date of possession) for 114 days.	Rs.	10,39,773.69
4.	Cost of Structures	Rs.	15,29,373.00
Total (1+2+3+4) =		Rs.	3,86,34,396.69
5.	Interest u/s 34 of L.A. Act, 1894		
(a)	@ 9% p.a. from 21.10.2009 to 20.10.2010 for 365 days on Rs.3,86,34,396.69	Rs.	34,77,095.70
(b)	@ 15% p.a. from 21.10.2010 to 29.04.2011 for 191 days on Rs. 3,86,34,396.69	Rs.	30,32,535.52

Grand Total (1 to 5)	=	Rs.	4,51,44,027.91
Say	=	Rs.	4,51,44,028.00

(Rupees Four Crores Fifty One Lacs Forty Four Thousand Twenty Eight Only)


(RAJESH GOYAL)
LAND ACQUISITION COLLECTOR
DISTRICT NORTH-EAST, DELHI

This Award is drawn with the prior approval of Principal Secretary (Revenue), Government of NCT of Delhi and announced accordingly in the open Court on 29.4.2011

Principal Secretary (Revenue)/
Divisional Commissioner, GNCTD



Award announced in open Court on 29.4.2011.

