

**DECLARATION**  
**[See Section 19 (2)]**

**WHEREAS**, vide Preliminary Notification No. 65-01-LAQ/2019/2171 dated 29/09/2020, it 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 hereto (hereafter referred to as the said land) were needed or likely to be needed for the public purpose, namely land Acquisition from Be-otli Circle, Diu upto Hotel Kohinoor at Diu for the work of widening, strengthening and other infrastructure development (incl. Road junction, Road furniture, Beautification, etc.) on NH-251 from Ghoghla Check post to Tad Bridge (11.5 km) at Diu District.

**AND WHEREAS**, as per Section 15(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, a report was submitted to appropriate Government i.e. Hon'ble Administrator of Dadra & Nagar Haveli and Daman & Diu to proceed with acquisition process and the same has been approved.

**AND WHEREAS**, as per Section 16(6) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, Administrator (RR) submitted draft Rehabilitation and Resettlement Scheme after conducting public hearing to the Collector.

**AND WHEREAS**, as per Section 17(1), Collector has reviewed the draft Rehabilitation and Resettlement Scheme prepared by Administrator (RR) and submitted suggestions under Section 17(2) to the Commissioner Rehabilitation and Resettlement for approval and same has been approved by Commissioner Rehabilitation and Resettlement under Section 18 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 on 01/03/2021.

**AND WHEREAS**, the U.T. Administration of Dadra & Nagar Haveli and Daman & Diu is satisfied on the basis of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, that the Rehabilitation and Resettlement Scheme shall be applicable because there are 14 families are being displaced due to the proposed acquisition process. (02 affected families from the present land acquisition and 12 affected families from the DMC room allotted by the Diu Municipal Council, Diu)

**AND WHEREAS**, as per Section 19(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the appropriate Government is satisfied that the said lands required for the public purpose.

**NOW, THEREFORE**, it is hereby declared under the provision of Section 19(2) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, that the said land is required for the public purpose, namely for the purpose of Land Acquisition from Be-otli Circle, Diu upto Hotel Kohinoor at Diu for the work of widening, strengthening and other infrastructure development (incl. Road junction, Road furniture, Beautification, etc.) on NH-251 from Ghoghla Check post to Tad Bridge (11.5 km) at Diu District.

The Land Statement and Plan can be inspected in the office of the Collector, Diu during the office hours.

**SCHEDULE OF LAND**

U. T.	U.T. of Dadra & Nagar Haveli and Daman & Diu
District	Diu
Village	Diu
Approximately area	6052.00 Sq. Mtrs.
Purpose	Land Acquisition from Be-otli Circle, Diu upto Hotel Kohinoor at Diu for the work of widening, strengthening and other infrastructure development (incl. Road junction, Road furniture, Beautification, etc.) on NH-251 from Ghoghla Check post to Tad Bridge (11.5 km) at Diu District

**DETAILS OF THE LAND**

Sr. No.	PTS No.	Name of Owners	Total Area (in Hectare)	Area to be acquired (in Sq.Mt.)
1.	PTS-111/1-A	Smt. Fulibai Narottam	01.89.52	856.00
2.	PTS-111/1-B	Shri Puspasen Narottam & Premji Dayal	0.11.34	295.00
3.	PTS-111/1-B/1	Mrs. Kamlaaben Jitendra Goswami	0.04.34	119.00
4.	PTS-111/1	Smt. Asvantibai Pushpasen	0.60.77	622.00
5.	PTS-110/1	Shri Naran Dana as Occupant Class-II	0.01.65	67.00
6.	PTS-96/93	Smt. Sonabai Rama as Occupant Class-II	0.01.65	61.00
7.	PTS-96/94	Shri Vira Nathu as Occupant Class-II	0.01.65	37.00
8.	PTS-96/95	Shri Ramji Kala Jadav as Occupant Class-II	0.01.65	16.00
9.	PTS-109/2	Shri Satishchandra Chhotalal as Occupant Class-II	0.23.56	197.00
10.	PTS-109/10	Hotel Kohinoor as Occupant Class-II	0.17.60	184.00
11.	PTS-109/3	Shree Kalpana Distillery, Diu	1.22.11	209.00

Sr. No.	PTS No.	Name of Owners	Total Area (in Hectare)	Area to be acquired (in Sq.Mt.)
12.	PTS-111/11	Shree Kalpana Distillery, Diu	1.51.58	1764.00
13.	PTS-110/21	Shree Kalpana Distillery, Diu	0.49.36	1096.00
14.	PTS-111/14-A	Shri Khimji Jasha Chauhan as Occupant Class-II	0.01.00	26.00
15.	PTS-110/15/2	Shri Mavji Jassa Chauhan	0.00.31	31.00
16.	PTS-110/15/1	Shri Khimaji Jasa Chauhan	0.00.40	40.00
17.	PTS-109/6-A	Smt. Manibai Meghji as Occupant Class-II	0.16.00	432.00
<b>Total Land</b>				<b>6052.00</b>

Total acquired land admeasuring : 6052.00 Sq. Mtrs.

  
(Saloni Rai, IAS)  
Land Acquisition Collector,  
Diu

To,  
All persons interested in lands.

Copy to:

1. The Chief Officer, Diu Municipal Council, Diu....with a request to display on prominent place for wide publicity.
2. The Deputy Director of Planning and Statistics, Daman with a request to publish in the Official Gazette and supply copies of the Gazette to this office.
3. The Executive Engineer, PWD, Diu.
4. The Mamlatdar, Diu with a request to keep on notice board and to keepat prominent places at Diu and also requested to serveupon the persons interested in lands through the concerned Talathi.
5. The DIO, NIC, Diu with a request to upload on official Website.
6. The Asstt. Director, Official language, Diu with a request to get translation in Hindi.
7. The Information Assistant, Tourism Deptt., Diu with a request to publish in two local News Papers in Local Language.

**Draft Report of the Administrator for Rehabilitation and Resettlement Scheme u/s 16 of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 in respect of land acquisition from Be-Otli Circle, Diu upto Hotel Kohinoor at Diu for the work of Widening, Strengthening and other infrastructure development (incl. Road junctions, Road furniture, Beautification, etc.) on NH-251 from Ghoghla Check post to Tad Bridge (11.5 km) at Diu District**

**Preface:-**

Vide Preliminary Notification No. 65-01-LAQ-2019/2171 dated 29/09/2020 (copy attached as annexure-D), land admeasuring total 6052.00 Sq.mtrs.in Diu District was notified u/s 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, project for namely “land acquisition from Be-Otli Circle, Diu upto Hotel Kohinoor at Diu for the work of Widening, Strengthening and other infrastructure development (incl. Road junctions, Road furniture, Beautification, etc.) on NH-251 from Ghoghla Check post to Tad Bridge (11.5 km) at Diu District”, for public purpose as defined in Section 2(1) (vi) of the RFCTLARR Act, 2013.

Vide Notification No. 5/2/COL/Land/RFCTLARR/2015-16/2296 dated 04/08/2015 the undersigned has been appointed as the Administrator under sub section (1) of Section 43 of the said act for Rehabilitation and Resettlement of affected families due to acquisition of the said land parcels.

As per section 16 of RFCTLARR Act 2013, Preparation of Rehabilitation and Resettlement Scheme by the Administrator should be done.

**Methodology:-**

As per chapter VI, procedure and manner of Rehabilitation and Resettlement Section 43 of RFCTLARR Act, 2013, the undersigned has been appointed as the Administrator to prepare Rehabilitation and Resettlement scheme.

Therefore, vide order No.65-01-LAQ-2019/2784 dated 18/12/2020, a committee was constitute to obtain a report on Section 16(1) of RFCTLARR Act 2013 to conduct a field survey of proposed land. On 01/01/2021, with concerned Talathi of the area, Planning Assistant, Diu, Enquiry Officer, Diu and Mamlatdar, Diu had visited the sites. The report dated 04/01/2021 and 05/01/2021 received from Mamlatdar, Diu. Thereafter, a draft Rehabilitation and Resettlement was prepared and same was published in prescribed manner as per the said Act. Thereafter a public notice was issued vide No. 65-01-LAQ-2019/2950 dated 05/01/2021 for conducting a public hearing as prescribed under section 16(5) of RFCTLARR Act 2013. A public hearing was conducted on 25/01/2021 in the affected area i.e. at Collectorate Conference, Diu in presence of affected parties. List of participants in public hearing enclosed at **(Annexure- C)**.

### **Details of Public Hearing**

At the outset, undersigned welcomed all present affected families.

The undersigned discussed draft Rehabilitation and Resettlement Scheme with the affected families. The affected families submitted the following in the public hearing:

S. N.	Private property Details	Objection raised
1.	Smt. Fulbai Narottam, PTS-111/1-A, area under proposed acquisition 856.00	No one present in Public hearing
2.	Shri Puspasen Narottam & Premji Dayal, PTS-111/1-B area under proposed acquisition 295.00	Shri Suketu Premji present in public hearing on behalf of affected land owners, No objection on Draft Rehabilitation and Resettlement Scheme.
3.	Mrs. Kamlaaben Jitendra Goswami, PTS-111/1-B/1 area under proposed acquisition 119.00	Shri Ghanshyamgiri Bhagwangiri present in public hearing on behalf of affected land owner stated that they are operating a temporary shop. However, no trade licence or other supporting document was produced.
4.	Smt. Asvantibai Pushpasen, area under proposed acquisition PTS-111/1 622.00	No one present in Public hearing
5.	Shri Naran Dana as Occupant Class-II, PTS-110/1 area under proposed acquisition 67.00	Shri Vinod M. Jadav present in public hearing on behalf of affected land owner stated as under: - RR Scheme is not proper and against our



		<p>will touch my house and there will be accident fear to our family members.</p> <p>Further, he submitted objection in writing enclosed herewith at Annexure-E</p>
9.	Shri Satishchandra Chotalal as Occupant Class-II PTS-109/2 197.00	No one present in Public hearing
10.	Hotel Kohinoor as Occupant Class-II PTS-109/10 184.00 209.00	No one present in Public hearing
11.	Shri Kalpana Distillery, Diu, PTS-109/3 area under proposed acquisition 209.00	No one present in Public hearing
12.	Shri Kalpana Distillery, Diu, PTS-111/11 area under proposed acquisition 1764.00	No one present in Public hearing
13.	Shri Kalpana Distillery, Diu, PTS-110/21 area under proposed acquisition 1096.00	No one present in Public hearing
14.	Shri Khimji Jasha Chauhan as Occupant Class-II, PTS-111/14-A area under proposed acquisition 26.00	<p>Shri Satish R. Makwana GPOA of Mrs. Shardabai Khmji was present and he submitted his objection in writing enclosed herewith at Annexure- G</p> <p>He further stated that due to land acquisition process they are entitled for rehabilitation and resettlement scheme.</p> <ul style="list-style-type: none"> <li>- RR Scheme is not proper and against our interest</li> <li>- Objected against proposed land acquisition</li> <li>- Suggestion given by making one way from Fugro Petrol pumpo to OI DC Housing complex to Dhobi Talav to Hotel Kohinoor. Other option by making totally new four lane road towards Northern side creek of Gandhipara Village</li> </ul>
15.	Shri Mavji Jasha Chauhan, PTS-110/15/2 area under proposed acquisition 31.00	<p>Affected land owner and his wife present in public hearing stated that due to land acquisition process their complete house is being demolished and they pleaded to include them in the entitlement for rehabilitation and resettlement scheme. As per their submission they have lost their residential house and also government may provide land in lieu of land.</p> <p>Shri Mavji Jasha Chuahna was present he submitted objection in writing enclosed herewith at Annexure-H and stated that due to land acquisition process we are entitled for rehabilitation and resettlement scheme further as per written statement:</p>

		<p>interest</p> <ul style="list-style-type: none"> <li>- Objected against proposed land acquisition</li> <li>- Suggestion given by making one way from Fugro Petrol pumpo to OI DC Housing complex to Dhobi Talav to Hotel Kohinoor. Other option by making totally new four lane road towards Northern side creek of Gandhipara Village</li> </ul> <p>Further, he submitted their objection in writing enclosed herewith at Annexure-I</p>
6.	Smt. Sonabai Rama as Occupant Class-II, PTS-96/93 area under proposed acquisition 61.00	<p>Shri Shamji Rama Jadav on behalf of affected land owner stated that as under:-</p> <ul style="list-style-type: none"> <li>- RR Scheme is not proper and against our interest</li> <li>- Objected against proposed land acquisition</li> <li>- Suggestion given by making one way from Fugro Petrol pumpo to OI DC Housing complex to Dhobi Talav to Hotel Kohinoor. Other option by making totally new four lane road towards Northern side creek of Gandhipara Village</li> </ul> <p>Further, he submitted their objection in writing enclosed herewith at Annexure-J</p>
7.	Shri Vira Nathu as Occupant Class-II, PTS-96/94 area under proposed acquisition 37.00	<p>Shri Bharat Vira on behalf of affected land owner stated that as under:-</p> <ul style="list-style-type: none"> <li>- RR Scheme is not proper and against our interest</li> <li>- Objected against proposed land acquisition</li> <li>- Suggestion given by making one way from Fugro Petrol pumpo to OI DC Housing complex to Dhobi Talav to Hotel Kohinoor. Other option by making totally new four lane road towards Northern side creek of Gandhipara Village</li> </ul> <p>Further, he submitted their objection in writing enclosed herewith at Annexure- K</p>
8.	Shri Ramji Kala Jadav as Occupant Class-II, PTS-96/95, area under proposed acquisition 16.00	<p>Shri Hasmukhlal Ramji present on behalf of affected land owner stated that, they built house before 40 to 41 years ago and due to proposed acquisition, environmental losses and after acquisition the road</p>

		<ul style="list-style-type: none"> <li>- RR Scheme is not proper and against our interest</li> <li>- Objected against proposed land acquisition</li> <li>- Suggestion given by making one way from Fugro Petrol pumpo to OIHC Housing complex to Dhobi Talav to Hotel Kohinoor. Other option by making totally new four lane road towards Northern side creek of Gandhipara Village</li> </ul>
16.	Shri Khimaji Jassa Chauhan, PTS-110/15/1 area under proposed acquisition 40.00	<p>Shri Satish R. Makwana GPOA of Mrs. Shardabai Khmji submitted his objection in writing enclosed herewith at Annexure-F . He stated that due to land acquisition process they are entitled for rehabilitation and resettlement scheme. He also submitted that</p> <ul style="list-style-type: none"> <li>- RR Scheme is not proper and against our interest</li> <li>- Objected against proposed land acquisition</li> <li>- Suggestion given by making one way from Fugro Petrol pumpo to OIHC Housing complex to Dhobi Talav to Hotel Kohinoor. Other option by making totally new four lane road towards Northern side creek of Gandhipara Village</li> </ul>
17.	Smt. Manibai Meghji as Ocuupant Class-II, PTS-109/6-A area under proposed acquisition 432.00	Shri Manojbhai Vaghela Present in public hearing on behalf of affected land owner, no objection raised in public hearing

The undersigned ended the public hearing with vote of thanks to the affected parties.



(Photo of Public Hearing held on 25/01/2021 at Collectorate Conference Hall, Diu)

*[Handwritten signature]*



## **Other Measure:-**

Based on the survey conducted by Rehabilitation and Resettlement Committee and report vide No.4-1-LND-III-11/2020-21/8577 dated 04/01/2021 and No.4-1-LND-III-11/2020-21/8588 dated 05/01/2021 and suggestion received in public hearing the details of of the Rehabilitation and Resettlement Scheme is worked out which is detailed below: -

**1. Particulars of lands and immovable properties being acquired of each affected family;**

As per Preliminary Notification No. 65-01-LAQ-2019/2171 dated 29/09/2020

**2. Livelihoods lost in respect of land losers and landless whose livelihoods are primarily depends on the lands being acquired;**

Not applicable

**3. A list of public utilities and Government building which are affected or likely to be affected, where resettlement of affected families is involved;**

Not applicable.

**4. Detail of the amenities and infrastructural facilities which are affected or likely to be affected, where resettlement of affected families is involved;**

Not applicable.

**5. Detail of any common property resources being acquired;**

Not applicable

Besides more details are required by rule 7 (4) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Compensation, Rehabilitation and Resettlement and Development Plan) Rules, 2015 more details needs to be incorporated which are detailed below:-



C/778

**(a) List of the affected families with aadhaar number of its members, if available**

Sr. No	P.T.S. Nos.	Area to be acquired (in Sq.Mt.)	Name of Owners
1	PTS-111/1-A	856.00	Smt. Fulbai Narottam
2	PTS-111/1-B	295.00	Shri Puspasen Narottam & Premji Dayal
3	PTS-111/1-B/1	119.00	Mrs. Kamlaaben Jitendra Goswami
4	PTS-111/1	622.00	Smt. Asvantibai Pushpasen
5	PTS-110/1	67.00	Shri Naran Dana as Occupant Class-II
6	PTS-96/93	61.00	Smt. Sonabai Rama as Occupant Class-II
7	PTS-96/94	37.00	Shri Vira Nathu as Occupant Class-II
8	PTS-96/95	16.00	Shri Ramji Kala Jadav as Occupant Class-II
9	PTS-109/2	197.00	Shri Satishchandra Chootalal as Occupant Class-II
10	PTS-111/14-A	26.00	Shri Khimji Jasha Chauhan as Occupant Class-II
11	PTS-110/15/2	31.00	Shri Mavji Jassa Chauhan
12	PTS-110/15/1	40.00	Shri Khimaji Jassa Chauhan
13	PTS-109/6-A	432.00	Smt. Manibai Meghji as Occupant Class-II

**(Note:** The entries are Sr. No. 10,11,12 and 13 of the Preliminary notification dated 29/09/2020 are in the name of Kalpana Distillery, Diu and Hotel Kohinoor as occupant Class-II and not considered for the purpose of affected families as there are corporate entities)

**(b) List of displaced families with Aadhar number of its members, if available:**

**List of persons have private ownership of houses being acquired:**

Sr. No.	P.T.S. No.	Area to be acquired (in Sq. Mt.)	Name of Owner
1.	PTS- 110/15/2	31.00	Shri Mavji Jassa Chauhan
2.	PTS- 110/15/1	40.00	Shri Khimji Jassa Chauhan

As per report dated 05/02/2021 from Mamlatdar, Diu stated that, (1) Shri Mavji Jassa Chauhan house is vacant, unused and in dilapidated conditions since long time, therefore, there will be no displacement due to land acquisition process (2) Shri Khimji Jassa Chauhan is residing outside of India and house is given on rent to other family, therefore, there will be no displacement due to land acquisition process on the basis of Mamlatdar, Diu report.

The affected land owner raised their objection stating that they were saving money to renovate their house and intend to use for residential purpose after renovation. The second land owner GPOA stated that his sister has gone to U.K for short duration after returning from UK she will occupy said house for residential purpose. Based on the objections raised by the affected parties their name is included in the list of displaced person as per second Schedule of the RFCTLARR Act, 2013 as their full house is under acquisition.

**List of persons who are being displaced from their residential house allotted by DMC, Diu in 1978:**

As per the Section 41(4) RFCTLARR Act, 2013:

*(4) In case of a project involving land acquisition on behalf of a Requiring Body which involves involuntary displacement of the Scheduled Castes or the Scheduled Tribes families, a Development Plan shall be prepared, in such form as may be prescribed (which is provided in rule 9 form 4), laying down the details of procedure for settling land rights due, but not settled and restoring titles of the Scheduled Tribes as well as the Scheduled Castes on the alienated land by undertaking a special drive together with land acquisition.*

Further as per the definitions provided in RFCTLARR Act, 2013 as per the definition of affected family in section 3(v) *“includes a member of the family who has been assigned land by the State Government or the Central Government under any of its schemes and such land is under acquisition;”*

As per Social Impact Assessment Report total 12 houses were allotted to the persons belonging to SC community by DMC, Diu in 1978. Even though the land is in the name of DMC, Diu the 12 houses allotted by the DMC will be acquired for the proposed project and displacement will happen, therefore, as per the provision of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Compensation, Rehabilitation and Resettlement and Development Plan) Rules, 2015 the allottees are included in the displaced family category in RR scheme and



associated benefit under Form IV is provided. As most of the original allottees have died it is proposed that the displacement benefit, as proposed in Form IV, will be given to the legal heir of the original allottee on production of the valid legal heir certificate. Names of the original allottee are as below:

Sr. No.	Name of allottee	Quarter No.
1.	Panibai Jivan	1
2.	Dama Massari	2
3.	Goraibai Bawa	3
4.	Ratanbai Jetha	4
5.	Janibai Natu	5
6.	Punibai Vira	6
7.	Valubai Premji	7
8.	Malibai Hira	8
9.	Ranibai Kanji	9
10.	Jifibai Rana	10
11.	Sonabai Bhikha	11
12.	Nandubai Dewa	12

**(c) List of infrastructure in the affected area**

Nil

**(d) List of land holding in the affected area**

As above

**(e) List of trees, building, other immovable property or assets attached to the land or building which are to be acquired**

Will be reflected in Final Award for Compensation

**(f) List of trades or business in the affected area:**

Not applicable

**List of persons belonging to the Schedule Castes or Schedule Tribes, the handicapped or physically challenged persons in the affected area:-** The list of persons who have private ownership:

*ms*

<b>Sr. No.</b>	<b>P.T.S. No.</b>	<b>Area to be acquired (in Sq. Mt.)</b>	<b>Name of Owner</b>	<b>Whether belonging to Schedule Caste or Schedule Tribes</b>	<b>Handicap or Physically Challenged person</b>
1	PTS-110/1	67.00	Shri Naran Dana as Occupant Class - II	Yes (SC)	No
2	PTS-96/93	61.00	Smt. Soabai Rama as Occupant Class - II	Yes (SC)	No
3	PTS-96/94	37.00	Shri Vira Nathu as Occupant Class - II	Yes (SC)	No
4	PTS-96/95	16.00	Shri Ramji Kala Jadav as Occupant Class - II	Yes (SC)	No
5	PTS-111/14-A	26.00	Shri Khimji Jasha Chauhan as Occupant Class - II	Yes (SC)	No
6	PTS-110/15/2	31.00	Shri Mavji Jassa Chauhan	Yes (SC)	No
7	PTS-110/15/1	40.00	Shri Khimji Jassa Chauhan	Yes (SC)	No

List of persons who are being displaced from their residential house allotted by DMC, Diu in 1978:

<b>Sr. No.</b>	<b>Name</b>	<b>Whether belonging to Schedule Caste or Schedule Tribes</b>	<b>Handicap or Physically Challenged person</b>
1	Panibai Jivan or his/her legal heirs - Quarter No. 1	Yes(SC)	No
2	Dama Massari or his/her legal heirs - Quarter No.2	Yes(SC)	No
3	Goraibai Bawa or his/her legal heirs - Quarter No.3	Yes(SC)	No
4	Ratanbai Jetha or his/her legal heirs - Quarter No.4	Yes(SC)	No

C/774

5	Janibai Natu or his/her legal heirs, Quarter No.5	Yes(SC)	No
6	Punibai Vira or his/her legal heirs - Quarter No.6	Yes(SC)	No
7	Valubai Premji or his/her legal heirs - Quarter No.7	Yes(SC)	No
8	Malibai Hira or his/her legal heirs - Quarter No.8	Yes(SC)	No
9	Ranibai Kanji or his/her legal heirs - Quarter No.9	Yes(SC)	No
10	Jifibai Rana or his/her legal heirs - Quarter No.10	Yes(SC)	No
11	Sonabai Bhikha or his/her legal heirs Quarter No.11	Yes(SC)	No
12	Nandubai Dewa or his/her legal heirs Quarter No.12	Yes(SC)	No

As per the rule 9 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Compensation, Rehabilitation and Resettlement and Development Plan) Rules, 2015 a development plan needs to be prepared for Schedule Castes or Schedule Tribes families in Form-IV. The same has been prepared and placed at Annexure-B

### **Rehabilitation and Resettlement Plan**

As per chapter VI, procedure and manner of Rehabilitation and Resettlement Section 43 of RFCTLARR Act, 2013, the Rehabilitation and Resettlement scheme (RR Scheme) is drafted in consonance with section 16, 41(4) Second Schedule of the RFCTLARR Act, 2013 and rules 7,8,9, Form IV of RFCTLARR (Compensation, Rehabilitation and Resettlement and Development Plan) Rules 2015.

### **Findings:-**

As per the section 3(k) of RFCTLARR Act 2013, "Displaced Family" means any family who on the account of acquisition of land has to be relocated and resettled from the affected area to the resettlement area. In the present case the land being acquired is Agriculture, Commercial and Residential for which

*no*

compensation shall be paid as and when the Collector, Diu announces the Award. List of families losing their complete residential due to proposed land acquisition is give at para 5(b) above.

Special provisions for Scheduled Caste and Schedule Tribes as prescribed in Section 41 of the RFCTLARR Act, 2013 and rule 9 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Compensation, Rehabilitation and Resettlement and Development Plan) Rules, 2015, in this regards, Development Plan for Schedule Castes or Schedule Tribes families same has been prepared and placed at Annexure-B.


The Rehabilitation & Resettlement is prepared based on the Second Schedule and Form IV and summarised in the format (enclosed) and recommended for review by Land Acquisition Collector u/s 17 of RFCTLARR Act 2013.

Submitted please.

Dated: 5/02/2021

No. 65-01-LAQ-2019/

**Submitted by**



**(Harminder Singh)  
Administrator (RR)  
U/s RFCTLARR Act 2013**

C/772

**Summary format for Rehabilitation and Resettlement Scheme (ELEMENTS OF REHABILITATION AND RESETTLEMENT ENTITLEMENTS FOR ALL THE AFFECTED FAMILIES)**

1.	Name of the Project: land acquisition from Be-Otli Circle, Diu upto Hotel Kohinoor at Diu for the work of Widening, Strengthening and other infrastructure development (incl. Road junctions, Road furniture, Beautification, etc.) on NH-251 from Ghoghla Check post to Tad Bridge (11.5 km) at Diu District
2.	Name/ Names of persons interested in the land and the nature of their respective claim for rehabilitation and resettlement: as in Sl. No. 4
3.	Time limit for provisions of Rehabilitation and Resettlement entitlements given to the affected family: as soon as possible
4.	<b>Rehabilitation and Resettlement entitlement</b>
<p><b>1. Provision of housing units in case of displacement</b></p> <p>(1) If a house is lost in rural areas, a constructed house shall be provided as per the Indira Awas Yojana specifications. If a house is lost in urban areas, a constructed house shall be provided, which will be not less than 50 sq mts in plinth area.</p> <p>(2) The benefits listed above shall also be extended to any affected family which is without homestead land and which has been residing in the area continuously for a period of not less than three years preceding the date of notification of the affected area and which has been involuntarily displaced from such area: Provided that any such family in urban areas which opts not to take the house offered, shall get a one-time financial assistance for house construction, which shall not be less than one lakh fifty thousand rupees: Provided further that if any affected family in rural areas so prefers, the equivalent cost of the house may be offered in lieu of the constructed house:</p> <p>Provided also that no family affected by acquisition shall be given more than one house under the provisions of this Act.</p> <p><b>Explanation.—The houses in urban areas may, if necessary, be provided in multi-storied building complexes.</b></p>	
<p><b>Recommendations:</b></p> <p>As the displaced persons are falling under SC Category as their entitlement for alternate dwelling unit is being done as per the rule 9 Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Compensation, Rehabilitation and Resettlement and Development Plan) Rules, 2015. The details are provided in FROM-IV in subsequent section.</p>	
<p><b>2. Land for Land</b></p> <p>In the case of irrigation project, each affected family owning agricultural land in the affected area and whose land has been acquired or lost, or who has, as a consequence of the acquisition or loss of land, been reduced to the status of a marginal farmer or landless, shall be allotted, in the name of each person included in the records of rights with regard to the affected family, a minimum of one acre of land in the command area of the project for which the land is acquired:</p>	



	<p>Provided that in every project those persons losing land and belonging to the Scheduled Castes or Scheduled Tribes will be provided land equivalent to land acquired or two and a one half acres, whichever is lower.</p>
	<p><b>Recommendations:</b> Not applicable as it is not an irrigation project.</p>
	<p><b>3. Offer for Developed Land</b></p> <p>In case the land is acquired for Developed urbanisation purposes, twenty Land per cent of the developed land will be reserved and offered to land owning project affected families, in proportion to the area of their land acquired and at a price equal to the cost of acquisition and the cost of development:</p> <p>Provided that in cases the landowning project affected family wishes to avail of this offer, an equivalent amount will be deducted from the land acquisition compensation package payable to it.</p>
	<p><b>Recommendations:</b> Not applicable as land is not acquired for urbanized purpose.</p>
	<p><b>4. Choice of Annuity or Employment</b></p> <p>The appropriate Government shall ensure that the affected families are provided with the following options:</p> <p>(a) where jobs are created through the project, 'after providing suitable training and skill development in the required field, make provision for employment at a rate not lower than the minimum wages provided for in any other law for the time being in force, to at least one member per affected family in the project or arrange for a job in such other project as may be required; or</p> <p>(b) onetime payment of five lakhs rupees per affected family; or</p> <p>(c) Annuity policies that shall pay not less than two thousand rupees per month per family for twenty years, with appropriate indexation to the Consumer Price Index for Agricultural Labourers.</p>
	<p><b>Recommendations:</b> One time grant of Rs. 5 lakh shall be granted to each affected family amounting Rs. 65,00,000/- for 13 affected families, details as under:</p> <ol style="list-style-type: none"> <li>1. Smt. Fulbai Narottam</li> <li>2. Shri Puspasen Narottam &amp; Premji Dayal</li> <li>3. Mrs. Kamlaaben Jitendra Goswami</li> <li>4. Smt. Asvantibai Pushpasen</li> <li>5. Shri Naran Dana as Occupant Class-II</li> <li>6. Smt. Sonabai Rama as Occupant Class-II</li> <li>7. Shri Vira Nathu as Occupant Class-II</li> <li>8. Shri Ramji Kala Jadav as Occupant Class-II</li> <li>9. Shri Satishchandra Chootalal as Occupant Class-II</li> <li>10. Shri Khimji Jasha Chauhan as Occupant Class-II</li> <li>11. Shri Mavji Jassa Chauhan</li> <li>12. Shri Khimaji Jassa Chauhan</li> <li>13. Smt. Manibai Meghji as Ocuupant Class-II</li> </ol>

	<p><b>10. One-time Resettlement Allowance</b> Each affected family shall be given a one-time “Resettlement Allowance” of fifty thousand rupees only.</p>
	<p><b>Recommendations:</b> <b>Each affected family shall be given one time Resettlement Allowance of Rs. 50,000/- amounting to 6,50,000/- for 13 affected family, details as under:</b></p> <ol style="list-style-type: none"> <li>1. Smt. Fulbai Narottam</li> <li>2. Shri Puspasen Narottam &amp; Premji Dayal</li> <li>3. Mrs. Kamlaaben Jitendra Goswami</li> <li>4. Smt. Asvantibai Pushpasen</li> <li>5. Shri Naran Dana as Occupant Class-II</li> <li>6. Smt. Sonabai Rama as Occupant Class-II</li> <li>7. Shri Vira Nathu as Occupant Class-II</li> <li>8. Shri Ramji Kala Jadav as Occupant Class-II</li> <li>9. Shri Satishchandra Chootalal as Occupant Class-II</li> <li>10. Shri Khimji Jasha Chauhan as Occupant Class-II</li> <li>11. Shri Mavji Jassa Chauhan</li> <li>12. Shri Khimaji Jassa Chauhan</li> <li>13. Smt. Manibai Meghji as Ocuupant Class-II</li> </ol>
	<p><b>11. Stamp duty and registration fee</b> (1) The stamp duty and other fees payable for registration of the land or house allotted to the affected families shall be borne by the Requiring Body. (2) The land for house allotted to the affected families shall be free from all encumbrances. (3) The land or house allotted may be in the joint names of wife and husband of the affected family.</p>
	<p><b>Recommendations:</b> If any, to be borne by the Requiring body i.e. PWD, Diu</p>
	<p><b>Total – Rs.71,50,000/- (Seventy One Lakh fifty Thousand Only)</b></p>

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	<p><b>5. Subsistence grant for displaced families for a period of one year</b>  Each affected family which is displaced from the land acquired shall be given a monthly subsistence allowance equivalent to three thousand rupees per month for a period of one year from the date of award. In addition to this amount, the Scheduled Castes and the Scheduled Tribes displaced from Scheduled Areas shall receive an amount equivalent to fifty thousand rupees. In cases of displacement from the Scheduled Areas, as far as possible, the affected families shall be relocated in a similar ecological zone, so as to preserve the economic opportunities, language, culture and community life of the tribal communities.</p>
	<p><b>Recommendations:</b>  As mentioned in 4.1 above</p>
	<p><b>6. Transportation cost for displaced families</b>  Each affected family which is displaced shall get a one-time financial assistance of fifty thousand rupees as transportation cost for shifting of the family, building materials, belongings and cattle</p>
	<p><b>Recommendations:</b>  As mentioned in 4.1 above</p>
	<p><b>7. Cattle shed/petty shops cost</b>  Each affected family having cattle or having a petty shop shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of twenty-five thousand rupees for construction of cattle shed or petty shop as the case may be.</p>
	<p><b>Recommendations:</b>  Not applicable as none of the cattle shed/petty shop is getting affected.</p>
	<p><b>8. One time grant to artisan, small traders and certain others</b>  Each affected family of an artisan, small trader or self-employed person or an affected family which owned non-agricultural land or commercial, industrial or institutional structure in the affected area, and which has been involuntarily displaced from the affected area due to land acquisition, shall get one-time financial assistance of such amount as the appropriate Government may, by notification, specify subject to a minimum of twenty-five thousand rupees.</p>
	<p><b>Recommendations:</b>  As mentioned in 4.1 above</p>
	<p><b>9. Fishing rights</b>  In cases of irrigation or hydel projects, the affected families may be allowed fishing rights in the reservoirs, in such manner as may be prescribed by the appropriate Government.</p>
	<p><b>Recommendations:</b>  Not applicable as it is not an irrigation or hydel project</p>

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**Annexure- B**

**Form -IV  
(See rule -9)**

**Format for Development Plan under Rehabilitation and Resettlement Scheme  
for Schedule Castes/ Schedule Tribes families displaced to land acquisition**

SI. No.	Name of claimant/ family head	Permanent address	Entitlements (See section 31,41 and second Schedule to the Act)	Remark
1.	Not applicable	Not applicable	Land up to 0.4 (4000 Sq. Mtrs.) Hectare for agricultural, horticultural, cattle grazing field per family	Not applicable
2.	<p><b>The list of persons who have private ownership:</b></p> <p>1. Shri Mavji Jassa Chauhan 2. Shri Khimaji Jassa Chauhan</p> <p><b>The list of persons who are being displaced from their residential house allotted by DMC, Diu in 1978:</b></p> <p>1. Panibai Jivan or his/her legal heirs 2. Dama Massari or legal heirs 3. Goraibai Bawa or his/her legal heirs 4. Ratanbai Jetha or his/her legal heirs 5. Janibai Natu or his/her legal heirs 6. Punibai Vira or his/her legal heirs 7. Valubai Premji or his/her legal heirs 8. Malibai Hira or his/her legal heirs 9. Ranibai Kanji or his/her legal heirs 10. Jifibai Rana or his/her legal heirs 11. Sonabai Bhikha or his/her legal heirs 12. Nandubai Dewa or his/her legal heirs</p>	<b>Gandhipara, Diu</b>	Provision of dwelling housing unit per family, Drinking Water facility toilet etc.,	<b>One dwelling unit to each displaced family to be provided in the PMAY project.</b>
3.	<p><b>The list of persons who have private ownership:</b></p> <p>1. Shri Mavji Jassa Chauhan 2. Shri Khimaji Jassa Chauhan</p> <p><b>The List of persons who are being displaced from their residential house allotted by DMC, Diu in 1978:</b></p> <p>1. Panibai Jivan or his/her legal heirs 2. Dama Massari or legal heirs 3. Goraibai Bawa or his/her legal heirs 4. Ratanbai Jetha or his/her legal heirs 5. Janibai Natu or his/her legal heirs 6. Punibai Vira or his/her legal heirs 7. Valubai Premji or his/her legal heirs 8. Malibai Hira or his/her legal heirs 9. Ranibai Kanji or his/her legal heirs 10. Jifibai Rana or his/her legal heirs</p>	<b>Gandhipara, Diu</b>	One time financial assistance of Rs. One lakh Fifty thousand per family shall be given.	<b>Rs. 1.50 lacs (*) 14 families = Rs. 21,00,000/-</b>

