Award under Sec.11 of the Land Acquisition Act 1894, made by Shri P.N.Joshi, Special Land Acquisi-tion Officer in respect of Construction of well for Water Supply to Peth Colony Tahsil Walwa Dist.Sangli

No.SPL/LAQ/SR-92
Sangli 18-10-1980.

A W A R D

(A) TITLE AND PARTICULARS OF NOTIFICATION AND DETAILS OF LAND

Acquisition of land for construction of well for Water Supply to Peth Colony Tahsil Walwa District Sangli.

Notification under Section 4 of the L.A.Act.1894

1. No.and date :-	No.SPL/LAQ/SR-92 dated 25th July 1979.
2. Date and page of gazette in which notification was published.	Maharashtra Govt.Gazette Pune Division Supplement Part I dated 16-8-1979 at page 2779.

Notification under section 6 of the L.A.Act.1894

1. No.and date.	~~Kmx~~ Commissioner Pune Divisio Pune's No.LAQ/RR/1587/SS/79 dated 26th November 1979.
2. Date and page of gazette in which notification was published.	Maharashtra Govt.Gazette Pune Division Supplement Part I dated 20-12-1979 at page 4161

Lands notified for acquisition :-

The following land from village Peth Tahsil Walwa has been finally acquired for constru-ction of well for Water Supply to Peth Colony Village Peth Tahsil Walwa.

S.No.	Area. H.A.
225/1	00-05

Reasons for award :-

The Executive Engineer, Warna Canals Division No.1, Islampur initiated a proposal under his letter No.WCD-1/Adm.V/G-56/111/4048 dated 30-10-78 and the Collector of Sangli under his endorsement No.LAQ/RR-1011 dated 16-11-1978 ~~xxxxx~~ directed the Special Land Acquisition Officer to start land acquisition proceedings in this case. The purpose of acquisition is in the interest of the public in general and hence it is a public purpose within the meaning of para 31 of the L.A.Manual.

The landx was accordingly notified under Sec.6 of the L.A.Act,1894 under ordinary clause.

Area:- The lands under acquisition was jointly measured by the representative of the Acquiring Body and Survey Deptt., 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 work, carried out and hence the area shown in the joint measurement certificate is accepted as true and final for awarding compensation for the land.

Notices and ownership :-

Public notices under Sec.4(1) of the L.A.Act, 1894 were published in Tahsil Office Walwa, Village Chawadi Peth and on the lands under acquisition. Similarly section 4(1) notices were also served on the interested persons calling upon them to give their objections if any to the proposed acquisition. None of the interested persons objected to the acquisition and hence the XXXXSX land was notified under section 6 of the L.A.Act.

Ownership :-

The entries in the R.of R. of lands under acquisition are taken as basis for deciding the ownership and for awarding compensation amount to the interested persons.

Situation and description :-

The site was inspected by the S,L.A.O. alongwith the representative of the acquiring body on 8-9-1980. The acquiring body has taken over possession of land by private negotiations on 13-1-1978. The landx under acquisition is ~~at~~ adjecent to the road~~side~~ ~~of~~ Poona-Bengalore National High Way. The said land is very fertile having an assessment of Rs.13-50 Ps. per hector.

Claims :-

In responce to the notice under Sec.9(3)(4), the following claim has been filed which has been discussed below.

The interested person Shri Babu Babaji and Shri Ananda Akaram Patil have jointedy ~~xxxx given in writing~~ Claimed that Rs.40,000/- per acre may be awarded as compensation amount. Mm They have not produced any documentary evidence in support of their claim and hence their claim ~~it~~ is rejected.

Act,1894

Panch Valuation :-

In the panchanama dated 23-8-1979 made by Circle Inspector, the valuation of the lands under acquisition is made at the rate of ~~Rs.8,000/-~~ Rs.600/- per guntha. The valuation made by the Circle Inspector is according to the estimation of panchas. The panchas have not produced any evidence either oral or documentary in support of their estimation.. The panchanama made by the Circle Inspector will not therefore, be useful for fixing valuation of the lands under acquisition. I, therefore, -- discard the panchas.

Valuation :-

In this case I am resorting to the method of valuation on the bais of sales of lands in the vicinity of land under acquisition in the recent past.

The land under acquisition is having an assessment of Rs.13-50 Ps. per hectar. In this case Sec.4 notification has been published in the gazette on 16-8-1979. Sale instances prior to 5 years from above date have been obtained which are as under:-

Ser. No.	S.No.	Date of sale instance.	Per Hector Assessment.	Price fetched.
			Rs. Ps.	
1.	~~18xxxx~~ 184/1	1973 18-8-73	8-00	15,300/-
2.	48	18-5-74	8-50	50,000/-
3.	179/2	14-6-76	12-00	25,000/-
4.	204/1	20-6-77	00-50	13,100/-
5.	229/1-A 229/1C	8-8-1978	11-50	31,500/-

The sale at Sr.No-1,4 are rejcted as they have fetched very low price. The sales ar Sr.No.2,5 are also rejcted as they have fetched abnormally high price. Now only one sale i.e. sale at Sr.No.3 has remained for our consideration. The land having against instance assessment of Rs.72/-P.H. has fetched a price of
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Rs. 25,000/-P.H. This sale instance took place in the year 1975. The prices of agricultural lands are increasing day by day. Moreover the lands under acquisition are very fertile, ~~xxxxxx~~ bagayat lands. Taking these aspects into consideration the value of land under acquisition is fixed at Rs.26,500/- per hector and the same is awarded.

Pot Kharab lands :-

From the perusal of the J.M.C. and J.M.Plan it is seen that there are no pot kharab lands under acquisition and hence the valuation of pot kharab lands does not arise.

Tals Wells Trees and Structures :-

There are no Tals, wells, trees or structures in the land under acquisition and hence valuation thereof does not arise.

Fencing compound walls :-

Fencing or compound walls are not constructed by the interested persons in the lands under acquisition. No compen--sation amount is, therefore, to be awarded on this account.

Inam lands :-

There are no Inam lands under acquisition. The question of fixing the valuation ~~as~~ Inam Land or the question of recovery of Nazarána etc. therefore does not arise.

Tenants :-

There are no tenants in the lands under acquisition.

Possession and crop compensation :-

The possession of land under acquisition has been taken over by the Acquiring Body i.e. Executive Engineer, Warna Canals Division No.1, Islampur by private negotiations on 13-1-1978. Therefore the A.B. will pay rental compensation at the rate of 8% U/S 34 from the date of taking over possession till the date of final payment of compensation amount.

Solatium

The statutory solatium of 15% will be paid to the interested persons for compulsory nature of acquisition as per section 23(2) of the Land Acquisition Act, 1894.

Apportionment :-

The statement showing the apportionment of compensation payable to the interested persons is enclosed (Annexture C)

Measurement and percentage charges :-

~~This~~ This is a Govt. project and hence measurement and percent charges are not leviable in this case.

The details of valuation are as under:-

1. Land Value		1325-00
2. 15 % Solatium charges.		198-75
	Total.	1523-75

I, therefore, declare that

a) total area acquires is 0-05 R.

b) total amount of compensation payable to the interested persons is Rs.(1523-75) One thousand ~~five~~ five hundred twenty three and Ps. seventy five only

c) the apportionment of compensation will be according to the ~~xm~~ statement "C"

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

Special Land Acquisition Officer,
No.IV(General) Sangli.