

Award under section 11 of the Land Acquisition Act, 1894 made by Shri P.N. Joshi, Special Land Acquisition Officer, No. 4, Sangli in respect of Bawachi Water Supply Scheme Tahsil Walwa, Dist. Sangli.

SPL/LAQ/SR-159
Sangli : 16/3/1982.

A W A R D

1. Title and particulars of notification and details of lands :-

Acquisition of lands for Bawachi Water Supply Scheme village Bawachi, Tahsil Walwa, Dist. Sangli.

2. Notification under section 4 of the Land Acquisition Act :-

Notification under section 4 was sent to the press vide this office letter No. SPL/LAQ/SR-159 dated 8/7/1980 and it was published in the Maharashtra Govt. Gazette dated 7/8/1980 at page 2281.

3. Notification under section 6 of the Land Acquisition Act :-

After holding enquiry under section 5-A of the Land Acquisition Act section 6 notification was approved and sent to the Press by the Commissioner, Pune Division, Pune's No. LAQ/RR-1664-SS/81 dated 21/9/1981. The said notification was published in the Maharashtra Govt. Gazette at page 3038.

4. Land notified for acquisition :-

The following lands were notified for the said acquisition under section 6 of the Land Acquisition Act, 1894.

Gat. No.	Area.
	H.A.
410 Part	0-00.75
411 "	0-00.25
412 "	0-04.50
413 "	0-06
414 "	0-10.50
415 "	0-34.50

5. Reasons for award :-

The Executive Engineer, Environmental Engineering Works, Division, Sangli under his letter No. TB/I/30/79 dated 5/11/1979 has initiated the proposal for acquisition of lands for Bawachi Water Supply Scheme. The Collector

under his endt No. LAQ/RR-1154 dated 4/12/1979 has directed to start the land acquisition proceedings. The purpose of acquisition is in the interest of public in general and hence it is a public purpose ~~in general~~ within the meaning of para 31 of the Land Acquisition Manual. The lands was accordingly notified under section 6 of the Land Acquisition Act, 1894 under ordinary clause and the Commissioner, Pune Division, Pune has appointed the Special Land Acquisition Officer, No. 4(Gen) Sangli under clause (c) of the Land Acquisition Act to perform the functions of the Collector for proceedings hereinafter or to be taken in respect of this lands.

6. Area :-

The lands under acquisition were jointly measured by the representative of the Acquiring Body and Survey Department. The result of the measurement work has been mentioned in the Joint Measurement Certificate. The interested persons did not raised any objection to the measurement work carried out and hence the area shown in the Joint Measurement Certificate has taken as true and final for awarding compensation for the lands under acquisition.

7 Notices and ownership :-

Public notices under section 4(1) and 9(1)(2) were published in the Tahsil Office village Chavadi and on the lands under acquisition. Similary section 4(1) and 9(3)(4) were also served on the interested persons calling upon them to give their objections to the acquisition and their claims if any for compensation.

8. Ownership :-

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

9. Situation and description :-

The lands under acquisition is from village Bawachi. The lands are situated near the Pokhani-Bawachi road and the East site. The lands are adjacent to the Pirwadi Gaothan. The lands under acquisition are very inferior having assessment form Rs. 0-37 to 1-22. There is no industrial or development activity in this area and hence the lands do not have any N.A. potential.

10. Site Inspection :-

I have inspected the site inspection with representative of the Acquiring Body on 9/11/1981. The lands is of very inferior quantity and part of it is a fallow lands.

11. Claims :-

In response to the notice under section 9(3)(4) of the Act, 1894 the following landowners have submitted claims.

1. Pandurang Bhau Khadehas demanded compensation at the rate of 40,000/- per acre.
2. Maruti Joty Khade has demanded compensation at the rate of 40,000/- per acre.

The claims made by both landowners are not supported by documentary evidence and hence the claims have been rejected.

12. Valuation by the Acquiring Body :-

The Acquiring Body has not produced any valuation note in respect of lands under acquisition.

13. Valuation of lands under acquisition.

There are three methods of valuing the Agricultural lands in the Land Acquisition Act. The first method is on the basis of sales of lands under itself. The second method is on the basis of sales of lands in the vicinity of recent past. The third method is on the basis of income i.e. capitalisation of net income. Out of the above three methods, the third method is to maintain farm accounts and expenditure and yield. General

the Agriculturist do not maintain farm accounts. Therefore it goes to some what difficult to follow this method. Hence I am adopting the method based on sales statistice for valuation of lands under acquisition.

In this case the section 4 notification has been published in the Maharashtra Govt. Gazette on 7/8/1980 thus it is a meterial date for us and will be considered while fixing up the price of lands under acquisition.

The lands under acquisition are very inferior typw havin an assessment from Rs. 0-37 to 1-22. The sales of langs having this assessment are not available. However the sales of lands having assessment upto Rs. 2-50 are available. It is proposed to discuss these sales and arrive at the value of lands under acquisition. We shall discuss the following sales.

Sr. No.	S.No.	Assessment.	Year of sale.	Price fetched.
1.	58/1A	2-01	1971	Rs. 1386/-
2.	10/7	2-43	1972	Rs. 2459/-
3.	64	2-47	1976	Rs. 746/-
4.	531	0-71	1979	Rs. 5172/-
5.	532	2-45	1979	Rs. 4545/-

The sales at Sr. No. 1,2,3 are very low and hence they are discarded. The sales at Sr. No. 4,5 are most sutiable for fixing up valuation of lands in this group. These two sales pertain to the year 1979, whereas the material date for us 1980. Taking into consideration this aspect the price of lands in this group is fixed at Rs. 5200/- per hector and the same is awarded.

On the basis of above valuation we have fix up the value of lands under acquisition. We have to bear ~~understand~~ ~~in~~ in mind that the lands under acquisition are very inferior having an assessment form 0-37 No. to 1-22 Rs.

---5---

for the superior quality of lands we have fixed up a prices of Rs. 5200/- per hector. Taking into consideration this as per the valuation of lands under acquisition is fixed at Rs. 3500/- per hector and the same is awarded.

14 Trees :-

During the Spot Inspection it was seen that the trees are not coming under acquisition and hence the question of valuation of trees does not arise.

15 Tals :-

No tals are coming under acquisition and hence the question of valuation of Tals does not arise.

16 Structures :-

No structures are coming under acquisition and hence the question of payment of compensation on this account does not arise.

17. Fencing compound wall etc.

No fencing compound or wall is coming under acquisition. The question of payment of compensation therefore does not arise.

18. Damages on accounts.

In the ~~the~~ following land the severances have been caused due to proposed acquisition.

Gat. No.	Area as per VII-XII.	Area acquired.	Area left with the land owners.
410	0-03 0-01 P.K.	0.00.75	0.03.25
411	0-03 0-01 P.K.	0.00.25	0.03.75
412	0-07 0-01 P.K.	0-04.50	0-03.50
413	0-06 0-01 P.K.	0-06	0-01

The area remaining with landowners which is

on account of the acquisition small pieces of lands less than ten gunthas are remained with Khatadars and since the parcels remaining with Khadars are less than 10 gunthas. They will not be able to cultivate these pieces conveniently. Besides this the Khatadars are deprived of the wholesome income of the land, income of the land remaining with land.

Taking into consideration the damages caused to the Khadars it would be just and fair to award compensation to the extend to to 1/10 of the valuation of the land awarded in this case in respect of the land remaining with them.

19 Inam Lands :-

The lands under acquisition are not belonging to Inam Category the question of recovery of Nazarana etc. therefore does not arise in this case.

20 Solatium :-

Besides the compensation the statutory solatium at 15% will be paid to the interested persons as compulsory nature of acquisition.

21 Advance compensation.

No advance payment has been paid to the interested persons.

Possession :-

The Acquiring Body has taken over possession by private. The Acquiring Body is therefore advised to pay rental compensation in the form of rent to the interested persons from the date of taking over possession till the date of payment of the at the rate of 8% .

23 Encumbrances.

There are no encumbrances on the lands under acquisition.

24. Measurement and percentage charges.

This is not a Govt. Project and hence the measurement and percentage charges are leviable and the same will be recovered from Acquiring Body.

-----7-----

1. Measurement charges	:-	130-00
2. Percentage charges	:-	134-05
Total	:-	<u>264-05</u>

25. Details of valuation :-

1. Land value	:-	1942-90
2. Solatium	:-	291-35
3. Severance.	:-	30-95
Total	:-	<u>2265-20</u>

26 Award :-

As per provision in section 11 of the Land Acquisition Act, 1894, I hereby declared that.

H. A.

1. The true of land under acquisition is 0-89.50
2. The total amount of compensation payable is Rs. (2265-20) Two thousand two hundred sixty five and paise twenty only.
3. The amount is payable to the interested persons as per instruction contained in paragraph 25 of the Award and accord to the statement 'C' enclosed.

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

Sangli.
Dated :- 16/3/1982.

(P.N. Joshi)
Special Land Acquisition Officer,
No. 4 Sangli.

No. SFL/LAO/SR-159

STANDARD

Compensation awarded by Shri P. Joshi, Special Land Acquisition Officer, No. 4 Sangli under section 11 of the Land Acquisition Act, 1894 to all interested persons in the plot of the land situated in the village Bawachi Tahsil Walwa Dist. Sangli.

L.A. for construction of Water Supply Scheme at Bawachi Tahsil Walwa Dist. Sangli.

Sr. No.	Name of the interested persons	S.No.	Area	Rate awarded per hecter.	Land value	Solution	Severance charges.	Total	Remarks.
1.	Shri Maruti Joyti Khade.	410	0-00.75	3,500/-	26-25	3-95	4-45	34-65	
2.	" Maruti Gunda Khot.	415	0-34	"	595-00	83-25	4-45	688-70	
3.	" Ananda Chandru Khade.	411	0-00.25	"	8-75	1-30	10-40	20-45	
4.	" Pandurang Bhan Khade.	412	0-04.50	"	157-50	23-60	9-65	190-75	
5.	" Vasant Ramchandra Khade.	413	0-34	"	535-00	89-25	-	684-25	
		414	0-06	"	210-00	31-50	2-00	243-50	
		415	0-10	"	350-00	52-50	-	402-50	
				Total :-	1942-90	291-35	30-95	2265-20	

Sangli.
16/3/982.

(P.M. Joshi)
Special Land Acquisition Officer,
No. 4 Sangli.