

6/06/04-05
AWARD NO. : /2004-05

Name of Village : Property NO. 66,67,&68(1-3),DLF industrial Area ,kirti Nagar ,Najafgardh 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 3257Sq. meter was issued by the Land & Building Department on 13.02.2004 u/s 4 vide notification No. F.7(14)/2003/LA/L&B/MRTS(W)/25040 of the Land Acquisition Act. The declaration u/s 6 of Land Acquisition Act was issued vide Notification No. F.7(14)/2003/LA/L&B/MRTS(W)/4011 dated 08.06.2004. Since the land was also notified u/s 17(i) of the L.A. Act too vide Notification No. F.7(14)/2003/LA/L&B/MRTS(W)/4012 dated 08.06.2004, 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.	66,D.L.F industrial Area.	Kirti Nagar,najafgardh Road ,New Delhi.	1654
2.	67,D.L.F industrial Area.	Kirti Nagar ,Ngafgardh Road , New Dehi.	1410
3.	68 (1-3).D.L.F indusrial Area.	Kirti Nagar ,NajafgardhRoad.New Delhi.	193
		TOTAL	3257.00

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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 3257.00sqm. was notified for acquisition. 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. 3257.00sq.mtrs. 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.	66, D.L.F industrial Area Kirti Nagar.	M/S Lohia Developers	- NO CLAIMS
2.	67 „ „	M/s Structural Febrication (p) L.t.d	- Rs.2 lack per sqm .for land Solatium & interest.
3.	68(1_3),, „	M/s Sylvania Laxman (p) Ltd .	- Rs.65000/= per sqm for land solatium & interest.
			=

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On Prsual of the claims filed by the interested Person.it is noted that most of the interested person have c laimed market value of land at RS. 2 lack &65,000/= per sqm . approximately .but none of them have furnished any documentary .evidence like registerd sale deeds of simil industrial land anywhere nearer to the claimed market value. It is further observed that the claims are not only exorbitantly high but also lack supportive evidence in support of their claim .later the claimaites produced some sale deed &auction certificates on persusl of these evidence .it has revealed that these sale deeds and auction certificates are linked with residential &commercial properties .Nothing in support of sale transaction of industrial properties was produced by them.

Similarly the claims toward cost of structures have been very high and not supported by reliable evidence.most of them were not evaluated by credible Govt.approved vaiuers.hence were not accepted to be the basis of arriving at the compensation toward structures .the claims toward other item like defacement of properties,discomfort ,loss of business, cost of shifting and transportation are not supported by documentary evidence 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 wce of land should be kept in mind the property under acquisition is an industrial property situated in Kirti Nagar have residential as well as commercial activities in the vicinities .The market value of the land under Acquisition is to be determined with refrence to the date of publication of notification u/s 4 of the L.A Act 1894 ,which in the case is 04.03.2003,so that adequate compensation on prevailing market value could be awarded.

Keeping the above fact in mind ,two methods of 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 notedthat indicative price of land in Kirti Nagar Area was given at Rs .6930/- per sqm for residential purpose and Rs .14,490/- for commercial purpose However ,no industrial rate was fixed by land &Development Office .But these rates were applicable till, march 2000 and not revisd yet, thus making the method inherently deficent .

In another method of valuation ,the price paid within a reasonable time -frame in bonified transaction of purchase of similar land possessing similar advantage has been followed .So the certified registerd sale deeds of rate of similar lands in the adjacent area of West Patel Nagar &kirti Nagar ,were collected to estimate the fair market value.

The details of sale transction of similar industrial land of nearest period have been summarized as under :-

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SL NO.	Registration No.& date	Amount (in Rs.)	Area in Sqm.	Name of calony& Revenue state	Average Rate (per sqm.)
1	119-7.4.2003	5,35,00,000/-	6019.20	(Philips india ltd.)patel road	Rs. 8,888/-

Moreover ,to arrive the fair market value of land ,the conversion rates charged by DDA,issued in the year 2003,were also taken in to consideration The indicative rates of Kirti Nagar industrial area is Rs.17,870/-per sqm. by evaluating the above methods and keeping the location advantage of being situated on main road in mind the market value has been assessed at Rs.19,660/- per sqm for these industrial properties

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

B. STRUCTURES

There was no structures standing on this land .

OTHER COMPENSATION

C. SOLATIUM

On the market –value so determined by the LAC, the owner interested person are entitled to get 30%extra compensation as solatium as per the provision of L.A Act.

D. ADDITIONAL BENIFITS

The interested person are also entitled to have additional benefits@12%per annum on the market value of the land and solatium u/s 4 till the date of prosession i.e from 13.02.2004 to 20.07.2004 .

E. INTEREST U/S 34

The interested rate of 9%will also be paid to the interest person from the date of possession till the date of award i.e. from 21.07.2004 to 20.12.2004

F. APPORTIONMENT

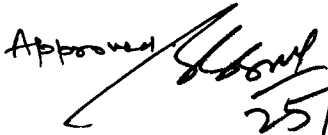
The compensation will be paid to the right ful owner/interested person on the basis of latest records .The details of recorded owner of land under acquisition were collected from the revenue record which is as inder:-


S.NO	Property No.	Name of interested person	Status of Land
1	66,D.L.F industrial Area,Kirti Nagar	M/S Lohia Developers	Free Hold
2	67,D.L.F industrial Area Kirti Nagar	M/S structural Febricators	Free Hold
3	68(1-3),D.L.F industrial area,Kirti Nagar.	M/S Sylvania Laxman (p) Ltd.	Free Hold

All the above properties are free hold .thus the total compensation assessed in favour of the recorded owners.


S.NO	ITEM	AMOUNT .(RS.)
1	Compensation for the land measuring 3257.00 sqm @Rs.19,660/- per sqm	Rs.6,40,32,620/-
2	Solatum @ 30%	Rs.1,92,09,786/=
3	Addl.Benefits u/s 23(IA)on item 1@12%per annum from the date of notification to the date of possession i.e 12.02.2004 to 20.07.2004 (159 days)	33,47,239/=
4	80%amount tenderd before possession	6.05,30,693/=
5	Interest on balance compensation u/s 34 @9%annum from the date of possession to the date of award i.e 21.07.04 to 20.12.2004 (153 days).	Rs. 9,83,101/=
	TOTAL BALANCE	2,70,42,053/=
	GRAND TOTAL	8,75,72,746/=

(Rupees eight crore seventy five lack seventy two thousand seven hundred and forty six)

Approved 
25/11/2005
Secretary (Revenue)


(BINAY BHUSAN)
LAND ACQUISITION COLLECTOR
WEST DISTRICT:DELHI

The award is drawn with the approval of secretary(Revenue),GNTC of delhi &announced accordingly.

Announced in open court

28/11/05

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

No. F. 7(14)/2003/LA/L&B/MRTS (W)/ 4011

Dated :- 8/6/2004

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 viaduct and siding of East West Corridor MRTS Project (East West corridor Barakhamba Road-Connaught Place-Dwarka corridor). 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(14)/2003/LA/L&B/MRTS(W)/25040 dated 13/2/2004 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.	Lohia Developers, 66, DLF Indl. Area, Kirti Nagar.	1654.00	N - DMRC Land S - 66, DLF, Lohia Developers E - Rama Road W - 67, DLF, Structural Fabricators Ltd
1.	Structural Fabricator Ltd., 67, DLF Industrial Area, Kirti Nagar.	1410.00	N - DMRC Land S - 67, DLF, Structural Fabricators Ltd E - 66, DLF, Lohia Developers W - 68/1-3, DLF, Sylvania Laxman
2.	Sylvania Laxman Ltd., 68/1-3, DLF Industrial Area, Kirti Nagar	193.00	N - DMRC Land S - 68/1-3, DLF, Sylvania Laxman E - 67, Structural Fabricators Ltd W - 68/1-3, DLF, Sylvania Laxman
	Total Area	3257.00	

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

(LAU SINGH)
DY. SECRETARY (LA)