

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

No. 65-03-LAQ/2018-19/1837

Dated: 17/02/2020

DECLARATION

WHEREAS, vide Preliminary Notification No. 65-03-LAQ/2018-19/928 dated 10/09/2019, 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 for the purpose of **Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu.**

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 on 10/02/2020.

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 Right to Fair compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 on 10-02-2020.

AND WHEREAS, the UT 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 not be applicable because there is no displacement of family/families due to the proposed acquisition process.

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AND WHEREAS, as per Section 19(1) of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the appropriate Government is satisfied that the said lands are 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 lands are required for the public purpose, namely for the purpose of Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu.

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

SCHEDULE OF LAND

U. T.	:	UT of Dadra & Nagar Haveli and Daman & Diu
District	:	Diu
Village	:	Diu
Approximately area:		894.00 Sq. Mtrs.
Purpose	:	Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu

DETAILS OF THE LANDS

Sr. No.	Name of Village	P.T.S No.	Name of Owner	Class of land	Area of land acquired in (Sq. Mtrs.)
1	2	4	3	5	6
1	Diu	117/4	Smt. Dhanibai Daya	Agriculture	180.00
2	Diu	117/2	Shri Jeraj Mavji	Agriculture	260.00
3	Diu	116/39	Shri Rasiklal Mandan	Agriculture	454.00
Total land to be acquired					894.00

Total acquired land admeasuring

: 894.00 Sq. Mtrs.


17/02/2020
(Saloni Rai) IAS
Land Acquisition Collector,
Diu

To,
The All persons interested in lands.

Continue.....3/-

Copy to:

1. 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.
2. The Field Publicity Officer, Diu with a request to publish in two local News Papers in Local Language.
3. The DIO, NIC, Diu with a request to upload on official Website.
4. The Executive Engineer, PWD, Diu.
5. The Mamlatdar, Diu with a request to keep on notice board and to keep at prominent places at Diu and also requested to serve upon the persons interested in lands through the concerned Talathi.
6. The Asstt. Director, Official language, Diu with a request to get translation in Hindi.

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

Preface:-

Vide Notification No. 65-03-LAQ/2018-19/928 dated 10/09/2019 admeasuring 894.00 sq. mtrs of Diu District was notified u/s 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act. 2013 for public purpose, namely, Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu. The Collector, Diu is designated as Land Acquisition Collector under the RFCTLARR Act, 2013. The Deputy Collector, Diu was 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 land Vide Notification No. 5/2/COL/Land/RFCTLARR/2015-16/2296 dated 05/08/2015.

Introduction:-

A proposal was received from the Public Works Department, Diu for acquisition of land admeasuring 894.00 sq. mtrs. at urban area, Diu for Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu District out of which the whole stretch of 894.00 sq. mtrs of land belongs to the private party. This road is further connected with church road and reduces the situation of traffic jam in the area.

The proposed acquisition is required for many reasons.

- It will improve the connectivity of Fort to Church.
- It will provide a better solution of traffic jam in peak season.
- It will provide employment opportunity in Diu district.
- Accessibility of area will be increase.



Methodology:-

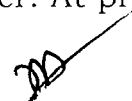
A Committee has been constituted by under signed Vide No.65-03-LAQ/2018-19/1251 dated 13/11/2019 for submission of report of Rehabilitation and Resettlement as per Section 16 of RFCTLARR Act, 2013. The committee has done the field survey & based on the survey submitted a report. A public notice along with the draft Rehabilitation and Resettlement Scheme was published in prominent places in Diu District and an opportunity for public meeting to the affected parties was given on 05/12/2019. In the public meeting none of the affected parties remained present. Moreover, particulars of land and immovable properties being acquired of each affected family, Livelihoods primarily dependent on the lands being acquired public utilities and government building likely to be affected, common property resources, Amenities and infrastructure facilities likely, was also published in draft Rehabilitation and Resettlement Scheme..

Rehabilitation and Resettlement Plan

As per chapter VI, procedure and manner of Rehabilitation and Resettlement Section 43 of RFCTLARR Act, 2013, under signed has been appointed as the Administrator for Preparing Rehabilitation and Resettlement scheme. This Rehabilitation and Resettlement scheme and plan is prepared in consonance with provisions of the RFCTLARR Act, 2013 (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 report dated 13/11/2019 received from the committee mentions that livelihood of land holders of the said area is not directly dependent on the land being acquired. The present condition as observed by the Rehabilitation and Resettlement Committee dated 13/11/2019 found that the land is neither used for residential purpose nor for business activity by the family members of land owner. At present



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there are only three parcels of land being affected in land acquisition totally admeasuring 894.00 sq.mts. land due to acquisition for Construction of Missing link road from Diu Fort Parking behind Govt. Circuit House upto Church road at Firangiwada, Diu. It is evident from the facts available on record that the affected family does not need relocation and resettlement. Therefore, I am of the opinion that no case for Resettlement or Rehabilitation is made out for affected family. The recommendations are listed as follows.

Recommendations:-

1. There is no displacement of affected family in the entire land acquisition process.
2. Monetary compensation may be given as per the Said Act and the Rules made therein to the affected family.

Dated: /12/2019

Submitted by



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