

Award under section 11 of the Land Acquisition Act, 1894 made by Shri M. B. K. KAMBLE, Special Land Acquisition Officer, No. 4 Sangli land acquired in respect of percolation tank No. 4 village Gotkhindi, Tahsil Walwa, Dist. Sangli.

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No. SPL/LAQ/SR-337
Dated :- ~~10/11/1986~~ 10/11/1986

A W A R D

(A) Title and particulars of notification and details of lands

Acquisition of lands for Percolation Tank No. 4 village Gotkhindi, Tahsil Walwa, Dist. Sangli.

Notification under section 4 of the Land Acquisition Act, 1894.

1. No. & date.

:- Special Land Acquisition Officer,
No. 4 Sangli's No. SPL/LAQ/SR-337
dated 13/3/1986.

2. Date and page of Gazette in which the notification was published.

:- Published in Maharashtra Govt. Gazette, Pune Division Supplement Part I dated 17/4/1986 at page No. 1197 and corrigendum to section 4 notification published on 19/6/1986 at page No. 1719 & 1720.

The said notification was also published in two Daily news papers as per provision 1 of the Land Acquisition Amended Act, 1894 as shown below

Daily Lalkar published on 25/3/1986

Daily Matwadi published on 28/3/1986

The corrigendum to section 4 notification was also published in two daily news papers as shown below :-

Daily Pratidhavan published 2/6/1986

Daily Lalkar published on 2/6/1986.

Notification under section 6 of the Land Acquisition Act, 1894.

No. & date.

:- Commissioner, Pune Division, Pune
No. LAQ/RR-1062/SAN/86 dated 31/5/86

Date and page of gazette in which notification was published.

:- Published in Maharashtra Govt. Gazette, Pune Division, Pune Supplement Part I dated 26/6/1986 at page No. 1764 and 1765.

The said notification was also published in two Daily news papers as per provision 1 of Land Acquisition Amended Act, 1894 as shown below

1. Daily Sangli Sahachar published on 5/7/1986
2. Daily Pratidhavan published on 5/7/1986

Lands notified for Acquisition.

Below mentioned lands are notified for acquisition from village Gotkhindi, Tahsil Walwa, Dist. Sangli.

Cat No.	Area. H.R.
63 Part	1-12
72 "	0-19
73 "	0-22
74 "	0-30
75 "	0-64
	0-31 P.K.

Reasons for Award :-

The Executive Engineer, Minor Irrigation Division Division, Zilla Parishad, Sangli has initiated a proposal under his letter No. ZPS/MID/GB-3/Ws-245-2046/85 dated 31/5/1985 for acquisition of lands from village Gotkhindi, Tahsil Walwa, Dist. Sangli. The Collector, Sangli under his endt. No. GB/LAQ/SR-8/Walwa dated 5/7/1985 has directed the Special Land Acquisition Officer, No. 4 Sangli to start the Land Acquisition proceedings as usual. The purpose of acquisition is in the interest of public hence it is a public purpose as defined in para 31 of the Land Acquisition Manual. The lands were accordingly notified under ~~xxxxx~~ section 6 of the Land Acquisition Act, 1894 under ordinary clause, and the Collector has appointed Special 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 Acquiring Body and the Survey Department. The result of the measurement work has been mentioned in the Joint Measurement ~~xxxxx~~ 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.

Notice and ownership :-

Public notices under section 4(1) and 9(1)(2) of the Land Acquisition Act, 1894 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 on the interested persons calling upon them to give their say about price of the lands involved in present acquisition proposal.

Ownership :-

The entries in the Record of Right 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 :-

I have inspected the site alongwith the representative of the Acquiring. The lands under acquisition are situated southern side of the village.

Claims :-

The interested persons who appeared at the time of enquiry under section 9(3)(4) of the Land Acquisition Act, 1894 have not produced any evidence for valuation of the lands under acquisition. However they have stated that the lands may be valued at Rs. 15,000/- per acre their request has to be considered on the merits after observing certain formalities.

Evidence by the Acquiring Body :-

The Acquiring Body has not produced any evidence or any valuation note regarding valuation of the lands under acquisition.

Classification and valuation :-

I have seen the lands alongwith the Talathi, representative of the acquiring body. Some of khatadars of the acquired lands. The acquired lands are inferior type lands. Jawar and ground nut crops are grown and their assessment range is from Rs. 0-72 to Rs. 4-36

I have classified the lands based on the assessment group as follows.

<u>Group of land.</u>	<u>Range of assessment.</u>
1. Jirayat Group No. I	up to Rs. 2-50
2. " Group No. II	Rs. 2-51 to Rs. 5-00
3. " Group No. III	Rs. 5-00 to Rs. 7-50
4. " Group No. IV	Rs. 7-51 to Rs. 10-00
5. " Group No. V	Rs. 10-01 to Rs. 12-50
6. " Group No. VI	Rs. 12-51 to Rs. 15-00

After assuming the above classification ~~the lands~~ ~~xxxxxx~~ let us how the valuation of the lands under acquisition could be offered with reference to to the above classification.

There are three methods for valuing the agriculturist lands. First method is on the basis of the sales of lands under acquisition. The second method is on the basis of sales of lands in the vicinity of the recent past and third method is on the basis of income. Out of above three methods the third method ^{is} to maintain account ^{which} is not followed by the agriculturist as that do not maintain farm accounts. A statement showing sales recorded in the vicinity of the lands under acquisition (Annexure 'B') is enclosed. The statement will go to show that there are in all 38 17 sales instances are available for discussion and I ^{am} adopting the second method for valuing the lands under acquisition as there are no sales instances out of acquired lands available for discussion hence I am not

going to adopt first method for valuing the lands under acquisition. The relevant sales are discussed below.

Group No. I

Sr. No.	S.No.	Rate of asstt. per hectare.	Rate per hectare.	Date of transaction.	Kind of land.	Remark.
1.	60	1-53	2542-00	19-5-1980	Jirayat	
2.	98	2-27	2040-00	18-7-83	"	

The above two sales have taken place on 19/5/1980 and 18/7/1983. There are no other sales for discussion. Hence these sales are considered for valuation of the lands. The average rate of these two sales comes to Rs. 2291-00 per hectare. These sales are of previous years i.e taken place 3 years back from the date of section 4 notification. Taking into consideration the income of the value of lands day by day it would be reasonable if the rate of Rs. 3500-00 per hectare is fixed for Group No. I I therefore fix the price of Rs. 3500-00 per hectare for group No. I of the land under acquisition.

Group No. II

Sr. No.	S.No.	Rate of asstt. per hectare.	Rate per hectare.	Date of transaction.	Kind of land.	Remark.
1.	23	2-81	10,949-00	12/3/1985	Jirayat	
2.	56	4-18	10,526-00	8/2/1983	"	
3.	92	3-80	7,595-00	30/4/1981	"	
4.	52	4-29	9,524-00	30/1/1982	"	
5.	56	4-20	4,762-00	23/3/1982	"	

The value fetched by the same st Sr.No.5 is very low hence the sale is discarded. These sale at Sr. No. 1 to 4 are considered for fixing purchase price of the acquired lands. The average of these 4 sales comes to Rs. 9648-00. Taking into consideration the increase of value of lands day by day. It would be

reasonable if the rate of Rs. 10,000/- per hectare is fixed. I therefore fix price of Rs. 10,000/- per hectare for group No. II of the lands under acquisition.

Trees :-

There are no trees/coming under ^{the law} hence ~~under~~ question of valuation of trees does not arise.

Structures :-

There are no structures ~~are~~ in the lands under acquisition.

Pot kharab lands :-

Out of gat No. 75 O-31 R is pot kharab land. and same is awarded Rs. 200-00 per hectare

Tals and wells :-

There are no tals and well in the lands under acquisition.

Inam lands :-

There are no Inam lands under acquisition.

Measurement and percentage charges :-

This is not State Govt. project hence measurement and percentage charges are leviable and same should be recovered from the Acquiring Body as shown below :-

1. Measurement charges :- Rs. 440-00

2. Percentage charges :- Rs. 604-55

Total :- Rs. 1044-55

Solatum :-

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.

Compound :-

The new compound at the rate of 12% should be paid to the interested persons for the period from the date of publica-

-ration of notification under section 4 of the Land Acquisition Act, 1894 till the date of award.

Possession :-

The Acquiring Body has taken over possession of the acquired land by private negotiation with the landowners. The Executive Engineer, Minor Irrigation Division, Zilla Parishad, Sangli is advised to pay rental compensation @ 8% for first year and @ 15% for second year till the final payment of compensation.

Payment of advance compensation :-

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

Details of valuation :-

The details of valuation are as under.

1. Land value.	Rs. 14,817-00
2. Solatium.	Rs. 4,445-10
3. Compount.	Rs. 889-00
Total :-	Rs. 20,151-10

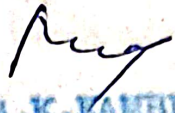
AWARD :-

- (a) I hereby declare that :-
Total area acquired is 6-64 R. H. R.
2-47
0-31 P.K.
- (b) The amount of compensation payable to the interested persons is Rs. (20,151-10) Twenty thousand one hundred fifty one and paise ten only.
- The Executive Engineer, Minor Irrigation Division Zilla Parishad, Sangli has made provision for the funds.

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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 :- 10/11/1986


(B.K. KAMBLE)
Special Land Acquisition Officer
No. 4 Sangli.

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