

Award under section 11 of the Land Acquisition Officer, Maharashtra Act, 1894 made by Shri P.N. Joshi, Special Land Acquisition Officer, No. 4 Sangli in respect of Land Acquisition for construction of Walwa Ankalkhop road village Walwa Tahsil Walwa.

No. Spl/LAQ/SR-71
Sangli :- 31/3/1982

A W A R D

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

Acquisition of lands for construction of Walwa Ankalkhop road Village Walwa Tahsil Walwa Dist. Sangli.

2. Notification under section 4 of the Land Acquisition Act, 1894

Notification under section 4 was sent under No. SPL/LAQ/SR-71 dated 24/9/1980 and it was published in the M.G.G. dated 27/11/80 at page 3801 and corrigendum dated 1/10/1981 published in the M.G.G. dated 19/11/1981 at page 3272.

3. Notification under section 6 of the Land Acquisition Act, 1894

After holding enquiry under section 5-A of the Act, 1894 section 6 notification was approved and sent to Govt. Press by the Commissioner, Pune Division, Pune's No. LAQ/RR-2369-81 dated 16/12/1981. The said notification was published in the M.G.G. dated 31/12/1981 at page 3806.

4. Land notified for acquisition:-

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

Village :- Walwa Tahsil :- Walwa Dist. Sangli.

S.No.	Area H.A.	S.No.	Area. H.A.
501/1A/2 Part	0-13	501/2 Part	0-19
501/3 "	0-11	497 "	0-23
498 "	0-17	500 "	0-18
499/1+2/1"	0-18	499/1+2/2	0-07
499/1+2/3"	0-12	499/1+2/4 Part	0-16
499/1+2/5"	0-14	499 /1+2/6 "	0-12

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5. Reasons for the Award :-

The Executive Engineer, Works Division, Zilla Parishad, Sangli vide his letter No. Works/LA/WS-761/19863 dated 12/3/1975 initiated a proposal for acquisition of lands for construction of Walwa Ankalkhop road village Walwa. The Collector Sangli vide his endt No. LAQ/RR-505 dated 21/3/1975 directed the Special Land Acquisition Officer, No. 2 Sangli to start the land Acquisition proceedings in this case. After the creation of this office this case was transferred on my file. The purpose of acquisition as stated in the acquisition it is a public is in the interest of public in general and hence it is public purpose as defined in the L.A. Act, 1894. The Commissioner, Pune Division, Pune accordingly notified the land under section 6 of the Land Acquisition Act, 1894 under ordinary clause.

6 Area :-

The land to be acquired finally was jointly measured by the representative of the Acquiring Body and Survey Department. The result of measurement work has been mentioned in the Joint Measurement Plan and Joint Measurement Certificate. None of the interested persons has raised any objection to the area proposed for acquisition and hence the area shown in the Joint Measurement Certificate is taken as true area for the purpose of awarding compensation.

7. Notices and ownership :-

Public notices under section 4(1) and 9(1)(2) of the Act was duly published in the village chavadi and Tahsil Office as well as on the lands under acquisition. Similary individual notices under section 4(1) and 9(3)(4) of the Act were also duly served on the persons known or belived to be interested in the land under acquisition

The entries in the V.F. VII-XII are taken as base for deciding the ownership of the land under acquisition.

8. Situation and description :-

The lands under acquisition are adjacent and behind primary school at Walwa village. There are not trees structures tals wells in the land under acquisition. The lands under acquisition do not have any ^{M.A.} potential. The lands are superior having assessment of Rs.

9. Spot Inspection

The lands under acquisition were inspected by me alongwith the representative of Acquiring Body on 20/3/1982.

10. Claims :-

1. Shankar Rajaram Bhai	Rs. 20,000/- per acre
2. Balaso Mahadu Kadam.	Rs. 20,000/- per acre.
3. Sonabai Yesu Navai.	-do-
4. Khantabai Deokar.	-do-
5. Govind Tukaram Adhav.	-do-
6. Babu Bharama Magdum.	-do-

The above interested persons has not produced any documentary evidence in support of their claims and the above claims has been rejected.

11. Valuation made by Acquiring Body :-

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

12. Valuation :-

There are three methods of valuing the Acquiriltural lands in the Land Acquisition Act. The First method is on the basis of sales of lands under acquisition itself. The second methos is on the basis of lands in the vicinity of recent past. The third methos is on the basis of income. i.e capitalisation of net income. Out of the ap ve three methods, the third methods

the third method to maintain farm accounts of expenditure and yield. Generally agriculturist do not maintain the farm accounts. Therefore it goes some what difficult to follow this method. Hence I am adopting the method based on sales statistics for valuation of the lands under acquisition.

In this case lands under acquisition have been grouped in three groups as under :-

Group No. I	lands having assessment from Rs. 10-00 to 12-50
Group No. II	-do- Rs. 12-51 to 15-00
Group No. III	-do- Rs. 15-01 to 20-00

G In this case the section 4 notification has been published in the Govt. Gazette dated 27/11/1980 thus it is the material date for us while determining the value of lands. Sufficient sale instances from village Walwa are not available hence sales from adjoining village Urun are also collected and are being considered for determining the valuation of lands under acquisition.

Group No. I

We shall consider the following sales for determining the valuation of lands in this group.

Sr. No.	S.No.	Asstt.	Year of sale	Price fetched.
1.	819/3	11-08	1973	Rs. 2500/- P.H.
2.	409/1B	10-05	1974	Rs. 2500/- P.H.
3.	699/2	10-96	1978	Rs. 11,627/-
4.	414/4B	10-39	1978	Rs. 11627/-
5.	295/3	12-12	1977	Rs. 7575/-
6.	288	10-22	1976	Rs. 11,728/-
7.	296/1A	11-80	1981	Rs. 11,904/-
8.	189	10-36	1981	Rs. 2978/-
9.	327/1+2	11-41	1981	Rs. 10,000/-
10.	11-57	1979	1979	

The sales at Sr. No. 1,2,5,8 and 9 are all rejected as they have fetched very meager price. The remaining 5 sales have fetched a price of above 11,000/- per hecter but below 12,000/- All these 5 sales are useful for determining the price of lands in this group. Taking into consideration all these sales the price of lands in this group is fixed at Rs. 11,500/- per hecter and the same is awarded.

Group No. II.

For the lands in this group we shall consider the following sales.

Sr. No.	S.No.	Asstt.	Year of sale	Price fetched
1.	356/6	13-00	1977	Rs. 38,461/-
2.	393/9	13-68	1977	Rs. 6750/-
3.	975/3	14-71	1976	Rs. 20,000/-
4.	404/1	13-18	1976	Rs. 7692/-
5.	392/2+6	14-20	1981	Rs. 2080/-

The sales at Sr. No. 1 and 3 are very exorbitant and do not represent the correct value of land in this group. Hence both these sales are rejected. Similarly the sales at Sr. No. 2,4,5 are also rejected as they have fetched very meager price. For the lands in group No. I we have fixed up a price of Rs. 11,500/- per hecter. Taking into consideration in this aspect the price of lands in this group is fixed at Rs. 13,500/- per hecter and the same is awarded.

Group No. III.

No sales are available for the lands in this group. For the lands in Group No. II which are inferior than the lands in Group No. III we have fixed a price of Rs. 13,500/- per hecter. The lands in group No. III very fertile and superior type. Taking into consideration this aspect the price of lands from this

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group No. III is fixed at Rs. 15,000/- per hector and the same is awarded.

13 Trees :-

There are no trees in the lands under acquisition and hence the question of payment of compensation does not arise.

14 Structures :-

No structures are coming under acquisition hence question of payment of compensation does not arise.

15 Fencing compound walls etc.

There is no fencing compound or well in the lands under acquisition. The question of payment of compensation therefore does not arise.

16. Damages on account of :-

1. Severances :-
2. Injurious affection.
3. Loss of business good will etc.

There is no severances, injurious effecton loss of business good will etc.,. The question of payment of compensation therefore does not arise.

17 Tals and Wells :-

There are no Tals or Wells in the lands under acquisition. the question of payment compensation therefore does not arise.

18. Solatium :-

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

19. Inam Lands :-

The lands under acquisition are not belonging to Inam

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Category. The question of fixing the valuation as Inam land or the question of recovery of Nazarana etc. therefore does not arise in this case.

20. Possession :-

The possession of lands under acquisition has not taken by the Acquiring Body hence the question of rental compensation therefore does not arise.

21. Advance compensation

In this case no advance compensation has been paid to the interested persons.

22 Encumbrances :-

There are no ^{encumbrances} ~~tenants~~ on the lands under acquisition.

23. Tenants.

There are no tenants on the lands under acquisition.

24. Measurement and percentage charges.

There is not Govt. Project and hence the measurement and percentage charges are therefore leviable from the Acquiring Body i.e Executive Engineer, Works Division, Zilla Parishad, Sahg

1. Measurement charges	300-00
2. Percentage charges.	755-90
3. Total :-	<u>1055-90</u>

Details of valuation :-

1. Land value	Rs 21,910-00
2. Solatium.	Rs 3,286-50
Total :-	<u>25,196-50</u>

Award :-

As provided in section 11 of the Land Acquisition Act, 1894, I hereby declare that :-

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- a) The total area of land under acquisition is 11.180 A.
b) The total cost of compensation payable to em I-P-s & B-
(25796-50) ~~Twenty five~~ ~~thousand~~ one hundred ~~and~~ ~~eighty~~ ~~two~~ ~~of~~
paise ~~four~~ ~~and~~ ~~one~~ -
c) The amount is payable to the persons as per apportionment
statement enclosed.

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

Sangli :-
31/3/1982.

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