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Award u/s 11 of the Land Acquisition Act, 1994 made by shri S.A. Patil
Special Land Acquisition Officer, No. 5, Sangli in respect of the land
acquisition for Percolation Tank at village Charanwadi, Taluka-Shirala
District- Sangli.

No. SPL/LAQ/V-SR-49

office of the Special Land -
Acquisition Officer, No. 5,
Sangli, Dt. 22-6-83

A W A R D

Title and Particulars of Notification and details of lands.

Land Acquisition for Percolation Tank at village--
Charanwadi under Charan, Taluka-Shirala

(a) NOTIFICATION UNDER SECTION 4 OF THE L.A. ACT.

Notification under section 4 of the Published on page No. 2188 dated
Land Acquisition Act. - 6-8-1981 of the Maharashtra Govern-
ment Gazette, part I issued ~~under~~
by the S.L.A.O. No. 5 NoSPL/LAQ-SR-49
-80-dated 13th July, 1981.

(b) NOTIFICATION UNDER SECTION 6 OF THE L.A. ACT

Notification under section 6 of - Published on page No. 3 and 4 dated
the L.A. Act. 11-3-83 of the Maharashtra Govern-
ment Gazette Pune Division, Supply
ment No. part I, issued by the -
Commissioner, Pune Division Pune
under No. LAQ/RR/266/SS/-82 dated
24-2-82

2) DETAILS OF LANDS FINALLY NOTIFY UNDER ACQUISITION

District-Sangli, Taluka-Shirala, village Gat No. --

<u>Sr.No.</u>	<u>Survey No.</u>
1)	262/2 part
2)	261/1 part
3)	231 (Forests)

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3) Reason for Award:-

The Chief Executive Officer, Zilla Parishad, Sangli who is the acquiring body has under his letter No. ZPS/MID/CB/IV WS/1163/3937/80, dated 20-11-80 initiated the proposal to acquire certain lands at village - Charanwadi No.1, Tahsil-Shirala, District-Sangli for the construction of Percolation Tank.

The Collector under his androement No. LAQ/RR/3690 SR-1290 dated 2/12/80 directed the Special Land Acquisition Officer No.5, Sangli to start the Land Acquisition proceedings. The purpose of acquisition as stated in the proposal forwarded by the Chief-- Executive Officer, Z.P. Sangli is for the purpose of construction of Percolation Tank at village Charanwadi (Charan) Tahsil-Shirala, Dist-Sangli which is in the interested of public in general and hence it is a public purpose.

The Commissioner, Pune Division Pune, under his Notification No. LAQ/RR/266/SS/82 dated 24-2-82 under section 6 of the land Acquisition Act, 1894 published in the Maharashtra Government Gazette, Pune Division Pune suppliment (Extra ordinary) dated the 11th March 82 on page No. 3 & 4 and declared that the lands notified in the schedule to the above Notification are required for the purpose of construction of Percolation Tank and appointed the Special Land Acquisition Officer, No.5, Sangli under clause 'C' of section 3 of the Land Acquisition Act, 1894 to perform the functions of the Collector for all the proceedings hereafter to be taken in respect of the said lands, and also directed, the Special Land - Acquisition Officer, to take order for acquisition of the said lands under section 7 of the land Acquisition Act.

Area

Area of the lands , under acquisition in the present case is shown below.

<u>Sr.No.</u>	<u>Survey No.</u> <u>Pot Hissa No.</u>	<u>Area</u> <u>H. A.</u>
1.	262/2 part	2.26
2.	261/1 part	0.98
3.	231 (Forest)	0.06
Total		3-30

The lands under acquisition were got measured jointly by the representative of the acquiring body and the Survey Department--.

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The result of the measurement work has been mentioned in the Plan-Table sheet and the Joint Measurement Certificate. None of the interested persons raised by any objection to the measurement so carried out and hence the area shown in the Joint Measurement - Certificate in respect of the land under acquisition is taken as true area for the purpose awarding compensation amount.

5)NOTICES AND OWNERSHIP:- After publication of Notification under section 6, public notice under section 9 (1) (2) of the Land Acquisition Act. was published in the village Charanwadi(Charan)Tahsil-Shirala, and the land under acquisition, similarly individual notices under section 9 (3) (4) were served on the interested persons requiring them to state the nature of their interest in the land under acquisition and their claims for compensation and objections if any to the measurement made under section 8 of the Land Acquisition.

In response to the notices the Khatedars have not raised any objection to the proposed acquisition.

OWNERSHIP

The entries in the Record of Rights(V.F.VII -XII) village Record 8-A are taken as base for deciding ownership there is not dispute about the ownership of the land under acquisition.

6)SITUATION AND DESCRIPTION :- The lands are situated in too far from the geothan Charanwadi. The lands do not have prospects for being used as non-agricultural lands in future. During the course of site Inspection it was also observed that the building activity has come to stand still. The lands are therefore treated as agricultural lands for the purpose of valuation. The lands under acquisition are,jirayat lands.

Except some rare sales and purchases of the agricultural commodities there is no market place for the agricultural produce in the village. The people of the villages have to take the commodities for sale to Charan village which is an out 1 mile from this villages. The weekly bazar of villages Charan is some what useful for such occasional sale or purchases, but the turnover in this bazar is meeg. There is no medical aid available and the people have to rush to the village Charan or even for incidental medical aid.The for secondary education the boys/girls have to go to Charan.

7)CLASSIFICATION OF LANDS:-

7) CLASSIFICATION OF LANDS :-

Taking into consideration the assessment of the lands under acquisition, their fertility and actual use, the lands are classified as under. The per hector assessment statement appended to this Award may also be seen for this purpose.

There lands are of inferior type of Jirayat lands, growing Jirayat crops like Rice/Jawar. Out of the lands under acquisition 0-6 is acquired from forest S.No. which is a inferior type of land.

There lands, are situated away from the geothan of village Charanwadi. So there is no Non-Agricultural potentiality to there lands.

Assessment Range

Details of land class of land

0-01 to 1.25

Jirayat
Jirayat/Inferior

8) POT KHARAB LANDS:-

There is no pot-kharab in the lands, under acquisition.

9) CLAIMS:- The statement showing the claims made by the interested persons who remained present in response to the notices under section 9 of the land Acquisition Act, is enclosed (Annexure 'A') The remarks in respect of the claims are recorded in the last column.

10) EVIDENCE IN SUPPORT OF THE CLAIMS:-

The interested persons who were present during the enquiring under section 9 of the Land Acquisition Act, have not adduced any evidence for valuation of the land under acquisition. However, they have stated that the lands under acquisition may be valued at the present market rate prevailing in the locality. Their request will be considered after observing all the formalities.

11) EVIDENCE BY ACQUIRING BODY :- The acquiring body has not adduced any evidence regarding the valuation of the lands under acquisition.

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12) PANCH VALUATION :- In the Panchnama dated 25/2/82 the Circle -
Inspector of this office has made the valuation of the lands under
acquisition :-

Sr.No.	Survey No.	Area H.A.	Class of land	Value offered by the panchas
1.	262/2 part	2-26	Jirayat Inferior	20,000/- 20,000/-
2.	261/1 part	0-98	---do---	10,000/-

The valuation is made acquiring to the estimation of the panchas, The Circle Inspector has not divided the lands in various groups in the basis of their soil classification and ~~fertility~~ fertility of land. Moreover, it is estimation and not correct - valuation. The panchas have not produced any oral or documentary - evidence in support of their estimation of the land valuation. The panchnama made by the Circle Inspector will not be useful for fixing the proper valuation of the lands under acquisition. I, there-fore, discard the panchnama.

13) PREPARATION OF SALES PLAN :-

The map showing the sale transactions that took place in the vicinity of the land under acquisition is prepared and kept on record.

14) VALUATION :-

The material data for valuing the lands under - acquisition is the data of publishing of the notification under - section 4 of the land Acquisition Act. In this case notification under section 4 was published in the Maharashtra Government on dt. 6-8-1981 and therefore, this data is the material data for valuing the lands under acquisition.

There are in all 16 sale instance available for discussion. The average assessment of the lands under acquisition works out to Rs. 0-72, and 4-19-4-0-1.19 i.e. below Rs. 1.25 P.H. So it will be proper and fair to consider the sale instances of the lands which are having assessment of Rs. 0-72 to 1.25 or near about.

Out of the above , 16 sales, the sales of the lands at sr. No. 1,4,5,6,7,10,11,13,14 are in respect of superior jirayat lands and the average assessment of these lands is above Rs. 2.00 and below 12.00 comparing to this, the lands under acquisition are of inferior type of jirayat. Hence the above

mentioned sales are discarded.

The sales at sr No. 2,8,9 are in respect of inferior as well as superior jirayat lands. The average assessment of these lands works-out to Rs. 0.53, 2.56, 11.60 p.h. respectively. However these sale transactions took place between tenants and landlords, and price paid is meagre. These sales are therefore, cannot be considered for fixing the valuation of the lands under acquisition. Hence the sales mentioned above are discarded.

The lands involved in the sale transactions, at sr No. 16, 12, 15 are away from the lands under acquisition. Hence the sales in question cannot be taken into consideration. For fixing the valuation of the lands under acquisition. Hence discarded.

Now let us consider the only sale instance, at sr No. 3. The lands involved in this sale, are more or less similar to the lands under acquisition. This sale has fetched value of Rs. 1429/- p.h. on 12-6-78. If we assume, this price to be true in the year 1978. (Rs. 1500/-) P.H. the further increase in the rate approximately Rs. 1000/- per year up to the date of notification under section 4 - (i.e. 1981) could be Rs. 4029/- i.e. 5000/- p.h. considering this, and the land value approved in the other land acquisition cases, from the nearby village i.e. Meni, Shirsatwadi etc, from this taluka it would be fair and reasonable to award rate of Rs. 6000/- p.h. for the lands to be acquired.

The compensation at the below mentioned rates should, therefore, be paid to the interested persons.

	<u>Class of land</u>	<u>Rate P.H.</u>
1.	0.01 to 1.26	6,000/-P.H.

15) STRUCTURE:-

There are no temporary or pakka- structures, in the lands under acquisition.

TREES:-

There are 10 fruit bearing trees in the lands, under acquisition. The Asstt. Director (Cash Crop) Kolhapur was consulted for valuation of these trees. The valuation obtained from him has been shown in the appendix 'E'. The valuation made by the Agricultural Department, has been accepted.

TALS:-

----- There are tals in the lands under acquisition. The Executive Engineer, M. I. Din. S.P. Sangli was consulted for valuation of tal valuation obtained by him, has been accepted.

FENCING COMPOUND WALL ETC :- There are no fencing or compound walls in the lands under acquisition. The question of awarding compensation on this account will not therefore arise.

DAMAGES ON ACCOUNT OF (1) SEVERENCE (11) INJURIES AFFECTIONS:-

There is no severence frog meat formed due to the land Acquisition proceedings. There is no injurious, affections Hence question of awarding compensation for this, does not arise.

INAM LANDS:- There are no inam lands in the lands under acquisition.

A P P O R T I O N M E N T

Statement showing the apportionment of compensation payable to the interested persons is enclosed.

E N C U M B R A N C E S

(1) As per extract from the Record of Right in respect of the lands under acquisition it is seen that there are encumbrances of V.R.S. Society on the land of R.S. No. 261/1

(11) The encumbrance of hairs are in the other rights, without possession in respect of R.S. No. 261/1, which if not deleted, the consent of the persons concerned should be obtained before payment of compensation.

T E N A N T S :-

----- There are no tenants in the lands under acquisition.

S O L A T I U M :- Beside the market sales of the land under acquisition 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.

POSSESSION :-

The possession of the land under acquisition has already been taken to the Acquiring Body by private negotiations in this case.

PAYMENT OF ADVANCE COMPENSATION :- Rs. 9720/- Rs. Nine thousand seven hundred

hundred twenty only have been sanctioned as advance compensation to the I.P.s in this case, by the A.B. However the same has been adjusted in final compensation and will be paid accordingly.

Details of Valuation

1) Land Value	Rs.	19440-00
2) Tal	Rs.	1048-00
3) Trees	Rs.	2705-00
4) 15% Solatium	Rs.	3478-95
5) Capitalised Value of Nuksan-	Rs.	--

26671- 95

6) Severance	--	--
7) Measurement Charges	--	Rs. 70-00
8) Percentage charges	--	Rs. 800-15

Grand Total:- 27542-10

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I, therefore, declare that

H. a

i) the true area of the land under acquisition is 3- 24 area.

ii) Total amount of compensation payable Rs. 27,542-10---Rs. Twenty seven thousand five hundred forty two , paise ten only

iii) Apportionment according to apportionment statement enclosed.

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

Place:- Sangli

4 th May, 1983.

(S. A. Patil)
Special Land Acquisition Officer
No.5, Sangli.

Statement showing the average Assessment of the lands under acquisition for construction of Percolation Tank at Charanwadi No. I

Sr.No. Survey No. Area to Assess Asstt. Class of Kind of
be acqui ment. P.H. land lands.
red

1.	261/1 part	0-98	0-71	0-72	Jirayat/ Inferior
2.	262/2 part	2.26	3.28	1.19	--do--

3.24

(S.A. Patil)
Special Land Acquisition Officer,
No. 5, Sangli.

Taluka-Shirala

No. SPL/LAW/SR/63, Land Acquisition for Percolation Tank at village:-Charanwadi, Taluka-Shirala

Sr.No. Survey No. Name of Details of the I.P. Claims.

1. 2 3 4

Interested persons have not given their specific claims for compensation of the lands under acquisition for Hirayat nature. However, they told at the time enquiry u/s(3) that they should be given compensation at the rate prevailing in the market and vicinity of the village.

Looking to the Assessment, the type of lands, their normal yields in Jirayat/Bagayat variety, and normal rate per Guntha in the village I have fixed the following rates, for the lands to be acquired.

Sr.No.	Class of land	Rate Awarded	
		Bagayat	Jirayat
1.	0.01 to 1.25	---	Jirayat/Inferior

(S.A.Patil)
Special Land Acquisition Officer
No.5, Sangli.

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