(55)

REASONS FOR AWARD

The District Resettlement Officer Sangli Division Sangli who is the representative of the Director of Resettlement is the acquiring Body has under his letter No. Resettlement/RR-1/136/82 dated 30/2/1982 initiated the proposal to acquire certain lands of village Bahadurwadi Tahsil Walwa District Sangli for the resettlement of the P.A.P.s

The Collector under his endorsement No. Resettlement RR-1/136/82 dated the 30/2/1982 directed the Special Land Acquisition Officer No. 10, Sangli to start the Land Acquisition proceeding. The purpose of acquisition as stated in the proposal is for the public ~~propose~~ purpose at village Bahadurwadi Tahsil Walwa District Sangli which is in the interest of public in general and hence it is a public purpose.

The Commissioner, Pune Division Pune under his notification No. SR/LAQ/RR/55/1131/83 dated the 16/2/1984 under section 6 of the Land Acquisition Act published in the Maharashtra Government Gazette Pune Division suppliment dated the 16/2/1984 on page 650 declared that, the lands notified in the schedule to the above notification are required for the purpose of resettlement of P.A.Ps and appointed the Special Land Acquisition Officer No. 10, Sangli under clause 'C' of section 3 of the Land Acquisition Act, 1894 to perform the functions of a Collector for all the eproceedings hereafter to be taken in respect of the said lands and also directed the Special Land Acquisition Officer to take order for acquisition of the said lands under section 7 of the Land Acquisition Act.

2) AREA OF THE LANDS UNDER ACQUISITION IN THE PRESENT CASE:-

Details of lands under acquisition :-

Sr. No.	Area H. R.	Asstt Rs. Ps.	S.No.	Area H. R.	Asstt Rs. Ps.
1	2	3	4 1	5 2	3
118 Part	0 - 51	4 - 40			
86/2 Part	0 - 15	3 - 70			
4 Part	1 - 21	1 - 10			
56/6A	0 - 13	1 - 25			
69/1	0 - 10	0 - 69			

The lands under acquisition were got measured jointly by the representatives of the ~~Acquisition~~ Acquiring Body and the Survey Department. The rosult of the measurement work has been mentioned in the Plane-Table sheet and the joint Measurement Certificate. None of the interested persons raised any objection to the measurement 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 of awarding compensation amount.

3) NOTICES AND OWNERSHIP :-

After publication of notification under section 6 Public notice under section 9(1) (2) of the Land Acquisition Act was published in the village Chawadi, Tahsil office and the land 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 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 notices the khatedars have not raised any objection to the proposed acquisition.

OWNERSHIP :-

The entries in the Record 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.

SITUATION AND DESCRIPTION :-

The lands are situated near/~~too~~ far from the gaothan Bahadurwadi-------. The lands do not have prospects for being used as non-agricultural lands in future. During the course of the site Inspection it was also observed that there is no building activity in the area under acquisition. The lands are therefore treated as agricultural lands for the purpose of valuation. The lands under acquisition are jirayat and Bagayat type.

DESCRIPTION

The population of the village Bahadurwadi according to 1971 census. The maximum assessment per hectare of the land under acquisition as noted on the head of the village form I is as under.

Contd -5

Jirayat Land Rs.
Bagayat Land Rs.
Tari Land Rs.

The lands are classified as Bagayat and Jirayat lands. Became the potential of bagayat land is always greater for fetching high market value.

CLASSIFICATION OF LANDS :-

Taking into consideration the assessment of the lands. under acquisition, their fertility and actualy use as either bagayat or jirayat the lands are clasified as under, The per hectare assessment statement appended to this Award may also be seen for this purpose.

10) POT KHARAB LANDS :-

Some part of the below mentioned lands is por kharab.

Survey Nos. :-

The statement showing the survey numbers under acquisition their area and their per acre assessment and classification is prepared and enclosed.

D) CLAIMS :-

The statement showing the claims made by the interested persons who remained present in respense to the notices 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.

E) EVIDENCE IN SUPPORT OF CLAIMS : -

The interested persons who were present during the enquiry under section 9 of the Land Acquisition 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 should be considered after observing all the formalityes.

F) EVIDENCE BY ACQURING BODY :-

The acquiring body has not adduced any evidence regarding the valuation of the lands under acquisition.

G) PANCH VALUATION :-

In the panchanama dated 19/10/81 the circle Inspector has made the valuation of the lands under acquisition.

1) Bgayat Superior Rs.
2) Bagayat Medium Rs. 30,000
3) Bagayat Medium Rs.

4) Jirayat superior Rs. 25,000
5) Jirayat medium Rs. 15,000
6) Jirayat Inferior Rs. 10,000

~~The~~

The valuation is made according to the estimation of the panchas. The Circle Inspector has not divided the lands in various group on the baiss of their soil classification and fertility of land. Moreover it is an estimation and not correct valuation. The panchas have not produced any oral or documentary evidence in cupport of their estimation of the land valuation. The panchanama made by the Circle Inspector, will not be useful for fixing the proper valuation of the lands under acquisition. I, therefore, discard the panchanama.

PREPARATION OF SALES PLAN :-

The map showing the sale transaction that took place in the vicinity of the kand under acquisition is prepared and kept on record.

VALUATION :-

The material date 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 4/8/1983 and therefore, this date is the material date for vlauing the lands under acquisition.

A Statement showing sales that took place in the last 3 to 5 years prior to publication of section 4 notification is prepared. It will show how the market value prevaited of the lands or of the lands in the ficinity in those 3 to 5 years

S. No	Date of Sale	Asstt P/I	Value P/I	Kind of Land	S. No of Sale
1)	10/6/1981	4-00	55000	~~Bagayat~~ Jirayat	103
2)	11/3/1982	2-08	8300	Jirayat	214
3)	16/7/1983	1-10	1400	-"-	4/1
4)	8/2/1984	0-68	17000	Bagayat	4
5)	10/1/1980	9-09	20,000	Bagayat	118
6)	13/2/1980	8-06	31,000	Jirayat	112
7)	3/4/1980	6-94	33,000	Bagayat	77
8)	5/2/1982	7-34	13,000	Jirayat	114
9)	2/12/1982	8-19	18,000	-"-	109
10)	17/12/1982	7-16	43750	Bagayat	70

The site inspection ~~shows~~ will show that all the lands except S.No. 4 are irrigated ~~from~~ by lift irrigation ~~do~~ scheme. The S.No. 4, which is ~~also~~ assessed at the rate of Rs. ~~1.10~~ 0.91 /- P.H. is converted into Bagayat by well irrigation. The owner takes crops such as Paddy, groundnut etc. This S.No. therefore is entirely different from the others in this case.

The range of sales for other lands (except S.No. 4) considering the assessment bet. Rs. 6 to Rs. 10 P.H. comes to Rs. 13000 to Rs 33 P.H. (see sales at Sr. No 5 to 9). The sales at Sr. No. 1 and ~~&~~ 10 are quite abnormal ~~because they pertain to arbitrary diff. assessment group i.e. one for Rs. 4 P.H. other for Rs. 7/- P.H.~~ The sales at Sr. No. 2, 3 & 4 pertain to very low amt. group.

The main group of amt. of Rs. 6 to 10 P.H. shows sales for Rs. 13000/. to 33000/. P.H. Considering the lands to be irrigated by lift irrigation schemes, which means perinnial Bagayat. The rate of Rs. 30,000/- P.H. would be quite right for this group.

(65)

Statement showing the average assessment of the lands to be acquired for the

Village:- Bahadurwadi Tahsil:- Walwa District:- Sangli.

S.No.	Sy.No.	Area to be acquired H.	R.	Assess-ment. Rs. Ps.	Asstt. per Hector Rs. Ps.	Class of land.
1	2	3		4	5	6
1)	118 Part	0 - 57		4 - 40	8 - 62	Bagayat
2)	86/2 Part	0 - 15		1 - 05	~~4-66~~ 7-00	
3)	4 Part	1 - 21		1 - 10	0 - 91	
4)	56/6A	0 - 13		1 - 25	9 - 61	
5)	69/1	0 - 10		0 - 69	6 - 90	
		2 - 10				

11)	24/2/1983	7 - 01	41000	Bagayat	58
12)	2/3/1983	6 - 94	66,000	Jirayat	45
13)	2/5/1983	1 - 00	44000	"	22
14)					

The exclusive S.No. 4. is ~~irr~~ irrigated by well. It has also very low assest.

Though it is so, ~~wh~~ once the land is converted into Bagayat, the ~~croop~~ yielded go up & it sufficiently becomes useful land.

Still considering its assest & category of well-irrigation I would ~~lif~~ like to offer Rs. 20,000/ P.H. for this piece of land.

20/1/12

Class of Land	Rate per hectare.
1) Bagayat Class I	Rs.
2) Bagayat Class II	Rs.
3) Bagayat Class III	Rs.
4) Bagayat Class IV	Rs.
5) Jirayat class I	Rs.
6) Jirayat Class II	Rs.
7) Jirayat Class III	Rs.
8) Jirayat Class IV	Rs.
9) Sugarcane lands	Rs.

As regards Por-Khabab area compensation should be paid at the rate of Rs. 80/- per acre i.e. Rs. 200/- per hectare.

STRUCTURES :-

The following structures and construction are comming under the acquisition in the present case.

Sr. No.	Survey No.	Name of the Kabjedar.	Name of the owner of structure.	Type of stru-	Valuation fixed
1	2	3	4	5	6

(57)

The structures are valued by the competent authorities and therefore the valuation can safely depended. I, therefore approve the same.

AREA UNDER STRUCTURES :-

As regards area under and surrrunded by structures in Bagayat lands, it is treated as Jirayat land of respective class and where there is pot-kharab area in such lands it is assumed that, such ~~t~~ structure is in Pot-~~H~~Kharab.

The statement showing the details of structure nature of construction, valuation details etc. is appended to the Award.

W E L L S :-

P I P E - L I N E S :-

~~T-TRE~~
TREES :-

-?

TALS :-

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.

DAMAGES ON ACCOUNT OF (i) SEVERENCE (ii) INJURIOUS AFFECTIONS (iii) LOSS OF ~~SU~~ BUSINESS, GOOD WILL ETC.

The interested persons are not entitled to damages in ~~fre~~ form of compensation in this respect, as ~~se~~ no severence are formed nor there is loss of business or good will and injurious affection on account of present acquisition.

INAM-LANDS :-

The following types of Inam lands are coming under acquisition.

(57)

1) Class III Deosthan Inam.
2) Class V Deshmukh, Deshpande and Kulkarni Inam.
3) Class VI-A Gurao and Lohar Inam.
4) Class VI-B, Patil Inam.
5) Class VI-B Chougula Mahar Inam.

In case of regaranted Inam Lands other than Inferior Inam lands 20 times the assessment should be recovered being the conversion value and cordited to Government. In case of refranted inferior village Inam lands, amount equal to 10 times the assessment should be recovered as conversion value and credited to Government if same is not paid previously.

S.No.	Kind of Inam Land	S.NO.	Area H. A.	Asstt Rs. Ps.	Amount of conversion value to be recovered.	REMARKS
1	2	3	4	5	6	7

(53)

APPORTIONMENT :-

Statement showing the apportionment of compe payable to the interested persons is enclosed.

ENCUMBRANCES :-

As per extracts from the Record of Rights of the lands under acquisition it is seen that, there encumbrance on the following lands.

TENANTS :-

(55)

SOLATIUM.

Besides the market value of the land under acquisition statutory solatium of 30% should be paid to the interested persons for compulsory nature of acquisition as per section 32(2) of the Land Acquisition Act. Special component of 12%. The Amended Act 68, of 1984 directs that 12% component should be given on the market value for the period of publication of Section 4 notification or date of ~~k~~ taking possession whichever earlier to the date of Award should also be payment to the owner of the land in acquisition which is hereby offered.

POSSESSION.

The possession of the land under acquisition has not been handed over to the Acquiring Body so far, under the provision of the Land Acquisition Act.

PAYMENT OF ADVANCE COMPENSATION :-

Advance paid previously on the date 14/11/84 has been adeducted and remaining amount is hereby paid for the concered khatedar.

DETAILS OF VALUATION :-

1)	Land Valie	Rs.	50900-00
2)	Structures.	Rs.	-
3)	Wells	Rs.	-
4)	30% solatium,	Rs.	15270-00
5)	12% component ~~Capitalised value~~	Rs.	13648-80
	measurement charges ~~of Nuksan~~.		250-00

Grand Total 80068-80

80% Advance 10808-00

69260-80

AWARD :-

I, therefore, declare that,

i) the true area of the land under acquisition is ----------2---- H.----10------ Areas.

ii) Total amount of compensation payable Rs. Eighty thousand sixty eight & paise eighty only and paise---------------------------------- only.

iii) Apportionment according to approtionment 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 person, other then Government.

The previous approval of the Commissioner, Pune Dn. Pune has been obtained for this Award as required by Section 11 of the Land Acquisition Act. 1894.

Special Land Acquisition Officer,
No. 10, Sangli.

Place:- Sangli.

Date :-

SBN:-85629

2 AQ/SR 10-138

3/3/86

R. L. E. 106

No. and Date of Statement-
Date of Award-
Name of Work for which Land has been acquired-
No. and date of Declaration in the Maharashtra Government Gazette, Part I viz No. , date , page
Statement showing Compensation awarded by under Section II of the Land Acquisition Act, 1894 to all the persons interested in the plot of Land situated in the
Village of in Estate No. [illegible] on the Revenue Roll of the District of Taluka

Serial No. 1	Names of persons to whom Payment is due under the award. 2	Area of land H. A. 3	Government or alienated and kind of land 4	Abatement of land 5 Assessment (a) Rs. Ps.	Abatement of land 5 Quit-rent (b) Rs. Ps.	Rate awarded per acre, guntha sq. yd. and sq. ft. 6 Rs. Ps.	Compensation awarded for 7 Land (a) Rs. Ps.	Compensation awarded for 7 Structure (b) Rs. Ps.	Compensation awarded for 7 Well (c) Rs. Ps.	Compensation awarded for 7 Trees (d) Rs. Ps.	Total of 7 (a) to 7 (d) 7 (e) Rs. Ps.	30 per cent solatium if admissible 8 Rs. Ps.
1	Shri Ramchandra Dadu Khot of Bahadurwadi	0-51	118 Part	4-40		30,000-00	15300-00	–	–	–	15300-00	4590-00
2	Shri Jayasing Vithalrao Patil	0-15	86/2 Part	1-05		30,000-00	4500-00				4500-00	1350-00
3	Shri Mahadu Krishna Dalavi O/H Ganapati Hari & Shankar Mahadu Dalavi	1-21	4 Part	1-10		20,000-00	24200-00	–			24200-00	2260-00
	Shri Babu Tatoba Khot	0-13 0-10 0-23	56/6A 69/1)	1-25 0-69 1-94		30,000-00	6900-00	–	–	–	6900-00	2070-00
	Total	2-10		–		–	50400-00	–	–	–	50400-00	15270-00

Serial No. 1	12% Component from the date of publication of sec. 4 notification or from the date of taking over possession of the land, whichever is earlier 9	Other claims severance injurious affection, etc. 10 Rs. Ps.	Capitalised value of assessment 11 Rs. Ps.	9% interest for first year and 15% for subsequent years if Possession is taken earlier 12	Total amount of compensation to each preson etc. 13 Rs. Ps.	Advance paid if any Amount 14 Rs. Ps.	Advance paid if any Date 15	Distribution of the amount in column 13 taken from the subsidiary statement 16	No. and date of voucher 17 No.	No. and date of voucher 17 Date	Date on which the land was handed over to the Department Authorities for whom it is acquired. 18 Date	Reference to the report stating the date
1	(2245-00+1254-60) = 3549-60	–	–	–	23439-60	6936-00	14/11/84	16503-60	20	42		[illegible] [illegible] [illegible]
2	1350-00			–	7200-00	–	–	7200-00	2045		21-00	[illegible]
3	(3630-00+3049-20) = 6679-20			–	38139-20	3872-00	14/11/84	34267-20	2046		[illegible]	
	2070-00				11040-00	–	–	11040-00	2042	9.98 x 20 =		[illegible] [illegible] [illegible]
	13648-80				79818-80	10808-00		69010-80				
				measurement	250-00			250-00				
					80068-80			69260-80				

Special Land Acquisition Officer
No. 10, Sangli.