

10/DC (w) / 04-05

AWARD NO. : /2004

Name of Village : Moti Nagar, 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 691.50 sqm. was issued by the Land & Building Department on 11.06.2003 u/s 4 vide notification No. F.7(60)/2001/LA/L&B/MRTS/4783 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/11275 dated 07.10.2003. 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/11276, dated 07.10.2003, 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.	A-1/1 & A-1/2	Moti Nagar	109.50
2.	A-1/3 & A-1/4	-do-	109.50
3.	A-1/5 & A-1/6	- do -	109.50
4.	A-1/7 & A-1/8	- do -	109.50
5.	A-1/9 & A-1/10	- do -	109.50
6.	A-1/11 & A-1/12	- do -	144.00
		Total	691.50

Wide publicity of the notification was given through important Dailies both in English and in Hindi having the very large 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. In response to this, some

interested persons have filed their claims 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.

MEASUREMENT AND TRUE AREA

As per the notification, the total area of land measuring 691.50 sqm. was notified for acquisition. But as per the requirement of DMRC, only 438 sqm area in property Nos. A-1/1 to A-1/8 were covered in declaration issued u/s 6. On physical survey conducted by a team of the staff of LAC (West)), Land & Building Department, Transport Department and DMRC, the total area was found to be the same i.e. 438.00 sqm. The entire area required for MRTS project have been covered in the notification and declaration & 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.	A-1/1, Moti Nagar	Mahinder Pal	- Rs. 20,00,000/- & Rehabilitation
2.	A-1/1	Rajdeep Singh	- Rs. 20,00,000/- & Rehabilitation
3.	A-1/1	Jagdish Lal S/o Balak Ram	- Rs. 25,00,000/- & Rehabilitation
4.	A-1/1	Surinder Singh	- Rs. 25,00,000/- & Rehabilitation
5.	A-1/1	Amar Jit Kaur	- Rs. 40,00,000/- & Rehabilitation
6.	A-1/1	Sudersh Kaur W/o Ravinder Singh	- Rs. 40,00,000/- & Rehabilitation
7.	A-1/2	Krishan Lal Bhatia S/o Chinni Lal	- Rs. 32,00,000/- & Rehabilitation
8.	A-1/3	Kamal Rani W/o Guru Dutt Mehta	- Rs. 70,00,000/- & Rehabilitation

9.	A-1/4	Ravinder Kumar Malhotra	- Rehabilitation
10.	A-1/5, Shop No.4	Harcharan Singh S/o Harbans Singh	- Rs. 10,00,000/- & Rehabilitation
11.	A-1/5	Umesh Arora S/o K.K. Arora	- Rs. 28,00,000/- & Rehabilitation
12.	A-1/5	Satwant Kaur W/o Joginder Pal Singh	- Rs. 25,00,000/- & Rehabilitation
13.	A-1/5	Mandeep Banga	- Rs. 10,00,000/- & Rehabilitation
14.	A-1/5	Joginder Pal Singh Banga	- Rs. 28,00,000/- & Rehabilitation
15.	A-1/6	Jogender Kalra S/o Krishan Kumar	- Rs. 28,00,000/- & Rehabilitation
16.	A-1/7	T.N. Sethi S/o Ram Pyare Lal Sethi	- Rs. 28,00,000/- & Rehabilitation
17.	A-1/8	Som Nath Gulati	- Rs. 27,00,000/- & Rehabilitation

On perusal of the claims filed by the interested persons, it is noted that most of the interested persons have claimed market value of land at Rs. 1.00 lacs per sqm. approximately. But none of them have furnished any documentary evidence like registered sale deeds of similar land anywhere nearer to the claimed market value. It is further observed that the claims are not only exorbitantly high but also lacks supportive evidences.

Similarly, the claims towards cost of structures have been very high and not supported by reliable evidences. Most of them were not evaluated by credible Govt. approved valuers, hence were not accepted to be the basis of arriving at the compensation towards structures. The claims towards other items like defacement of properties, discomfort, loss of business, cost of shifting and transportation are not supported by documentary evidences and posses no scientific base on which such calculation were deducted.

MARKET VALUE

A. LAND

To arrive at fair market value, the locality of the site, situation of the area and finally the quality, potentiality and use of area and finally the quality, potentiality and use of land should be kept in mind. The property under acquisition are situated in Moti Nagar have residential as well as commercial activities in the vicinities. The market value of the land under acquisition is to be determined with reference to the date of publication of notification u/s 4 of the L.A. Act 1894, which in this case is 11.06.2003, so that adequate compensation on prevailing market value could be awarded.

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 Moti Nagar area was given at Rs.6,930/- per sqm. for residential purpose and Rs. 14,490/- for commercial purpose. 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 Rajouri Garden, Tilak Nagar and Subhash Nagar were collected to estimate the fair market value. The details of sales transactions have been summarized as under :-

Sl. No.	Registration No. & date	Amount (in Rs.)	Area in sqm.	Name of colony & revenue state	Average Rate (per sqm.)
1.	3241 - 25.02.2003	2,65,000/-	83.61	Anand Vihar, Jail Road (Tihar)	Rs.3,169/-
2.	3597 - 4.03.04	6,00,000/-	42.85	Ashok Nagar (Tihar)	Rs. 14,082/-
3.	5080 - 23.03.04	4,85,000/-	83.61	Tilak Nagar (Tihar)	Rs. 5,800/-
4.	9675 - 12.11.03	60,00,000/-	422	Rajouri Garden (Basai Darapur)	Rs. 14,218/-

On calculation, the average sale price of these transactions comes to Rs. 9,318/- per sqm.

By evaluating the above methods and keeping the locational advantage of being situated on main road in mind, the market value has been assessed at Rs. 10,560/- per sqm.

Before determining the amount of compensation, a notice u/s 50(i) was given to the D.M.R.C. Limited, a company for which the land was acquired.

B. STRUCTURES

The value of structures including permanent structure, boundary wall, gate and any other things should be given to the interested persons 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.	VALUATION NO.	PROPERTY NO.	NAME OF OWNER/OCCUPANT	VETTED AMOUNT OF STRUCTURE
1.	99	A-1/1, Shop No. 1	Jagjeet Sons (Smt. Sudarsh Kaur (Prop.) w/o Late Sh. Ravinder Singh	54,863.00
2	100	A-1/1, Shop No. 2	Mohindra Textile, Amarjeet Singh w/o Late Sh. Harminder Singh	13,873.00
3.	101	A-1/1, Shop No. 3	Vasudev Garments, Surender Singh S/o Harbans Singh	11,396.00
4.	102	A-1/1, Shop No. 4	Jagdish Lal S/o Balak Ram	9,874.00
5.	103	A-1/1, Shop No. 5	Sukhmani Textile	24,392.00
6.	104	A-1/1, Shop No. 6	Mohinder Pal Luthra S/o Late Sh. Surjeet Singh Luthra	19,394.00
7.	105	A-1/2, Residence	K.L. Bhatia	1,85,327.00
8.	106	A-1/3, Residence	Smt. Kamla Rani W/o Late Sh. Guru Dutt	59,401.00
9.	107	A-1/3, Shop No. 1	Harish Bhatia (Shakti Properties)	16,229.00
10.	108	A-1/4A, Residence	Kisan Malhotra S/o Barkat Ram	78,549.00
11.	109	A-1/4B, Residence	Ravinder Kumar S/o Barkat Ram	32,865.91
12.	110	A-1/4C, Residence	Savita w/o Naval Kishore	50,859.00
13.	111	A-1/5, Shop No. 1	Mandeep Singh S/o Joginder Singh	19,334.00
14.	112	A-1/5, Shop No. 2	Harcharan Singh	18,333.00
15.	113	A-1/5, Shop No. 3	Joginder Pal Singh Banga S/o Jagjeet Singh Banga	36,353.00
16.	114	A-1/5, Shop No. 4	Sachin Arora S/o K.K. Arora	42,857.00
17.	115	A-1/6, Part-I, Residence	Krishna Kalra W/o Late Sh. A.N. Kalra and Rajinder Kalra S/o A.N. Kalra	17,940.00
18.	116	A-1/6, Part-II, Residence	O.P. Kalra s/o A.N. Kalra	14,397.00
19.	117	A-1/6/A, Residence	O.P. Kalra & Rajender Kalra	82,507.00
20.	118	A-1/6/B, Residence	Rajinder Kalra	2,12,671.00

21.	119	A-1/6/C, Residence	Triyambak Sanitation Service, Devinder Kalra/Pradeep Kalra	28,147.95
22.	120	A-1/7, Residence	Trilok Nath Sethi	1,96,150.54
23.	121	A-1/8/A, Residence	Narender Nath s/o som Nath Gulati	13,677.70
24.	122	A-1/8/B, Residence	Prem Nath Gulati S/o Som Nath Gulati	1,81,072.00
25.	123	A-1/8/C, Residence	Som Nath Gulati S/o Lala Bhoja Ram	36,394.80

OTHER COMPENSATIONS

C. 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.

D. 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 11.06.2003 to 08.12.2003.

E. INTEREST U/s 34

The interest at the rate of 9% and 15% p.a. will also be paid to the interested persons from date of possession till the date of award i.e. from 09.12.2003 to 11.02.2005.

F. APPORTIONMENT

S.No.	Property No.	Name of Recorded Owner	Status of Land	Amount (Rs.)
1.	A-1/1 & A-1/2, Moti Nagar	Ravinder Singh & K.L Bhatia	Lease Hold	20,33,682.00
2.	A-1/3 & A-1/4, Moti Nagar	Guru Dutt & Barkat Ram	-do-	19,50,505.00
3.	A-1/5 & A-1/6, Moti Nagar	Krishan Kumar, Tulsi Dass & K.K. Kalra	-do-	22,28,228.00
4.	A-1/7 & A-1/8, Moti Nagar	T.N. Sethi & S.N. Gulati	-do-	21,83,870.00

Since, the interested person in the said property has executed lease-deeds of permanent nature which conferred the right of transfer, addition and alteration to the lease holders. Under these circumstances, the ratio of apportionment between lessor & lessee is held at 20:80 i.e 20% to owner and 80% to lessee is held.

SUMMARY OF AWARD

S.No.	ITEM	AMOUNT (Rs.)
1.	Market Value of the land measuring 438 sqm. @Rs. 10,560/- per sqm.	Rs. 46,25,280/-
2.	Solatium @ 30%	Rs. 13,87,584/-
3.	Value of structures as assessed by Regd. Valuer & vetted by PWD	Rs. 14,56,859/-
4.	Addl. Benefits u/s 23 (IA) on item 1 & 3 @ 12% per annum from the date of notification to the date of possession i.e. 11.06.2003 to 08.12.2003 (181 days)	Rs. 3,61,929/-
5.	Amount tendered before possession	Rs. 30,10,806/-
6.	Interest on compensation u/s 34 from the date of possession to the date of award i.e. 09.12.2003 to 11.02.2005 (@9% p.a. for 365 days & @15% p.a. for 66 days)	Rs. 4,33,876/- Rs. 1,30,757/- Rs. 5,64,633/-
	TOTAL :-	Rs. 53,85,479/-
	GRAND TOTAL :-	Rs. 83,96,285/-

(Rupees Eighty Three Lacs Ninty Six Thousand Two Hundred Eighty Five Only).

Approved

Secretary (Revenue)

(BINAY BHUSHAN)
LAND ACQUISITION COLLECTOR
WEST DISTRICT: DELHI

The award is drawn with the approval of Secretary (Revenue), GNCT of Delhi & announced accordingly.

Announced in the open court

16/2/05

मा. २११ गु. १११११ ११११ ११११ ११११

M.R.T.S. Station.

1	2	3	4	5	6	7	8	9	10	11	12
S.N.	Property No	Area in Sqm	Market value @ 10560/- per Sqm	Solution. 30%.	value of structure	(281) days. Additional Amount @ 12% w.e.f. (181 days)	Amount Transferred as per possession.	Balance Amount	Interest @ 9% 365 days Total 431 days	Total Balance	Grand Total
I	A-1/12 1/2 Mot. Nagar	109.50	1156320/-	346896/-	319119/-	87799/-	855279/-	1054855/-	94937/- + 28611/- 123548/- 97143/- 292761/- 126419/-	1178403/-	2033682/-
2	A-1/34 1/4	do	1156320/-	346896/-	237904/-	82966/-	744720/-	1079366/-	119523/- 36021/- 155544/-	1205785/-	1950505/-
3	A-1/54 1/6	do	1156320/-	346896/-	472540/-	96928/-	744646/-	1328038/-	122273/- 36849/- 159122/-	1483582/-	2228228/-
4	A-1/74 1/8	do	1156320/-	346896/-	427296/-	94236/-	666161/-	1358587/-		1517709/-	2183870/-

[Signature]
(A.C.V.)

[Signature]
M.T. CA


[Signature]
Mameli

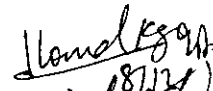
8/12/03


10/c

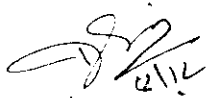
POSSESSION OF A-1 BLOCK, MOTINAGAR

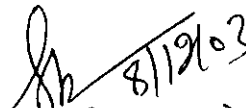
Today on 8/12/03, in continuation to the letter NO. 1267 to 1269 dated 6/11/03 of LAC(W) for Taking over the Possession of A-1, Block Motinagar. Officials from LAC(W), L&B dept, Trpt Dept and DMRC are present as per the programme at site. Physical demarcation of required land of A-1, Motinagar of area 438 sqm has been carried out. Measurement of land comprising A1/1, A1/2, A1/3, A1/4, A1/5, A1/6, A1/7 & A1/8 has been taken, Total Dimensions of A-1 Block of above numbers is 15m x 29.2m as shown in the drawing enclosed. Above land has been Notified vide notification No. F 7(60)/2001/LA/L&B/MRTS/ dated 7/10/03. Area measuring 438 sqm of A-1 Block as mentioned above has been handed over to L&B dept along with structures as is where is basis. Officials present are as under.

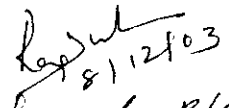

(Shri Bhagwan Patani) L&B dept
8/12/03

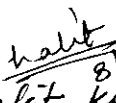

(Laxmi Chandra Kgo) L&B
8/12/03

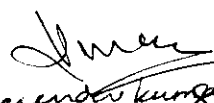

(Prakash Verdani) Tehsil dar/LA
8/12/03


(Deepak Suri) Patani/L&B dept
8/12/03


(Satish Kumar) S.A / Trpt Dept
8/12/03


(Raghavendra Bhat) AEN / DMRC
8/12/03


(Kalit Kumar) JE / DMRC
8/12/03



(Veerender Kumar) XEN / DMRC
8/12/03

Physical possession of land measuring 438 sq m of A-1 Block moti Nagar has been taken over from LAC (w), on 8/12/03 and simultaneously handed over to Trpt. Dept. as is where is basis. at site. 1057

Handed over by

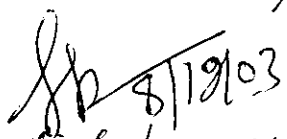

(Deepak Suri)
LAC dept

Taken over by



(Satish Kumar)
S.A. Trpt Dept.

Further above land has been handed over to DMRC Simultaneously.

Handed over by


(Satish Kumar)
S.A. Trpt.

Taken over by


(Raghavendra Bhat)
AEN DMRC.

GOVERNMENT OF THE NATIONAL CAPITAL TERRITORY OF DE
LAND & BUILDING DEPARTMENT : VIKAS BHAWAN : NEW DELHI

No. F. 7(60)/2001/LA/L&B/MRTS/ 4786+801

Dated :- 11/6/03

NOTIFICATION

Whereas it appears to the Lt. Governor, Delhi that land is likely to be required to be taken by Government at the public expense for a public purpose namely for Moti Nagar MRTS Station. It is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

The notification is made, under the provisions of Sub-section 1 of Section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

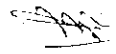
In exercise of the powers conferred by the aforesaid section, the Lt. Governor, Delhi is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey the land in the locality and do all other acts required or permitted by that section.

The Lt. Governor, Delhi is satisfied also that provisions of sub-section (1) of the section 17 of the said Act are applicable to this land and is further pleased under sub-section (4) of the said section to direct that all the provisions of Section 5(A) shall not apply.

SPECIFICATION

S.No.	Property No. & Name of Locality	Measurement & Total Area (in Sq. Mtr.)	Property No. of Boundaries
1.	A-1, Block, Moti Nagar, New Delhi. (Land Comprised in nos. A1/1, A1/3, A1/5, A1/7, A1/9 and A1/11)	15 m x 46.10m = 691.50 sqm	Service Road all around the property & Najafgarh Road on South East side.

BY ORDER AND IN THE NAME OF THE LT. GOVERNOR OF DELHI


(H.D. MAHI)
DY. SECRETARY (LA)

(11)

GOVERNMENT OF THE NATIONAL CAPITAL TERRITORY OF DELHI
LAND & BUILDING DEPARTMENT : VIKAS BHAWAN : NEW DELHI

No. F. 7(60)/2001/LA/L&B/MRTS/ 11225

Dated :- 7/10/23

NOTIFICATION

Whereas the Lt. Governor, Delhi is satisfied that land is required to be taken by Government at the public expense for a public purpose namely for Moti Nagar MRTS Station. It is hereby notified that the land in the locality described below is acquired for the above purpose.

This declaration is made under the provisions of Section 6 of the Land Acquisition Act, 1894, in respect of the land notified U/s 4 of L.A. Act, 1894 vide Notification No.F 7(60)/2001/LA/L&B/MRTS/ 4783 dated 11.6.2003 to all whom it may concern. Under the provisions of Section 7, of the said Act, the Land Acquisition Collector (West) Delhi is hereby directed to take orders for the acquisition of the said land.

A plan of the land may be inspected at the office of the Land Acquisition Collector (West), Delhi.

SPECIFICATION

S.No.	Property No. & Name of Locality	Measurement & Total Area (in Sq. Mtr.)	Property No. of Boundaries
1.	A-1, Block, Moti Nagar, New Delhi. (Land Comprised in nos. A1/1, A1/3, A1/5 and A1/7)	15 m x29.2m = 438 sqm	Service road on southwest and northeast side of the property & Najafgarh Road on southeast side. property No. A1/9 on northwest side

BY ORDER AND IN THE NAME OF THE LT. GOVERNOR OF DELHI


(LAL SINGH)
DY. SECRETARY (LA)

60

GOVERNMENT OF THE NATIONAL CAPITAL TERRITORY OF DELHI
LAND & BUILDING DEPARTMENT : VIKAS BHAWAN : NEW DELHI

No. F 7(60)/2001/LA/L&B/MRTS/ 11276

Dated :- 7/10/03

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of Section 17 of the Land Acquisition Act, 1894, the Lt. Governor, Delhi is pleased to direct the Land Acquisition Collector (West), Delhi to take possession of land the specification of which is given in this notification U/s 4 No. F.7(60)/2001/LA/L&B/MRTS/4783 dated 11.6.2003 and U/s 6 dated...7/10/03...on expiration of 15 days from publication of the notice under sub-section (i) of Section 9 of the said Act.

By order and in the name of the Lt. Governor of NCT of Delhi.


(LAL SINGH)
DY. SECRETARY (LA)