

25

Award under section 11 of the Land Acquisition Act, 1894 made by Shri P. N. Joshi, Special Land Acquisition Officer No. IV (Gen) Sangli in respect of acquisition of land for unattended repeater station in Sangli Dist. on Belgaum-Poona coaxial route from village Tandulwadi Tahsil Walwa District Sangli.

No. SPL/LAQ/SR-68

Sangli:

31 JUL 1980

A W A R D

TITLE AND PARTICULARS OF NOTIFICATION AND DETAILS OF LANDS :

Acquisition of land from village Tandulwadi Tahsil Walwa District Sangli for unattended repeater stations on Belgaum Poona coaxial route.

NOTIFICATION UNDER SECTION 4 OF THE LAND ACQUISITION ACT,

The notification under section 4 of the Land Acquisition Act, was submitted to the Commissioner Pune Dn. Pune as per letter No. SPL/LAQ/SR-68 dated 24-5-1979. The Commissioner Pune Division Pune approved the notification under section 4 of the L.A. Act as per letter No. LAQ/RR-763 dated 7-7-1979 and sent to Manager Yerawada Prison Press Pune for publication. The notification under section 4 was published in the M.G. G. dated 9-8-1979 at page 2562 and 2563.

(b) NOTIFICATION UNDER SECTION 6 OF THE LAND ACQUISITION ACT,

The notification under section 6 of the L.A. Act was submitted to the Commissioner Pune Dn. Pune as per letter No. SPL/LAQ/SR-68 dated 17-9-1979 for approval and for forwarding to the Manager Yerawada Prison Press for publication. The ~~Commissioner~~ notification under section 6 was approved by the Commissioner Pune Dn. Pune and sent to the Manager as per letter No. LAQ/RR-763 SS-79 dated 26-9-1979. The notification was published on 6-12-1979 in the M.G.G. at page 3989,

(c) Land Notified for acquisition:

District.	Tahsil.	Village	S. No.	Area.	H. A.
Sangli	Walwa	Tandulwadi	210 /1 part	00-01	

REASONS FOR THE AWARD:

GENERAL DESCRIPTION OF THE PURPOSE OF ACQUISITION :

The acquisition proposal was initiated by Divisional Engineer Telegraphs, Coaxial Cable Project Pune under his letter No. 557/11-B Gultekadi-Poona dated 12-3-1977 for acquisition of land for unattended repeater station in Sangli District on Belgaum Pune coaxial route village

Tandulwadi Tahsil Walwa. The Collector of Sangli vide his endorsement No. LAQ/SR-846 dated 16-4-1977 directed the Special Land Acquisition Officer No. 3 (Gen) Sangli to start the acquisition proceedings. Further this case was received on transferred to Special Land Acquisition Officer No. IV (Gen) Sangli as per distribution order of Collector of Sangli. 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 Land Acquisition Act, 1894. The Commissioner Pune Dn. Pune accordingly notified the land under acquisition under section 6 of the L.A. Act under ordinary clause.

AREA : The land was jointly measured by the representatives of the Acquiring Body and Survey Department. The result of measurement work has been mentioned in the Plan Table Sheet and Joint measurement Certificate. None out of interested persons raised any objections to the measurement work carried out jointly and hence the area shown in the Joint Measurement Certificate in respect of land under acquisition is taken as true area for the purpose of awarding compensation.

NOTICES AND OWNERSHIP:

Public notices under section 4(1) and under section 9(1)(2) were duly published in the village, Tahsil office as well as on the land under acquisition. Similarly individual notices under section 4(1) and 9 (3) (4) were duly served on the persons known or believed to be interested in the land under acquisition.

As per V. F. VII-XII extract of the land under acquisition the land is standing in the name of Shri Maruti Deo Vahiwardar Aba S/O Ganu Gurao and Ranchandra Eeshav Gurao having $\frac{1}{2}$ share of each. There are no tenants in the land under acquisition.

SITUATION AND DESCRIPTION :

The lands under acquisition is about 2 furlongs from the village Tandulwadi and it is also on the National Highway No. 4. The land under acquisition is very fertile and Dagayat having an assessment of Rs. 11 per bhekar. The land under acquisition was inspected by my predecessor in office on 16-4-1980.

GLADIA :

In response to the notices under section 9(3) (4) the

the interested parties have not filed any claims.

PANCHANAMA :

The panchas valued the lands under acquisition at the rate of Rs. 250/- per Are. The panchas have not adduced any evidence either oral or documentary. The Circle Inspector who made panchanama has not given proper reasoning for arriving at the said valuation of land. The valuation made by Circle Inspector will not therefore, be useful and hence I discard the panchanama.

EVIDENCE BY THE ACQUIRING BODY :

The Acquiring Body has not submitted any valuation note along with evidence.

VALUATION :

To determine the value of lands under acquisition the sales for the period from 1974 to 1979 have been obtained from Talathi. Tandulwadi. As per Talathi's report no sales are available for the year 1974, 1975 and 1976. The land under acquisition is having an assessment of Rs. 11/- per hectore. In view of this we shall consider the sale instances of lands which are having an assessment up to Rs. 11/- per hectore. There are only following 3 sales available for our consideration

Sr. No.	S. No.	Year of Sale.	Assessment per hectore.	Sale value.
1.	545	1977	Rs. 11-50	Rs. 23,200/-
2.	184 B	1978	Rs. 11/-	Rs. 8600/-
3.	744	1979	Rs. 10/-	Rs. 29,500/-

The sale at Sr. No. 2 does not represent the correct price of the lands. In this case it seems that the parties have made sale-deed at a low rate with a view to avoid stamp duty. Therefore we shall not consider this sale instance. Now there are two sales available, one pertaining to the year 1977 and the other pertaining to the year 1979 i.e. the year in which section 4 notification was published. The land under acquisition is about 1/2 forlong away from the village Tandulwadi. It is also adjacent to the Pune - Bangalore Highway. Taking into all these aspects into consideration the sale at Sr. No. 3 is worth the

consideration for determining the value of lands under acquisition.

Therefore the value of land under acquisition at the rate of Rs. 29,500/- per hector. is most appropriate and the same is awarded.

POT KHARAB :

No pot kharab land is being acquired.

TALS. WELLS. TREES. STRUCTURES :

There is no Tals, Wells, Trees and structures on the land under acquisition hence there is no question of awarding any compensation on this account.

FENCING. COMPOUND WALLS ETC.

Fencing or compound walls are not constructed by interested persons in the land under acquisition. No compensation amount is therefore to be awarded on this account.

DAMAGE ON ACCOUNT OF SEVERANCE. INJURIOUS AFFECTION LOSS OF BUSINESS OR GOOD WILL.

The interested persons are not entitled to damage in form of compensation as no severance is formed nor there is any loss of business or good will and injurious affection.

INAM LANDS : The lands under acquisition is Inam Land of Category No. 3. The compensation amount will be paid to the 2 vahiwardars as per their shares.

TENANTS: There is no tenants in the land under acquisition. The question of apportionment of the amount of compensation between landlord and tenant therefore does not arise.

SOLATUM : The Statutory solatium of fifteen percent 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 land has been handed over to the Acquiring Body as per section 17 of the L.A. Act. Hence the Acquiring Body will pay interest on the amount of compensation at the rate of from the date of possession up to the date of final payment. At the time of taking over possession of the land there ^{were} ~~was~~ no standing crops. Hence question of making any payment on this account will not come.

MEASUREMENT AND PERCENTAGE CHARGES :

This is a Central Govt. project. Hence measurement and percent ^{are} ~~are~~ leviable as per rates.

The details of the valuation are as under:-

1. Land Value	295-00
2. Crops, Trees, Wells, Structures:	- -
3. Severances and Damages Charges.	- -
4. Solatium.	44-25
5. Measurement Charges:	50-00
6. Percentage Charges.	50-00
7. Interest.	-
8. Capitalised value of the assessment:	-

Total :- 439-25

I therefore declare that:-

H. A.
00-01

A) The total area acquired :-

B) The total amount of compensation payable to the interested persons is Rs.(339-25) Three hundred thirty nine and paise twenty five only.

C) The apportionment of compensation between coshahes be made as per Award statement.

The Divisional Engineer, Telegraps Coaxial Cable Project Pune has made provisions for the funds.

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

Sangli:

- - 1980.

31 JUL 1980

(P. N. Joshi)
Special Land Acquisition Officer,
No. IV (Gen) Sangli.

No. SPL/LAQ/SR- 68

Date of Award: 31-7-1980

Statement showing the compensation awarded by Special Land Acquisition Officer No. IV (Gen) Sangli under section 17 of the Land Acquisition Act, 1894 to all the persons interested in the plot of village Tandulwadi Tahsil Walwa Dist: Sangli.

No. and date of declaration: Commissioner Pune Dn. No. LAQ/RR-763-SS-73 dated 26-9-73 published on 6-12-73 at page 3939.

Area. Kind of Rate awarded Land value. Solatium Total. Remarks.

Sr.No. Name of persons to whom payment S. No. H. A. land. per hectore. 8. 9. 10.

is due under the award.

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
1.	Shri. Aba Ganu Gurav	0-8-0	210 part	00-01	Bagayat.	29,500/-	147-50	22-13	169-63
2.	Shri Ramchandra Keshav Gurav.	0-8-0.	-do-	-do-	-do-	-do-	147-50	22-13	169-63
						Total:-	295-00	44-25	339-25

(P. H. Joshi)
Special Land Acquisition Officer,
No. IV (Gen) Sangli.

31 JUL 1980

35