

14/DC(10) 04-05

**AWARD NO. : /2004**

**Name of Village** : Main Patel Road, Patel Nagar, Delhi  
**Nature of Acquisition** : Permanent  
**Purpose for Acquisition** : M.R.T.S. Project- Shifting of Transformer

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 21.60 Sq. meter was issued by the Land & Building Department on 01.06.2004 u/s 4 vide notification No. F.7(12)/2004/L&B/LA/MRTS(W)/3496 of the Land Acquisition Act. The declaration u/s 6 of Land Acquisition Act was issued vide Notification No. F.7(12)/2004/L&B/LA/MRTS(W)/4463 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(12)/2004/L&B/LA/MRTS(W)/4464 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 (SQ. METER)
1.	2364, Main Patel Road	Patel Nagar, New Delhi	21.60
TOTAL			21.60

Wide publicity of the notification was given through important Dalies both in English and 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 owner/occupants/interested person of the properties. In response to this, some intersted person have filed their claims which are daitaled under the heading 'Claims & Evidence.' The acqusition involves land & structures appurtenant thereto. The

structures were a got evaluated by Govt. approved valuer and vetted by PWD of GNCT of the Delhi and submitted by DMRC.

### **MEASUREMENT AND TRUE AREA**

As per the notification, the total area of land measuring 21.60 sqm. was notified for acquisition. On physical survey conducted by the team of staff of LAC (West), Land & Building Department, Transport Department and DMRC, the total area was found to be the same i.e. 21.60 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 notice issued u/s 9(1) and 10(1) of the land acquisition Act, 1894 to the owner /occupants /interested person, the following person filed their claims:-

S.NO.	Property No.	Name of the Claimant	Claims
1.	2364, Main Patel Road, Patel Nagar	Jai Singh Chauhan (M/s Thaper Coal Depot)	Rs. 25 lacs

On perusal of the claims filed by the interested persons, it is noted that most of the interested person has claimed the market value of land at Rs. 25 lacs. 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.

## 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 Patel Road 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 Main Patel Road 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 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 Tilak Nagar, Subhash Nagar and Ganesh 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.	1333-6.2.2001	33,75,000/-	334.00	W-5, West Patel Nagar (Shadipur)	Rs. 10,105/-
2.	509/1-25.7.2003	6.00,000/-	83.5	Plot No.95, New Rajinder Nagar	Rs.7,186/-

On calculation, the average sale price of these transactions comes to Rs. 8646/- per sqm.

By evaluating the above two methods and keeping the locational advantage of being situated on main road in mind, the market value has been assessed at Rs. 13,280/- 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. At this part of property, no structure was in existence.

## **OTHER COMPENSATIONS**

## **C. SOLATIMUM**

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. 01.06.2004 to 08.07.2004.

**E. INTEREST U/S 34**

The interest at the rate of 9%&15% p.a will also be paid to the interested persons from date of possession till the date of award i.e. from 09.07.2004 to 28.01..2005.

**F. 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 :

Sl. No.	Property No.	Name of the Recorded Owner	Status of land
1.	2364, Main Patel Road	Jal Singh Chauhan S/o Lt. Sh. Bhikhan Singh	Free hold

For free-hold properties, the whole amount is assessed in favour of recorded owners.

**SUMMARY OF AWARD**

S.No.	ITEM	AMOUNT (Rs.)
1.	Compensation for the land measuring 21.60 sqm. @13,280/- per sqm.	2,86,848/-
2.	Solatum @ 30%	Rs. 86,054/-
3.	Value of structures as assessed by Regd. Valuer & vetted by PWD	Nil
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 8.07.2004 (38 days)	Rs.3,584/-
5.	Amount tendered before possession	Rs. 2,58,459/-
6.	Interest @9% p.a. on compensation u/s 34 from the date of possession to the date of award i.e. 09.07.2004 to 28.01.2005 (204 days)	Rs. 5,937/-
	<b>TOTAL BALANCE :-</b>	Rs. 1,23,964/-
	<b>GRAND TOTAL :-</b>	3,82,423/-

(Rupees Three Lacs Eighty Two Thousand Four Hundred Twenty Three Only).

Approved  
Secretary (Revenue)  
25/1/2005

(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 open court


Bme  
28/1/05

@ 13280/- Naksha Mutziman : Shifting of Transformer main Road Patel Nagar

Sl. No.	Property No	Area (sq. mtr.)	Market value @ 13280/- per sqm	Settlement 35%	Value of Structure	Additional amount @ 12% p.a. To 1.6.04 to 0.7.04 (30 days)	Amount Tendered before possession	Interest on Balance amount @ 9% (9.7.04 to 28.1.05) (204 days)	Total balance (item no 9+10)	Contract Total (item no 9+10)	Remarks
I	2364	21.60	286848.00	86054.00	—	3584.00	2.58459.00	5937.00	123964.00	382423.00	
	Main										
	Patel Road										
	Patel Nagar										

W.E.C.W.)

  
17/11/05  
N.T.L.A.

  
17/11/05

POSSESSION REPORT OF PRIVATE PROPERTY AT PATEL NAGAR

As per the Order of LAC(W)/ADM, officials from LAC(W), L&R Dept, Transport Dept & DMRC are assembled today at the site for taking over physical possession of above mentioned land from plot No - 2364, Patel Nagar, measuring 21.60 Sqm. The above said private land has been notified U/s of L.A. Act, 1894 vide notification No. F.7(12)/2004/LA/L&R/MPIS(W)/2496 dt 01/06/04 & 6819 vide notification no. F.7(12)/2004/LA/L&R/MPIS(W)/4463 dated 16/06/2004. Details of measurements are enclosed in the map. Physical demarcation of the above land has been made & physical possession of vacant land measuring 21.60 Sqm as mentioned above has been handed over to Land & Building Department.

Karan Singh  
(KARAN SINGH)  
LDC/MPIS

S. S. Singh  
(S. S. Singh)  
Patwari/L&R

Sham Lal Kgo  
(SHAM LAL KGO)  
Kgo/LAC(W)


Lalit Kumar  
(LALIT KUMAR)  
Jr./DMRC.



(2/3)

Physical possession of vacant land measuring 21.60 sqm at Patel Nagar has been taken over from LAC (WD) & simultaneously handed over to Transport Deptt.

Handed Over By

  
27/12/2011  
(DEEPAK DORA)  
Patwar/LAR

Taken Over By


Karam Singh  
(KARAN 41041)  
LDC/MRL

Further above vacant land has been handed over to DMRE simultaneously.

Handed Over By

Karam Singh  
(KARAN 4041)  
LDC/MRL

Taken Over By

  
28/07/11  
(LALIT KUMAR)  
J.E (G) / DMPL

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

No. F. 7(12)/2004/LA/L&B/MRTS(W)/ 3426

Dated :- 1/6/04

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 shifting of transformer for MRTS Project, Patel Nagar. 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.	Property No. 2364, Thapar Coal Company, Patel Road, Patel Nagar.	21.60	NW - Patel Road SW - Punjab Band NE - Part of Property No. 2364 SE - Part of Property No. 2364

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

  
(LAL SINGH)  
DY. SECRETARY (LA)

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

No. F. 7(12)/2004/LA/L&B/MRTS(W)/ 1/1/63

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 shifting of transformer for MRTS Project, Patel Nagar. 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(12)/2004/LA/L&B/MRTS(W)/3496 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

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

L.A.C.

(LAL SINGH)  
DY. SECRETARY (LA)

5762/DC(W)  
26/6/04

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

No. F. 7(12)/2004/LA/L&B/MRTS(W)/ 1/11/04

Dated : 11/6/2004

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(12)/2004/LA/L&B/MRTS(W)/3496 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)