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In the court of Shri.K.G.Ghaisade, Special Land Acquisition Officer No. 11, Sangli Award under Sec. 11 of the Land Acquisition Act 1894 as amended on 24-9-1984 (Act No.68 of 1984) in respect of land of village Chikurde, Tal.Walwa, District Sangli.

No.LAQ/XI/SR-178 Chikurde
Office of the Special Land
Acquisition Officer No. 11
Sangli, Mahsul Bhavan, Miraj.
Dated : 31-10-1985

A W A R D

A) Introduction

1) Title of Award

Acquisition of lands out of village Chikurde, Taluka Walwa due to acquire of lands from the benefitted zone, for the projected affected persons of Chandoli Dam, Dist.Sangli.

2) PARTICULARS OF NOTIFICATION UNDER SECTION 4 AND 6 of THE LAND ACQUISITION ACT:-

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

Notification under
Section 4 of the
Land Acquisition
Act.

Published on page No. 1147 dated
5-4-1984 of the Maharashtra Govt.
Gazette part I, No.SPL/LAQ/XI/
SR-178, Dated 14-3-1984

b) NOTIFICATION UNDER SECTION 6 of THE L.A.ACT

Notification under
section

Published on page No. 2801, Dt.
13-9-1984 of the Maharashtra
Govt.Gazette Pune Division
Suppliment part I No.LAQ/RR/
SS-1005/84, Dt.8-8-1984

DETAILS OF LANDS FINALLY NOTIFIED ON ACQUISITION :-

District: Sangli, Tahsil : Walwa, Village : Chikurde
Gat No. 2132/1 C-81 H.R.

REASONS FOR AWARD

The District Resettlement Officer, Sangli who is the representative of the Director of Resettlement is the acquiring Body has under his letter No; Res./SR-174, Dt.7-3-84 initiated the proposal to acquire certain land of village Chikurde Tahsil Walwa, Dist.Sangli for the resettlement of the P.A.P.s

(259)

The Collector under his endorsement No. - Dt. - the - directed the Special Land Acquisition Officer No. 11, Sangli to start the Land Acquisition proceeding. The purpose of acquisition as stated in the proposal is for the public purpose at village Chikurde Tahsil Walva, District Sangli which is in the interest of public in general and hence it is a public purpose.

The Commissioner, Pune Division Pune under his notification No. LAQ/RR/SS/1005/84, Dt. 8.8.1984 has approved notification under section 6 of the Land Acquisition Act published in the Maharashtra Govt. Gazette Pune Division suppliment dated the 13-9-1984 on page 2801 declared that, the land notified in the schedule to the above notification is required for the purpose of resettlement of P.A.Ps. and appointed the Special Land Acquisition Officer No. 11, Sangli under clause 'C' of section 3 of the Land Acquisition Act, 1894 to perform the functions of a Collector for all the proceedings hereafter to be taken in respect of the said land 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.

2) AREA OF THE LANDS UNDER ACQUISITION IN THE PRESENT CASE

Details of land under acquisition

<u>Sr.No.</u>	<u>Cat No.</u>	<u>Area H.R.</u>	<u>Asstt.Rs. Ps.</u>
1)	2132/1	0-81	1-52

The land under acquisition was got measured jointly by the representatives of the Acquiring Body and the Survey Department. The result of the measurement work has been mentioned in the Plane-Table sheet and the joint Measurement Certificate. None of the interested persons raised 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 of awarding compensation amount.

3)

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 Chawadi, Tahsil Office 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 Act.

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

OWNERSHIP

The entries in the Record Rights (V.F.VII-XII) village record S+A are taken as base for deciding ~~xxx~~ ownership. there is no dispute about the ownership of the land under acquisition.

SITUATION AND DESCRIPTION

The land is situated at village Chikurde. The land do not have prospects for being used as non-agricultural lands in future. During the course of the site inspection it was also observed that there is no building activity in the area under acquisition. The lands are therefore treated as agricultural lands for the purpose of valuation. The land under acquisition is jirayat.

DESCRIPTION

The population of the village 5635 according to 1971 census. The maximum assessment per hectare of the land under acquisition as noted on the head of the village Form I is as under :-

Jirayat land Rs. 7-41

Bagayat land Rs. -

Tari land Rs. -

The land is classified as Jirayat land.

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CLASSIFICATION OF LAND

Taking into consideration the assessment of the land under acquisition, their fertility and actual use as either bagayat or jirayat the land is classified as under. The per hectare assessment statement appended to this Award may also be seen for this purpose.

10)

POT KHARAB LAND

Nil.

D)

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.

E)

EVIDENCE IN SUPPORT OF CLAIMS

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

F)

EVIDENCE BY ACQUIRING BODY

The acquiring body has not produced any evidence regarding the valuation of the land under acquisition.

G)

PANCH VALUATION

In the panchanama dated 9-5-1985 the Circle Inspector has made the valuation of the land under acquisition.

1) Jirayat inferior Rs. 7,500/- P.H.

The valuation is made according to the estimation of the panchas. The Circle Inspector has not divided the land in various group on the basis of their soil classification & fertility of land. Moreover it is an 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 panchanama made by the Circle Inspector, will not be useful for fixing the proper valuation of the land under acquisition. I, therefore, discard the panchanama.

PREPARATION OF SALES PLAN

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

VALUATION

The material date for valuing the land under acquisition is the date of publication of the notification under section 4 of the Land Acquisition Act. In this case notification under section 4 was published in the Maharashtra Government Gazette on 5-4-1984 and therefore, this date is the material date for valuing the lands under acquisition.

A statement showing sales that took place in the last 3 to 5 years prior to publication of section 4 notification is prepared. It will show how the market value prevailed of the lands or of the lands in the vicinity in those 3 to 5 years.

Group No. 1	Rs. 0-01 to 1-25
Group No. 2	Rs. 1-26 to 2-50
Group No. 3	Rs. 2-51 to 3-50
Group No. 4	Rs. 3-51 to 5-00
Group No. 5	Rs. 5-01 to 7-50
Group No. 6	Rs. 7-51 to 10-00
Group No. 7	Rs. 10-01 to 12-50
Group No. 8	Rs. 12-51 and above

Group No. 1 Rs. 0-01 to 1-25

There are no sale transaction took place for the lands falls in the group. Government have issued instructions to fix the price of Pot Kharab land at Rs. 200/- P.H. The quality of soil of the lands in this group is better than that of lands falls in Pot Kharab category. The Warana Sahakari Sakhar Karkhana is at a distance of 5 Km. to the south of the village, and due to this industry the financial condition of the inhabitants is improved to some extent. There are no sale transactions in this group but taking into consideration of transaction

falls in the group No. II, I have decided to fix the price at Rs. 1,500/- P.H. and hence the lands falls in this category be valued at Rs. 1,500/- P.H.

Group No. II, Rs. 1-26 to 2-50

There are 5 sale transactions available in this group. The sales of S.No. 4 and 5 of the statement are of fragment land and hence they are not suitable for fixing the reasonable price and hence discarded. The sale at S.No. 3 took place on 18-6-1981 for Rs. 1,000/- for an area of 1-58 H.R. and its average value comes to Rs. 6,329/- P.H. This transaction is appears to be on higher side and it is not suitable for fixing reasonable price and it is not considered. The remaining land transactions took place on 2-3-1978 & 16-3-1978 for gat Nos. 1378 & 1307 for Rs. 4,000/- & Rs. 250/- for an area of 3.79 H.R. & 1.04 H.R. respectively are available for fixing the reasonable value. The gat No. 1378 involve 0.5,4 share for which average price comes to Rs. 3,166/- and according to 1/3 share area of land comes to Rs. 1.26 H.R. And gat No. 1307 involves share of 0.2.8 for an area of 0.18 H.R. for which an amount of Rs. 250/- was paid and its average value comes to Rs. 1,442/- . Taking into consideration the duration between the two transactions is 15 days. They do not give the clear picture to fix the price. Taking into account the transaction of gat No. 1378 & its average price Rs. 3,166/- P.H. I come to the conclusion that the lands falling in this group may be valued at Rs. 3,000/- P.H. I therefore recommend Rs.3,000/- P.H. for fixing the price.

Class of land

Rate per hectare

- | | |
|---------------------|------------------|
| 1) Jirayat Class I | Rs. 1,500/- P.H. |
| 2) Jirayat Class II | Rs. 3,000/- P.H. |

As regards Pot-Kharab area compensation should be paid at the rate of Rs. 80/- per acre i.e. Rs. 200/- per hectare.

STRUCTURES

Nil.

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AREA UNDER STRUCTURES

Nil.

WELLS

Nil.

PIPE - LINES

Nil.

TREES

Nil.

TALS

Nil.

FENCING COUMPUND WALLS ETC.

Nil.

DAMAGES ON ACCOUNT OF (i) SEVERENCES (ii) INJURIOUS AFFECTIONS (iii) LOSS OF BUSINESS, GOODWILL ETC.

The interested persons are not entitled to damage in form of compensation in this respect, as no severence are formed nor there is loss of business or goodwill and injurious affection on account of present acquisition.

INAM LANDS

Nil.

APPORTIONMENT

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

ENCUMBRANCES

As per extracts from the Record of Rights of the land under acquisition it is seen that, there encumbrance on the land. Shri. Bal Ganesh Kulkarni and Sabhapati V.K.S. Society The amount should be kept in R.D. till the Khatedar presents clear extract of V.F. VII-XII.

TENANTS

Nil.

SOLATIUM

Besides the market value of the land under acquisition statutory solatium of 30% should be paid to the interested persons for compulsory nature of acquisition as per section

32(2) of the Land Acquisition Act. Special component of 12% The Amended Act 68, of 1984 directs that 12% component should be given on the market value for the period of publication of Section 4 Notification or date of taking possession whichever earlier to the date of Award should also be payment to the owner of the land in acquisition which is hereby offered.

POSSESSION

The possession of the land under acquisition has not been handed over to the Acquiring Body so far, under the provision of the land Acquisition Act.

PAYMENT OF ADVANCE COMPENSATION

Advance paid previously on the date - has been ~~xxx~~ deducted and remaining amount is amount is hereby paid for the concered khatedar.

DETAILS OF VALUATION

1) Land valie	Rs.	-
2) Structures	Rs.	-
3) Wells	Rs.	-
4) 15% solatium	Rs.	-
5) Capitalised value of Nuksan.	Rs.	-
Grand Total	Rs.	-

AWARD

- I, therefore, declare that,
- 1) the true area of the land under acquisition is 0 H. 81 Areas.
 - ii) Total amount of compensation payable Rs. 3,640-95 Three thousand six hundred forty and paise ninety five only.
 - iii) Apportionment according to approtrionment statement ~~xxx~~ enclosed.

The land having been finally acquired, shall vest in Government free from all encumbrances, equities and tennures and lawfully subsisting in favour of any person, other then Government.

Place : Sa ngli
Date : 31-10-1985

Special Land Acquisition Officer
No. XI, SANGLI.

under the provisions of the Land Acquisition Act, 1894 to all the persons interested in the plot of land situated in the village of Chandpur of the District of Raichur.

1

Serial No.	Names of persons to whom land is awarded	Area of land	Government or allotment of land	Abatement of land		Rate payable per acre, ginning sq. ft. and sq. ft.	Compensation				Total of 7 (a) to 7 (d) to be administered	8	12% Compens. the date of publication of the notification, etc. which is per	Other claims or damages, etc.	11	12	13	14	15	16	17	18	
				(a)	(b)		(a)	(b)	(c)	(d)													7 (e)
1	Est No 235/1	6-81	Wahla	1-52	-	300/-	2439/-	-	-	-	2130/-	709/-	481-93	-	-	-	3540-95	-	-	-	-	-	-
	Kamleshwar Chhabra																						
	Musale																						
	Other rights																						
	U. B. Ram Lal																						
	U. B. Ram Lal																						
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No. and Date of Statement: 128/128-178 Chiknole
 Date of Award: for Retainment of Warrent project affected persons.
 Name of Work for which Land has been acquired: for Retainment of Warrent project affected persons.
 No. and date of Declaration in the Maharashtra Government Gazette, Part I viz No. 13-9-54 pages 2801
 Statement showing Compensation awarded by Chiknole in Estate

No. 128-1 on the 128-1 date 128-1 under Section II of the Land Acquisition Act, 1894 to all the persons interested in the plot of Land situated in the Revenue Roll of the District of Chiknole Page 128-1

Talika W/L/128

178-1
 128-1

A L E 108

Serial No.	Names of persons to whom Payment is due under the award.	Area of land or land	Government or alienated land	Abatement of land		Rate awarded per acre, sq. yd. and sq. ft.	Compensation awarded for				Total of 7 (a) to 7 (d)	8 30 percent of solatium if date of publication of notification or from the date of taking over possession of the land, whichever is earlier	12% Compensation from the date of publication of notification or from the date of taking over possession of the land, whichever is earlier	Other claims for severance, injuries, etc.	11 Capitalized value of assessment	9% interest for first year and 15% for subsequent years if possession is taken earlier	Total amount of compensation to be paid to each person etc.	Advance paid if any		Distribution of the amount in column 13 taken from the subsidiary statement	No. and date of voucher	Date	Reference to the report stating the date
				5 Assessment (a)	5 Quit-rent (b)		7 (a) Land (a)	7 (b) Structure (b)	7 (c) Well (c)	7 (d) Trees (d)								14 Amount	15 Date				
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