

Award under Sec.11 of the Land Acquisition Act, 1894 made by Shri P.N. Joshi, Special Land Acquisition Officer, No. IV (Gen) Sangli in respect of the acquisition of the lands for the construction of Head Works & approach road at village Borgaon Tahsil Walwa.

No. SPL/LAQ-SR-67
Sangli.

A W A R D.

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

Acquisition of lands for the construction of Head Works and approach road at village Borgaon Tahsil Walwa Dist. Sangli.

(a) NOTIFICATION UNDER SECTION 4 OF THE L.A. ACT, 1894.

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| 1. No. and dated :- | No. SPL/LAQ/SR.67
dated 18th June 1979. |
| 2. Date and page of gazette in which notification was published. | Maharashtra Govt. Gazette
Pune Division Supplement Part I dated 25/9/80 5-7-79 |

Notification under sec. 6 of the L.A. Act, 1894.

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| 1. No. and dste :- | Commissioner Pune D.n, Pune
No. LAQ/RR/900/SS/80 dated
20/8/1980 Supplement Part I
at page 2585 |
| 2. Date and page in which notification was published | Maharashtra Govt Pune Division supplement part - I |
- Lands notified for acquisition :- dated 25/9/80 page 2585

The ~~following~~ following lands form village Borgaon (Pharnewadi) Tahsil Walwa have been finally acquired for the construction of Head Work and approach road at village Borgaon.

Gat No.	Area H.A.
1 Part	0-1.50
2. Part	0-0.25
3. Part	0-02
4. Part	0-1.75
5. Part	0-03

REASONS FOR AWARD :-

The Executive Engineer, Public Health Works Division, Sangli vide its letter No. TB-1/Borgaon/Land/3722 dated 10/5/1974 initiated the proposal and the Collector Sangli under his exdt. No. LAQ/RR-354 dated 20/5/1974 directed the Special Land Acquisition Officer to start

the land acquisition proceeding in this case as usual. The purpose of acquisition is in the interest of the public in the general and hence it is a public purpose within the meaning of para 31 of the L.A. Manual. The lands were accordingly notified under Sec.6 of the L.A. act, 1894 under ordinary clause.

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 raise any objection to the measurement work, carried out hence the area shown in the measurement certificate is accepted as true and final for awarding compensation for the lands.

NOTICES AND OWNERSHIP :-

Public notices under Sec. 4(1) of the L.A. Act, 1894 were published in Tahsil Office, village Chawadi and on the lands under acquisition. Similary Sec.4(1) notices were also served on the interested persons calling on them to give their objection on the proposed acquisition. No one out of the interested persons objected to the acquisition and hence lands were notified under Sec6 of the land Acquisition Act.

So also, Section 9(1)(2) notices were published in Tahsil Office, village Chawadi and on the lands under acquisition. Similary section 9(3)(4) notices were served on the interested persons calling on them to state their interest in lands, their ~~claims~~ claims for compensation and their objections, if any to the measurement made under Sec.8.

OWNERSHIP :-

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

SITATION AND DESCRIPTION :-

The lands under acquisition are 3 furlongs away from

village Borgaon and are situated at a distance of about one furlong from river side., The lands under acquisition are good type of lands.

CLAIMS :-

In response to the notices under Sec. 9(3)(4) Shri Vilas Yeshwant Khot the landowner of Gat.No. 1,3 had demended Rs, 25,000/- per acre as a compensation. ~~The~~ Shri Nana Pandu and Shri Dauanu Pandu Pharne did not claim specific amount of compensation.

The claimants have not produced any evidence hence all these claims are rejected.

VALUATION BY THE ACQUIRING BODY :-

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

PANCH-VALUATION :-

In the panchanama dated 6/6/1979 made by the Circle Inspector the valuation the lands made by him is as under :-

Gat.No.	Area under acquisition.	Valuation. Rs.
1 Part	0-1.50	750/-
2 Part	0-0.25	125/-
3 Part	0-02	1000/-
4 Part	0-1-75	875/-
5 Part	0-03	1500/-

The valuation made by the Circle Inspector is according to the estimation of Panchas. Panchas 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 panch valuation.

VALUATION :-

In this case I resorting to the method of valuation on the sales of lands in the vicinity of lands under acquisition is having and assessment of Rs. 12-00 to Rs. 15 one group of lands has been only formed.

In this case Sec.4 notification has been published on 5/7/1979. Therefore this is the material date for fixing up the valuation of lands under acquisition. We have got the following sale instances for our consideration.

Sr.No.	S.No.	Assessment	Year of sale.	Price fetched
1.	168/1	12-08	1977	Rs. 17647-00
2.	357/3	12-51	1977	Rs. 17647-00
3.	377/1-A	13-57	1977	Rs. 5319-00
4.	389/1A	12-42	1977	Rs. 20000-00
5.	124	12-54	1978	Rs. 30000-00
6.	4/2B+2D/2	12-12	1977	Rs. 14493-00

The sale at Sr.No. 5 is rejected as it has fetched abnormally high price. Similarly the sales Sr.No.3 and 6 is also rejected as they have fetched very meager price. Now only 3 sales i.e sales at Sr.No. 1,2 and 4 remain for our consideration. All these sales have taken place in the year 1977. But material date for is 1979. The prices of agricultural lands are increasing day day. Taking this aspect into consideration, the price of lands under acquisition is fixed at Rs.32,500/- per H.A. and the same is awarded.

TREES :-

No trees are standing in the lands under acquisition hence no compensation is awarded for it.

STRUCTURE, WIRE FENCING OR COMPOUND WALLS ETC.

There are no structures in the lands under acquisition, hence no compensation is awarded for it.

DAMAGES ON ACCOUNT OF SEVERANCE AND INJURIOUS AFFECTION AND LOSS OF BUSINESS GOOD WILL ETC.

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

POT KHARAB LANDS :-

From perusal of the J.M.C and J.M. Plan it is seen

that no pot kharab lands are coming under acquisition. Hence valuation of pot kharab lands does not arise.

TALS AND WELLS :-

There are not tals wells bunds etc. constructed in the lands under acquisition and hence question of payment of compensation in this respect does not arise.

INAM LANDS :-

There are no Inam Lands under acquisition.

SOLATIUM :-

Besides the compensation, the statutory solatium at fifteen percent will be paid to the interested persons for the compulsory nature of acquisition as per section 23(2) of the L.A. Act, 1894.

POSSESSION :-

No possession of the land under acquisition has been handed over the Acquiring Body under Sec.17 of the L.A. Act 1894. So also the Acquiring Body has not taken possession by private negotiations in this case and hence question of paying interest to the interested persons does not arise.

PAYMENT OF ADVANCE COMPENSATION :-

No advance compensation has been made to the interested persons in this case.

DETAILS OF VALUATION :-

The details of valuation is given as under :-

1. Land value	Rs. 1912-50
2. 15% Solatium	Rs. 286-87
3. Measurement Charges	Rs. 130-00
4. Percentage Charges	Rs. 131-96
Total Rs.	2461-33

Award :-

" I hereby declare that :-

H. R.

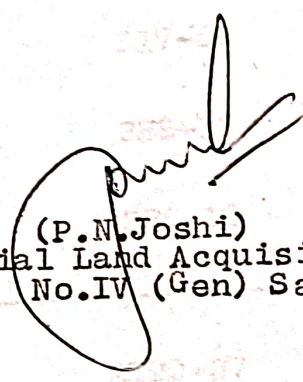
(a) Total area acquired is 078-50

(b) Total amount of compensation payable is Rs.(2199-37)

Rs. Two thousand one hundred hinetynine and paise thirty seven only is payable to the interested persons.

Persons
~~The~~ The amount is payable to the interestd, shall
has shown in statement " (" Enclosed) The lands @
vest in Government free from all encumbrances equities and
tenurea lawfully substisting in favour of any persons
other than Government.

*having been
finally acquired
shall*


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

STATEMENT

SPL/LAO/SR-67-Boregon the Statement showing compensation awarded by Special Land Acquisition Officer, No. IV (Gen) Sangli under Sec. 11 of the L.A. Act, 1894 to all the interested persons in the plot of land situated in the village Boregon Tahsil Walwa
 S.No. Names of persons to whom payment due under the award. Gat. No. H.A. Area Rate awarded for land. Compensation awarded for land. 15% Solatium if admissible Total Remarks

1.	2.	3.	4.	5.	6.	7.	8.	9.
				22,500/-				
1.	Sangli Land Development Bank Vankat Lakhu Khot	1	0-01.50	337-50	50-62	388-12		
2.	Yashwant Dada Khot	2	0-00.25	"	450-00 ✓	67-50	517-50	
		4	0-01.75	"				
3.	Sangli Land Development Bank Vankat Lakhu Khot	3	0-02	"	450-00 ✓	67-50	517-50	
4.	Mana Pandu Pharne	5	0-03	"	337-50	50-62	388-12	
5.	Daynu Pandu Pharne	"	"	"	337-50	50-62	388-12	
Total				1912-50	286-87	2199-37	✓	

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