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Award under section 11 of the Land Acquisition Act,1894 made by Shri P.N.Joshi, Special Land Acquisition Officer, No. 4 Sangli in respect of improvement to Miraj Sangli Peth road village Urun Tahsil Walwa, Dist. Sangli.

No. SPL/LAQ/SR-63
Dated :- 31/3/1982.

A W A R D

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

Acquisition of lands for improvement to Miraj-Sangli-Peth road village Urun, Tahsil Walwa, Dist. Sangli.

(B) NOTIFICATION UNDER SECTION 4 OF THE LAND ACQUISITION ACT,1894.

No. and date of notification.	:-	No. SPL/LAQ/SR-63 dated 15/7/1980.
No and date of gazette in which the notification was published.	:-	Maharashtra Govt. Gazette Pune Division suppliment Part I dated 21/8/1980 at page 2457,2458
No and date of corrigendum to sec. 4 notification.	:-	No. SPL/LAQ/SR-63 dated 16/12/81
No and date of Gazette in which corrigendum to sec.4 notification was published.	:-	Maharashtra Govt. Gazette Pune Division Suppliment Part I dated 14/1/1981 at page 121.

(C) NOTIFICATION UNDER SECTION 6 OF THE LAND ACQUISITION ACT,1894.

No and date of notification.	:-	Commissioner, Pune Division, Pune's No. LAQ/RR-2437-68-81 dated 21/12/1981.
No and date of gazette in which notification was published.	:-	Maharashtra Govt. Gazette Pune Division, Pune Suppliment Part I dated 31/12/1981 at page 3860,61

LANDS NOTIFIED FOR ACQUISITION :-

The following lands from village Urun, Tahsil Walwa Dist. Sangli were notified for improvement to Miraj- Sangli-Peth road.

S.No.		Area. H.A.	S.No.		Area. H.A.
425 445	Part	0-16	429/4A	Part	0-12
441/1	"	0-02	441/2+3+4+5	"	0-09.25
441/7	"	0-06.50	441/8	"	0-09
441/9	"	0-30.75	441/10	"	0-01.50
441/11	"	0-01.50	442/1+2	"	0-69
444/1	"	0-20	444/2	"	0-07.50
445/1	"	0-08	890/1+2	"	0-06
779/1	"	0-46	479/2A	"	0-09
779/2B	"	0-18	779/3	"	0-24
779/4	"	0-15	780/1	"	0-12
780/2	"	0-07	815	"	0-03

Reasons for award :-

The Executive Engineer, Public Works Division, Miraj vide his letter No. GB-M-1-6 46 dated 9/8/1977 initiated a proposal for impvovement to Miraj- Sangli Peth road village Urun Isl. I M. No. o/o to 6/7. The Collector vide his endoresement No. LAQ/SR-884 dated 18/8/1978 directed the Special Land Acquisition Officer No. 3 to start the Land Acquisition Proceddings in this case. Subsequently the proposal was transferred on my file. The purpose of acquisition as state is in the interest of public in general and hence it is a public purpose as defined in the Land Acquisition Act,1894. The Commissioner Pune Division, Pune accordingly notified the lands under section of the Land Acquisition Act,1894 under ordinary clause.

Area :-

The land to be acquired finally was joint measured by the representative of the Acquiring Body and Survey Department. The result of measurement work has been mentioned in the Plane Table Sheet and Joint Measurement Cetificate. None of the interested persons raise any objection to the measurement work carried out jointly and hence the area showin in the Joint Measurement Certificate is taken as true area for the purpose of awarding compensation.

Notices and ownership :-

Public notices under section 4(1) and 9(1)(2) of the L.A.Act was duly published in the village Ahewadi and Tahsil office and on the lands under acquisition under acquisition. Similary individual notices under section 5-A and 9(3)(4) of the Act were also duly served on the persons known or belived to the interested in the land under acquisition.

The enqiries in the V.F. VII-XII are taken as base for deciddng the ownership of the land under acquisition and for awarding compensation to the interested persons.

Situation and description :-

The lands under acquisition are situated on Sang Miraj-Peth state Highway road. The possession of the lands has been taken over by Acquiring Body by private negotiations on 25/2/1978. No trees, structures, tals are comming under acquisition.

Site Inspection :-

I have inspected the site alongwith the representative of the Acquiring Body on 4/2/1982. The proposed road is already construted by the Acquiring Body after taking possession by pricate negotiations form the concerned land owners.

Claims :-

None of the interested persons have demanded specific rate of compensation. They have only stated that the compensation amount may be paid as per rules.

Evidence by the Acquiring Body :-

The Acquiring Body has not produced only oral or documentary evidence regarding the valuation of the lands under acquisition.

Classification and valuation of lands :-

There are three methods of valuting the agricultural lands in the Land Acquisition Act. The first is on the basis of the sales of lands under acquisition itself. The second method is on the basis of sales of lands in the visinity of recent psost. The third method is on the basis of income. i.e capitalisation of net income. Out of the above three methods the third method is to maintain farm accounts of expenditure and yield general agritulturists do not maintain and farm accounts. Therefore it goes some what diffcuilt to follow this method. Hence I am adopting the method based on the sales transactions these took place in that village.

According to the Land Acquisiti j Act, the material date for valuing the lands is the date of publicati n of notification under section 4. In the present case section 4 notification has been published in the Maharashtra Govt. Gazette on 21/2/1980 and thus this is the material date for valuing of lands under acquisition.

The lands under acquisitin have been gro ped into the following groups on the basis of their assessment as under.

Group No.	Assessment from to.
1.	Upto Rs. 1-25
2.	From 1-26 to 2-60
3.	From 2-61 to 5-00
4.	From 5-01 to 7-50
5.	From 7-51 to 10-00
6.	From 10-01 to 12-50

First of all we shall fix up the price for lands in Group No. VI. We shall consider the followig sales.

Sr. No.	S.No.	Year of sale.	Assessment	Price fetched.
1.	699/3	1978	10-86	Rs. 13,461/-
2.	414/46	1978	10-39	Rs. 11,637/-
3.	394/2-3	1977	11-90	Rs. 4540/-
4.	295	1977	12-12	Rs. 7575/-
5.	288	1976	10-24	Rs. 11,728/-
6.	406/1+2 +3	1976	10-46	Rs. 24,193/-
7.	296/1+a	1981	11-80	Rs. 11,904/-
8.	189	1981	10-36	Rs. 2978/-
9.	397	1981	11-42	Rs. 10,000/-
10.	723/2+a	1979	10-44	Rs. 20,204/-
11.	648/2	1979	11-57	Rs. 11,111/-

The sales at Sr. No. 6 and 10 have been discarded as they have fetched abnormally high price. The sales at Sr. No. 3,4,8 9 are also discarded as they have fetched very lessprices. N we have got only 5 sales, namely sales at Sr. No. 1,2,5,7 for out consideration. The sales at Sr. No. 2,5,7,11 fetched a price of Rs. 11,000/- but below Rs. 12 sale at Sr. No. 1 has fetched a price of Rs. 1 sale pertains to the year 1978 whereas the mater in 1980. The prices of agricultural lands are increasing day by day. Moreover the lands in this group veru fertile. In view of this this the pride of lands in this group is fixed at Rs. 15,000 per hector. and the same is awarded.

Group No. V.

For determining the prices of lands in this group we shall consider the following sales.

Sr. No.	S.No.	Year of sale.	Assessment.	Price fetched.
1.	723/16	1979	9-94	Rs. 13,157/-
2.	194/1-A	1980	9-83	Rs. 9836/-

We have got only above 2 sales for out consideration. The sale ar Sr. No. 1 is too high whereas the sale at Sr. No. 2 is too low hence both these salea are discarded. For the superiod land in Group No. VI we have fixed a price of Rs. 15,000/- per hector. The lands in group V are inferior to lands in group No. VI. In view of this the prics for lands in Group No. V is fixed at Rs.-12,000/-.

Group No. IV.

We shall consider the following sales.

Sr.No.	S.No.	Assessment	Year of sale.	Price fetched.
1.	393/2-B	7-00	1978	Rs. 12,550 P.H.
2.	416/5	7-25	1978	Rs. 20,833/-
3.	339/2	7-03	1977	Rs. 3,125/-
4.	439/18	5-33	1976	Rs. 6,750/-
5.	441/1+2	7-19	1979	Rs. 6,000/-
6.	392/1	5-22	1980	Rs. 22,000/-
7.	441/1+2	7-19	1980	Rs. 33,000/-

The sales at Sr. No. 1,2,6,7 are too high price hence all these sales are discarded.. The sales at Sr. No. 3,4,5 are also discarded as they have fetched very low price. For the superior quality of lands ...

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in this group is fixed at Rs. 10,000/- per hector and the same is awarded.

Group No. III.

Sr. No.	S.No.	Assessment	Year of sale.	Price fetched.
1.	50	2-81	1978	Rs. 11,428/-
2.	6/8	3-47	1979	Rs. 20,000/-
3.	50	3-81	1980	Rs. 20,000/-
4.	6/1-A	3-41	1989	Rs. 33,000/-

All the above sales are exbhorbitant and hence all these sales are rejected. For superior lands form Group No. V we have fixed up a price of Rs. 10,000/- per hector.

In view of this the price for lands in Group No. III is fixed at Rs. 85,00/- per hector and the same is awarded.

Group No. I and II.

No sales are available for consideration and determination of prices of lands in these 2 groups. Taking into consideration the prices fixed above (For the lands in Group No. 2,4,5,6) It will be proper to fix the peices of lands as Rs. 7,500/- per hector for lands in Group No. II and Rs. 6,500/- per hector for lands in Group No I accordingly these rates are awarded.

Trees :-

There are no valauable or miscellanous trees coming under acquisition. The question of payment of compensation on this account therefore does not arise.

Structure :- Wire fencing or compound walls etc.

Wire fencing or compound walls are not constructed by the interested persons in the lands under acquisiti n. Hence no compensation amount is therefore to be awarded on this account.

Damages on account of severance and injurious affection :-

The interested persons are not entitled for compensation as no severance is formed and there is no loss of bisin ss of good will and injurios affection in this case.

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Pot Kharab lands :-

On site inspection and after perusal of Joint Measurement Certificate it is seen that there is not Pot Kharab land recorded in the Joint Measurement plan and certificate and hence I am not valuig the Pot Kharab lands separately.

Tals, walls and structure :-

There are no wells, tals and structures in the lands under acquisition. The question of payment of compensation on this account therefore, does not arise.

Inam Lands :-

The lands under acquisition is not belonging to Inam category. The question of fixeing the valuation as Inam Lands ot the question of recovery of Nazarana etc. therefore, does not arise in this case.

Solatium :-

The statutory solatim of 15% should pe paid to the interested persons for compulsory nature of acquisition as per the section23(2) of the Land Acquisition Act,1894.

Possession :-

The Acquiring Body has taken over the possession of land from the land owners by private netotiations on 25/2/1978. The ~~question~~ Acquiring Body will pay interest in the form of ren from the 25/2/1978 upto 1981 at the rate of 8%.

Payment of advance compensation.

In the present case no advance compensation has been paid to the interested persons.

Details of valuation :-

1. Land value :- 36,912-50
2. 15% solatium :- 5-536-96

Total :- ~~422449-16~~ 42,449-40

I, therefore, declare that :-

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(a) Total area acquiries is 3-33.80

(b) Total amount of compensation payable to the interested persons is Rs. 42,449-40 Rs. Fourty two thousand four hundred ferrtynine and paise forty only.

(c) The approtionment of compensation between coshares if any may be made as per award statement.

The Executive Engineer, Public Works Division, Miraj made provision for the funds.

The lands having been finally acquired shall vest in Govt. free form all encubrances, equities and tenures lawfully subsisting in favour of any persons other than Government.

Sangli.
Dated :- 31/4/1982.

(P.N.Joshi)
Special Land Acquisition Officer,
No. 4 Sangli.

STATEMENT 'C'.

No. SPL/LAQ/SR-63-Urun.

Statement showing compensation awarded by Special Land Acquisition Officer, No. 4 Sangli under section 11 of the land acquisition act,1894 to all the persons in the plot of land situated in the village Urun, Tahsil Walwa, Dist. Sangli.

Name of the work :- Improvement to Miraj.Sangli-Peth road village Urun Tahsil Walwa, Dist. Sangli
No. and date of declaration in the Maharashtra Govt. Gazette Part I viz. Commissioner Pune Division, Pune's No. LAQ/RR24 7-65-81 dated 21/12/1981 publishd in the Maharashtra Govt. Gazette dated 31/12/1981 at page3860,3861.

Name of the interested persons.	Share.	Gat. No.	Area.	Rate awarded per hector.	Land value.	15% Solatium.	Total.	Remarks.
2.	3.	4.	5.	6.	7.	8.	9.	10.
Shri Rajaram Ragunath Kulkarni. Tanant. Tukaram & Vithu Tote.		779/2B	0-18	6500/-	1170-00	175-50	[illegible]-75	-
Shri Jalandir Maruti Shirsagar.	0-4-0	441/1 441/2+3+4 +5 441/7 441/11	0-02 0-04-75 0-06.50 0-01.50	" 10,000/- " "	32-50 475-00 162-50 37-50	4-87 61-25 24-35 5-65	[illegible]-37 [illegible] [illegible]-85 [illegible]-15	
Shri Baburao Maruti Shrisagar.	0-4-0	441/1 441/7 441/11	0-02. 0-06.50 0-01.50	6500/- 10,000/- "	32-50 162-50 37-50	4-87 24-75 5-65	[illegible]-37 [illegible]-25 [illegible]-15	
" Subash Maruti Shrisagar.	0-4-0	441/1 441/7 441/11	0-02 0-06.50 0-01.50	6500/- 10,000/- "	32-50 162-50 37-50	4-88 24-40 5-60	[illegible]-38 [illegible]-90 [illegible]-10	
" Nana Maruti Shrisagar.	0-4-0	441/1 441/7 441/11	0-02 0-06.50 0-01.50	6500/- 10,000/- "	32-50 162-50 37-50	4-88 24-40 5-60	37-38 186-90 43-10	
" Hari Rau Patil.		425	0-16	8500/-	1360-00	204-00	1564-00	
" Subash Nana Bad.	0-5-4	442/1+2	0-69	"	1955-00	293-25	2248-25	
Kisan Kondiba Shrisagar.	0-10-8	"	"	"	3910-00	586-50	4496-50	
" Pandurang Shankar Kute.	0-5-4	444/1	0-20	"	566-66	85-00	651-66	
" Vishanu Shankar Kute.	0-5-4	"	"	"	566-67	85-00	651-67	
" Babu Shankar Kute.	0-5-4	"	"	"	566-67	85-00	651-67	
" Shambu Hari Bagbalkar.	0-8-0	444/2	0-07.50	"	318-75	47-70	366-45	
" Maruti Hari Bagabalkar.	0-8-0	"	"	"	318-75	47-70	366-45	
" Ragunath Nayaran Khandekar.	0-8-0	429/4A	0-12	10,000/-	600-00	90-00	600-90	
" Tatya Bandu Kute.	0-8-0	"	"	"	600-00	90-00	600-90	
" Kondi Chillapa Shrisagar.	441/6	0-05	"		500	75-00	575-00	
L M Bank	441/9	0-3075			3075-00	461-25	3536-25	

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1.	2.		3.	4.	5.	6.	7.	8.	9.	10.
16.	Shri	Sundra Vithoba Pharande.	~~[illegible]~~	~~[illegible]~~ 441/8	~~[illegible]~~ 0-09	~~[illegible]~~ 10,000/-	~~[illegible]~~ 900-00	~~[illegible]~~ 135-00	1035-0[illegible]	
17.	"	Tataji Chandru Holkar.		441/10	0-01.50	"	150-00	22-50	172-5[illegible]	
18.	"	Rajak Aba Munde.		445/1	0-08	"	800-00	120-00	920-00	
19.	"	Shamshudan Rajaram Munde.	0-8-0	890/1A+1C	0-06	"	375-00	54-25	430-25	
20.	"	Hanif Usman Munde.	0-2-0	"	"	"	93-75	13-05	107-80	
21.	"	Ibram Usman Munde.	0-2-0	"	"	"	93-75	14-05	107-80	
22.	"	Jalal Usman Munde.	0-2-0	"	"	"	93.75	14-15	107-90	
23.	"	Ajij Bakas Munde.	0-0-8	"	"	"	31-25	5-00	36-25	
24.	"	Nabilal Bakas Munde.	0-0-8	"	"	"	31-25	5-00	36-25	
25.	"	Mubarak Bakas Munde.	0-0-8	"	"	"	31-25	5-00	36-25	
26.	"	Daynu Rau Jadhav.		779/1	0-46	1[illegible],000/-	3450-00	517-50	3967-50	
27.	"	Dhondiram Ravaji Madhav.		"	"	"	3450-00	517-50	3967-50	
29.	"	Rajaram Ragunath Kulkarni.		779/2	0-[illegible]	"	1350-00	202-50	1552-50	
30.	"	Sarajud an Sahebji Waikar.	0-5-4	779/3	0-24	"	1200-00	180-00	1380-00	
31.	"	Rahimtulla Waikar.	0-5-4	"	"	"	1200-00	180-00	1380-00	
32.	Smt.	Halima Abdul Waikar.	0-5-4	"	"	"	1200-00	180-00	1380-00	
33.	Shri.	Ramchandra Shankar Kulkarni.	0-8-0	779/4	0-15	"	1125-00	168-75	1293-75	
34.	"	Mahdeo Datrya Kulkarni.	0-8-0	"	"	"	1125-00	168-75	1293-75	
35.	"	Govinds Krishana Hababnis.		780/1	0-12	"	1800-00	270-00	2070-00	
36.	Smt.	Jankabai Kashav Kulkarni.		780/2	0-07	"	1050-00	157-50	1207-50	
37.	Shri	Jajanath Anna Phale.		151	0-03	"	450-00	67-50	517-50	
						Total :-	36,912-40	5536-90	42449-25	

Sangli.
Dated :- 31/3/1982.

(P.S.Joshi)
Special [illegible] Acquisition Officer,
No.[illegible] Sangli.