

23 (95)

Award under/section 11 of the Land Acquisition Act, made by Shri.
W.Landge, Special Land Acquisition Officer No.5, Sangli in respect
of the Land Acquisition for Gavathan Aloli (Submergence area) at
Village : Aloli Tahsil: Shirala.

No.SPL/LAQ/V/SR-70
Office of the Special Land Acquisition,
Officer No.5, Sangli.

Date:-

A W A R D :

1) Title and particulars of Notification and details of Land--

Land Acquisition for Gavathan Aloli (Submergence area) for sale

- A) No. and date Special Land Acquisition Officer No. 5 Sangli's No.SPL/LAQ/V-SR-70 dated 16-8-85.
- B) Date and page of Gazette in which Notification was published. Maharashtra Government Gazette Pune Dn. suppliment part No. 1 dated 5.9.85 published at page No. to page No.2213
- C) Corrigandum to the Notification No and date. Special Land Acquisition Officer No.5, Sangli No.SPL/LAQ/V/SR-70 dt...
- D) Date and page of Gazette in which corrigandum to sect. 4 published. Maharashtra Govt. Gazette Pune Dn. suppliment part I dated published at page No.....
- 3) Notification u/s 6 of the Land Acquisition Act.1894.

- A) No. and date Commissioner Pune Dn. Pune Notification No.SPL/LAQ/EX/602/8/86 dated 2.4.1986.
- B) Date and page of Gazette in which notification was published. Maharashtra Govt. Gazette Pune Dn. suppliment part-1 dated 15.5.1986 at page No.1394 and 1395.

4) Lands notified for Acquisition of Gavathan Aloli.

Village : Aloli Taluka: Shirala Dist: Sangli.

Plot No. Area of Lands required. Area of Lands Abandoned.

Gavathan No.1

59. M

1	2194.50
2	448.50
3	149.50
4	48.00
5	238.75
6	84.00
7	933.50

P.F.O./-

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1.	2.	3.
8	84.00	
9	33.00	
10	135.00	
11	30.50	
12	361.75	
13	18.00	
14	3.25	
15	<u>333.00</u>	
	<u>5100.25</u>	

Gaothan No.2

1	351.00
2	97.00
3	136.00
4	232.00
5	40.00
6	130.00
7	206.50
8	80.00
9	504.50
10	71.50
11	109.50
12	99.00
13	184.25
14	170.00
15	468.50
16	70.00
17	570.50
18	240.00
19	<u>240.00</u>
	<u>4000.25</u>

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5) Reason for Award:-

The Executive Engineer Warana Dam Division Waranawati who is the acquiring body has under his letter No.WDD/PE/LA/6/435 dated 22.1.82 intited the proposal to acquire certain lands at Village: Aloli Taluka:Shirala for L.A. village: Aloli(Gaothan)Submergence area of Chandoli dam.

The Collector of Sangli under his androsegment No.QB/LA Q/SR/1543 dated 14.4.82 directed the Special Land Acquisition Officer No.5,Sangli to start the land acquisition proceedings. The purpose of Acquisition as stated in the proposal forwarded by the Executive Engineer Warana Dam Waranawati for the purpose of L.A. of Village:Aloli (Submergence area) at village:Aloli Taluka:Shirala Dist:Sangli which is in the interest of public in general and hence it is public purpose.

The Commissioner Pune Dn. Pune under his Notification No.SPL/LA Q/RR/608/S/86 dated 2.4.86 under section 6 of the Land Acquisition Act, published therein the Maharashtra Government Gazette Pune Division Suppliment part I pUne Dn.dated the 15.5.86 on page 1394 and 1395 declared that the lands, notified in the schedule to the above notification are required for the purpose of L.A. of village:Aloli Submergence area and appointed the Special Land Acquisition Officer No.5,Sangli under clause 'C' of section 3 of the Land Acquisition Act.1894 to perform the functions of a Collector for all the proceedings hereafter to be taken in respect of the said land also directed the Special Land Acquisition Officer to take order for the acquisition of the said lands under section 7 of the Land Acquisition Act.

6) Area:

The land under acquisition jointly measured by the representative of the Acquiring body and the survey Department The results of the Measurement work is mentioned in the joint measurement certificate. The interested persons did not raised any objections to the measurement work so carried out and hence the area shown in the joint measurement certificate is taken as true and final for awarding compensation for the land.

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7) NOTICE AND OWNERSHIP:

Public notices under section 4(1) of the Land Acquisition Act, 1894 were published in the Tahsil office village Chavadi and on the lands under acquisition. Similarly section 4(1) notices were also served on the interested persons calling on them to give objections to the proposed acquisition. No one out of the interested persons objected to the acquisition and hence the lands were notified under 6 of the land acquisition act.

Section 9(1)(2) notice's were published in Tahsil office, Village chavadi and on the lands under acquisition. Similarly section (9(3)(4) notices were served on the interested persons calling on them to state their interest in the lands their claims for compensation and their objections if any to the measurement made under section 8.

8) OWNERSHIP:

The entries in the property register of village Aloli are taken as base for deciding the ownership and for awarding compensation amount to the interested persons.

9) TENURE:

All the lands under acquisition are old tenure (Khalasa lands)

10) SITUATION AND DESCRIPTION:

At the western end of the Shirala Tahsil of a distance of 45 KM. from proper Shirala a construction of gaathan dam at Chandoli is taking place. The Dam's centre line exactly comes the two villages (Gaathan i.e. Chandoliwadi in Shirala on one hand and Amboli in Shahavadi Taluka of Kolhapur District) on the other. The Warna river on which this construction is being made takes its recourse in the mountains ^{at} Sahyadri at an altitude of 3000/- At their point the boundaries of Kolhapur Shirala Sangli and Ratnagiri meet sharply. The rainfall ^{at} of the original of the river is 275' while near the Dam site is 125' and gradually it decreases as we proceed to the eastern down stream of the River.

After the construction of the Dam the lake would be deep between the two hillsides of the valley and would be spread 5 miles towards.

5/-

the upstream of the Dam. This lake will submerge 18 villages from Sangli District and 7 villages from Kolhapur District respectively on the left and right side of the river out of the 18 villages from Sangli District 11 villages are coming under submergence.

1) Chandoli Bk. (2) Khundlapur 3) Nandoli 4) Konoli 5) Daware 6) Aloli 7) Zolambi 8) Shidheshwar 9) Bhogiv 10) Petland 11) Zolambi.

The houses in this tract are not Multifloored houses. They are small in size and are covered by Manglore or by tin sheets. In these houses the support for the roof found to be mainly by wooden pillars, being available amply in the near about-forest. As we proceed to the upstream of the Dam, the rainfall increases and therefore houses covered by bamboo are seen on which four walls are ^{bridecut} knit out of Bamboos and such other materials. These are actually huts where the human life is just protected without much facility.

Mostly these villages are situated on the bank of the river. There are two bazar centres, Arala and Petland, where from the things of daily need are bought by the villager of these 11 villages. The village Petland is a centre place for the villagers of Bhogiv, Aloli, Shidheshwar and Zolambi while for the villager of Konoli, Nandoli, Khundlapur and Chandoli the bazar place of Arala is more convenient. Arala is a so bazar place for these village which is about 17 K.M. from Chandoli Bk. village.

Postal Service is not available in any of the 11 villages. Arala is the nearest post office for these villages. Out of these 11 villages primary schools that go up to standard V are in the villages Chandoli-Bk., Khundlapur, Nandoli and Petland only, and the villagers of the rest of the villages are dependent on the Asharam Shala at Petland, for the schooling facilities after 5th standard. The villagers have to run down to Arala where full-fledged primary school and High-school are available. This situation will give an idea of educational backwardness in this area.

The S. T. Bus runs between Shirala and Petland covering Chandoli Bk., Khundlapur, Nandoli, Konoli, Daware, Zolambi, Takale and Petland.

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S.T. route is not available for villages Amboli, Bhogiv, Sidheshwar, Aloli, etc. This S.T. facility is available in the fair season only. The villagers of Bhogiv, Sidheshwar and Amboli do not have any facility to cross the river in the rainy season for weekly bazar etc.

DESCRIPTION OF LANDS:

The Aloli gaathan is situated adjacent to the bank of warna river. There are no internal roads, no streets lights, no bus stands, no shops or other amenities in the gaathan area due to this background it was not appropriate to have classes among the gaathan plots. All the plots are therefore, treated alike. The population of village Aloli is... according to 1971 census. the lands under village footpath, court tract which equal to B - B has not been included in the area meant for payment of compensation.

11) CLAIMS:

The statement showing the claims made by the interested persons who remained present in response to the notices under section 9 of the land Acquisition Act. is enclosed (Annexure 'A') The remarks in respect of the claims are recorded in the last column.

12) EVIDENCE IN SUPPORT OF CLAIMS:

The interested persons have not adduced any evidence in support of their claims. They have only stated in their statements that the compensation may be awarded at present market rates.

13) VALUATION BY ACQUIRING BODY:

The Acquiring body has not produced any evidence or valuation or valuation note in respect of the lands under acquisition.

14) PANCH VALUATION:

In the panchanama dated 18-4-86 the circle inspector has made the valuation of the lands under acquisition shown below.

1) Gaathan plot. Rs. 70,000/- Per Hectore.

2) -- --

3) -- --

4) -- --

The valuation is made according to the estimation of the panchas.

The Circle Inspector has not divided the lands in various groups on the basis of their soil classification and fertility of the land. Moreover it is an estimation and not correct valuation; the panchas have not produced any oral or documentary evidence in support of their estimation on or the land valuation. The Panchnama made by the Circle Inspector will not be usefull for fixing the proper valuation the lands under acquisition, I therefore, discard the panchanama.

15) PREPARATION OF SALES PLAN:

The map showing the sale transactions that took place in the vicinity of the lands under acquisition is prepared and kept on record.

16) OTHER INSTANCES OF SALES:

A statement showing the instances of sale proceedings five years prior to the publication of notification under section 4 is enclosed.

(Annexure-B) The following factors have been taken into consideration for fixing compensation on the acquir land.

1) The sale of lands if any from the very land under acquisition in the recent part.

2) The sale of lands adjoining the land under acquisition.

3) The sale of lands in the neighbourhood of the land under acquisition in the recent part.

The notification under section 4 of the land Acquisition Act, 1894 was published in the Maharashtra Government Gazette Pune Dn. suppliment part 1 dated. 5.9.85 for the land acquisition.

17) VALUATION:

The material date for valuing the lands under acquisition is the date of publication of the notification under section 4 of the land acquisition Act. In this case notification under section 4 was published in the Maharashtra Government Gazette on 5.9.85 and therefore, this date is the material date for valuing the land under acquisition. For valuing the lands under acquisition I have collected sales pertaining to the gaathan plots from the sub.register office. Shirala but found no sale transactions of village 1) Chandoli.

- 2) Nandoli 3) Deware 4) Khundalpur 5) Meni etc.

Sales in respect of the following villages were available and there sales have been Tabulated in Appendix 1.

The distance in K.M.s of these villages from the dam is shown against the name of the village concerned.

S.No.	Vill age	Distance.
1)	Mundur	3
2)	Charan	13
3)	Nathawade	16
4)	Arala	8

If Chandoli dam seat is taken to be the centre, the sale transactions right upto the village petlond on up stream while on down stream they are collected upto the village Nathawade, All these villages are no main road and many things are of similar nature in all these villages The sales in the villages such as Ehadsgai ar, Mangaon, Bambawane and Karashi, from Kolhapur district and village Kekarud of Sangli are available but they are not considered because they are located at a longer distance. The sales in these villages cannot therefore be ^{conveniently} compared with the sales in the adjoining villages moreover the sales in the near about villages are available and they are throwing proper light on the price line of the open plots.

1) Village Petlond:

Only two sales are available from the said village The first is of 29-7-1967 while the other is of dated 9.12.70 . The rates indicated by these sales is as under.

Date of sale	Rate per sq.ft.
29.7.67	Rs.0.14
9.12.70	Rs.0.34

The village petlond is also coming under submergence area of Chandoli Dam. The situation and other factors of this villages almost same i.e. of Aloli village Therefore the sales from this village are more preferable than any other village. The sale dated 9.12.70 which

has taken place at the rate of Rs.0.34 sq.ft. appears to be reasonable. The rate could have increased in further years.

The compensation at the below maintained rates should therefore be paid to the interested persons.

Class of Land Rate awarded per hectore..

As regards pot kharab area compensation should be paid at the rate of Rs. /- per acre i.e. /- per hectare.

STRUCTURES:

There are ^{houses} no structure in the lands under acquisition.

The Valuation list is enclosed

19) TREES:

There are fruit bearing trees in the gaathan which are owned by the individuals A statement showing such trees is enclosed at annexure 'B' The valuation of the fruit bearing trees has been done by the Dy. Director of Horticulture and I have accepted his statement of value which is reasonable and order that compensation of fruit bearing trees estimated by the Dy. Director should be paid to the respective owners.

20) FENCING COMPOUND WALLS ETC:

There is no fencing or compound in the lands under acquisition and hence the question of awarding compensation on this account does not arise.

21) DAMAGES ON ACCOUNT OF:

- 1) Servences Nil
- 2) Injuries affections. -
- 3) Loss of business food will etc. -

No fragment has been formed due to the acquisition in this case. Hence question of awarding compensation on this factor does not arise.

22) TALLS AND WALLS:

There are no tallis and walls.

23) INAM LANDS:-

There are no Inam lands.

24) SOLATIUM:

Besides the compensation the statutory solatium at the Thirty percent should be paid to the interested persons for compensation natures of acquisition as per section 23(2) of the land acquisition act.1894.

25) POSSESSION:

The land under acquisition is submergence area.

26) ENCUMBRANCES:

-- nil --

27) TENANTS:

-- nil --

28) MEASUREMENT AND PERCENTAGE CHARGE:

The A.B. is state Govt body hence question does not arise to recover measurement and percentage charges.

29) PAYMENT OF ADVANCE COMPENSATION:

The advance payment was not paid to the interested person.

30) DETAILS OF VALUATION:

*1) Land value	Rs. 49142-70	
2) Tel/Wall/Trees.	Rs. -	
3) Structures(Houses)	Rs.462239-00	5,46,097-85
4) Trees.	Rs. 34716.15	
5) Solatium 30%	Rs.163829.35	
6) Interest 12%	Rs. 87375.65	
7) Total... Rs.....	Rs.7,97,302.85	

31) AWARD: As provided in section 11 of the land acquisition act

1894 I hereby declare that,

a) the ture area of the lands acquisition sq.mtr. 9100-50

b) the total amount of compensation payable is Rs.7,97,302.85 (Rs. seven lakhs ninety seven thousand three hundred two and Ps.eighty five only)

c) the amount of payable to the persons as per paragraph. Nos. 22,23, and 26 and according to the statement 'C' enclosed.

The lands having been finally acquired shall vest in Govt. from from all encumbrances equities and tenure lawfully subsisting in favour of any persons other than Government.

S A N G L I

Dated:- 17-11-86

(B.W.Lange)
Special Land Acquisition,
Officer No.5, Sangli.

ANNEXTURE-A

No.SPL/LAQ/V/ER-70 Land Acquisition for Gaothan Aloli at Village: Aloli,

Talukashirala.

Sr. Survey No. Name of Interested Persons.

Detailed claims.

Findings of the Special Land Acquisition Officer.

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3.

Interested persons have not given their specific claims for compensation of the lands under acquisition for

Jirayat/Bagayat/N.A.Nature Gaothan nature. However they/has told at the time of enquiry u/s 9(3) that they should be given compensation at the rate prevailing in market at vicinity of the village.

Looking to the assessment the type of lands their normal xx yields in Jirayat/Bagayat/gaothan variety and normal rate per guantha in the village I have fixed following rates for the land to be acquired.

Sr.No. Class of Land Rate offered.

Rs.

1. Gaothan plots. 5.40 sq.metre.

Special Land Acquisition,
Officer No.5, Sangli.

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