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**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 Malala Junction to Bucharwada Fatak, Diu for the work of widening, strengthening and other infrastructure development (incl. Road junction, Road furniture, Beautification, etc.) on NH-251 at Diu District**

**Preface:-**

Vide Preliminary Notification No.65-01-LAQ/2020-21/3236 dated 05/02/2021 (copy attached as annexure-A), land admeasuring total 29772.37 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 Malala Junction to Bucharwada Fatak, Diu for the work of widening, strengthening and other infrastructure development (incl. Road junction, Road furniture, Beautification, etc.) on NH-251 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-2020-21/3297 dated 11/02/2021, 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 19/02/2021, with concerned Talathi of the area, Planning Assistant, Diu, Enquiry Officer, Diu and Mamlatdar, Diu had visited the sites. The report dated 26/02/2021 received from Mamlatdar, Diu. Thereafter, a draft Rehabilitation and Resettlement was prepared.

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## **Details of Public Hearing & the Discussion**

At the outset, undersigned welcomed all present affected families.

The undersigned discussed draft Rehabilitation and Resettlement Scheme with the affected families in the public hearing and public objection were taken one by one and points were discussed as below:

1. The Draft Rehabilitation and Resettlement Scheme were prepared on the basis of field survey as per Section 16 and rule 9 of the RFCTLARR Act, 2013 and Rule 2015 conducted by the committee on 19/02/2021.
2. The Draft report of Rehabilitation and Resettlement was published in prescribed manner as per the RFCTLARR Act, 2013.
3. The Rehabilitation and Resettlement benefit provided as mentioned in Second Schedule of RFCTLARR Act, 2013 (enclosed herewith)
4. The Rehabilitation and Resettlement entitlements will be given to the affected family after the collector published the award under section 31 of the RFCTLARR Act, 2013.
5. The project affected people stated that, consider alternative as suggested in Social Impact Assessment Study under signed replied that, this hearing for preparing Rehabilitation and Resettlement Scheme not for other purpose.
6. The affected parties stated that, they had built their house since Portuguese regime and they obtained permission from concern Panchayat office, under signed replies that, after the re verification of the same.
7. The project affected people stated that, we lost our part portion of residential house due to land acquisition under signed replied that, if 70% or more land losing out of total area of land and residing on that land, housing unit provided in SAY as per the second schedule of the RFCTLARR Act, 2013 and other structure value provided as per RFCTLARR Act, 2013(if applicable).
8. In the hearing all present were told to submit NA permission and other approval regarding specific claims for displacement. Time was also allowed till next date to submit claims in writing. However, no claim is received other than the one mentioned in draft report.

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



(Photo of Public Hearing held on 19/04/2021 at Education Hub, Kevdi)

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**Other Measure:-**

Based on the survey conducted by Rehabilitation and Resettlement Committee and report vide No.4-1-LND-III-11/2020-21/9674 dated 26/02/2021, 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/2020-21/3236 dated 05/02/2021.

**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;**

- Part portion of school, community hall and Zolawadi Panchayat office.
- Electricity polls, electricity transformer and street light etc.

**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:-

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

As per Preliminary Notification No.65-01-LAQ/2020-21/3236 dated 05/02/2021

(Note: The entries are Sr. No. 1 and 4 [(A) Left Side Survey Number] of the Preliminary notification dated 05/02/2021 are in the name of Kalpana Distillery and M/s. Royal Distillery Pvt. Ltd and not considered for the purpose of affected families as they are corporate entities)

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

Sr No	Private Property Survey Nos.	Location	Owner of Property	Total area of Property in Hectares	Area of land to be acquired
1	67C/4	Near Kevdi	QuelaLaxman (P*)	0.00.62	62.00
2	67D/30	Near Kevdi	Carson Bava (P*)	0.00.50	38.50

(\* Provisional Land)

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**(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

**(g) List of persons belonging to the Schedule Castes or Schedule Tribes, the handicapped or physically challenged persons in the affected area:-**

Sr. No.	P.T.S. /Survey No.	Area to be acquired (in Sq. Mt.)	Name of Person	Whether belonging to Schedule Caste or Schedule Tribes	Handicap or Physically Challenged person
1	-	-	Nirmalaben Soma	-	Yes

**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, Second Schedule of the RFCTLARR Act, 2013 and rules 7 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 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.

The Rehabilitation & Resettlement is prepared based on the Second Schedule summarised in the format (enclosed).

Dated: /04/2021

No. 65-01-LAQ-2020-21/

**Submitted by**



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

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**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 Malala Junction to Bucharwada Fatak Diu for the work of widening, strengthening and other infrastructure development (incl. Road junction, Road furniture, Beautification, etc.) on NH-251 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 SI. No. 4
3.	Time limit for provisions of Rehabilitation and Resettlement entitlements given to the affected family: as soon as possible
4.	<p><b>Rehabilitation and Resettlement entitlement</b></p> <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 sqmts 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> A constructed house shall be provided as per the Indira AwasYojna i.e. Suryoday Awas Yojna Specifications to all displaced families as mentioned in para 5(b).</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 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>

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**4. Choice of Annuity or Employment**

The appropriate Government shall ensure that the affected families are provided with the following options:

- (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
- (b) onetime payment of five lakhs rupees per affected family; or
- (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.

**Recommendations:**

One time grant of Rs. 5 lakh shall be granted to each affected family amounting **Rs.6,60,00,000/- for 132** affected families, details mentioned in para 5(a):

**5. Subsistence grant for displaced families for a period of one year**

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.

**Recommendations:**

The territory is not a schedule area. Therefore, two displaced families may be granted subsistence allowance of Rs. 36,000/- (Rs. 3000 per month) for period of one year from date of award, amounting **Rs. 72,000/- as mentioned in para 5(b):-**

**6. Transportation cost for displaced families**

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

**Recommendations:**

Two displaced families should be granted one-time financial assistance of Rs. 50,000/- as transportation cost for shifting of the family building materials belongings amounting **Rs.1,00,000/- as per para 5(b).**

**7. Cattle shed/petty shops cost**

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.

**Recommendations:**

Not applicable as none of the cattle shed/petty shop is getting affected.

**8. One time grant to artisan, small traders and certain others**

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.

**Recommendations:**

Not applicable

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<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.
<b>Recommendations:</b> Not applicable as it is not an irrigation or hydel project
<b>10. One-time Resettlement Allowance</b> Each affected family shall be given a one-time "Resettlement Allowance" of fifty thousand rupees only.
<b>Recommendations:</b> Each affected family shall be given one time Resettlement Allowance of Rs. 50,000/- <b>amounting to 66,00,000/- for 132</b> affected family, details as mentioned in para 5(a) :
<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.
<b>Recommendations:</b> If any, to be borne by the Requiring body i.e. PWD, Diu
<b>Total - Rs.7,27,72,000/- (Seven Crore Twenty Seven Lakh Seventy Two Thousand Only)</b>

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