

**AWARD NO. : 11/DC(W)/2004-05**

**Name of Village** : Rajouri Garden, 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 80.06 Sq. meter was issued by the Land & Building Department on 01.06.2004 u/s 4 vide notification No. F.7(11)/2004/L&B/LA/MRTS(W)/3516 of the Land Acquisition Act. The declaration u/s 6 of Land Acquisition Act was issued vide Notification No. F.7(11)/2004/L&B/LA/MRTS(W)/4484 dated 14.06.2004. Since the land was also notified u/s 17(i) of the L.A. Act too vide Notification No. F.7(11)/2004/L&B/LA/MRTS(W)/4485 dated 14.06.2004, 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-2/42	Rajouri Garden	25.86
2.	A-2/43	-do-	18.56
3.	A-2/43	-do-	10.23
4.	A-2/44	-do-	3.28
5.	A-61	-do-	22.13
TOTAL			80.06

Wide publicity of the notification was given through important Dailies both in English and Hindi having the very large circulation in Delhi for the knowledge of the interested parties/persons.

The notices u/s 9(1) and 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 and 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 80.06 sqm. was notified for acquisition. On physical survey conducted by a team of staff of LAC (West) and L&B Deptt., Transport Deptt. and DMRC, the total area was found to be the same i.e. 80.06 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) L A 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-2/42, Gupta Palace	Virender Kumar Surinder Kumar	Tea Shop Alternative Shop
2.	A-2/42, Ravi Construction Co. (P) Ltd.	Banshi Lal Satya Rani	Rs. 12,93,000/- for land Rs. 50,000/- for Gate and Grill Rs. 2,00,000/- for shop
3.	A-2/43	Chetan Lal Kishan Kumar Nav Rattan Meeran Devi Sushila Devi	Rs. 1,00,000/- per sqm for land, Rs. 15,000/- for pump, Rs. 3,00,000/- for water tank, Rs. 1,80,000/- for reconstruction of floor and ground tank, Rs. 12,000/- for construction of counter, Rs. 75,000/- for boundary wall and steel gate, Rs. 50,000/- reconstruction of mainhole, Rs. 8,00,000/- loss of profit, Rs. 1,20,00,000/- for lack of parking, indirect loss of profit, Solatium and Interest
4.	A-2/43 M/s Sagun Buildwell (P) Ltd.	Ramesh Juneja Seetal Juneja Rajeev Juneja	Rs. 40,000/- per sqm for land
5.	A-2/43	M/s Nidhi Sidhi Properties (P) Ltd.	Rs. 40,000/- per sqm for land
6.	A-2/44	Ramesh Gupta	Rs. 20,000/- per sq yard Rs. 1,00,000/- for construction of boundary wall

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. 1,00,000/- 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**

#### **G. 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 Rajouri Garden 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 01.06.2004, 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 Rajouri Garden area was given at Rs. 6,930/- per sqm. for residential purpose and Rs. 14,490/- for commercial purpose. However no industrial rate is fixed by LNDO, more over 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 & 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.	3241-25.02.03	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/-	422.00	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 method 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.

## H. 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	Amount vetted by PWD (Rs.)
1.	905	A-2/42, Rajouri Garden	Ravi Construction (P) Ltd.	2,032/-
2.	906	A-2/43	Bikaner Wala	16,705/-
3.	907	A-2/43	M.S. Sapra	7,742/-
4.	908	A-2/44	Krishan Das Gupta	12,916/-
5.	909	A-61	Munishi Ram Wazir Chand	14,818/-

## **OTHER COMPENSATIONS**

### **I. 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.

### **J. 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 01.06.2004 to 23.07.2004.

### **K. INTEREST U/s 34**

The interest at the rate of 9% p.a will also be paid to the interested persons from date of possession till the date of award i.e. from 24.07.2004 to 08.02.2005.

### **L. 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 which is as under :

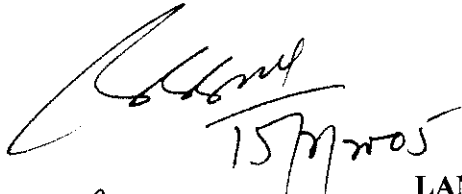
S.No.	Property No.	Name of the recorded owner	Status of land	Amount (Rs.)
1.	A-2/42, Rajouri Garden	Banshi Lal	Free Hold	3,70,483/-
2.	A-2/43, Rajouri Garden	Chetan Lal & Krishan Kumar	Free Hold	2,82,178/-
3.	A-2/43, Rajouri Garden	M.S. Sapra	Free Hold	1,53,968/-
4.	A-2/44, Rajouri Garden	Ramesh Gupta	Free Hold	60,506/-
5.	A-61, Rajouri Garden	Munshi Ram Wazirchand	Free Hold	3,31,009/-


Since all these properties are free hold properties, the whole amount is assessed in favour of recorded owners.

**SUMMARY OF AWARD**

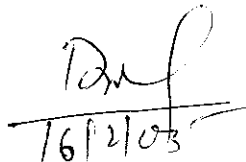
S.No.	ITEM	AMOUNT (Rs.)
1.	Market Value of the land measuring 80.06 sqm. @Rs.10,560/- per sqm.	Rs. 8,45,433/-
2.	Solatium @ 30%	Rs. 2,53,630/-
3.	Value of structures as assessed by Regd. Valuer & vetted by PWD	Rs. 54,213/-
4.	Addl. Benefits u/s 23 (IA) on item 1 & 3 @ 12% per annum from the date of notification to the date of possession i.e. 01.06.2004 to 23.07.2004 (53 days)	Rs. 15,676/-
5.	Amount tendered before possession	Rs. 5,77,007/-
6.	Interest on balance compensation u/s 34 @9% from the date of possession till award i.e. 24.07.2004 to 08.02.2005 (200 days)	Rs. 29,192/-
	<b>Total Balance</b>	<b>Rs. 6,21,137/-</b>
	<b>Grand Total</b>	<b>Rs. 11,98,144/-</b>

(Rupees Eleven Lacs Ninty Eight Thousand One Hundred Forty Four Only.)

Approved   
 Secretary (Revenue) 15/7/2005

  
 (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



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widening of Road for M.P.T.S.

@ 10.560/- Per Sqm

1	2	3	4	5	6	7	8	9	10	11	12
S.No	Property No	Area in Sqm	Market Value	Solatium 30%	Value of Structure	Additional amount @ 12% 1-6-04 to 23-7-04 (53 days)	Amount Tendered before possession	Balance Amount	Interest on Balance Amount @ 9% P.A. w.e.f. 23-2-04 to 8-2-05 (200 days)	Total Balance	Grand Total
1	A2/42	25.86	273081/-	81924/-	2032/-	4794/-	186378/-	175453/-	8652/-	184105/-	370483/-
2	A2/43	18.56	195944/-	58798/-	16705/-	3706/-	133766/-	141437/-	6975/-	148412/-	282178/-
3	A2/43	10.23	108029/-	32409/-	7742/-	2017/-	73729/-	76468/-	3771/-	80239/-	153968/-
4	A2/44	3.28	34637/-	10391/-	12916/-	829/-	23639/-	35134/-	1733/-	36867/-	60506/-
5	A-61	22.13	233692/-	70108/-	14818/-	4330/-	159495/-	163453/-	8061/-	171514/-	331009/-
			845433/-	253630/-	54213/-	15676/-	577007/-	591945/-	29192/-	621137/-	1198144/-

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POSSESSION REPORT OF PRIVATE PROPERTIES AT RASOURI GARDEN

As per the Order of the LACCO/ADM, officials from LACCO, L&R Dept, Transport Dept & DMRC are assembled today at the site for taking over the physical possession of above mentioned land from the properties detailed in Annexure - A, measuring 8006 Sqm. The above said properties (land) has been notified U/s of L.A Act 1894 vide notification No. F-7(11)/2002/LA/L&R/HRIS(W)/3516 dated 01/06/04 & U/s 6, 17 vide notification No. F-7(11)/2004/LA/L&R/HRIS(W)/4434 dated 16/06/2004. Details of measurement are enclosed in the report as per annexure A. Physical demarcation of the above land & structure has been made & physical possession of vacant land <sup>& structure</sup> measuring 8006 Sqm as mentioned above has been handed over to Land & Building Department.

Karam Singh  
(KARAM SINGH)  
LOC/HRIS

(DEEPAK SINGH)  
Patwar/L&R

(LAKH CHAND)  
Kgo/LACCO

(LALU KUMAR)  
Jt/D.M.R.C

(2/4)

Physical possession of vacant land & structure measuring 80.06 Sqm at Pajouri Garden has been taken over from LAC (W) & simultaneously handed over to Transport Dept.

Handed Over By

~~Deepak Singh~~  
(Deepak Singh)  
Pajouri / LAC

Taken Over By

Ram Singh  
(KARAN YOGI)  
LDC/MRTS

Further above vacant land & structure has been handed over to DMRO simultaneously.

Handed Over By

Ram Singh  
(KARAN YOGI)  
LDC/MRTS, Transport Dept.

Taken Over By

Ram Singh  
(KARAN YOGI)  
LDC/MRTS

## DETAILS OF PVT LAND AT RAJOURI GARDEN

SL. NO.	Property No. AND Name of the Locality	Dimensions & ... Area in mtr. sq.	Boundaries of the property				Remarks
			NW	SW	NE	SE	
1.	Gupta Palace, A2/42, → Rajouri Garden.	<u>25.86 Sqm</u> (Dimensions are as per drawing)	Najafgarh Rd.	Part of the same property	A2/43 Bikaner	Part of the same property	Boundary affected.
2.	Bikaner wala, A2/43, → Rajouri Garden.	$12.21 \times \left( \frac{1.74 + 1.30}{2} \right)$ <u>= 18.56 Sqm</u>	Najafgarh Rd.	A2/42 (Gupta Palace)	M.S. Sapra Advocate	Part of the same property	Boundary affected
3.	M.S. Sapra, A2/43, → Rajouri Garden	$12.04 \times \left( \frac{1.30 + 0.40}{2} \right)$ <u>= 10.23 Sqm</u>	Najafgarh Rd.	A2/43 Bikaner wala	A2/44	Part of the same property	- do -
4.	Krishna Das Gupta A2/44	$16.39 \times \left( \frac{0.40 + 0.00}{2} \right)$ <u>= 3.28 Sqm</u>	Najafgarh Rd.	A2/43 M.S. Sapra Advocate	Part of the same property	Part of the same property	- do -
5.	Munshi Ram Wazir Chand A61	$13.41 \times \left( \frac{0.88 + 1.38}{2} \right)$ $+ 10.12 \times \left( \frac{1.38 + 0.00}{2} \right)$ <u>= 22.13 Sqm</u>	Najafgarh Rd.	Lane	Part of the same property	Part of the same property	Only steps are affecting

*[Signature]*  
23/7

23/7/2017

*[Signature]*  
23/7/2017

*[Signature]*  
23/7/2017

GUPTA PAI  
A2/42

GOVERNMENT OF THE NATIONAL CAPITAL TERRITORY OF DELHI  
LAND & BUILDING DEPARTMENT - VIKAS BHAWAN - NEW DELHI  
No. F. 7(11)/2004/LA/L&B/MRTS(W)/ 235/04

Dated : 17/6/04

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 construction of Service Road for MRTS at Rajouri Garden. 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 & Name of Locality	Total Area (in Sq.Mtrs.)	Property No. of Boundaries
1.	Gupta Palace, A2/42, Rajouri Garden	25.86	NW - Najafgarh Road SW - Part of Property No. A2/42 NE - A2/43, Bikanerwala SE - Part of Property No. A2/42
2.	Bikanerwala, A2/43, Rajouri Garden	18.56	NW - Najafgarh Road SW - A2/42, Gupta Palace NE - Part of Property No. A2/43 SE - Part of Property No. A2/43
3.	Property No. A2/43, Rajouri Garden	10.23	NW - Najafgarh Road SW - A2/43, Bikanerwala NE - Property No. A2/44 SE - Part of Property No. A2/43
4.	Property No. A2/44, Rajouri Garden	3.28	NW - Najafgarh Road SW - Part of Property No. A2/43 NE - Part of Property No. A2/44 SE - Part of Property No. A2/44
5.	Property No. A-61, Rajouri Garden	22.13	NW - Najafgarh Road SW - Lane NE - Part of Property No. A-61 SE - Part of Property No. A-61
	Total	80.06	

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

(LAL SINGH)  
DY. SECRETARY (LA)

Rge LA.

16/6/04

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

No. F. 7(11)/2004/LA/L&B/MRTS(W)/47189

Dated 14/6/2004

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 construction of Service Road for MRTS at Rajouri Garden. 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(11)/2004/LA/L&B/MRTS(W)/3516 dated 1/6/2004 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 & Name of Locality	Total Area (in Sq.Mtrs.)	Property No. of Boundaries
1.	Gupta Palace, A2/42, Rajouri Garden	25.86	NW - Najafgarh Road SW - Part of Property No. A2/42 NE - A2/43, Bikanerwala SE - Part of Property No. A2/42
2.	Bikanerwala, A2/43, Rajouri Garden	18.56	NW - Najafgarh Road SW - A2/42, Gupta Palace NE - Part of Property No. A2/43 SE - Part of Property No. A2/43
3.	Property No. A2/43, Rajouri Garden	10.23	NW - Najafgarh Road SW - A2/43, Bikanerwala NE - Property No. A2/44 SE - Part of Property No. A2/43
4.	Property No. A2/44, Rajouri Garden	3.28	NW - Najafgarh Road SW - Part of Property No. A2/43 NE - Part of Property No. A2/44 SE - Part of Property No. A2/44
5.	Property No. A-61, Rajouri Garden	22.13	NW - Najafgarh Road SW - Lane NE - Part of Property No. A-61 SE - Part of Property No. A-61
	Total	80.06	

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

  
(LAL SINGH)  
DY. SECRETARY (LA)

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

No. F. 7(11)/2004/LA/L&B/MRTS(W)/U/s 4 & 5

Dated 13/11/2004

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 Notification U/s 4 No. 7(11)/2004/LA/L&B/MRTS(W)/3516 dated 1/6/2004 and U/s 6 dated 11/6/2004 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)