Award under section 11 of the Land Acquisition Act,1894 made by Shri B.G.Jadhav, Special Land Acquisition Officer, No. 4 Sangli in respect of land acquired for Garden village Urun, Islampur, Tahsil Walwa, Dist. Sangli.

No. SPL/LAQ/SR-273
Dated :- 25/5/1984

AWARD

(A) TITLE AND PARTICULARS OF NOTIFICATION AND DETAILS OF LANDS.

Acquisition of lands for Urun, Islampur Tahsil Walwa, Dist. Sangli for Garden.

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

1.	No & date.	:- Collector Sangli's No. GB/LAQ/273 dated 26/4/1983 and corri-gendum dated 22/9/1983.
2.	Date and page of Gazette in which notification was published.	:- Maharashtra Govt. Gazette dated ~~[illegible]~~ 26/4/1983 at page 1905 and 1906 and dated 20/10/1983 at page 2728.

LANDS NOTIFIED FOR ACQUISITION.

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

S.No.	Area. H.A.
8/1 Part	1-19

REASONS FOR AWARD :-

The Administrator, Islampur Muncipal Council, Islampur under his letter No. IUDP-1618 dated 28/10/1982 initiated a proposal for acquisition of land for Garden. The Collector, Sangli vide his endt. No. GB/LAQ/SR-1601 dated 16/12/1982 has directed the Special Land Acquisition Officer, No. 4 Sangli to start the land acquisition proceedings. The purpose of acquisition is in the interest of public in as much as it is included in the Development Plan in general and hence it is a public purposw within the meaning of para 31 of the Land Acquisition Act,1894. Period of three years is over since the publication of development plan and as such material date in this case is 26/4/1983 when notification under section 126(4 has been published in the Maharashtra Govt. Gazette. The lands were accordingly notified under section 126(4) of the M.R.T.P. Act,1966 under ordinary clause and the ~~[illegible]~~ Collector has appointed Land Acquisition Officer, No. 4 Sangli under clause

(c) of the section 8 of the Act to perform the functions of the Collector for all proceedings hereinafter to be taken in respect of the lands.

AREA :-

The lands under acquisition were jointly measured by the representative 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 area shown in the Joint Measurement certificate is taken as true and final for awarding compensation for the land.

NOTICES AND OWNERSHIP :-

Public notices under section 9(1) of the Land Acquisition Act 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 anyto the proposed acquisition. No one out of the interesed 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 acqui- -sition are taken as basis for deciding the ownership and for awarding compensation amount to the interested persons.

SITUATION AND DESCRIPTION :-

The lands under acquisition are situated in the village Urun, Islampur. The Islampur Bahe road it to the West , Islampur Takari road is towards the South East Police Parad, Ground and Police line are to the Southern side of the area. There is repaid development in S.No. 6, 8 in view of the fact that the 2 High Schools viz. Vidya Mandir and Islampur High School, B.Ed. Collage, K.B.P. Collage are at the distance of 200 Mtrs. Similary the complex of Sugar Factory and M.S.E.B. offices are also at a distance of 1 K.M.

CLAIMS :-

At the time of Enquiry under section 9(3)(4) of Land Acquisition Act, Shri Shivaji Baburao Patil and Shri Nurmahamad Aba Munde have stated that they will communicate the rate of compensation expected by them. Same time after. But they have not communicated anything subsequently.

EVIDANCE IN SUPPORT OF THE CLAIMS :-

No evidance has been given in support of the claims by the claimants.

EVIDANCE BY THE ACQUIRING BODY :-

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

PANCHANAMA :-

The panchanama made by the Circle Inspector dated 22/4/1983 shows that the Panchas have valued the land alongwith well ane Tals at Rs. 1,19,000/-The ~~well~~ value of Rs. 75,000/- made for the land has no base. No specific instance has been mentioned in the panchanama in support of the value. The value of well and Tal have also been over estimated and as such the valuation made by the Panchas is discarded.

VALUATION :-

Sales of the S.No. 6,8,10 have been collec ted there are in all 35 sales taken for consideration in other Land Acquisition Cases and rate of Rs. 77,500/- Rs. 20,000/- and Rs, 50,000/- per hectre respectively have been given as compensation in the other cases decided two months before. In this case also the material date for fixation of valuation in the same in the thereo cases already decided as mentioned above.

There is only one sale in respect of S.No. 8 is available for consideration.

S.No.	Area. H.A.	Asstt. Rs. P.	Share	Area sold.	Date	amount	Average per ht.
8/2B/2A /1	0-71	1-15	0-4-0	0-17½	5/3/80	3500/-	20,000/-

The sale pertains to ~~there~~ three years prior to the material date. Considering the location of this area i.e it is quite adjucent to R.S.No. 6 and 1p for which compensation at Rs. 77,500/-

and Rs. 50,000/- per hectre has been given it would be proper to allow the above quoted transaction as base. The same mentioned above is for agriculturial land. In view of the above discussion compensation at the rate of Rs. 20,000/- per hectre will be reasonable and the same should be awarded. There is a well and some bagayat crops are also ~~tax~~ taken in these lands.

TREES :-

Thrre are no trees coming under acquisition hence question of valuation of threes does not arise.

STRUCTURES :-

There are no structures in the land under acquisi- -tion.

POT KHARAB LANDS :-

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

TALS AND WELLS :-

Threre is one tal and a well in the land. The valuation of Tals has been obtained from the Soil Conversation Officer. Deduction on account of derpreciation at $\frac{1}{3}$ rate is considered and valuation awarded. The valuation of the well given by the Dy. Engineer of Muncipal Council has been accepted.

INAM LANDS :-

The lands under acquisition are not in Inam Category.

MEASUREMENT AND PERCANTAGE CHARGES :-

This is not Govt Project hence measurement and percantage charges are leviable and should recovered from the Acquiring Body as shown below :-

1. Measurement charges	:-	Rs. 50-00
2. Percantage charges.	:-	Rs.1720-80
Total.		Rs.1770-80

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.

POSSESSION

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

PAYMENT OF ADVANCE COMPENSATION :-

No payment toward advance compensation has been made to the interested persons in this case.

DETAILS OF VALUATION :-

The details of valuation is given are as under.

1. Land value.	:-	Rs. 23,800-00
2. Well.	:-	Rs. 24,950-00
3. Tal.	:-	Rs. 1,116-00
4. Solatium.	:-	Rs. 7,479-90
Total	:-	Rs. 57,345-90

AWARD :-

I, hereby declare that :-

(a) Total area acquired is H.A. 1-19

(b) Total amount of compensation payable is Rs. -- (57,345-90) Fifty seven thousand three hundred fourty five and paise ninety only.

The Administrator, Islampur Muncipal Council, Islampur has made provisions for the funds.

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

Sangli.
Dated :- 25/5/1984.

(B.G.Jadhav)
Special Land Acquisition Officer,
No. 4 Sangli.