

**U.T. ADMINISTRATION OF DADRA & NAGAR HAVELI AND DAMAN & DIU
OFFICE OF THE COLLECTOR, DIU**

**AWARD UNDER SECTION 23 OF THE
RIGHT TO FAIR COMPENSATION TRANSPARENCY IN LAND
ACQUISITION REHABILITATION AND RESETTLEMENT ACT, 2013**

CASE NO. : No. 65-03-LAQ/2018-19/2019
NAME OF THE VILLAGE : DIU
NATURE OF THE ACQUISITION : PERMANENT
TALUKA : DIU
DISTRICT : DIU
PURPOSE OF ACQUISITION : Proposal for Acquisition of land for Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu.

INTRODUCTION :

These proceedings are under provision of Section 23 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for determination of compensation in respect of net area of land proposed to be acquired for purpose of Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu. The land acquisition proceedings were initiated with the publication of Preliminary Notification under section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, rehabilitation and Resettlement Act, 2013.

The Executive Engineer, Public Works Department, Diu had submitted a land acquisition proposal for Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu.

NOTIFICATION OF SOCIAL IMPACT ASSESSMENT AND REPORT OF SIA:

Under section 4 Sub Section 3 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, Social Impact Assessment Notification No.65-03-LAQ/2018-19/838 dated 27-06-2018 was published, after conducting the Public Hearing on 24-12-2018 at 04.00 PM at DMC Conference Hall, Diu. Social Impact Assessment report was submitted to Collector, Diu and copies were circulated to the Office of the Chief Officer, Diu as well as Mamlatdar, Diu for wide publicity and were uploaded on official website (<http://diu.gov.in/>).

EVALUATION OF SIA/ SIMP REPORT & REPORT OF THE LAND ACQUISITION COLLECTOR:

Under sub-Section (1) of Section 7 of the Act, an expert committee with an independent multi-disciplinary expert group of members for appraisal of Social Impact Assessment was constituted. The SIA Report was evaluated and the recommendations as well as observation were provided. Based on the SIA Report and recommendations of the Expert Committee, a detailed report stating the Public Purpose and the necessity of acquiring the land along with Positive and Negative impact, dated 16-08-2019 was submitted by the Land Acquisition Collector as per the requirement of Section 8 of the Act.

PUBLICATION OF NOTIFICATION AND ISSUE OF NOTICES:

The Preliminary Notification No. 65-03-LAQ/2018-19/928 dated 10/09/2019 was notified under section 11 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 that the land described in the schedule was needed for the public purpose. Objections to the acquisition were invited from interested persons giving 60 days opportunity from the date of the Publication. A report from Sub-Registrar, Diu regarding assessment and determine the market rate of the land parcels that were going to be acquired as per section 26 of the RFCTLARR Act, 2013.

Under Section 16 of the Act, the Report dated 10-12-2019 of Administrator for Rehabilitation and Resettlement Scheme was submitted to the Commissioner for Rehabilitation and Resettlement which stated that affected families may not need relocation and resettlement since they are not being entirely displaced from their residential house/ commercial land and same was approved by Commissioner (Rehabilitation and Resettlement).

After concluding the personal hearing of all the interested persons as per the requirement of sub section (2) of section 15 of the Act, the proposal Vide Report No. 65-03-LAQ/2018-19/1721 dated 31-01-2020 was submitted by the Land Acquisition Collector to the Competent authority i.e. Hon'ble Administrator of Dadra & Nagar Haveli and Daman & Diu seeking approval to proceed with acquisition process and the same was approved by the appropriate Government i.e. Hon'ble Administrator of Dadra & Nagar Haveli and Daman & Diu.

Vide Declaration No 65-03-LAQ/2018-19/1837 dated 17-02-2020. It was declared under the provision under Section 19 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 that the said land was required for the public purpose namely Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu.

In connection with acquisition of total land admeasuring 894.00 sq. mtrs. for Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu, the Administration of Diu intended to take possession of the land, the particulars of which were given in the declaration u/s 19(1) of the Right to Fair compensation & Transparency in Land Acquisition Rehabilitation and Resettlement (RFCTLARR) Act, 2013.

To facilitate causation of the above requirements, public notice was served dated 18-02-2020 under section 21 of the RFCTLARR Act, 2013 to all persons having interest in the said land to appear personally or by agent or advocate before the Collector, Diu on **18/03/2020** and to state in writing and signed by the party or his agent, the following:

- a) The nature of their respective interest in their land;
- b) The amount and particulars of their claims to compensation for such interests;
- c) Their objection if any to the measurements made and marked on the referred area.

No any objections/representations were received from the interested persons till 18-03-2020 at 15:00 hrs.

METHODOLOGY USED FOR DETERMINATION OF COMPENSATION

- **JOINT MEASUREMENT:**

The Land Acquisition Collector, Diu had requested for joint measurement of the land through the Surveyors. The joint measurement of land was carried out by surveyor along with official of the Executive Engineer, P.W.D., Diu and the report was received on 13/11/2019.

- **OWNERSHIP:**

Names of the persons whose land is under acquisition, as mentioned in the record of right were ascertained from the revenue records and the same have been included in Award statement.

- **SITUATION AND DESCRIPTION OF THE LAND:**

The land under acquisition is agriculture land at Firangiwada of Diu District as shown specifically in the map and plan displayed U/S 19.

- **LOCATION OF THE LAND:**

The total acquired land admeasuring 894.00 Sq. Mtrs. Situated at Firangiwada of Diu District.

- **MUTATION OF OCCUPANCT IN RESPECT OF THE SAID LAND BEING ACQUIRED:**

The Mamlatdar, Diu shall ensure that the record of right and all the relevant document relating to the ownership/occupancy of the said land are

accordingly modified and show the transfer of the said land solely in the name of Government consequent to taking over possession of the said land and the payment of the compensation to the concerned interested parties.

- **CORRECTION OF THE RECORD IN THE RECORD OF RIGHT:**

The Mamlatdar, Diu is requested to carry out necessary mutation in the Record of Right in the name of Government in respect of the land so acquired as per the enclosed Award statement.

- **APPORTIONMENT:**

Payment will be made according to the latest entries in the Revenue Record and as per enquiry conducted u/s 23 (c). In case of any dispute, which is not settled within reasonable time, the amount of compensation will be remitted to the Court under section 64 of the Right to fair Compensation and Transparency in Land Acquisition Rehabilitation and resettlement Act, 2013 for determination.

- **ENCUMBRANCES:**

The land under acquisition is free from all encumbrances and it has been mentioned in the Award statement.

- **DETERMINATION OF SOLATIUM:**

As per the provision of Section 30[1] the Right to fair Compensation and Transparency in Land Acquisition Rehabilitation and resettlement Act, 2013, 100% of the market value is awarded as Solatium has been determined in the Award statement.

- **COMPENSATION OF LAND:**

After considering the parameters provided in Section 27, 28, 29, of the Act, the compensation of land is determined. The total amount of award worked out to be Rs. **49,64,350.00** (Forty Nine Lakhs Sixty Four Thousand Three Hundred Fifty Only)

SUMMARY OF THE AWARD.

The award is summarized as under:-

A	Total Area of the Land Acquired from interested persons of 894.00 Sq. mts.	Rs. 22,35,000.00
	Total Area of the Land Acquired Govt. land.	-Nil-
B	100% Solatium on market Value.	Rs. 22,35,000.00
C	Additional Amount @12% interest for 20 months on land value	Rs. 4,47,000.00
D	Value of Trees & structures including 100% Solatium	Rs. 47,350.00
E	Total value of Award (A+B+C+D)	Rs. 49,64,350.00

The details of compensation of the land acquisition as per the **Annexure - I, II & III** are enclosed herewith.

PAYMENT OF COMPENSATION TO INTERESTED PERSONS:

The interested parties are hereby informed that the payment of compensation shall start from **11.00 AM on 21/03/2020 at Land Section, Collectorate, Diu.** All the interested persons who are deemed lawfully entitled may receive compensation on submission of the below mentioned documents:-

- a) Original land documents.
- b) Nil Encumbrance Certificate from Sub Registrar, Diu.
- c) Receipt of Payment of land revenue till date, if any,
- d) In case of N.A. land, the claimant has to be produced the N.A. order & Sanad.
- e) A copy of Bank Account Pass Book.
- f) Pan Card/Aadhar Card for identification.
- g) The claimant will have to produce latest property cards and site plan of the land.

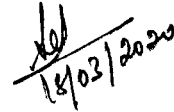
POSSESSION OF THE LAND:

As per the requirement of Section 37(2) and 37(3), the Mamlatdar is directed to follow the procedure of display of summary of acquisition proceeding on the official website and to circulate it to all concerned authorities and paste it at conspicuous places.

The possession of land proposed for Firangiwada of Diu District shall be taken after compliance of section 38 by the Mamlatdar, Diu immediately and shall be handed over to the requiring Department.

Place: Diu

Dated: -18/03/2020.


18/03/2020

(Saloni Rai) IAS
Land Acquisition Collector, Diu

To

The All persons interested in lands
(Through concerned Talathi).

Copy to:

1. The Joint Director of Planning and Statistics, Daman with a request to publish in the Official Gazette and supply 10(Ten) copies of the Gazette to this office.
- ✓ 2. The DIO, NIC, Diu with a request to upload on official Website.
3. The Chief Executive Office, DMC, Diu for wide publicity.
4. The Executive Engineer, PWD, Diu.
5. The Enquiry officer city survey, Diu for information and necessary action please.
6. The Mamlatdar, Diu with a request to keep on notice board and to keep at prominent places at Nagoa and also requested to serve upon the persons interested in lands through the concerned Talathi.

FORM- VI

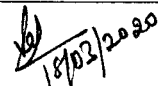
[See rule 11]

Land Acquisition Award

Land Acquisition Case No.65-03-LAQ/2018-19/2019

1.	Name of the Project -	Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu
2.	Number and date of declaration under which the land is to be acquired	No.65-03-LAQ/2018-19/1837 Dated:17/02/2020
3.	Situation and extend of the land in hectares, the number of field plots on the survey map, the village on which situated with the number of mile plan if any.	Firangiwada of Diu District
4.	Description of the land i.e. whether follow, cultivated, homestead, etc. if cultivated, how cultivated? Sources of irrigation	Agriculture Land
5.	Number of Persons interested in the land	3
6.	Amount allowed for the land itself, without trees, building etc. if any	Rs. 49,17,000.00
7.	Basis of calculation	As per Section 26,28,29 and 30 of the Right to Fair Compensation Transparency in Land Acquisition Rehabilitation And Resettlement Act, 2013
8.	Amount allowed for trees, houses or any other immovable property	Rs. 47,350.00
9.	Amount allowed for crop	-Nil-
10.	Solatum u/s 30(1)	100%
11.	Total of Amounts	Rs.49,64,350.00
12.	Appportionment of the amount of compensation	Provided in Annexure I,II &III
13.	Total Area (in Sq. Mtrs.)	894.00.00
14.	Possession will be taken u/s 38(1) and 40 (1) of Act 30 of 2013 :	Immediately after the date of Declaration of Award

Date: 18 /03/2020



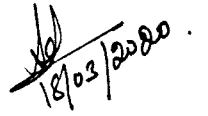
(Saloni Rai) IAS
Land Acquisition Collector, Diu

Annexure - I

Details of Compensation of Lands for Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu.

Sr. No.	P.T.S No.	Area of land acquired in (Sq. Mtrs.)	Name of persons believed to be having interest	Class of land	Market Rate @ Rs. 2500/- for Agriculture per sq.mts.	Multiplication Factor 1	Solatium 100% on Multiplication value of land	Additional Amount @12% of 20 Months	Total compensation on land
1	2	3	4	5	6	7	8	9	10
1	117/4	180.00	Smt. Dhanibai Daya	Agriculture	4,50,000.00	4,50,000.00	4,50,000.00	90,000.00	9,90,000.00
2	117/2	260.00	Shri Jeraj Mavji	Agriculture	6,50,000.00	6,50,000.00	6,50,000.00	1,30,000.00	14,30,000.00
3	116/39	454.00	Shri Rasiklal Mandan	Agriculture	11,35,000.00	11,35,000.00	11,35,000.00	2,27,000.00	24,97,000.00
Total						22,35,000.00	22,35,000.00	4,47,000.00	49,17,000.00

Place: Diu
Dated: 18/03/2020


 (Saloni Rai) IAS
 Land Acquisition Collector,
 Diu

Annexure – II
Details of Compensation of Assets for Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu.

Sr. No.	PTS No.	Name of the persons believed to be having interest	Type of trees	No. of trees	Rate	Total	Structures (Residential/Commercial)	Compensation of Structures (Residential/Commercial)	Compensation of trees	Solatium 100%	Grand Total
1	2	3	4	5	6	7	8	9	10	11	12
1	117/4	Smt. Dhanibai Daya	-	-	-	-	-	-	-	-	-
2	117/2	Shri Jeraj Mavji	-	-	-	-	-	-	-	-	-
3	116/39	Shri Rasiklal Mandan	Neem	2	500.00	1000.00	Compound Wall in form of Kotadi (84.50 sq. mtrs. Length, 25 mm width and 1.5 mtrs. Height) rate: 150 Rs per sq. mtrs. (approximately)	12,675.00	11,000.00	23,675.00	47,350.00
		Aml (Tamrine)	1	1000.00	1000.00						
		Palm	3	3000.00	9000.00						
Total						11000.00		12,675.00	11,000.00	23,675.00	47,350.00

Place: Diu

Dated: 18/03/2020


(Saloni Rai) IAS
Land Acquisition Collector,
Diu

Annexure – III

Details of total compensation for Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu.

Sr. No.	Name of the Persons believed to be having interested	PTS No.	Area in Sq. Mtrs.	Total Compensation of land	Total Compensation of Assets	Grand Total
1	2	3	4	5	6	8
1	Smt. Dhanibai Daya	117/4	180.00	9,90,000.00	-	9,90,000.00
2	Shri Jeraj Mavji	117/2	260.00	14,30,000.00	-	14,30,000.00
3	Shri Rasiklal Mandan	116/39	454.00	24,97,000.00	47,350.00	25,44,350.00
	Total		894.00	49,17,000.00	47,350.00	49,64,350.00

Place: Diu

Dated: 18/03/2020


(Saloni Rai) IAS
Land Acquisition Collector, Diu