

OFFICE OF THE DISTRICT MAGISTRATE (NORTH),
CHAIRPERSON RECOMMENDATION COMMITTEE,
D.M. NORTH OFFICE COMPLEX,
G.T. KARNAL ROAD, ALIPUR, DELHI-110036

No. F33(78)/34/03/L&B/AIt./ 1089

Date: 27/10/2017

ORDER

Sh. Narender Kumar Sharma S/o Jai Prakash R/o H.No. 3, Gandhi Nagar, Meerut, U.P. was owner of Land comprising Kh No- 61//17/2 min (0-10) and 61//24/1 min (0-10) Total measuring 1 Bigha situated in the Revenue Estate of village Prahladpur Bangar, Delhi, it was acquired vide Award No 14/2002-03 announced on 08.07.2002. He applied for Allotment of Alternative Plot through his application submitted in Land & Building Department vide Diary No.967 dated 27.03.2003. The complainant filed a case bearing no.4/1322/2016-Wel/CD in the Hon'ble Court of State Commissioner for person with Disabilities, following directions were issued in the record of proceedings dated 19.05.2017:-

“District Magistrate(North) is advised to decide the case of the complainant within three month from the date of receipts of this record of proceedings under intimation to this Court and the complainant as required under Section 81 of the Right of persons with Disabilities Act, 2016. Secretary, Land and Building Department is advised to extend necessary cooperation and help in the light of submission of the respondent in para 2 above.”

In compliance of the above directions of the Hon'ble Court, Applicant was called before the Chairperson of Recommendation Committee District North on 25.08.2017, Sh. Narender Kumar Sharma appeared before the Committee, he was heard by the Committee comprising of District Magistrate North, (Chairperson), SDM (Narela) and Supdt., Land & Building Department as members. He was asked to submit certain documents, in pursuance of it, certain documents were submitted by Narender Kumar Sharma on 19/09/2017 applicant has inter-alia filed an affidavit in which he submit that there is no property in the name of the deponent throughout INDIA, except one residential House no. 3, Gandhi Nagar, Garh Road, Meerut (U.P.) which is an ancestral property. He further informed that he was working as a teacher in an Inter College in Meerut.

The case has been examined and It is relevant to note that the following persons are not covered under the scheme of allotment of alternative plot in lieu of acquired land:-

1. The persons whose land acquired is less than 150 sq. yds. in respect of the award announced pre 03/04/1986 and less than one bigha in respect of awards after 03/04/1986.
2. The land has been acquired for non plan purposes against the acquisition notification issued u/s 4 of Land Acquisition Act prior to 14/07/1987.
3. The person who or their spouse/dependent children own plot/house/flat etc, which are **out of the**

Sanku

village abadi.

4. The applicant whose built up area in the acquired land is more than 20% and the possession of built up area has not been taken over by the Govt. Agency are not eligible for allotment of alternative plot.
5. The applicants who purchased the land by sale deed after the issue of notification u/s 4 of L.A. Act.
6. Persons who purchased the land under acquisition at any time to contravention of the provisions of the Delhi Land Reforms Act, 1964 or the Delhi Land (Restriction on Transfer) Act, 1972 or of any other law in force or who cannot adduce documentary evidence of the bonafide lawful acquisition of such land, will not be considered for allotment of an alternative plot.

The applicant stated before the Recommendation Committee under the Chairpersonship of District Magistrate (North) on 25.08.2017 that he **owns** the house in which he resides i.e. H.No. 3, Gandhi Nagar, Meerut, U.P.

In view of the above Sh. Narender Kumar Sharma is not covered under Policy/ Scheme as the scheme is for rehabilitation of "Agriculturist" and as per statement of the applicant, his profession was teaching. Further, he is also not eligible since he owns a house in Meerut, U.P. and as per scheme "A person who or their spouse/dependent children own Plot/House/Flat etc which are out of the village Abadi is not eligible for alternative allotment. It is relevant to mention that this clause does not differentiate between a person who owns Plots/Flat etc in Delhi or outside Delhi.

In view of the foregoing Sh. Narender Kumar Sharma S/o Sh. Jai Prakash is not eligible for allotment of any Alternative Plot/ Flat etc and it is recommended that no Plot/Flat etc should be allotted to him.

To,
Sh. Narender Kumar Sharma
S/o Jai Prakash
R/o H.No. 3, Gandhi Nagar, Meerut, U.P.

SAKSHI MITTAL
CHAIRPERSON RECOMMENDATION COMMITTEE/
DISTRICT MAGISTRATE (NORTH)

Copy to:-

1. Shri T.D. Dhariyal, Hon'ble State Commissioner for Persons with Disabilities 25-D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi for information.