Award under Section 11 ofthe Land Acquisition Act, 1894 made by Shri. D.A.Mahajani, Special Land Avquisition Officer, No. 4 Sangli. in respect of land acquired 40 ' D.P.Road (G.H.) Village Urun Islampur Tahsil Walwa Dist. Sangli.

-X-X-X-X-X-X-X-X-

No.SPL/IAQ/SR-270
Office of the Special Land Acquisition Officer, No. 4 Sangli Dated, 15-11-1983.

-: A W A R D :-

(A)TITLE AND PERTICULARS OF NOTIFICATION AND DETAILS OF LAND :-

Acquisition of lands for 40' D.P. road village Urun(Islampur) Thsil Walwa District Sangli.

NOTIFICATION UNDER SECTION 126(4) M.R.T.P. ACT 1966.

1) No. and date. :- Collector Sangli's No. GB/IAQ/270 dated, 26-4-1983.

2) Date and page of Gaette in which notification was published. :- Mahrashtra Govt. extra ordinary 12-4-83 Gazette dated at page No. 2 L of Extra ordinary issue on page 2731 of 20-10-1983. L and corrigendum published in

LANDS NOTIFIES FOR ACQUISITION :-

The below mentioned lands of village Urun Islampur nitifies under section 126(4) of the M.R.T.P. Act, 1966.

S.No.	H.A.Mr.	S.No.	H. A. Mr.
6/1A ~~6/1~~ Part.	0.03	4 Part.	0.05
6/1B+2A Part.	0.06	7/1 part.	0.19
6/3 part.	0.04	8/2/2 part.	0.08
6/5 part.	0.05	8/2/5 Part	0.02
6/6 part.	0.06	24/1A Part.	0.08
6/7 part.	0.01	24/1 B Part.	0.02
	0.25		0.44

REASONS FOR AWARD :-

The Administrator, Islampur Municipal Council Islampur under his letter No. IUDP/162/82 dated, 28-10-1982 initiated a proposal for acquisition of lands for 40 H.D.P. road (G.H.) The Collector Sangli vide his indorsement No. GB/IAQ/SR-1598 dated, 6-12-1982. has directed the Special Land Acquisition Officer, No. 4 Sangli. to start the land acquisition proceedings. The purpose of acquisition is in the inte--rest of the publicin as much as it is included in the development pla Sanctioned by Govt. UD/& P.H.D./No.TPS/2079-1557-UD 7 dated 28-1-1980 in general and hence it is public purpose within the meaning of para 31 of the Land Acquisition Manual. The lands was accordingly notifi--ed under section 126 (4) of the M.R.T.P. Act, 1966 under ordinary

Clause and the Collector Sangli has appointed Land Acquisition Officer No. 4 Sangli under clause (c) of the section 3 of the Act to perform the functions of the Collector for all proceedings herenafter to be taken in respect of the lands.

AREA :-

The lands under acquisition were jointly measured by the repre-sentative of the Acquiring Body and the Survey Department. The Result of the measurement work has been mentioned in the Joint measurement certificate and plan . The interested persons did not raised any objection to the measurement work carried out and hence the are shown in the Joint Measurement certificate is taken as true and final for awareding compensation for the land.

NOTICES AND OWNERSHIP :-

Public notices under section 9(1) of the Land Acquisition Act, 1894 were published in the Tahsil Office and village Chavadi and on the lands under acquisition. Similary notices under section 9(3)(4) were also served on the interested persons calling upon them to give their objections if any to the proposed acquisition. No one out of the interested persons objected the acquisition and hence the lands was notified under section 126(4) of the M.R.T.P. Act, 1966.

OWNERSHIP :-

The entries in the Record of Right under acquisition are taken as basis for deciding the ownership and for awarding compensation amount to the interested persons.

SITUATION AND DESCRIPTION :-

The lands acquisition are situated in the village Urun Islampur in the adjucent part of the town. It is also nearst the K.B.P. Collage and Vidya Mandir High School and also nearest by M.S.E.B. complexes. Vast developments are going on to this side . Since last 45 years. The work of residential houses as well as small industrial units are also rapadily going on the part and as such the valuation of this lands as agriculturial use will not be proper. the Sales statisties affected during last 3,4 years in respect of the area of there very Sons are obtained.

CLAIMS :-

The following claims have been received.

1. Shri Pandurang Nana Mandale,		The alignment made be changes and land from Notthan side may be given.
2. "	Maruti Bala Ramoshi,	

EVIDANCE IN SUPPORT OF CLAIMS :-

No evidance has been produced in support of their claims, moreover the adjucement is approved in the Development Plan dna cannot be changes or and as much their claim had no consideration.

EVIDANCE BY THE ACQUIRING BODY :-

The Acquiring Body i.e Administrator, Islampur Muncipal Council has not produced any evidance regarding valuation of lands under acquisition.

PANCHANAMA :-

The panchanama made by the Circle Inspector date 9/83 shows that the panchas have valued the proposed lands as Rs. 33,0000-. The panchas have stated that the valuation is made accordingly to the market rate precating now.

VALUATION :-

The lands are notified under section 126(4) of the M.R. T.P. Act,1966 under Collector's notification dated 26/4/1983 and as such, material date for fixation of valuation is 26/4/1983. Sale statistics in respect of the lands sold ~~out~~ out of S.Nos under acquisition have been collected and these are mentioned in II statement enclosed to this award. The sales are discussed and sumarised below.

S.No. 6

There are in all 17 sales, 8 of them are less than 2,50,000/- and 9 are between 2,25,000/-, 3,66,000/-. If ~~minialy~~ minutely observed it will be see that 4 sales are of 2,50,000/- per hector. The 2 sales during the yea 1983 are of 3,00,000/- and 3,50,000/- and as such I take medium of the two i.e 3,15,000/- as a base. If agriculturial lands is developed and laying out plots thereof and sold after kepping open space, roads etc. the developed plots is sold 4 times undeveloped plots, considering this aspect. If found proper to award, (3,15,000/- ÷ 4 =78,750 by rounding 77,500/-) 77,500/- per hectre .

S.No. 8

There is only one sale available for consideration taking into consideration the situation of the land which is quite adjucent to R.S.No. 6. It would not be proper to apply the above formal of 4 to 1 and it would not be unreasonable to adopt the rate of Rs. 20,000/- per hector i.e rate at the sale of 8-3-80 for 17¾ Are for Rs. 3,50,000/- is effected. The compensation at Rs. 20,000/- per hectre is therefore allowed.

S.No. 7

There are no sale available in respect of S.No. 7 The situation of this S.No. is that it is between S.No. 6,8 The valuation of S.No. 6 has been given at Rs. 77,500/- per hectre and that of S.No. 8 at Rs. 20,000/- per hectre, one the basis stalleres as discussed above The medimum of there two will be the proper valuation of the area in S.No. 7 it is therefore fell reasonable to allow Rs. -- ~~4,50,000/-~~ Rs 45,000/— per hectre for the area under S.No. 7.

S.No. 24.

There are seven sales available for consideration. There are mentioned is statement II. The average of per hectre in respect of each of there 7 sales are as under.

	Date.	Amount perhectre.
1.	29/7/1976	Rs. 20,000/-
2.	21/3/1977	Rs. 24,000/-
3.	19/1/1981	Rs. 11,000/-
4.	7/9/1981	Rs. 1,00,000/-
5.	25/2/1982	Rs. 52,500/-
6.	19/8/1983	Rs. 4,00,000/-
7.	19/8/1983	Rs. 1,33,000/-

Perusal of all these sales shows the increasing in prices of lands. The area of only 10 Are are under acquisiti--on out of the S.No. 24. The first take sales are two to four years prior to the material date. The average of the last four sales works out to Rs. 1,71,400/-. Giving sent of for open space, lay out plot. Engineering charges, Developers profit to the extent of 3/6 amount. The net amount for developed plots come Rs. 42,850/-. By rounding it would be proper allow compensation at the rate of Rs. 45,000/- per hectre this rate is also given to S.No. 7 which is near to this area. Although the sale mentioned above are of the undeveloped plots but the landlord have not the layout approved from the Compentent Authority nor has obtained N.A. permission and as such requisite deduction must be made.. By doing this compensation at Rs. 45,000/- is reasonable and the same is awarded.

S.No. 4

In all there are 9 sales in respect of R.S.No. 4 as mentioned in the statement. Out of 9 sales, 7 ~~three~~ ~~xxx~~ 3 sales sales are between Rs. 1,25,000/- to ~~x,xx~~ 1,70,000/-. There are of 2 lakhs one is Rs. 2,80,000/- and the nineth is of ten lakh per hectre. Taking in consideration all these sales it will be clear that there is increase in rate of the price of land out of this S.No. I, therefore fell it proper to allow the rate of Rs, 6,00,000/- lakh per hectre as a reasonable price. But the land is not gor con--verted in N.A. not it is developed. Generally ¼ price of the reasonable price is awarded as compensation by allowing 3/4 amount is development, Engineering & Architecure charges. In view of this the compensation at the rate of Rs, 1,50,000/- per hectre should be awarded for the land out of S.No. 4

TREES :-

There are no trees coming under acquisition hence question of this does not arise.

STRUCTURES :-

There are no structures on the lands under acquisition

POT KHARAB LAND :-

From perusal of the Joint Measurement Certificate & Plan it is seen that no pot kharab land under acquisition. Hence valuation of Pot. Kharab lands does not arise.

INAM LANDS :-

The lands are Khalasa lands and question of Inam Category does not arise.

SOLATIUM :-

The statutory solatium of 15% should be paid to the interested persons for compulsory nature of acquisition as per section 23(2) of the Land Acquisition Act,1894.

MEASUREMENT AND PERCANTAGE CHARGES :-

This is not Govt. Project and hence measurement and percantage charges are leviable and recovered from the Acquiring Body i.e Administrator, Urun Islampur Muncipal Council ? Islampur as mentioned below :-

Measurement charges	:	Rs. 130-00
Percantage charges.		Rs.1447-00
		Rs.1577-00

PAYMENT OF ADVANCE COMPENSATION :-

No payment towards advance compensation has been made to the interested persons.

POSSESSION :-

The Acquiring Body has not taken possession. The same should be given after notice of payment under section 12(2) of the Land Acquisition Act,1894.

DETAILS OF VALUATION :-

The details of valuation is given as under :-

1, Land value.	:-	Rs. 41,925-00
2. Solatium.	:-	Rs. 6,288-75
		Rs. 48,213-75

AWARD :-

I, hereby declare that :-

(a) Total area acquired is 4.0-69 Are

(b) Total amount of compensation to the interested persons is Rs. (48,213-75) Fourty eight thousand two hundred thirteen and paise seventy five only.

The Administrator, Islampur Muncipal Council, Islampur has made provison for funds.

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

Sangli.
Dated :. 15/11/1983.

(D.A.Mahajani)
Special Land Acquisition Officer,
No. 4 Sangli.

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