SR 701

Award under section 11 of the Land Acquisition Act, 1894 made by Shri P.N. Joshi, Special Land Acquisition Office No. 4 Sangli in respect of Acquisition of lands for construction of Warana Left Bank Canal village Thanapud

No. SPL/LAQ/SR-108
Sangli: 27-4-1982.

AWARD

1. **Title and particulars of notification and details of lands:-**

Acquisition of lands for construction of Warana Left Bank village Thanapude Tah. Walwa.

2. **Notification under section 4 of the L.A. Act:**

Notification under section 4 was sent under No. SPL/LAQ/SR- 108 dated 30-8-1980 and it was published in the M.G.G. on 30-10-1980 at pages 3483,3484.

3. **Notification under section 6 of the L.A. Act:**

After holding enquiry unde section 5-A of the Act, section 6 notification was approved and sent to Govt. press by the Commissioner Pune Dn. Pune's No. LAQ/RR- 1872 /SS/81 dated 17-10-1981. The said notification was published in the M.G.G. dated 19-11-81 at page 3298,3299.

4. **Land Notified for acquisition :-**

The following lands were notified for the said acquisition under section 6 of the L.A. Act, 1894 Village: Thanapude, Tahsil : Walwa Dist: Sangli.

Gat No.	Area H. A.	Gat No.	Area H. A.
84 part	0-37	85 part	0-40
	0-08 P.K.		
86 "	0-90	94 "	1-53
	0-05		0-02 P.K.
95 "	0-52	96 "	1-50
	0-04 P.K.		
107 "	0-68	108 "	0-28
	0-05 P.K.		0-03 P.K.
109 "	2-30	125 "	0-30
	0-06 P.K.	126 "	1-61
137 "	0-19	13[illegible] "	0-14
139 "	0-14		0-01 P.K.

140	0-12	141	0-11
142	0-22		0-01 P.K.
	0-01 P.K.	143	0-14
144	0-14	151 part	1-85

5. Reasons for the Award:-

The Executive Engineer, Warana Canal Dn.I Islampur vide his letter No.WCD-I/Adm.V/G-56/113 dated 5-1-1979 has initiated a proposal for acquisition of lands for Construction of Warana Left Bank Canal village Thanapude Tah.Walwa. The Collector of Sangli vide his endorsement No. LAQ/RR-1055 dated 17-1-1979 directed to start the land acquisition proceedings in this case. The purpose of acquisition as stated in the acquisition proposal is in the interest of public in general and hence it is a public purpose as defined in the L.A. Act, 1894. The Commissioner Pune Dn. Pune has accordingly notified the land under section 6 of the L.A. Act, 1894 under ordinary clause.

6. Area:-

The land to be acquired finally was jointly measured by the representative of the acquiring body and Survey Dept. The result of measurement work has been mentioned in the J.M.P. and J.M.C. None ofthe interested person has raised any objection to the area proposed for acquisition and hence the area shown in the Joint Measurement Certificate is taken as true area for the purpose of awarding compensation.

7. Notices and ownership:-

Public notices under section 4(1) and 9(1)(of the L.A. Act, was duly published in the village, Tha office as well as on the lands under acquisition.

Similarly individual notices under section 4(1) and 9(3)(4) of the Act were duly served on the persons known or believed to be interested in the land under acquisitio

The entries in the V.F. VII-XII are taken as base for deciding the ownership of the land under acquisition and for ~~mz~~ awarding compensation to the interested persons.

8. Situation and description:-

The lands under acquisition is situated at a distance of 1 K.M. away from the village Thanapude. The Canal is passing from west to east at this village. The lands under acquisition having assessment from Rs. to . There is no industrial or developmental activity in this area and hence the lands do not have any N.A. potential.

9. Site Inspection :-

The lands under acquisition have veen inspected by me alongwith the representative of the Acquiring Body. The lands under acquisition is of inferior type ~~land~~.

10. Claims:-

An amount of Rs. 60,000/. has been claimed as land compensation by Shri Sampat Hari Dhangar, Krishna Hari Patil and Ganpati Naiku Patil. The interested persons have not produced any documentary evidence or owral ~~in~~ evidence in support of their claims and hence their claims have been rejected.

11. Valuation made by the Acquiring Body:-

The acquiring body has not produced any valuation note in respect of lands under acquisition .

12. Valuation :-

There are three methods of valuing the agricultural land in the Land Acquisition Act, The first method is on the basis of sales of lands under acquisition itself. The second method is on the basis of lands in the vicinity of recent past. The third method is on the basis of income i.e. capitalisation of net incom Out of the above three methods, the third method is to ~~main~~ maintain farm accounts of expenditure and yield. Generally agriculturist do not maintain the farm accounts. Therefore it goes some what difficult to follow this method. Hence I am adopting the method based on sales statastics, for valuation of the lands under acquisition.

The lands under acquisition have been grouped in the following groups on the basis of their assessment as under:

Group No. I	lands having asstt. up to	Rs.1.2[illegible]
Group No. 2	-do-	Rs. 2-50 to 5-00
Group No. 3	-do-	Rs. 5-01 to 7-50
Group No. 4	-do-	Rs. 7-51 to 10-00
Group No. 5	-do-	Rs.10-01 to 12-50
Group No. 6	-do-	Rs.15-00 to 20-00

In this case the section 4 notification has been published in the M.G.G. dated 30-10-1980. Thus it is the material date for us. The sales from village Thanapude are inadequate hence the sales from nearly village of Chikurde have been collected and will be considered at the time of valuation.

First ~~xxx~~ of all we shall fix up the price for lands in group No. 6 We have got the following sales for our consideration.

Village Thanapude.

S. No.		Asstt.	Year of sale.	Price fetched.
1.	236	17-16	1978	33,333/-
2.	355	17-20	1980	15,000/-
3.	377	15-27	1981.	63636/-
		Village Chikurde		
4.	548	15-27	1978	20,500/-

All the sales except the sale at Sr. No. 2 are exhorbitant and hence can not be condered. ~~The sale at~~ The sale at Sr. No. 2 has taken place in the same ~~in~~ year in which section notification has been published in this case. In view of this a rate of Rs. 15,000/- per hector is considered to be most suitable and hence the same is awarded for the lands in this group.

Group No. 5 :- For the lands in this group we shall consider the following sales.

SrNo.	S. No.	Asstt.	Year of sale.	price fetched.
1.	1042	10-96	1977	27,529/-
2.	775	11-02	1977	24,490/-
3.	973	12-34	1979	21,951/-
4.	1790	12-11	1979	29,411/-
5.	495	12-42	1980	22,571/-
		Village Chikurde.		
6.	2198	12.49	1978	11,111/-
7.	2280	11.84	1978	11.200/-
8.	2094	10-65	1979	12,820/-

All the 5 sales from village Thanapude are too exhorbitant and do not represent the correct price of land under acquisition, hence all these sales are rejected. The ramining 3 sales are from village Chikurde are worth consideration. Out of these the sale at Sr.No. 8 is slightly on higher side. The sales at Sr. No. 6 and 7 are most suitable and represent the correct price of the lands under acquisition. On the basis of these sales the price for lands in this group is fixed at Rs. 12,000/- par hector and the same is awarded.

Group No. 4:- To determine ~~detarmine~~ the price- of lands in this group we shall consider the following sales

Sr. No.	S. No.	Asstt.	year of sale	price fetched,
		Village Thanapude.		
1.	192	7-92	1980	11,538/-
		Village Chikurde.		

Village Chikurde.

2.	1790	8-53	1979	29,262/-
3.	1845	7-50	1977	7,400/-
4,	2012	10-00	1977	15,000/-
5.	2068	9-95	1978	17,045/-
6.	1039	7-82	1978	16,666/-

The sales at Sr. No. 2,4,5,6 are very high hence all these sales are rejected. Now only 2 sales i.e. sales x at Sr. No. 1 and 3 are remaining for our consideration. The sale at Sr. No. 1 has taken place after one year from the material date, Whereas as the sale at Sr. No. 3 has taken place before 2 years from the material date. If we take into consideration both these sales into consideration the ~~sale~~ Price of Rs. 10,000/- p.H. will be just and proper for the lands in t is group.

Group No. 3 :- We shall considerxxxx the following sales

Sr.No.	S.No.	Asstt.	Year of sale.	Price fetched.
		Village Thanapude		
No sales are available.				
		Village Chikurde.		
1.	1902	7-06	1977	7,234/-

This is the only but very useful sale available for us This sale took place prior to 3 years from the material date. Taking into condideration this the price for lands in this group is fixed at Rs. 8500/- P-H- and the same is awarded.

Group No. 2 :- We have got the following sales for our consideration .

Sr.No.	S. No.	Asstt.	Year of sale.	Price fetched.
		Village Thanapude		
1.	17	4-00	1980	33,333/-
2.	75	3-41	1980	3092/-
		Village Chikurde		
		No sales are available.		

The sale at Sr. No. 1 is very high whereas the sale at Sr. No. 2 is too low hence both these sales are rejected For the lands in group No. 3 we have fixed a price of Rs. 8500/- P.H. taking into consideration this, the price for lands in this group is fixed at Rs. 7500/- p.H. and the same is awarded.

Group No. 1 :-

No sales are available from ~~xx~~ both these villages. Taking into consideration price fixed for lands in group No. II. the price for lands in Group No. 1 is fixed at Rs. 5000/- P.H. and the same is awarded.

13. Trees:-

There is no trees in the lands under acquisition and hence the question of payment of compensation on that account does not arise

14. Structures:-

There are no structures in the lands under acquisitio hence no compensation is awarded for ~~it~~. the same.

15. Fencing, Compound walls etc.:-

There is no fencing, compound or wall in the lands under acquisition. The question of payment of compensation therefore does not arise.

16. Damages on account of;:-

1. Severances :-
2. Injurious~~xx~~ affection :-
3. Loss of business good will etc.:-

There is no severance, injurious affection, or loss of business good will etc. The question of payment of compensation on these accounts therefore does not arise.

17. <u>Tals and Wells.</u>:-

There are no Tals or wells in the lands under acquisition. The question of payment of compensation therefore does not arise.

18. <u>Inam Lands:</u>-

The lands under acquisition are not belonging to Inam Category. The question of fixing the valuation as Inam land or the question of recovery of Nazarana etc. therefore does not arise in this case.

19. R.K.

The following lands are chekas which coming under acquisition.

84 Part	·08
~~85~~	~~·05~~
95 "	·04
107 "	·05
~~109~~ "	·06
94 "	·02
108 "	·03
138 "	·01
142 "	·01
141	·01
	·31

These PK lands are valued at ...80/- per hectare ... per guntha

20. <u>Solatium</u>:-

Besides the compensation the statutory solatium at fifteen percent will be paid to the interested persons for the compulsory nature of acquisition as per section 23(2) of the Land Acquisition Manual.

21. <u>Possession</u>:-

The possession of the lands under acquisition has been taken by the Acquiring Body by private negotiations. The acquiring Body is therefore advised to pay interest in the form of rent from taking over possession up to the date of payment at the prevailing rates.

22. <u>Advance Compensation</u> :-

In this case no advance compensation has been paid to the interested persons.

23. <u>Encumbrances:</u>-

There are no encumbrances on the lands under acquisition.

24. <u>Tenants:</u>-

There are no tenants on the lands under acquisition.

25. <u>Measurement and Percentage Charges:</u>-

This is a Govt. project and hence the measurement and percentage charges are not ~~leviable~~ recoverable from the acquiring Body.

Details of Valuation:-

1. Land Value :- 88,910-00

2. Solatium :- 13,336-50

3. Pot Kharab value. :- 62-00

Total:- 1,02,308-50

207 Award:-

As provided in section 11 of the Land Acquisition Act, 1894 I hereby declare that :-

1. The true area of the land under action is H. A. 13-75 .

2. The total amount of compensation payable to the interested persons is Rs. (1,02,308-50) One lakhs two thousand three hundred eight and paise fifty only.

3. The amount is payable to the persons as per apportionment statement enclosed.

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

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

Sangli.
27-4-1982.