

AWARD NO. : 13/DC(L)/2004-05

Name of Village : East Patel 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 1003.20 Sq. meter was issued by the Land & Building Department on 10.02.2003 u/s 4 vide notification No. F.7(60)/2001/L&B/LA/MRTS/18315 of the Land Acquisition Act. The declaration u/s 6 of Land Acquisition Act was issued vide Notification No. F.7(60)/2001/L&B/LA/MRTS/1278 dated 30.04.2003. Since the land was also notified u/s 17(i) of the L.A. Act too vide Notification No. F.7(60)/2001/L&B/LA/MRTS/1279 dated 30.04.2003, 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.	1/1, East Patel Nagar	East Patel Nagar	36.00
2.	1/2 -do-	-do-	36.00
3.	2/14, West Patel Nagar	West Patel Nagar	36.80
4.	2/15, -do-	-do-	36.00
5.	2/16, -do-	-do-	858.40
		TOTAL	1003.20

Vide 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 1003.20 sqm. was notified for acquisition. On physical survey conducted by a team of staff of LAC9West) and L&B Deptt., Transport Deptt. and DMRC, the total area was found to be the same i.e. 1003.20 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) I. 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.	1/1, East Patel Nagar	Top class Builders (P) Ltd. through Pawan Kumar	@50,000/- per sqm. Rs. 3,50,000/- for structure and flooring
2.	1/2, East Patel Nagar	M/s Moksa Security (P) Ltd. through Naveen Gambhir	@50,000/- per sqm. Rs. 1,50,000/- for structure and flooring
3.	2/15, West Patel Nagar	M/s Alfa Promoters (P) Ltd., M/s MAJA Realtors (P) Ltd. through Hemant Kumar	@51,000/- per sqm. Rs. 10,00,000/- for structure, Rs. 51,000/- for Principal Tree
4.	2/16, West Patel Nagar	Live Land Estate (P) Ltd. through Parmod Bhandari and Pawan Kumar	Rs. 4,50,00,000/- for total land Rs. 57,00,000/- for structure

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, 80,000/- 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 possess no scientific base on which such calculation were deducted.

MARKET VALUE

E. 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 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 reference to the date of publication of notification u/s 4 of the L.A. Act 1894, which in this case is 10.02.2003, 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 West Patel Nagar area was given at Rs.11,550/- per sqm. for residential purpose and Rs. 24,150/- for commercial purpose. However no industrial rate is fixed by LNDU, 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 West Patel Nagar & New Rajinder 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.	509/1-25.07.03	6,00,000/-	83.5	Plot No. 95, St.-I, New Rajinder Nagar	Rs.7,186/-
2.	1333-06.02.2001	33,75,000/-	334.00	W-5, West Patel Nagar.	Rs.10,105/-

On calculation, the average sale price of these transactions comes to Rs. 8,646 per sqm.

Beside these, the rate of conversion issued by DDA was also taken in to account. The indicative rate for industrial properties in West district is Rs.24,150/- 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. 19,657/- 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.

F. 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.	Property No.	Cost of Structure (In Rs.)
1.	1/1, East Patel Nagar (Part)	26,673/-
2.	1/2, East Patel Nagar (Part)	21,842/-
3.	2/14, West Patel Nagar (Part)	28,941/-
4.	2/15, West Patel Nagar (Part)	22,444/-
5.	2/6, West Patel Nagar (Whole)	22,01,388/-

OTHER COMPENSATIONS

G. 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.

H. 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 10.02.2003 to 09.09.2003

I. 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 10.09.2003 to 31.12.2004.

J. 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.	Status of Land	Amount (Rs.)
1.	1/1, East Patel Nagar, Top class Builders (P) Ltd. & Fore Most Overseas (P) Ltd.	Lease Hold	7,17,696/-
2.	1/2 , East Patel Nagar, M/s Moska Securities (P) Ltd., Naveen Kumar	-do-	7,11,821/-
3.	2/14, West Patel Nagar	-do-	7,35,682/-
4.	2/15, West Patel Nage, M/s Alpha Promotors (P) Ltd., Hemant Kumar	-do-	7,12,554/-
5.	2/16, West Patel Nagar	-do-	1,90,16,720/-

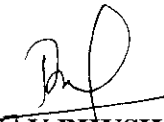
The interested persons in all properties, East Patel Nagar have executed lease-deed of permanent nature which conferred the right of transfer, addition and alteration to the lease holders. Under these circumstances, the ratio of apportionment between lessor and lessee is held at 20:80 i.e. 20% to owner and 80% to Lease-holders.

SUMMARY OF AWARD

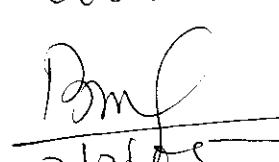
S.No.	ITEM	AMOUNT (Rs.)
1.	Compensation for the land measuring 1003.20 sq.m. @ Rs. 13,280/- per sqm.	Rs. 1,33,22,496/-
2.	Solatium @ 30%	Rs. 39,96,748/-
3.	Value of structures as assessed by Regd. Valuer & vetted by PWD	Rs. 23,01,288/-
4.	Addl. Benefits u/s 23 (IA) on item 1 & 3 @ 12% per annum from the date of notification to the date of possession i.e. 10.02.2003 to 09.09.2003 (212 days)	Rs. 10,88,956/-
5.	80% amount tendered before possession	Rs. 1,20,50,438/-
6.	Interest on balance compensation u/s 34 @9% p.a. from the date of possession to date of award i.e. 10.09.2003 to 31.12.2004 (478 days) (15% for 113 days and 9% for 365 days)	Rs. 7,79,314/- Rs. 4,05,671/- <hr/> Rs. 11,84,985/-
7.	Total Balance	Rs. 98,44,035/-
8.	Grand Total	Rs. 2,18,94,473/-

(Rupees Two Crore Eighteen Lacs Ninty Four Thousand Four Hundred Seventy Three Only).

Approved 
11/2/2005
Secretary (Revenue)


(BINAY BHUSHAN)
LAND ACQUISITION COLLECTOR
WEST DISTRICT: DELHI

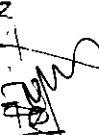
The award is drawn with the approval of Secretary (Revenue), GNCT of Delhi & announced accordingly.


Announced in open court

21/2/05

East Patel Nagar / West P. Nagar

	1	2	3	4	5	6	7	8	9	10	11	12
Particulars	Particulars	Particulars	Particulars	Particulars	Particulars	Particulars	Particulars	Particulars	Particulars	Particulars	Particulars	Particulars
1- 1/1 East Patel Nagar	36.00	478080/-	143424/-	26673/-	35180/-	432432/-	250925/-	34339/-	285264/-	717696/-		
2- 1/2, EPN	36.00	478080/-	143424/-	21842/-	34844/-	432432/-	245758/-	33631/-	279389/-	711821/-		
3- 2/14, West Patel Nagar	36.80	488704/-	146611/-	28941/-	36079/-	442042/-	258293/-	35347/-	293640/-	735682/-		
4- 2/15, WPN	36.00	478080/-	143424/-	22444/-	34886/-	432432/-	246402/-	33720/-	280122/-	712559/-		
5- 2/16, WPN	358.40	11399552/-	3419865/-	2201388/-	947967/-	10311100/-	7657672/-	1047948/-	8705620/-	19016720/-		
	1003.20	13322496/-	3996748/-	2301288/-	1088956/-	12050430/-	8659050/-	1184985/-	9044035/-	21894473/-		


 LAC (w)


 N. F. Chell


 28/11/05


8-9-03 & 9-9-03


POSSESSION REPORT OF Pvt Properties
at Patel Road and Najafgarh Road 78C

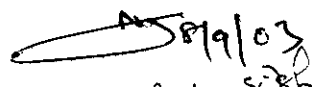
With reference to LAC (W) Letter NO.

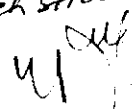
F. 1121-23 dated 26.8.03. in connection with handing over the possession of land notified for MRTS project on Patel Road, all officials from LAC (W), L&B dept, Transport Dept and DMRC were assembled on 8.9.03 as per the programme.

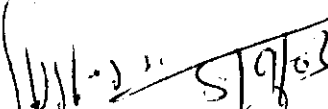
As per the Notification all properties notified along Patel Road & portion of Laxman Silvania and 2A, DLF, Kirti Nagar industrial area has been measured and demarcated and vacant possession of properties has been taken over on 8-9-03 and 9-9-03. Officials present during the physical possession are here under.

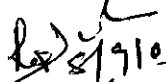

(Prakash Vrandani)
Tehsildar / LA



(Laxmi Chhabra)
Kgo / LA

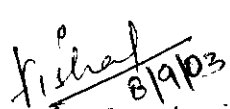

(Vijender Singh)
Patwari / LA

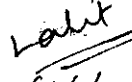

(Mahender Singh)
Kgo / LA & Bdept


(Satik Kumar)
SA / Trpt Dept.


(Raghavendra Bhat)
AEN / DMRC


(Veerendra Kumar)
XEN / DMRC


(Vishal Rastogi)
JE / DMRC


(Lalit Kumar)
JE / DMRC

POSSESSION REPORT

8-9-0-3.

Property NO. 1/1, East Patel Nagar, 1/2, East Patel Nagar
2/14, West Patel Nagar, 2/15, West Patel Nagar &
2/16 West Patel Nagar 77C

Above mentioned 5 properties on Patel Road has been notified U/s 4 of L.A. act vide notification NO. F. 7(60)/2001/LAB/LA/MRTS/18315 dated 10.2.03 and U/s 6 of L.A. act vide notification No. F(60)/2001/LAB/LA/MRTS/278 dt 30/4/03. Today on 8.9.03 physical possession of above properties along with structures has been taken over. Details of the area Taken over are as under.

Property NO.	Area.
1. 1/1, East Patel Nagar.	36 sq. m.
2. 1/2, East Patel Nagar	36 sq. m.
3. 2/14, West Patel Nagar	36.88 sq. m.
4. 2/15, West Patel Nagar.	36 sq. m.
5. 2/16, West Patel Nagar	858.4 sq. m.
Total <u>1003.20 sq. m</u>	

Vacant possession of land along with structures as mentioned above has been handed over to LAB dept by LAC (W).

Handed over by.

(Laxmi Chand.)
Kgo/LA.

Taken over by

(Mahender Singh)
Kgo/LAB dept.

Further above land has been handed over to Trpt. Dept simultaneously.

Handed over by

(Mahender Singh)
Kgo/LAB dept.

Taken over by.

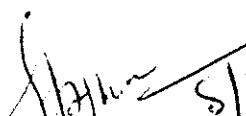
(Satish Kumar)
SA/Trpt Dept.

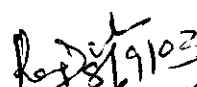
Further above land has been handed over to DMRC by Trpt Dept Simultaneously.

Handed over by

Taken over by

76C

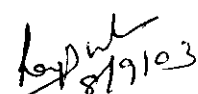

(Satish Kumar)
S.A / Trpt Dept.

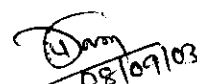

(Raghavendra Bhat)
AEN / DMRC

Further above land has been handed over to Field Unit along with structures simultaneously.

Handed over by

Taken over by


(Raghavendra Bhat)
AEN / DMRC / Land.


(U.L. Sontakke)
XEN / L-3.

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

No. F. 7(60)/2001/L&B/LA/MRTS/ 1278

Dated :- 30/4/03

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 MRTS Station etc. 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/L&B/LA/MRTS/ 18315 dated 10.02.2003 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

Property No. & Name of Locality	Measurement & Total Area (in Sq. Mtr.)	Property No. of Boundaries
✓ 1/1 East Patel Nagar (Part)	18m X 2m = 36 Sq. Mtrs.	N-1/1 EPN, S- Patel Road, E-1/2 EPN, W- Road.
✓ 1/2 East Patel Nagar (Part)	18m X 2m = 36 Sq. Mtrs.	N 1/2 EPN, S- Patel Road, E 1/3 EPN, W 1/1 EPN
✓ 2/14 West Patel Nagar (Part)	18.4 m X 2m = 36.8 Sq. Mtrs.	N-2/14 WPN, S-Patel Road, E-2/15 WPN, W-2/13 WPN
2/15 West Patel Nagar (Part)	18 m X 2m = 36 Sq. Mtrs.	N 2/15 WPN, S-Patel Road, E-2/16 WPN, W-2/14 WPN
2/16 West Patel Nagar (Whole)	37 m X 23.2 m = 858.4 Sq. Mtrs.	N - Lane, S- Patel Road, E-Road, W-2/15 WPN

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

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

राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार
भूमि व भवन विभाग
विकास भवन, नई दिल्ली ।

संख्या. एफ.7(60)/2001/भू. व भ/भू.अ./एमआरटीएस/1278

दिनांक: 30/4/03

अधिसूचना

जबकि दिल्ली के उपराज्यपाल संतुष्ट हैं कि सार्वजनिक प्रयोजन एवं सार्वजनिक व्यय पर एम.आर.टी.एस इत्यादि हेतु सरकार द्वारा भूमि का प्राप्त किया जाना है । अतः इसके द्वारा यह अधिसूचित किया जाता है कि निम्नलिखित विशिष्ट विवरण में वर्णित भूमि अधिग्रहण की जानी है ।

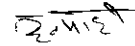
यह घोषणा भूमि अर्जन अधिनियम 1894 की धारा 6 के उपबन्धों के अधीन सर्व संबंध के लिए प्रचालित की जाती है जिसके लिए भूमि अधिग्रहण अधिनियम 1894 की धारा 4 के अन्तर्गत अधिसूचना संख्या. एफ.7(60)/2001/भू. व भ/भू.अ./एमआरटीएस/18315 दिनांक: 10.02.2003 के द्वारा की जा चुकी है और उक्त अधिनियम की धारा 7 के उपबन्धों के अधीन दिल्ली के कलेक्टर(पश्चिम) उक्त भूमि के अर्जन के लिए आदेश लेने के लिए इसके द्वारा निर्देश दिया जाता है ।

भूमि के नक्शे का अवलोकन दिल्ली के कलेक्टर (पश्चिम) के कार्यालय में किया जा सकता है ।

विशिष्ट विवरण

संपत्ति सं. एवं स्थान का नाम	नाप एवं कुल क्षेत्र (वर्ग मी. में)	सीमाओं की सम्पत्ति सं.
1/1 पूर्वी पटेल नगर (भाग)	18 मी. X 2 मी. = 36 वर्ग मी.	उ-1/1 ई.प.न, द.पटेल रोड, पू.1/2 ई.प.न, प. रोड,
1/2 पूर्वी पटेल नगर (भाग)	18 मी. X 2 मी. = 36 वर्ग मी.	उ 1/2 ई.प.न, द.पटेल रोड, पू.1/3 ई.प.न, प 1/1 ई.प.न
2/14 पश्चिम पटेल नगर (भाग)	18.4 मी. X 2 मी. = 36.8 वर्ग मी.	उ .2/14 प.प.न, द.पटेल रोड, पू .2/16 प.प.न, प .2/14 प.प.न
2/15 पश्चिम पटेल नगर (भाग)	18 मी. X 2 मी. = 36 वर्ग मी.	उ 2/15 प.प.न, द.पटेल रोड, पू .2/16 प.प.न, प.2/14 प.प.न
2/16 पश्चिम पटेल नगर (सम्पूर्ण)	37 मी. X 23.2 मी. = 858.4 वर्ग मी.	उ - लेन, द.पटेल रोड, पू .रोड, प .2/15 प.प.न

राष्ट्रीय राजधानी क्षेत्र दिल्ली के उपराज्यपाल के आदेश तथा नाम पर


(एच डी माही)
उप-सचिव (भू.अ.)

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

36C

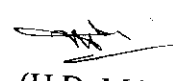
No. F. 7(60)/2001/L&B/LA/MRTS/ 1279

Dated :- 30/4/03

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 his notification U/s 4 No. F. 7(60)/2001/L&B/LA/MRTS/ 18315 dated 10.02.2003 and U/s 6 dated 30.2.03 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.


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

राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार
भूमि व भवन विभाग
विकास भवन, नई दिल्ली ।

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संख्या. एफ.7(60)/2001/भू. व भ/भू.अ./एमआरटीएस-/1279 दिनांक: 30/4/03

अधिसूचना

भूमि अधिग्रहण अधिनियम 1894 की धारा 17 की उप-धारा 1 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिल्ली के उपराज्यपाल दिल्ली के भूमि अधिग्रहण कलेक्टर (पश्चिम) दिल्ली को सहर्ष निर्देश देते हैं कि वे उक्त अधिनियम की धारा 9 की उप-धारा (1) के अधीन इस सूचना के प्रकाशन के 15 दिन की समाप्ति पर ऐसी भूमि पर कब्जा कर लें जिसका विशिष्ट विवरण संख्या. एफ.7(60)/2001/भू. व भ/भू.अ./एमआरटीएस/18315 दिनांक: 10.02.2003 और धारा 6 दिनांक 30/4/03 में दिया हुआ है ।

राष्ट्रीय राजधानी क्षेत्र दिल्ली के उपराज्यपाल के आदेश तथा नाम पर

हस्ताक्षर
(एच डी माही)
उप-सचिव (भू.अ.)