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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 acquisition of lands from benefitted zone of Chandoli Irrigation Project (Left Bank Canal) village Kande Tahsil Shirala Dist. Sangli.

No.SPL/LAQ/SR-128
Sangli :- 3/11/1981.

A W A R D.

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

Acquisition of land for from the benefitted zone of Chandoli Irrigation Project (Left Bank Canal) village Kande Tahsil Shirala Dist. Sangli.

Notification under Sec. 4 of the L.A.Act,1894.

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| 1. No. and date | :- | No. REH/LAQ/SR-58 dated 14/6/76 |
| 2. Date and page of gazette in which notification was published. | :- | Maharashtra Govt. Gazette, Pune Division Suppliment dated -- 1/7/1976 at pages 2067. |

Notification under section 6 of the L.A.Act,1894.

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| 1. No. and date | :- | Commissioner Pune Division Pune LAQ/RR/874/SS/79 dated 26/6/1979 |
| 2. Date and page of gazette in which notification was published. | :- | Maharashtra Govt. Gazette Pune Division Suppliment Part I dated 28 th June 1979 at pages 1915 and 1916. |

Lands notified for acquisition.

The following lands from village Kande were notified under section 6 of the L.A.Act,1894.

Survey No.		Area. H.R.
113	Part	0-52
179/3	"	0-80
196/1	"	1-43

Area Abandoned.

333	Part	0-80
342/1A	"	0-31
343		0-49
180	Part	0-35

Reasons for Award.

Collector and Deputy Director of Resettlement (Land) Sangli has initiated the proposal and the Collector of sang

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vide its enrolement No. LAQ-SR-718 dated 5/4/1976 directed the Special Land Acquisition Officer, (Khugaon Dam) Sangli to start the land acquisition proceedings in this case. This case was transferred on my file in the month of 12/7/1979. The purpose of acquisition is in the interest of the public in general and hence it is a public purpose within the meaning of para 31 of the L.A. Manual. The lands were accordingly notified under Sec. 6 of the L.A. Act, 1894 under ordinary clause.

Area :-

The lands under acquisition was jointly measured by the representative of the Acquiring Body and Survey Department the result of the measurement work has been mentioned in the joint measurement certificate. The Interested persons did not raise any objection to the measurement work carried out and hence the area shown in the joint measurement certificate is accepted as true and final for awarding compensation for the land.

Notices and ownership :-

Public notices under section 4(1) of the L.A. Act, 1894 were published in Tahsil office Shirala on 16/9/1976 and on village Chawadi on 17/9/1976. Similar individual notices under Sec. 5A were also served on the interested persons on 20/9/1976, calling upon them to give their objections if any to the proposed acquisition.

At the time of S-A enquiry Sec. 4 the landowners of S.No. 130, 342/1-A and 343 requested to delete their lands from acquisition for the reasons mentioned in their say. The landowners Shri Jagannath Daynu Patil of S.No. 333 suggested alternate land viz 2001, 204/3, 204/5-B, 206/2,. The suggestion of landowners was accepted by the Acquiring Body accordingly revised land schedule was prepared

Ownership :-

The entries in the R of R of lands under acquisition is taken as basis for deciding the ownership and for awarding

compensation amount to the interested persons.

Situation and description :-

The site was inspected by me alongwith the representative of the Acquiring Body and the Talathi of village Kande. The lands are bagayat lands having assessment from 8-00 to 11-00 P.H.

Claims :-

In response to the notice under Sec. ((3)(4) Shri Dattu Tukaram Patil demanded that compensation of the land may be awarded at the rate of Rs. 15,000/- per acre. Further he has stated that the trees coming under acquisition will be removed at my own cost. Shri Ramrao Tukaram Patil, the owner of S.No. 196/1 has claimed land compensation at the rate of Rs. 20,000/- per acre he has also stated that the standing trees will be removed by him at his own cost. Both these landowners have not produced any evidence in support of their claims and hence their claims are rejected.

Valuation by the Acquiring Body :-

The Acquiring Body has not produced valuation note in respect of land under acquisition.

Panch valuation :-

In the panchanama dated 5/3/1976 made by the Circle Inspector, the valuation of the land under acquisition is made at the rate of Rs. 20,000/- , 16,000/-, 12,000/- of bagayat lands and Rs. 16,000/- per acre of jirayat lands. The valuation made by Circle Inspector is according to the estimation of panchas. The panchas have not produced any evidence either oral or documentary in support of their estimation. The panchanama made by the Circle Inspector will not, therefore, be useful for fixing valuation of the lands under acquisition. I, therefore discard the panch valuation.

Valuation :-

The lands under acquisition has been grouped only in one as under.

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lands having assessment from Rs. 7-50 to Rs. 11-00, in this case the Sec.4 notification has been published in the Govt. Gazette on 28/6/1979. Thus this is the material date for us.

We shall ~~must~~ consider the following sales :-

Sr. No.	S.R.No.	Assessment.	Year of sale	Price fetched.
1.	35/4	7-25	1970	Rs. 16,666-00
2.	134/3-A	9-29	1970	Rs. 14,285-00
3.	917	9-34	1970	Rs. 8,333-00
4.	135/1	8-67	1972	Rs. 11,111-00
5.	132/7	9-22	1973	Rs. 1,220-00
6.	200/2 kh	10-28	1976	Rs. 19,444-00
7.	201	10-33	1976	Rs. 3,627-00
8.	42/1	8-24	1978	Rs. 13,793-00
9.	239/3	10-50	1979	Rs. 25,000-00

The sale at Sr.No.9 is rejected as it has fetched abnormally high price. Similarly the sales at Sr.No. 3,4,5,7 are also rejected as they have fetched very meager price. Now only the sales at Sr.No. 1,2, 6,8 are remaining for our consideration. All these the 4 sales range between Rs. 13,5000/- to Rs. 19,000/- . The sales at Sr.No. 1 and 2 have taken place in 1970 i.e 9 years before the Sec.4 notification and hence cannot be considered. The sale at Sr.No. 6 has taken place in 1976 and this sale also represents higher price. The most suitable sale remaining now is at Sr.No. 8. This sale took place in the year 1978 but in this case the material date is 1979. By granting allowance for this time lag the price for lands in this group is fixed at Rs. 15,500/- per H.A. and the same is awarded.

Pot. Kharab Land :-

From the perusal of the J.M.C. and J.M. Plan it is seen that no pot kharab land is under acquisition. Hence valuation of Pot Kharab lands does not arise.

Trees :-

There are trees of miscellaneous nature in the land under acquisition viz. "Imb, Shevar, Babhul etc. The Sub Division

Forest Officer, Sangli was requested to send the valuation report on 3/7/1981. He has expedited on 27th July 1981 but the valuation report was not received from him. To avoid delay in ^{finalisation} furnish of award for want of valuation of trees, it was decided to refer the earlier valuation reports made by local enquiries and then to fix up the valuation of trees. Accordingly the valuation of trees was made which is as under. ~~The same are shown below.~~

<u>Name of tree</u>	<u>Value of Awarded.</u>
Limb.	Rs. 150/-
Shevar.	Rs. 100/-
Bhabul.	Rs. 100/-
Mango.	Rs. 250/-

Structures : Wire fencing or compound walls etc.

Fencing or compound walls are not constructed by the interested persons in the land under acquisition. No compensation amount is, therefore, to be awarded on this account.

Damages on account of severance and injurious affection :-

Interested persons are not entitled to receive compensation on these factors as no severances are formed on account of present acquisition nor there is loss of business or good will due injurious affection.

Tals and wells :-

There are no tals, bounds etc. constructed or other amenities provided in the lands under acquisition and hence question of payment of compensation in this respect does not arise.

Inam lands :-

There are no Inam Lands under acquisition.

Solatium :-

The statutory solatium of fifteen percent should be paid to the interested persons for compulsory nature of ~~acquisition~~ acquisition as per Sec. 23(2) of the Land Acquisition Act, 1894.

Possession :-

The possession of the land under acquisition has not been handed over to the Acquiring Body under section 17 of the L.A. Act the Acquiring Body has not taken possession by private negotiations in this case and hence of paying interest to the interested persons does not arise.

Payment of advance compensation :-

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

Details of valuation :-

The details of valuation is given as under :-

1.	Land value.	Rs. 42,625-00
2.	Value of trees.	Rs. 850-00
3.	15% solatium.	Rs. 6,621-25
Total :-		Rs. <u>49,996-25</u>

ANSWER :-

" I hereby declare that :-

(a) Total area acquired is 2 A 75 F.

(b) Total amount of compensation is payable Rs. 49,996-25 Rs.

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

Sangli :-

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

Statement 'C'

Statement showing compensation awarded by Special Land Acquisition Officer, No. 4 Sangli and 11 of the Land Acquisition Act, 1894 to all the persons in the plot of land situated in villa. Talastl Bhirkha Dist. Sangli.

Name of work :- **1st. For Project affected persons lands from the benefited zone of Chordoli Irrigation Project**
 No. and date of declaration in the Maharashtra Govt. Gazette Part I viz. No. Commissioner Pune Division No. LAC/NE/874/35/79
 at pages 2067 dated 1/7/1979.

2nd. For Project affected persons lands from the benefited zone of Chordoli Irrigation Project
 (Left Bank Canal) Village Kande Talastl Bhirkha Dist. Sangli.

No.	Name of owner.	Hissa.	Gate No.	Area. H.A.	Rate awarded per heceter.	Land value.	Trees.	10% Solatium.	Total.	Remarks.
1.	Shri Shrinivas Amarendra Patil	0-8-0	113	0-52	15,500/-	4030-00	125-00	523-25	4778-25	
2.	" Datta Tukra Patil.	0-8-0	113	0-52	"	4030-00	125-00	523-25	4778-25	
3.	" Kashinath Ganpati Patil	170/3	170/3	0-30	"	12400-00	100-00	1275-00	14375-00	
4.	" Harman Tukaram Patil.	196/1	196/1	1-43	"	32165-00	600-00	3239-75	26064-75	
Total :-						48325-00	850-00	6521-25	49996-25	

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