(73)

In the court of Shri. Special Land Acquisition Officer No. 10, Sangli. Award under Sec. 11 of the Land Acquisition Act. 1894 as amended on 24-9-84 (Act. No. 68 of 84) in respect of lands of village Bagani Taluka District Sangli

LAQ/SR-X-130

Office of the Special Land Acquisition Officer No. 10, Sangli, Mahasul Bhavan Miraj
Dated:- / / 1985-

AWARD

A) Introduction

1) Title of Award

Acquisition of lands out of village Bagani Taluka Walwa due to acqur of lands from the benefitted zone, for the projected affected persons of Chandoli Dam; District Sangli.

2) PARTICULARS OF NOTIFICATION UNDER SECTION 4 AND 6 OF THE LAND ACQUISITION ACT. :-

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

Notification under Section 4 of the Land Acquisition Act.	Published on page No. 3348 ------ dt. 22/11/1984 ------ of the Maharashtra Government Gazette part I, No. LAQ/SR-10-130 ---------- dated 5/11/1984
Corrigendum/Erratum to the section 4 Notification.	Published on page No. ---------- ------ of Maharashtra Government Gazette Pune Dn.Suppliment part I. No. ---------- dated ----------.

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

Notification under section	Published on page No. 1935 — dt-15/11/1985- ---- of the Maharashtra Government Gazette Pune Dn. Suppliment part I No. LAQ/SR-839/5/11/85- Dated 22/11/1985-

DETAILS OF LANDS FINALLY NOTIFIED ON ACQUISITION :

District : Sangli, Tahsil : Walwa Village : Bagani

S.No.s / Gat Nos. :-

	Area H	R
638/2 Part-	0	14
638/3 Part-	0	18

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-166---------- dated -2/4/1982- initiated the proposal to acquire certain lands of village ---------- Tahsil ---------- District Sangli for the resettlement of the P.A.P.s

The Collector under his endorsement No. Resettlement. RR-166 ------ dated the 2/4/1982 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 Ragani--- 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. LAQ/BR-839/SR-I/85 ---------- dated the ---22/11/1985---------- under section 6 of the Land Acquisition Act published in the Maharashtra Government Gazette Pune Division suppliment dated the -13/2/1985- on page-192- -------- 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.	Area R.	Asstt Rs.	Asstt Ps.	S.No.	Area H.	Area R.	Asstt Rs.	Asstt Ps.
1	2		3		41	52		3	
					618/2 Part.	0	14	0	62
					618/3 Part	0	18	0	29

The lands under acquisition were got measured jointly by the representatives of the ~~Acquisition~~ Acquiring Body and the Survey Department. The result 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.

O W N E R S H I P :-

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 ---Bagayat---. 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 ---Bagayat---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.

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) C L A I M S :-

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 29/5/1982 the circle Inspector has made the valuation of the lands under acquisition.

1) Bgayat Superior Rs.
2) Bagayat Medium Rs. 50,000/-
3) Bagayat Medium Rs.

4) Jirayat superior Rs. 32,000/-
5) Jirayat medium Rs. 30,000/-
6) Jirayat Inf rior Rs. 20,000/-

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.

V A L U A T I O N :-

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 22/11/1984 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

Sr No	Date of Sale	Assn Pt	Value Pt	Jirayat / Bagayat.
1)	26/12/1978	9-66	19800/-	Jirayat -
2)	21/12/1978	11-90	20,000/-	4
3)	26/3/1980	10-15	21,250/-	4
4)	13/4/1981	4-63	13,500/-	4
5)	30/3/1981	10-44	26600/-	4
6)	30/3/1981	2-15	11,500/-	4
7)	13/3/1980	11-36	11,700/-	4
8)	6/5/1980	6-33	7700/-	4
9)	11/6/1981	6-90	6000/-	4
10)	5/8/1982	3-06	30,000	4

In the instant case mentioned the sales above pertain to the years from 1978 to 1982. No sale is available for the year 1984. SR. (Case No. 128)

In another case, which is decided recently by the same office (i.e. my office), the rate for such medium class jirayat land is offered as Rs. 30,000/- P.H. The reason is the sales recorded till 1981 fetch very low rate but in the year 1982 the rate started increasing. Afterwards, however, the sales could not be effected because of the ban put by Govt. in the Command area.

The sale recorded at Sr. No. 10 above sufficiently represents the price line which continued for further two years. The local information also supports this price. I, therefore, offer Rs. 30,000/- P.H. for this jirayat land against Rs. 4 to 5 P.H.

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

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

S.No.	Sy.No.	Area to be acquired H.	Area to be acquired R.	Assessment. Rs.	Assessment. Ps.	Asstt. per Hector Rs.	Asstt. per Hector Ps.	Class of land.
1	2	3		4		5		6
1)	638/2 Part	0	14	0	62	4	42	Jirayat-
2)	638/3 Part-	0	18	0	79	4	38	

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. 30,000/-
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.

S T R U C T U R E S :-

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

Mef

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 surrounded 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 structure is in Pot-Kharab.

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

W E L L S :-

Nil

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

Nil

TREES :-

Nil

- ?

TALS :-

Nil

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 BUSINESS, GOOD WILL ETC.

The interested persons are not entitled to damages in the form of compensation in this respect, as 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.

Nil

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 Goverrment. In case of regranted 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.	Area A.	Assit Rs.	Assit Ps.	Amount of conversion value to be recovered.	REMARKS
1	2	3	4		5		6	7

(93)

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.

Nil

TENANTS :-

Nil

1)	Sri Santinath Bandu Wanjale of Bagani	678/2 Part.	0-14	0-62	₹200-00	₹1260-00	1260 (22/11/85 to Adv. Patil 22/2/85 for Rs 9800 & 23/12/85 to 22/2/1986 for Rs 1120)	Rs paid (on 23/12/85)
2)	—do—	678/3 Part.	0-18	0-19	5700-00	1620-00		8480-00
			0-32		9600.00	2880.00	1060-80 = 13540-80	

5260-80
Interest + 200-0
5260

(98)

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 ~~t~~ 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 23/5/1985 has been adeducted and remaining amount is hereby paid for the concered khatedar.

DETAILS OF VALUATION :-

1)	Land Valie	Rs.	9600-00
2)	Structures.	Rs.	-
3)	Wells	Rs.	-
4)	30% solatium,	Rs.	2880-00
5)	Capitaised value of Nuksan.	Rs.	1060-80
	12% Component wef 22/11/1984 measurment		200-00
Grand Total			13740-80
	Advance		8480-00
AWARD :-			5260-80

I, therefore, declare that,

i) the true area of the land under acquisition is ~~-~~ H. 32 Areas.

ii) Total amount of compensation payable Rs. Five thousand ~~five~~ seven hundred sixty and paise eighty 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

केवलपट्टा

(17)

मे. वि. भू. संपादन अधिकारी सो. १० -

मध्यम प्रकल्प विशेष, सांगली

मान. दि. ११/८/१५ रोजी एस. आर.

पक्षकार	जमीन नं.	क्षेत्र	पोटखराब
	४८०/२अ	०-१०	
	४८१/३अ	०-१०	

जागेची या प्रकरणातील जमीनदोस्त संपूर्ण रक्कम मिळाली असल्याने न्यायालय मार्फत मिळणे करणे दाखल, आदेश पारीत करणेत यावा कि माझे मोबदल्या करीता पुनर्वसन खात्याने दिलेले सदर सध्याचे या कार्यालयाने जमीन दाखल केलेले दोन्ही दावे तसेच हरकत नाही असा दाखला मिळणेत यावा ही विनंती.

प्रतिलिपी

प्रतिलिपी ठेवणेत यावी

इकबाली केली येथून

इंदुताई [illegible]
[illegible] वेंकटे

विशेष भूमिसंपादन अधिकारी,
सं. १०. सांगली.

(115)

भूसंपादन प्रस्ताव क्रमांक १६० बारामती. दिनांक 11/3/66

कबोपट्टी.

आम्ही जोडी सहया करणार पंचलोक रा. ता.
लिहून देतो की, आम्ही पंच, मंडल निरिक्षक बारामती व मुमी संपादन अधिकारी क्रमांक १० सांगली यांनी बोलावून सांगीतले की, मे. विशेष भूमि संपादन अधिकारी क्र. १० सांगली यांचे कडील आदेश क्रमांक- एल.ए.क्यु- एसआर-
तारीख ------ प्रमाणे मौजे ------ ता.लुका ------ येथील जमीनी ---------- संपादन करणेत आलेल्या जमीनीचा कब्जा सोबत जमीन संपादन मंडलीस, जमीन मालकाचे कडून घेवून तो देणेचा आहे. सदरचा कब्जा मु संपादन मंडलाचे प्रतिनिधी यांना देणेचा आहे. सबब या कामी संपादन करणेत आलेल्या जमीनी प्रत्यक्ष पाहून त्या बाबतचा कबोपट्टी लिहून द्या असे सांगीतले वरून आम्ही पंच, व मंडल निरिक्षक आणि सदर जमीनीचा कब्जा घेणारे मंडल निरिक्षक श्री ---------- असे सर्वजण मिळून संबोत जमीनीत गेलो. व प्रत्यक्ष पाहीले. संपादन करणेत आलेल्या जमीनी त्या हद्दी, मोजणी दगडांचे व हुद्दम खोदलेल्या आसल्याची खात्री करून घेतली. त्या जमीनीचा तपशील खालील प्रमाणे.

गट क्रमांक	संपादन क्षेत्र.	आकार.	जमीन मालकाचे नाव.
	हे. आर.		
४७८ वा १.	०-१४	०-६१	शांतीनाथ बंडू कांबळे.
४७८ वा २ ब.	०-१०	०-०६	शांतीनाथ बंडू कांबळे.

पंच सही.

समोर.

(जा.दा मजकूर साठी मार्गे पहा.)

मरपायी पावती.

मी श्री ---------- लिहून देतो की, वर नमुद केलेल्या कब्जेदार भूसंपादन अधिकारी यांचे कब्जा आज रोजी मला निर्देश मुमि संपादन अधिकारी क्र. १० यांचे कडील मंडल निरिक्षक यांचे कडून निवेदन मिळाली. त्या बद्दल तक्रार हरकत काही नाही. म्हणून लिहून दिली पावती.

मंडल निरिक्षक बारामती