

પ્રસ આર કુ- ૩૭૯

મેળે - કાલેગાવ

તાલુકા - વાઘવા

⑨ SR 39E

Award under section 11 of the Land Acquisition Act, 1894 made by Shri B.K.KAMBLE, Special Land Acquisition Officer, No. 4 Sangli land acquired in respect Kasegaon Tambave Bahe Borgaon Khed Bavachi road village Tambave, Tahsil Walwa, Dist. Sangli. 00000-----0000

No. SPL/LAQ/SR-319
Dated :-

19 SEP 1986

A W A R D
(A) TITLE AND PARTICULARS OF NOTIFICATION AND DETAILS OF LANDS.

Acquisition of lands for Kasegaon Tambave Bahe Borgaon
Khed Bavachi road village Tambave Tahsil Walwa, Dist. Sangli.
NOTIFICATION UNDER SECTION 4 OF THE LAND ACQUISITION ACT, 1894.

No. & date. :- Special Land Acquisition Officer,
No. 4 Sangli's No. SPL/LAQ/SR-319
dated 30/5/1984.

No & date of Gazette in which notification was published. :- Published in Maharashtra Govt.
Gazette Pune Division, Pune Part I
Suppliment at page No. 2121 dated
5/7/1984.

Corrigendum to said notification is also published in
the Maharashtra Govt. Gazette Part I Suppliment at page 2686
on 31/10/1985.

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

No. & date. :- Commissioner, Pune Division, Pune's
No. LAQ/RR-1183/SAN/85 dated 3/6/86.

Date and page of Gazette in which notification was published. :- Published in Maharashtra Govt.
Gazette Pune Division, Part I
Suppliment dated 23/1/1986 at page
No. 249.

Similarly the said notification was also published in
two daily news papers as per Land Acquisition Amended Act, 1984 as
shown below :-

1. Daily Agradut published on 10/2/1986.

2. Daily Rashtrashakti published on 11/2/1986 .

LANDS NOTIFIED FOR ACQUISITION :-

Below mentioned lands from village Tambave Tahsil Walwa
are
Dist. Sangli ~~is~~ notified under section 6 of the Land Acquisition
Act, 1894.

S. No.	Area. H.R.	S. No.	Area. H.R.
166 Part	0-04	166 Part	0-02

S.No.	Area. H.R.	S.No.	Area. H.R.
859 Part	0-03	860 Part	0-02
861 "	0-02	862 "	0-02
868 "	0-05	869 "	0-04
870 "	0-08	872 "	0-48

REASONS FOR AWARD

The Executive Engineer, Public Works Division, Miraj under his letter No. ADM/Misc-8863 dated 1/12/1983 has initiated a prpoosal for acquisition of lands for improvement of Kasegaon Tambave Bahe Bargaon Khed Bavachi road village Tambave Tahsil Walwa, Dist. Sangli. The Collector, Sangli vide his ~~in~~ endt. No. GB/LAQ/SR-3 dated 23/1/1984 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 the public and hence it is public purpose within the meaning para 31 of the Land Acquisition Mannual. The lands were accordingly notified under section 6 of the Land Acquisition Act, 1894 under ordinary clause and the Collector has appointed the Land Acquisition Officer, No. 4 Sangli under clause (c) of the section 3 of the Land Acquisition Act, 1894 to perform the functions of the Collector for all the proceedings hereinafter to be taken in respect of the land.

AREA :-

The lands under acquisition were jointly measured by the representative of the Acquirin 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 raise any objection to the measurement work carried out and hence area shown in the Joint Measurement Certificate is taken as true and final for awarding compensation for the lands under acquisition

NOTICES AND OWNER H-IP.

Public notices under section 4(1) and 9(1)(2) were published in the Tahsil Office and village Chavadi and on the lands

under acquisition. Similarly individual notices under section 4(2) and 9(3)(4) of the Land Acquisition Act, 1894 were also served to the interested persons.

OWNERSHIP :-

The entries in the Record of Rights ~~of~~ of the lands under acquisition are taken as base for deciding the ownership and for awarding compensation amount ~~to~~ the interested persons.

SITUATION AND DESCRIPTION :-

The lands under acquisition are ^{situated} Southern side of the village gaathan. The lands to be acquired are of Bagayat type ⁹ lands. The krishana river is passing at the noorthen side side of the village. There ^{are} Primary and Secondary schools in the village. The population is according to census of 1981 is 3000.

CLAIMS :-

In all 3 persons have claimed the compensation as under.

Sr. No.	Name of the interested persons	Amount claimed
1.	Shri Vishanu Bala Patil.	Rs.60,000/- per acre.
2.	Shri Harishandra Dhondaji Patil.	Rs.60,000/- per acre.
3.	Shri Vasant Yashwant Patil.	Rs.80,000/- per acre.

EVIDENCE BY THE ACQUIRING BODY :-

The Acquiring Body i.e Executive Engineer, Public Works Division, Miraj has not produced any oral or documentary evidence for valuation of the lands under acquisition.

PANCHANAMA :-

The Circle Inspector of this office has made panchanama dated 18/1/1986. The panchas ^{have} made valuation Rs. 75,000/- per hectare. The panchas have not produced any evidence in support of valuation and hence panchanama is discarded.

(6)

VALUATION :-

In this case section 4 notification of the Land Acquisition Act, 1894 has been published in Maharashtra Govt. Gazette on 5/7/1984. The lands under acquisition are bagayat & lands. The average assessment of acquired lands is between Rs. 11-00 to Rs. 14-25 is as under.

Gat No.	Average Asstt. Rs. Ps.	Gat No.	Average Asstt. Rs. Ps.
872	11-00	859	13-00
860	13-00	861	13-00
862	13-00	869	13-00
870	13-00	868	13-00
165	13-06	166	14-25

The lands to be acquired are one type lands and hence I have not framed group of assessment.

There are 3 methods for valuing the lands. The first method is on the basis of sales of lands under acquisition. The second method is on the basis of sales of lands of vicinity of recent past and third method is on the basis of income. I chose the second method i.e average sale statistics of vicinity of acquired lands.

The sale effected during the year 1979-80 have been collected and shown in Annexure B. These sales are adjacent to acquired lands and so also the average assessment of these lands are between Rs. 12-50 to 14-00. The average value of these 17 sales comes to Rs. 37,345-00. I therefore think proper to award the compensation @ Rs. 37,000/- per hectare.

TREES :-

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

STRUCTURES :-

There are no structures coming under acquisition and

^{Discussion}
hence, suggestion of valuation of structures does not arise.

POT KHARAB LANDS :-

On perusal of the Joint Measurement Certificate & Plan it is seen that no pot kharab lands are coming under acquisition. Hence question of awarding valuation of Pot ~~Kharab~~ Kharab lands does not arise.

TALS AND WELLS :-

There are no tals or well under acquisition.

MEASUREMENT AND PERCENTAGE CHARGES :-

This is Govt. Project hence measurement and percentage charges are not leviable and not recovered from the Acquiring Body i.e Executive Engineer, Public Works Division, Miraj.

SOLATIUM :-

The statutory solatium of 30% should be paid to the interested persons for compulsory nature of acquisition as per section 23(2) of the Land Acquisition Act, 1894 and Land Acquisition Amended Act, 1984.

COMPOUNANT :-

New compounant interest @ 12% should be paid to the interested persons from the date of notification published in Gazette under section 4 till the date of award.

POSSESSION :-

The Acquiring Body has taken over possession of the acquired lands on 16/5/1980 by private negotiation with the khata-dars. The Executive Engineer, Public Works Division, Miraj has ~~advised~~ advised to pay rental compensation @ 9% for the first year and 15% for second year and till the date of final compensation.

PAYMENT OF ADVANCE COMPENSATION :-

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

(e)

DETAILS OF VALUATION :-

The details of valuation are as under.

1. Land value .	Rs. 29,600-00 ✓
2. 30% solatium	Rs. 8,880-00 ✓
3. 12% interest.	Rs. 6,808-00

Total :-	Rs. 45,288-00 /

A W A R D

I hereby declare that :-

(a)

Total area acquired is 0-80 H.R.

(b)

Total amount of compensation payable to the interested persons is Rs. (45,288-00) Forty five thousand two hundred eighty eight only.

The Executive Engineer, Public Works Division, Miraj has made provision 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 Government.

Sangli.

Dated :-

19 SEP 1986

(B.K.KAMBLE)

Special Land Acquisition Officer,
No. 4 Sangli.

0000-00000

Name of the Purchaser.

Name of the Purchaser.

Name of the Purchaser.

Name of the Purchaser.

Page
(S.I. KUMBLE)
Special Land Acquisition Officer,
No. 438/11..

Statement showing compensation awarded under section 11 of the Land Acquisition Act, 1984 by Shri B.K. Kulkarni, Special Acquisition Officer, No. 4 Sangli, to all the interested persons from village Tadave, Taluk Talasari, Dist. Sangli. Name of the work :- Kasegion Tadave Bala Boregion Khed Bawachi road village Tadave, Taluk Talasari, Dist. Sangli.

Sl. No.	Name of the interested persons.	Hissa.	Oct No.	Area.	Land value.	30% solatium	12% Interest.	Total	Acquired.
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
Rate awarded 37,000/- per hectare									
1.	Shri Hari Anna Patil.		165 Part	0-04	296-00	88-80	68-10	452-90	-
	Shri Sadashiv Anna Patil.		"	"	234-00	88-80	68-10	452-90	-
	Shri Saspat Anna Patil.		"	"	236-00	88-80	68-10	452-90	-
	Shri Jalindar Anna Patil.		"	"	236-00	88-80	68-05	452-85	-
	Shri Vijaykumar Anna Patil.		"	"	236-00	88-80	68-05	452-85	-
	W.G. Tambel.				148-00	44-00	34-40	226-40	-
2.	Shri Ganpati Govind Shalke		166 Part	0-02	741-00	222-00	170-20	1132-20	-
	Shri Baban Ganpati Jadhav.								1132-20
	Shri Mohan Dayanu Jadhav.								
3.	Sangli Dist. Land Development		869 Part	0-03	551-00	166-50	127-65	849-15	-
	Shri Sanjay Yashwant Patil.		"	"	551-00	166-50	127-65	849-15	-
	Shri Vasant Yashwant Patil.				1114-00	333-00	255-30	1698-30	-
4.	Shri Patangrao Mahadeo Patil		860 Part	0-02	740-00	222-00	170-20	1132-20	-
	W.J.F.								1132-20
5.	Maharashtra State L. D. Bank		861 Part	0-02	740-00	222-00	170-20	1132-20	-
	Sangli Branch								1132-20
	Shri Vishnu Bala Patil.								
6.	Sangli Dist. L.D. Bank		862 Part	0-02	740-00	222-00	170-20	1132-20	-
	Shri Babu Bala K. Patil.								1132-20
7.	Shri Narayan Raghunath Kulkarni.		868 Part	0-05	1850-00	555-00	425-50	2730-50	-
8.	Shri Kishanrao Dhondaji Kumbhar.		869 Part	0-04	1430-00	444-00	340-40	2264-40	-
9.	Shri Nivrutti Gannu Patil.		870 Part	0-08	236-00	888-00	630-80	4528-80	-
10.	Smt. Vimati Harishchandra Patil.		872 Part	0-08	888-00	2664-00	2042-40	13,586-40	-
	Shri Harishchandra Dhondaji Patil.		"	"	8880-00	2664-00	2042-40	13,586-40	-
Total compensation Rs. (45,281-00) Fourty five thousand two hundred eighty eight only									
			29,600-00		8880-00	6808-00	45,288-00	-	45,288-00