

①

Award u/s 11 of the Land Acquisition Act, 1894 made by shri S. A. Patil, Special Land Acquisition Officer, No.5, Sangli in respect of the Land Acquisition for Establishment of 33/11 K.V.S.S. at village- Panumbre-Warun, Taluka-Shirala, District-Sangli.

SR# 37

Office of the Special Land-
Acquisition Officer No.5,
Sangli, dt. 1-9-82 .

A W A R D

Title and particulars of Notification under details of lands

Land Acquisition for establishment of 33/11 K.V. Sub-
Station at Panumbre-Warun, Tal-Shirala.

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

Notification under section : Published on page No. 720 of the
4 of the Land Acquisition Act. Maharashtra Government Gazette
part I No. SPL/LAQ/V-SR-37/79, dated
30/1/80, 28-1-80.

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

Notification under section 6 of : Published on page No. 2030 of the
the L.A. Act. Maharashtra Government Gazette
Pune, Dn. suppliment , part I No.
LAQ/RR/807-SS-81, dated 25-5-1981
& 23-7-81 .

Corrigendum/Erratum to the - : Published on page No. ----- of the
section 6 Notification. Maharashtra Government Gazette
Pune Dn. suppliment No. part I No.

-----dt-----

2) DETAILS OF LANDS FINALLY NOTIFIED ON ACQUISITION

District-Sangli, Taluka-Shirala, village- 1) 92/1A, part,
2) 92/2A part, 3) 92/3A part, 4) 92/4 part.

3) Reason for Award

The Chief Engineer (Elec.) P.W. and H.D. Bombay who is the
acquiring body has under his letter No. LRM/31/5614216 of 79-80
dated 6-9-1979 initiated the proposal to acquire certain lands at
village Panumbre-Warun Tahsil-Shirala, District-Sangli for the
construction of 33/11 K.V. Sub-Station.

The Collector under his endroessment No. LAQ/RR/SR/1142
dated 27-9-79 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 Ex. Engineer (C) M.S.E.B., Civil, Con. of-Cum-Maint Divn. Sangli is for the purpose of construction of 33/11 K.V. Sub-Division at village Panambre-Warun Tahsil-Shirala, District-Sangli which is in the interest of public service and hence it is a public purpose.

The Commissioner, Pune Division Pune under his - Notification No. LAQ/RR/807-a SS/81 dated 25-5-81 under section 6 of the Land Acquisition Act. 1894. published in the Maharashtra Government Gazette, Pune Division supplement dated the 23-7-1981 on page No. 2030 declared that the lands notified in the schedule to the - above Notification are required for the purpose of construction of 33/11 K.V.S.S. 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 a Collector for all the proceedings hereafter to be taken in respect of the said lands and also directed the Special Land Acquisition Officer, No. 5 to take order for acquisition of the said lands under section 7 of the Land Acquisition Act.

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

Details of lands under acquisition

S.No.	Area		S.No.	Area		Asstt.
	H.	A.		H.	A.	Rs. p.
1. 92/1A part	0-	07				
2. 92/2A part	0-	01				
3. 92/3A part	0-	58				
4. 92/4/1 part	0-	01				
	0-	41				
Total		1- 07				
PK		0- 01				
		1- 08				

The lands under acquisition were got measured jointly by the representative of the Acquiring Body and the Survey Department. The result of the measurement work has been mentioned in the Plan - Table Sheet and the joint Measurement Certificate. Name of the interested persons raised any objection to the measurement ~~is~~ ~~was~~ ~~not~~ 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) NOTICE AND OWNERSHIP :-

After publication of notification under section 6 public notice section 9 (1)(2) of the Land Acquisition Act. was published in the village Panambre -Warun, Tahsil-Shirala, and the Land under acquisition. Similarly notices under section 9(3)(4) were waved on the

(8)

interested persons requiring them to start 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 motives 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 no dispute about the ownership of the land under acquisition.

6) SITUATION AND DESCRIPTION:-

The lands are situated in too far from the geothan - Panumbre-Warun. 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 only Jirayat.

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 about 3 miles from this village. The weekly bazar of village Charan is some what useful for, such occasional sales or purchases, but the turnover in this bazar is meagre. There is no medical aid available and the people have to rush to are even for incidental medical aid. For secondary education the boys/girls have to go to Charan. The population of the village is ----- according to 1971 Census. The maximum assessment per hector of the land under acquisition as noted on the head of the village from I is as under.

Jirayat Land: Rs. 2-35

The lands are classified as medium jirayat lands.

7) CLASSIFICATION OF LANDS

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

The parcels of lands coming under acquisition in this case, are Medium Jirayat lands. The average assessment of these lands is between Rs. 2-05 to 2-35 P.H.

On this basis if the assessment, the lands can be classified as under,

<u>Assessment</u>	<u>Class of land</u>
Rs. 2-05 to 2-35 P.H.	Medium Jirayat

(2)

<u>ASSESSMENT</u>		<u>CLASS OF LAND</u>
Jirayat lands between	0-01 to 1-25	II
—do—do—	1-25 to 2-50	I
8) <u>POT KHARAB LANDS</u>		

The land pot kharab is a class itself. There is no pot-kharab area in the lands under acquisition.

9) CLAIMS:- The statement showing the claims made by the interested persons who remained ptesant in response to the notice 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 enquiry 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 have not adduced any evidence regarding the valuation of the lands under acquisition.

12) PUNCH VALUATION:-

In the panchnama dated 25-9-81 the Circle Inspector of this office has made the valuation of the lands under acquisition.

Jirayat Medium:- Rs. 11000/- P.H.

The valuation is made according to the estimation of the panchnama. The Circle Inspector has not divided the lands in various groups on the basis of their soil classification and fertility of land. However, 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 panchnama made by the Circle Inspector will not be useful for fixing the proper valuation of the lands under acquisition. I, therefore, discard the panchnama.

~~12) PRICE ESTIMATION:-~~ 13) PREPARATION OF SELES 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 metarial data for valuing the lands 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 28-2-1980 and therefore, this date is the material data for valuing the lands under acquisition.

The statement of sale transactions in respect of the village Panumbre-Warun, it enclosed among the case paper at Annexure 'B'.

There are 24 sales for the year 1976 to 1981 In the above statement the sale at No. 7,8,9,10 and 19,20 to 24 are consolidated i.e. 2,3 pieces of lands have been sold at a consolidated price. Such sales cannot show true prices of the land. Hence those sales cannot be taken as base for valuing the lands under acquisition.

Out of other sales, the sale at No. 14,15,16 & 18 are enhanced as the lands in these sales have been sold at a very high prices. The normal purchase price does not appear to have been paid in these sale transactions. Hence these sales have been discarded.

The sales at S.No. 2,3,4,6,11,12,13 which effected on (2)11-12-79(3)6.1.1981(4)23-11-1978(11)13-9-1978(12)6-7-1978-(13)20-11-1976 respectively cannot be considered as true and final because a true price of Rs. 4839/- has been paid for a land which assessed at Rs. 0-61 P.H. (S.No. 2) on the other contrary Rs. 4545/- are given (S.N. 4) for the land assessed at Rs. 1-88 P.H. and a price of Rs. 10,000/- has been given for a land which assessed at Rs. 3-11 and Rs. 7692/- have been given for a land which assessed at Rs. 1.48. Hence the sales at S.No. 2,4,3,6 are suppressed sales and they cannot represent the correct valuation of the land under acquisition.

The land involved in the sale at S.No. 5 is a bagayat land. There is no bagayat land in the lands under acquisition. Hence the sale in question is not useful for consideration for valuing the lands under acquisition. This sale is also discarded. The lands involved in the sales at S.No. 11,12,13 a jirayat land of superior quality, the assessment of these lands is 6.75, 6-83, 7-81, p.h. respectively. There are no such lands under acquisition. Hence sales also cannot be taken into consideration for valuing the lands under acquisition.

In the land Acquisition case No. SPL/LAQ/V-SR-23-/79 in respect of the lands acquired for Geothan of project - Affected persons due to Chandoli-dam, the lands have been acquired from the same village Panumbre-post-Warun. The lands under acquisition in this case are quite adjacent to those lands of village Panumbre-Warun.

The award in the L.A. case No. 23/79 has been declared on 29-3-81. The date of Notification u/s 4, in this case was published on 22-2-79. Taking into consideration rates given in the award No. 23/79 and the average assessment of the lands under acquisition, it would be fair and just to offer the rate of Rs.

(11)

Rs. 10,000/-p.h. to the lands under acquisition.

I, therefore, offer the values as under Jirayat-class--

Jirayat class II Rs. 9000/-p.h.

Jirayat class I Rs. 10,000/-p-h-

The land compensation of the below mentioned rate should therefore be paid to the interested persons.

Jirayat class I Rs. 10,000/-p-h-

Jirayat class II Rs. 9000/-p-h-

15) STRUCTURES :-

There are no structures in the lands under acquisition.

TREES:- There are no trees in the lands under acquisition.

TALS :- There are no Tals in the lands under acquisition.

WELLS/PIPE LINES:- There are no wells/pipe lines in the village--lands under acquisition.

FENCING COMPOUND WALLS 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.

DAMAGE ON ACCOUNT OF (i) SEVERANCES (ii) INJURIES AFFECTIONS:-

On account of acquisition of lands, in the present case, the severances are formed. The question of payment of compensation to the extent of 1/10 the valuation, does not arise.

INAM LANDS :- No Inam lands are coming under acquisition in the present case.

APPORTIONMENT :- Statement showing the apportionment of compensation payable to the interested persons in the is enclosed.

ENCUMBRANCES :- S.No. 92/2A:- There is no encumbrance of Shri Mahadu Chilubade in other rights without possession. This entry if not deleted, consent of Shri Mahadu Chilubade be obtained.

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

SOLATUM :- Besides the market value of the land under acquisition statutory, solatium of 15% should be paid to the interested persons for compulsory nature of acquisition as per - section 20(2) of the Land Acquisition Act.

POSSESSION:- The possession of the land under acquisition has already been taken over to the Acquiring Body by private negotiation.

(13)

PAYMENT OF ADVANCE COMPENSATION:-

No advance compensation has been paid to the I.P.s in this case.

DETAILS OF VALUATION

1) Land Value:-	Rs. 10,702.00
2) Structure :-	Rs. --
3) Wells :-	Rs. --
4) 15% Solatium :-	Rs. 1,605.20
5) Capitalised value of Rukaun.	Rs. --

Total Rs. 12,307-20

6) Measurement charges:- Rs. 50-00

7) Percentage charges:- Rs. 369-20

Grand Total :- 12,726.50

A W A R D

I, therefore, declared that

H. A.
1-08 area.

i) the true area of the land under acquisition is

ii) Total amount of compensation payable Rs. 12,726-50

(Twelve thousand seven hundred twenty six & ps.fifty only)

iii) Apportionment according to apportionment statement enclosed.

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

The previous approval of the Commissioner, Pune, Divi. Pune has been obtained for this award as required by section 11 of the Land Acquisition Act.

Place:- Sangli

Date:- 1-1-1982.

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

No.3PL/LA/V/SR/37/79, The Statement showing the various claims made by the interested persons.
 remarks of the S.L.A.O.

S.No.	Survey No.	Name of the interested person.	Details of claim.	Finding of S.L.A.O.
-	92/1.1 part	Shri Ananda Bhou Patil (His son shri Sitaram Ananda Patil)	1)Area to the extent of 0-02 only be acquired out of s.No.92/1A,as the Engineer(C)M.S.E.B.Sangli. The said land is required for acquiring body in his letter No. myself for establishment dt. 21-1-81 and 19-10-81, has for Saw-mill,and keeping H. A. of timber etc. in the land.0-07 out of S.No.92/1A, is completely and necessarily - needed by the A.B. i.e.M.S.E.B. for the following reasons. i)High Voltage power lines passing through this piece of land,hence this piece of land could not be made available to the I.P., ii) No. other alternative land is available. iii)Apply urgency clause. Taking into consideration , the remarks of the S.E.(C)M.S.E.B. The request made by the I.P. shri Sitaram Ananda Patil is rejected.	
2.	92/3	Maruti Ganu Patil	1)His son may be employed in the M.S.E.B.He willingly ready to give land - E.B. for n.a. to the M.S.E.B. 2)Compensation be paid as	1) Application to the employment, has been forwarded to the M.S. 18

S.N. Survey No. Name of the interested Details of claim Finding of S.L.A.O.

per the rates preva -2) Looking into the assessment the type
ling in the market of land, their normal yields, the normal
rate. rate per Guntha in the village in the

3. 92/4 Babu Mahadu Bobade

Compensation be paid
as per Govt. orders.

year 1980, I have offered the following
rates for the land to be acquired-

1) Jirayat class II- Rs. 9000/-

2) --do-- class I- Rs. 10,000/-

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