

**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. 65-05-LAQ/2018-19/172

NAME OF THE VILLAGE : DIU

NATURE OF THE ACQUISITION : PERMANENT

TALUKA : DIU

DISTRICT : DIU

PURPOSE OF ACQUISITION : LAND ACQUISITION FOR PROMENADE DEVELOPMENT FOR DIU TOWN FROM DIU BUS STATION UP TO FORT, 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 Promenade Development for Diu Town from Diu Bus Station up to Fort, 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 Promenade Development for Diu Town from Diu Bus Station up to Fort, 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. 65-05-LAQ/2018-19/2073 dated 05-11-2018 was published, after conducting the Public Hearing on 01-05-2019 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 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 23-08-2019 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. 65-05-LAQ/2018-19/927 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 was received 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 RFLARR Act, 2013.

Under Section 16 of the Act, the Report dated 20-02-2020 of Administrator for Rehabilitation and Resettlement Scheme was submitted to the Commissioner for Rehabilitation and same was approved by Commissioner (Rehabilitation and Resettlement).

After concluding the personal hearing of all the interested persons as per requirement of sub section (2) of section 15 of the Act, the proposal vide Report No. 65-05-LAQ/2018-19/1663 dated 01-08-2020 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. 65-05-LAQ/2018-19/3588 dated 17-03-2021, 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 land Acquisition for Promenade Development for Diu Town from Diu Bus Station up to Fort, Diu.

In connection with acquisition of total land admeasuring 5533.00 sq. mtrs. for Promenade Development for Diu Town from Diu Bus Station up to



Fort, Diu, the Administration of Diu intended to take possession of the land, the particulars of which were given in the declaration u/s 19(2) 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 dated 18-03-2021 was served 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 **19/04/2021 at 4:00 p.m.** 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.

All the interested persons who were present during the hearing and have raised claims and objections were accorded personal hearing on 19/04/2021 at 4.00 p.m.

Mostly objections/ representations were received in terms of correction of names, adequate compensation of land and structure. No specific objection were raised, which needs to be addressed before passing of award.

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.

- **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.

Lands are situated from Diu Bus Station, Diu to Fort, and Diu along with the main road (Fort Road) of Diu District shown specifically in the map and plan displayed U/S 19.

- **LOCATION OF THE LAND:**

The total acquired land admeasuring 5533.00 Sq. Mtrs. Situated from Diu Bus Station, Diu to Fort, Diu.

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

The Enquiry Officer, City Survey, 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 Enquiry Officer, City Survey, 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 should be free from all encumbrances and status 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. ₹ **5,04,64,226.00** (Five Crore Four Lakh Sixty Four Thousand Two Hundred Twenty Six Only)

SUMMARY OF THE AWARD.

The award is summarized as under:-

A	Total Area of the Land Acquired from interested persons of 5533.00 Sq.mts.	₹1,38,32,500.00
	Total Area of the Land Acquired Govt. land.	Nil
B	100% Solatium on market Value.	₹1,38,32,500.00
C	Additional amount @12% of 29 months and 15 days on land value	₹ 40,79,640.00
D	Value of Trees & structures including 100% Solatium	₹ 1,87,19,586.00
E	Total value of Award (A+B+C+D)	₹5,04,64,226.00

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 24/04/2021 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.

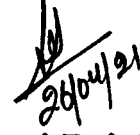
POSSESSION OF THE LAND:

As per the requirement of Section 37(2) and 37(3), the Mamlatdar, Diu 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 Promenade Development of Diu Town of Diu shall be taken after compliance of section 38 by the Mamlatdar, Diu immediately and shall be handed over to the requiring Department i.e. Public Workers Department, Diu.

Place: Diu

Dated: - 26/04/2021

Handwritten signature and date: 26/04/21

(Saloni Rai, IAS)

Land Acquisition Collector, Diu

To

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 Chief Office, DMC, Diu for wide publicity.
3. The Executive Engineer, PWD, Diu.
4. The DIO, NIC, Diu with a request to upload on official Website.
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 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.65-05-LAQ/2018-19/172

1.	Name of the Project -	land Acquisition for Promenade Development for Diu Town from Diu Bus Station up to Fort, Diu
2.	Number and date of declaration under which the land is to be acquired	No.65-05-LAQ/2018-19/3588 Dated:17/03/2021
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.	Diu Bus Station , Diu to Fort, Diu along with the main road (Fort Road) 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	10
6.	Amount allowed for the land itself, without trees, building etc. if any	₹ 3,17,44,640.00
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	₹ 1,87,19,586.00
9.	Amount allowed for crop	-Nil-
10.	Solatum u/s 30(1)	100%
11.	Total of Amounts	₹ 5,04,64,226.00
12.	Apportionment of the amount of compensation	Provided in Annexure I,II &III
13.	Total Area (in Sq. Mtrs.)	5533.00.00
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

Dated: 26/04/2021


(Saloni Rai, IAS)
Land Acquisition Collector, Diu

Annexure - I

Details of Compensation of Lands for Promenade Development for Diu Town from Diu Bus Station up to Fort, Diu.

Sr. No.	P.T.S. Nos.	Name of persons in property card	Class of land	Area of land acquired in (Sq. Mtrs.)	Market Rate 2500/- for Agriculture land per sq.mts.	Multiplicati on Factor 1	Solutium 100% on Multiplicati on value of land	Additional amount @12% of 29 months and 15 days	Total compensati on on land
1	2	3	4	5	6	7	8	9	10
1	PTS-63/2-B-1	Shri Laxman Jetha Bamania Alias Babu	Agriculture	112.00	2,80,000.00	2,80,000.00	2,80,000.00	82,581.00	6,42,581.00
2	PTS-63/2-A-2	Shri Pranlal Mandan	Agriculture	433.00	10,82,500.00	10,82,500.00	10,82,500.00	3,19,263.00	24,84,263.00
3	PTS63/2-A-2	Smt. Jyotiben Chunilal Pinku Chunilal Rinku Chunilal	Agriculture	157.00	3,92,500.00	3,92,500.00	3,92,500.00	1,15,761.00	9,00,761.00
4	PTS-63/2-A-3	Shri Rasiklal Mandan	Agriculture	433.00	10,82,500.00	10,82,500.00	10,82,500.00	3,19,263.00	24,84,263.00
5	PTS-63/2-A-4	Atrey Bhav Poojan	Agriculture	433.00	10,82,500.00	10,82,500.00	10,82,500.00	3,19,263.00	24,84,263.00
6	PTS-63/2-A-6	Shri Rasiklal Mandan	Agriculture	197.00	4,92,500.00	4,92,500.00	4,92,500.00	1,45,254.00	11,30,254.00
7	PTS-89/1	Mr. Navinchandra Premgi	Agriculture	930.00	23,25,000.00	23,25,000.00	23,25,000.00	6,85,716.00	53,35,716.00
8	PTS-89/1/1	Mr. Niramalkumar Premgi	Agriculture	700.00	17,50,000.00	17,50,000.00	17,50,000.00	5,16,130.00	40,16,130.00
9	PTS-89/1/2	Mr. Bharatkumar Premgi	Agriculture	700.00	17,50,000.00	17,50,000.00	17,50,000.00	5,16,130.00	40,16,130.00
10	PTS-89/2	Shri Narotam Sauchand	Agriculture	1438.00	35,95,000.00	35,95,000.00	35,95,000.00	10,60,279.00	82,50,279.00
Total:				5533.00	-	1,38,32,500.00	1,38,32,500.00	40,79,640.00	3,17,44,640.00

Place: Diu
Dated: 24/04/2021


(Saloni Rai, IAS)
Land Acquisition Collector, Diu

Annexure - II

Details of Compensation of Assets for Details of Compensation of Lands for Promenade Development for Diu Town from Diu Bus Station up to Fort, Diu

Sr. No.	P.T.S. Nos.	Name of persons in property card	Class of land	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	PTS-63/2-B-1	Shri Laxman Jetha Bamania Alias Babu	Agriculture	-	-	-	Compound wall	26,487.00	0	26,487.00	52,974.00
2	PTS-63/2-A-2	Shri Pranlal Mandan	Agriculture	-	-	-	Compound wall	27,720.00	0	27,720.00	55,440.00
3	PTS63/2-A-2	Smt. Jyotiben Chunilal Pinku Chunilal Rinku Chunilal	Agriculture	-	-	-	Structure	30,11,985.00	0	30,11,985.00	60,23,970.00
4	PTS-63/2-A-3	Shri Rasiklal Mandan	Agriculture	Mango Tree-3 White Ambala-2 Badam tree-2 Coconut tree 5 Bana tree 5 Guava tree 2 Chiku tree 1 Custard apple 1 Jack Fruit tree 1 Other forest tree-	4500 1000 1000 4000 500 1250 5000 1000 3000	13,500.00 2,000.00 2,000.00 20,000.00 2,500.00 2,500.00 5,000.00 1,000.00 3,000.00 4,722.00	Compound wall	96,300.00	56222.00	1,52,522.00	3,05,044.00
5	PTS-63/2-A-4	Atrey Bhav Poojan	Agriculture	Coconut 5 Coconut 4 Chiku 1 Other forest tree-	4000 2000 2000	20,000.00 8,000.00 2,000.00 12,654.00	Compound wall and structure	21,26,705.00	42,654.00	21,69,359.00	43,38,718.00
6	PTS-63/2-A-6	Shri Rasiklal Mandan	Agriculture	-	-	-	Compound wall and structure	20,97,014.00	0	20,97,014.00	41,94,028.00
7	PTS-89/1	Mr. Navinchandra Premgi	Agriculture	Coconut- 2 Other forest tree	2000	4,000.00 48,844.00	Compound wall	61,326.00	52,844.00	1,14,170.00	2,28,340.00

8	PTS-89/1/1	Mr. Niramalkumar Premgi	Agriculture	Coconut- 1	4000	4,000.00	Compound wall	21,501.00	4,000.00	25,501.00	51,002.00
9	PTS-89/1/2	Mr. Bharatkumar Premgi	Agriculture	Coconut- 1	4000	4,000.00	Compound wall and Structure	2,67,134.00	4,000.00	2,71,134.00	5,42,268.00
10	PTS-89/2	Shri Narotam Sauchand	Agriculture	Coconut- 36	4000	1,44,000.00	Compound wall and structure	12,67,254.00	1,96,647.00	14,63,901.00	29,27,802.00
			Coconut- 12	2000	24,000.00						
			Chiku-10	1500	15,000.00						
			Guava - 1	1000	1,000.00						
			Badam-2	1000	2,000.00						
			Other forest tree		10,647.00						
Total						356367.00		90,03,426.00	3,56,367.00	93,59,793.00	1,87,19,586.00

Place: Diu

Dated: 26/04/2021

(Saloni Rai, IAS)
Land Acquisition Collector, Diu

Annexure - III

Details of total compensation for Details of Compensation of Lands for Promenade Development for Diu Town from Diu Bus Station up to Fort, Diu

No.	Name of persons in property card	P.T.S. Nos.	Area in Sq. Mtrs.	Total Compensation of land	Total Compensation of Assets	Grand Total
1	2	3	4	5	6	7
	Shri Laxman Jetha Bamania Alias Babu	PTS-63/2-B-1	112.00	6,42,581.00	52,974.00	6,95,555.00
	Shri Pranlal Mandan	PTS-63/2-A-2	433.00	24,84,263.00	55,440.00	25,39,703.00
	Smt. Jyotiben Chunilal Pinku Chunilal Rinku Chunilal	PTS63/2-A-2	157.00	9,00,761.00	60,23,970.00	69,24,731.00
	Shri Rasiklal Mandan	PTS-63/2-A-3	433.00	24,84,263.00	3,05,044.00	27,89,307.00
	Atrey Bhav Poojan	PTS-63/2-A-4	433.00	24,84,263.00	43,38,718.00	68,22,981.00
	Shri Rasiklal Mandan	PTS-63/2-A-6	197.00	11,30,254.00	41,94,028.00	53,24,282.00
	Mr. Navinchandra Premgi	PTS-89/1	930.00	53,35,716.00	2,28,340.00	55,64,056.00
	Mr. Niramalkumar Premgi	PTS-89/1/1	700.00	40,16,130.00	51,002.00	40,67,132.00
	Mr. Bharatkumar Premgi	PTS-89/1/2	700.00	40,16,130.00	5,42,268.00	45,58,398.00
	Shri Narotam Sauchand	PTS-89/2	1438.00	82,50,279.00	29,27,802.00	1,11,78,081.00
	Total		5533.00	3,17,44,640.00	1,87,19,586.00	5,04,64,226.00

Date: 26/04/2021

Place: Diu



(Saloni Rai, IAS)
Land Acquisition Collector, Diu