
A. W. A. R. D.

NO. SPL/LAQ/V/SR-4

Village.: -TADAVALE TALUKA : SHIRALA.

For Construction of Percolation Tank.

①

Award under section 11 of the Land Acquisition Act 1894
Made by Shri. P. G. Bartakke, Special Land Acquisition Officer, No.
V(Gen)Sangli in respect of Land Acquisition for construction of
Percolation Tank at Tadavale Taluka Shirala, Dist.:-Sangli.

No.SPL/LAQ/V/SR-4
Office of the Special Land Acqui.
Officer, No.V(Gen)Sangli.
307, Mahaveer Nagar, Lada Buid.
Sangli. /2/1980.

A W A R D.

Title and Particulars of Notifications and Details of Land.

Acquisition of lands from village Tadavale Tahsil Shirala
District Sangli for construction of Percolation Tank at Tadavale.

(a) Notification under section 4 of the Land Acquisition Act.

The Notification under section 4 of the Land Acquisition Act
was published under the Special Land Acquisition Officer, No. III
(Gen)Sangli's No.SPL/LAQ/SR-(790), dated 29/8/76 and No.SPL/LAQ/
SR-121(790) dated 5th May 1978, in the Maharashtra Govt. Gazette,
part I Pune Div. Supplement dated 23/9/76 at pages 3064 and 3065
and dated 25/5/1978 at pages 1234-1235.

(b) Notification under section 6 of the Land Acquisition Act.

The Notification under section 6 of the Land Acquisition Act
was published under the Additional Commissioner, Pune Div. Pune's
No.LAQ/RR-233/79 dated 28/2/1979 in the Maharashtra Govt. Gazette
Part I Pune Division Supplement dated 10/5/79 at pages 901.

This case was originally started in the office of the Special
Land Acquisition Officer No-III(Gen)Sangli and it is transferred
to this office in July 1979 under the orders of the Collector,
Sangli.

(c) Lands notified under acquisition.

Village Tadavale Tahsil:-Shirala District : Sangli.
Survey Nos. 278/1 Part, 278/2 Part, 278/3 Part, 279 Part, 293/2 part,
293/3 part, 293/4 part, 293/5 part, 293/6 part, 293/8 part, 294/2 part
H. A.
294/1 part. Area - rounded 284 part 0 - 75.

REASONS FOR THE AWARD.

The Chief Executive Officer, Shri. Parishad, Sangli who is
the representative of the Acquiring Body in this case, has, under

his letter No. MIP/LA/S-257/4142/75, dated 16/8/1975, has initiated the proposal for acquisition of the lands for construction of Percolation Tank at Tadavale (Under Scarcity), for the village Tadavale Tahsil Chitola, Dist. Sangli. The Collector Sangli vide his endorsement No. LA/SR-602, dated 29/8/75 has directed to start the land acquisition proceedings. The purpose of acquisition is in the interest of Public in general and hence it is a Public Purpose within the meaning of the Land Acquisition Manual. The lands were notified under section 6 of Land Acquisition Act 1894 and the Commissioner, Pune Dist. Pune has appointed the Special Land Acquisition Officer No. V(Gen) Sangli under clause (c) of the section 3 of the Land Acquisition Act, to perform the functions of the Collector, for all proceedings hereafter to take place in respect of the ^{be} ~~land~~ ^{land} and also directed to proceed with the land acquisition proceedings in respect of the said lands by making all the necessary arrangements, for that purpose.

LANDS ACQUIRED

Details of lands under acquisition:-

Survey No.	Area. H. A.	Survey	Area. H. A.
278/1 Part.	0 - 82	293/4 part.	0 - 10
278/2 part.	0 - 12	293/5 part	0 - 22
278/3 part.	0 - 36	293/6 part.	0 - 01
279 part.	0 - 31	293/8 part.	0 - 31
293/2 part.	0 - 35	294/2 part.	0 - 55
293/3 part.	0 - 05	294/1 part.	0 - 69.
		Area Abandoned.	3 - 59
284 part,	0 - 75		

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 Certificate. The interested persons did not raise any objection to the measurement carried out and hence the area shown in the Joint Measurement Certificate is taken as true and final for awarding compensation for the lands. The interested persons of S.No. 284 have requested to retain their right of Sale.

NOTICES AND OWNERSHIP.

Public notices under section 9(1)(2) were published in the Village Shavadi, Tahsil Office and on the lands 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 and their claim for compensation, and objections if any, to the measurement made under section 8 of the Land Acquisition Act.

The entries in the VP VII-XII are taken as base for deciding the ownership of the lands under acquisition and for awarding compensation to the interested persons.

SITUATION AND DESCRIPTION.

The lands under acquisition are situated at a distance of 3 k.m. from the village Tadavale gaonham. The building activities near about the village is practically nil. Also there is no possibility of any application for N.A. purpose in near future. There is no weekly Bazar in the village. The people have to go to Shiralawhich is a Laluka place for Bazar which is at a distance of about 8 k.m. from the village. There is primary school facility but for secondary schooling the children have to go to Shirala. The S.T. Bus is available in the main road at Shir-Shirala - Chandoli which is about 7 k.m. from the village. The population of the village is 2615 according to 1971 census.

CLASSIFICATION OF LANDS.

The parcels of lands coming under acquisition in this case are Medium Jirayat land. The average assessment of these lands is between 0-93P. to 4-45 P.H. with an exception of No. 2-22 P.H. in case of one parcel bearing S.No. 284/1.

<u>Jirayat.</u>	<u>Assessment.</u>	<u>Class.</u>
	<u>Between.</u>	
Jirayat:		
I	0-0 to 3-99	IV
II	4-0 to 7-99	III
III	8-0 to 11-99	II
IV	12-0 and above.	I

POT-KHARAB.

There is no Pot-Kharab in these lands under acquisition.

CLAIMS & EVIDENCE IN SUPPORT OF CLAIM.

P.T.O

The Interested person who appeared for enquiry under Section 9 of the Land Acquisition Act have not presented any evidence for valuation of the lands under acquisition. However they have said that the lands may be valued at the present market rates prevailing in the village and vicinity. Their request has to be considered on merit after following necessary "Formalities".

EVIDENCE BY THE ACQUIRING BODY.

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

PANCH VALUATION.

In the Panchanama dated 15/11/77 made by the Circle Inspector and Talathi according to then prevailing market rates is Rs.4500/- per acre i.e.11250/-per hectore. This valuation made is according to the estimation of Panchas and not a valuation based on any method. The panchas have not added any evidence in support of their say. The Panchanama made by the Circle Inspector will not therefore, be useful for fixing the proper valuation of the lands. 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 the record. Similarly statement showing the sale statistics is prepared and enclosed.

VALUATION.

Sales available for discussion in this village are only 5 details of which are as below :-

S.No.	Survey No.	Area Purchased.	Year of Sale.	Valuation per Hectore.	Whether Jirayat or Bagayat.
1.	2.	3.	4.	5.	6.
		H.A. Asst.			
1.	317/1	0-44	0 -94 1-12-72	2273/-	Jirayat. IV.
2.	248/2	0-13	0-81 6/5/69	7692/-	-do- III
3.	274/3	0-46	0-69 20/4/71	4347/-	-do- IV.
4.	333/2	1-00	1-44 30/4/74	2000/-	-do- IV.
5.	331/2	0-77	1-13 22/3/79	6493/-	-do- IV.

In the above statement the sale at S.No.1 is of the land which is located in the land under acquisition it is a suppressed sale. The sale at S.No.2 is out of class III Jirayat land though some what nearer to the land under acquisition and hence can not be considered. The sale of S.No.4 is although of the year 1974 and out of class IV Jirayat land is a suppressed sale and hence cannot be considered. Similarly the sale at S.No.5 is out of class IV jirayat land it is a sale in the year 1979 and hence cannot be considered.

The sale at S.No.3 is important. It is located, some what near the land to be acquired. If we assume this price to be true in the year 1971(4347/-P.H.)the further increase at the rate of 10% per

year i.e. 50% upto the date of publication under section 4 of the Land Acquisition Act. (i.e. 1976) could be 6520/- i.e. 6500/- in round figure P.H. This price line is also commencing with the prices of Jirayat lands class IV. We see that the S.No. 334/2 at S.No. 5 is sold at Rs. 6493 p.h. in the year 1979. The sale at Sr.No. 15 in the sale statistics statement (page) is for the year 1978 the S.No. 192/1 is sold at Rs. 5357 P.H. The sale at Sr.No. 1 of the statement of sales statistics (page) is between Tenant and land-lord, that Sr.No. 2 is between relatives. The other sales from the statement at page are of lands which are at a long distance from the lands to be acquired or between the relatives as well as of classes I to III Jirayat lands and hence ~~XXXXXXXXXX~~ I discard all other sales and accept the sale at S.No. 3 above for awarding compensation for the lands under acquisition.

From the ~~XXXXXXXXXX~~ above discussion it could be seen that the Villagers have recorded very proper prices of their lands in the sale deeds and therefore all the sales except few ~~xxx~~ seen to be quite genuine.

Looking to the assessment -type of lands their normal yields in Jirayat variety, the normal rate per guntha in this village in the year 1971, it would be fair and justful to offer the following rate for the lands to be acquired.

Jirayat Class IV Rs. 6500/- P.H.

I therefore offer the above value in respect of the lands to be acquired.

TREES.

There are two small trees noticed at the time of site inspection in the following Survey Nos. These trees are non-fruit bearing trees. The compensation offered is shown against each incumbent. The value is fixed according to the estimate of the panchas present.

Name of the owner.	Whether fruit bearing or non-fruit bearing.	S.No.	Name of the tree.	Compensation Offered.
1. Shri. Chandan Rau Borne.	Non-fruit bearing	293/8	Small Fimb old.	20 - 00
2. Shri. Gundu Pandu Batil.	-do-	294/1	Shewari 7 years old.	50 - 00

STRUCTURES TALS AND WALLS FENCING OR COMPOUND WALLS.

There are no talawalls, fencing or compound walls constructed by the interested persons in the land under acquisition. No compensation is therefore, required to be awarded on this factor.

DAMAGES ON ACCOUNT OF SEVERANCES AND INJURIOUS AFFECTATION.

On account of acquisition of lands in the present case the following severances is formed.

- 6 -

(11)

S.No.	Survey No.	Area of S.No. H.A.	Area under Acquisition.	Area left with Khatedar.	Area of Severance. H.A.
1.	2.	3.	4.	5.	6.
1.	293/8	0-37	0-31	0-06	0-06.

On account of the present acquisition small piece of land less than 10 gunthas are remaining with the Khatedar and since the severance is less than 10 gunthas. The Khatedar will not be able to cultivate this piece of land conveniently. Besides the Khatedar is deprived of the whole income of the land remaining with him.

Taking into consideration the damages caused to the Khatedar, it would be just and fair to award compensation to the extent of 1/10 of the valuation of the lands awarded in this case in respect of the remaining with them.

Survey No.	Area of Severance.	Amount of compensation for severance.
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293/8	0 - 06	Rs.39/- @ Rs.6-50 Per are.
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THANKS AND LAUDS.

INAM LAUDS.

The lands under acquisition are not belonging to Inam Category. The fixing of their valuation as Inam lands or question of recovery of Hajarana etc, therefore, does not arise.

APPORTIONMENT.

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

ENCUMBRANCES.

There are encumbrance of Tagai dues on the land Survey No.278/2. The land owners Parvashri, Hambira Bala Patil and Shunudas Bada Patil have stated that they have already paid the Tagai dues. The entry in other rights of V.V.VII-XII is being got deleted before payment of compensation.

LAND DEVELOPMENT BANK.

There is encumbrance of the Bank on the Survey No.278/3 belonging to Shri.Tukaram Vishwan Patil. The interested person was absent on the date of enquiry of u/s 9(3)(4). The compensation amount should not therefore be paid until unless the land lord produces no objection certificate from Land Development Bank.

There is encumbrance of Tadavale Society on the Survey No.293/3. The land lord Shri.Raghunath Maruti Bone has stated that he has paid the dues of the society and the entry is being got deleted from Record of Rights till then payment of compensation amount should not be paid to him.

SURVEY NUMBER 224/1

1- On perusal of V.P.VII-XIII it is seen that there is pencil entry of Smt. Parubai w/o Shripati Patil in other rights who is the sister of the land owner Mahipati Shamrao Mah Patil. The entry is not still certified. The entry of heirs to the deceased Shri. Mah Subhara Patil land lord No.1 is also not certified. Payment of compensation should not be made to the heirs unless the entry is certified.

SURVEY NUMBER 223/2

1- The entry regarding heirs to the deceased Shri. Dnyanu Bhan Bane is in pencil and in ink. The compensation should not be paid unless the entry is certified.

REMARKS.

There are no tenants in the lands under acquisition.

SOLATUM.

Besides the Market Value of the lands under acquisition, statutory solatium at 15% should be paid to the interested persons for compulsory nature of acquisition as per section 23(2) of the Land Acquisition Act 1894.

POSSESSION.

The possession of the lands is already taken by private negotiation by the acquiring body in the year 1972. *The interest of*

PAYMENT OF ADVANCE COMPENSATION

an amount of compensation from the Govt. taking possession of the lands should be paid by the A.B.

No advance compensation on account of the lands under acquisition has been paid to the interested persons as an interim relief.

DETAILS OF VALUATION.

1) Land Value	Rs. 23,335-00
2) Structures.	Rs. Nil.
3) Trees.	Rs. 70-00
Total.	Rs. 23,405-00
4) 15% Solatium	3,510-75
5) Severance.	39-00
Grand Total.	Rs. 26,954-75.

AWARD.

I, therefore, declare that,

- H. A.*
- the total area of the land under acquisition is 3-59.
 - the total amount of compensation is Rs. (26,954-75) Twenty Six thousand Nine hundred fifty four and paise Seventy five only.
 - and
 - is payable to the interested persons as per apportionment statement.

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

Statement showing the progress achieved of the work required for submission of representation to the Government, Hyderabad, for the purpose of the Hyderabad Land Revenue Act, 1950, in the year 1951.

No.	Particulars	1950	1951	1952	1953
1.	270/1 part: 0 = 00	1 = 08	1 = 09		
2.	270/2 part: 0 = 10	0 = 10	1 = 10		
3.	270/3 part: 0 = 00	0 = 07	1 = 10		
4.	270 part: 0 = 31	0 = 40	1 = 40		
5.	270/4 part: 0 = 30	0 = 30	0 = 30		
6.	270/5 part: 0 = 00	0 = 00	1 = 00		
7.	270/6 part: 0 = 10	0 = 11	1 = 10		
8.	270/7 part: 0 = 00	0 = 00	1 = 00		
9.	270/8 part: 0 = 01	0 = 01	1 = 00		
10.	270/9 part: 00-31	0 = 31	1 = 00		
11.	270/10 part: 0 = 55	0 = 63	1 = 14		
12.	270/11 part: 0 = 60	1 = 55	2 = 22		
Total.		3 = 59			

ABSTRACT.

Jirayat Class IV H. A.
3 = 59.

P. G. Bartakke
(P. G. BARTAKKE.)
Special Land Acquisition Officer,
No. V (Gen) Sangli.

Statement showing the sale transactions of land in Village ...

S.No.	Survey	H.A.	Asstt. Re.-Ps.	Name of Vendor.	Name of Vendee	Date of Sale.	Purcha- price.	per hec- tor price.	per hec- tor land.	per class of land.	Remarks.
No.											
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.
1.	412	0-64	6-58	Smt. Janabai Hari Kulkarni.	1) Krishna, Rama, Nana Shebade 3) Baluku Govinda Shebade.	21/12/68	Rs. 500/-	781/-	10-28	Jirayat	Tenant- land-lad.
2.	481/4	0-14	1-25	Shri. Bapu Rama Gurav & etc. 1.	1) Dattatray J. Gurav.	8/4/69.	500/-	3571/-	8-93	-do-	Relative
3.	248/2	0-13 (0-2-0)	0-81	Shri. Shankar B. Patil.	Shri. Gunda P. Patil.	6/5/69.	1000/-	7692/-	6-23	-do-	-do-
4.	153/5	0-06	0-69	Shri. Dada Govind Patil.	Shau Tukaram Patil.	28/5/70.	1000/-	16666/-	11-50	-do-	-do-
5.	274/9	0-46 (0-8-0)	0-69	Shri. Nandu Ganu Patil.	Shri. Hindurao B. Patil.	20/4/71	2000/-	4347/-	1-50	-do-	-do-
6.	466/4	0-09	0-81	Shri. Nandu Hari Bhavi.	Shri. Mahipati D. Chavan.	5/5/71	1000/-	11111/-	9-00	Tari.	-do-
7.	317/1	0-44 (0-8-0)	0-94	Shri. Maruti Y. Bone.	Shri. Sarpuro S. Patil.	1/12/72.	1000/-	2273/-	2-13	Jirayat.	-do-
8.	333/2	1-00	1-44	Shri. Ravi Chandra Patil & etc. 1.	Shri. Shripati N. Shebade	30/4/74	2000/-	2000/-	1-44	-do-	-do-
9.	471/2	0-90	1-69	Shri. Maruti D. Gurav & etc. 1.	Shri. Dattatray N. Patil.	11/2/75	5000/-	5555/-	1-88	-do-	-do-
10.	9/2	1-24	3-19	Shri. Dnyanu B. Gurav & etc. 1.	Shri. Krishna B. Patil.	12/2/75	5000/-	3968/-	2-57	-do-	-do-
11.	451/2	0-28	0-88	Shri. Nandoo G. Patil.	Shri. Popat G. Patil.	6/12/77	2000/-	7143/-	3-14	-do-	-do-
12.	135/2	1-46	1-05	Shri. Ananda J. Patil.	Shri. Raghunath W. Patil.	11/3/77	6000/-	4110/-	0-73	-do-	-do-
13.	125/2	0-28/1	1-94	Shri. -do-	Shri. Bapu T. Patil.	2/7/77	3000/-	10714/-	6-93	Tari.	-do-
14.	2/8	0-0-5 (0-8-0)	0-02	Shri. Yesu Sidu Patil.	Shri. Raghunath N. Patil	2/7/77	200/-	40000/-	4-00	Tari.	-do-
15.	192/1	0-56	0-60	Shri. Vishnu V. Bone.	Shri. Sarjorao Y. Patil	14/3/78	3000/-	5357/-	1-07	Jirayat.	-do-
16.	473/2	0-20 (0-8-0)	0-92	Shri. Ananda D. Gurav.	Shri. Baburao A. Patil.	5/6/78	4000/-	20000/-	4-60	Tari.	-do-
17.	474/1	0-07 (0-8-0)	0-25	Shri. Dnyanu B. Gurav.	-do-	5/6/78	2000/-	28571/-	3-57	Tari.	-do-
18.	351/4	0-40	0-94	Shri. Dnyanu K. Patil.	Shri. Sambhaji G. Patil.	3/7/78	1000/-	1852/-	2-04	Jirayat.	-do-
19.	351/2	0-14	0-16	-do-	-do-	-do-	-do-	-do-	-do-	-do-	-do-
19.	36/2	0-28.3	1-37	Shri. Ananda J. Patil.	Shri. Bapu Tukaram Patil.	15/3/78	3000/-	10714/-	4-62	Tari.	-do-
20.	165/2	0-23 (0-8-0)	0-75	Shri. Sadhu G. Patil and etc. 2.	Shri. Shripati G. Patil.	1/1/79	2000/-	8695/-	3-26	Jirayat.	-do-

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.
21.	11/3	0-04(-s-70-75	Shri.Sachu G.Patil and etc.2.	Shri.Sachu G.Patil	Shri.Shripati G.Patil.1/1/79.1000/- 1999/-		20000/-		15-00	Tari.	Relative.
22.	396/2	0-03.2	0-26 Shri.Maruti D.Gurav and Eto.1.	Shri.Lakshman R. Kumbhar.	29/3/79. 900/-	10000/-			2-83	Tari.	-do-
23.	352/3/6	0-90	Shri.Vasant S.Patil.	Shri.Sarjao G.Patil.2/3/79	2000/-	14285/-			6-43	Tari.	-do-
24.	331/2	0-77	1-13 Shri.Pandurang N.PatilShri.Shripati H. and etc.1.	Shri.Shripati H. Gaikwad.	22/3/79595000/-	6493/-			1-47	Jirayat.	-do-
25.	231	0-70	1-00 Shri.Ananda J.Patil.	Shri.Tukaram M. Patil and etc.1.	16/4/79. 2000/-	2857/-			1-43	-do-	-do-

Special Land Acquisition Officer, No.V
Gen.) Sangli.

19

Statement showing the claims made by the interested persons for the acquisition of lands for construction of Percolation Tank at Fedavale Tehsil Shirala District. Sangli.

Sr. Survey No. Name of the interested persons. Details of claims.

1. 272/2 0-12 According to Govt. rule rate of compensation may be paid.

Shri. Bharudas Dada Patil 0-8-0

Hambira Bala Patil.

Shankar Iesu Bone.

Raghnath Maruti Bone 0-8-0

Ananda Dnyanu Bone and 2 others.

Chandru Rau Bone.

Rajaram Sakhooba Patil.

Mahipati Shau Patil

Shamrao Shau Patil.

Shakar Bandu Patil

Papu Mahadeo Patil.

Dadu Mahadeo Patil.

Babu Ishwara Patil. and for Karubai Dnyanu

Patil, Tukaram Ishwara Patil.

Gunda Pandu Patil.

The interested persons have not lodged any claims at the time of enquiry under section 9(3)(4). Taking into consideration the class of land and assessment thereof also normal yield and the prevailing market prices in the village and vicinity I have offered the following rates of compensation for the lands to be acquired.

First Class IV-6500/- P.H.

P. G. Bartakke

(P. G. Bartakke.)
Special Land Acquisition Officer, No. V
(Gen) Sangli.

