



भारत सरकार / Government of India

सरकारी राजपत्र OFFICIAL GAZETTE

संघ प्रदेश दादरा एवं नगर हवेली तथा दमण एवं दीव प्रशासन
U.T. ADMINISTRATION OF DADRA AND NAGAR HAVELI AND
DAMAN AND DIU

श्रेणी - २
SERIES - II

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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/2020-21/2430
DATED : 10/01/2022
NAME OF THE VILLAGE : DIU
NATURE OF THE ACQUISITION : PERMANENT
TALUKA : DIU
DISTRICT : DIU
PURPOSE OF ACQUISITION : LAND ACQUISITION FOR DEVELOPMENT OF PENSÃO BEIRA MAR INTO HERITAGE HOTEL IN DIU DISTRICT

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 development of Pensão Beira Mar into Heritage Hotel in Diu District. 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 Chief Executive Officer, Diu Smart City Limited, Diu had submitted a land acquisition proposal for development of Pensao Beira Mar into Heritage Hotel in Diu District.

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/2020-21/216 dated 30-04-2021 was published. After conducting Public Hearing on 31-05-2021 at 04.00 PM at Collectorate 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 14-06-2021 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-2020-21/950 dated 08/07/2021 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 RFCTLARR Act, 2013.

Under Section 16 of the Act, no involuntary displacement is occurring due to proposed land acquisition as per the report received from Mamlatdar, Diu therefore, Rehabilitation and Resettlement Scheme is not applicable and same was approved by the competent authority.

As per the requirement of sub section (2) of section 15 of the Act, the proposal Vide Report No.65-05-LAQ/2020-21/1955 dated 22-11-2021 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/2020-21/2049 dated 06-12-2021, 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 for development of Pensao Beira Mar into Heritage Hotel in Diu District.

In connection with acquisition of total land admeasuring 139.00 sq. mtrs. For development of Pensao Beira Mar into Heritage Hotel in Diu District, the Administration of Diu intended to take possession of the land, the particulars of which were given in the Notice u/s 21 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 08-12-2021 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 **07/01/2022 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.

No objections were received from affected parties.

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 Diu Smart city Limited, 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 near Diu Municipal Council, 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 139.00 Sq. Mtrs. situated near Diu Municipal Council, Fort Road of Diu District.

- **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. ₹7,43,600.00 (Seven Lakh Forty Three Thousand Six Hundred Only)

SUMMARY OF THE AWARD.

The award is summarized as under:-

A	Total Area of the Land Acquired from interested persons of 139.00 Sq.mts.	₹3,47,500.00
	Total Area of the Land Acquired Govt. land.	Nil
B	100% Solatium on market Value.	₹3,47,500.00
C	Additional amount @12% of 8 months and 07 days on land value	₹28,600.00
D	Value of Trees & structures including 100% Solatium	₹20,000.00
E	Total value of Award (A+B+C+D)	₹7,43,600.00

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 11/01/2022 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) A copy of Bank Account Pass Book.
- d) Pan Card/Aadhar Card for identification.
- e) 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 development of Pensao Beira Mar into Heritage Hotel in Diu District shall be taken after compliance of section 38 by the Mamlatdar, Diu immediately and shall be handed over to the requiring Department i.e. Chief Executive Officer, Diu Smart City Ltd., Diu.

Place: Diu
Dated: 10/01/2022

Sd/–
(Saloni Rai, IAS)
Land Acquisition Collector, Diu

FORM- VI

[See rule 11]

Land Acquisition Award

Land Acquisition Case No.65-05-LAQ/2020-21/2430

1.	Name of the Project -	land Acquisition for development of Pensao Beira Mar into Heritage Hotel in Diu District
2.	Number and date of declaration under which the land is to be acquired	No.65-05-LAQ/2020-21/2049 Dated: 06/12/2021
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.	Near Diu Municipal Council, 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	02
6.	Amount allowed for the land itself, without trees, building etc. if any	₹7,23,600.00
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	₹20,000.00
9.	Amount allowed for crop	-Nil-
10.	Solatum u/s 30(1)	100%
11.	Total of Amounts	₹7,43,600.00
12.	Apportionment of the amount of compensation	Provided in Annexure I,II & III
13.	Total Area (in Sq. Mtrs.)	139.00.00
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:10/01/2022

Sd/-
(**Saloni Rai, IAS**)
Land Acquisition Collector, Diu

Annexure – I

Details of Compensation for Land Acquisition for development of Pensao Beira Mar into Heritage Hotel in Diu District

Sr. No.	Name of persons in property card	P.T.S. No.	Class of land	Area of land acquired in (Sq. Mtrs.)	Market Rate @ Rs. 2500/- for Agriculture land (Per Sq. Mtrs)	Multiplication Factor 1	Solatium 100% on Multiplication value of land	Additional amount @12% of 8 months and 7 days	Total compensation on land
1	2	4	5	3	6	7	8	9	10
1.	Mr. Anverali Nurudin Jiwani	PTS-85/6	Agriculture	60.00	1,50,000.00	1,50,000.00	1,50,000.00	12,345.00	3,12,345.00
2.	Mr. Nurullah Nurudin Jiwani	PTS-85/18	Agriculture	79.00	1,97,500.00	1,97,500.00	1,97,500.00	16,255.00	4,11,255.00
Total:				139.00	-	3,47,500.00	3,47,500.00	28,600.00	7,23,600.00

Place: Diu

Dated: 10/01/2022

Sd/–
(Saloni Rai, IAS)
Land Acquisition Collector,
Diu

Annexure – II

Details of Compensation of Assets for Land Acquisition for development of Pensao Beira Mar into Heritage Hotel in Diu District

Sr. No.	Name of persons in property card	PTS No.	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	Mr. Anverali Nurudin Jiwani	PTS-85/6	Neem	1	2,500	2,500	Not applicable	0.00	0.00	2,500	5,000
2	Mr. Nurullah Nurudin Jiwani	PTS-85/18	Coconut BelPatra	1 1	5,000 2,500	5,000 2,500	Not applicable	0.00	0.00	5,000 2,500	10,000 5,000
Total						10,000	0.00	0.00	0.00	10,000	20,000

Place: Diu

Dated: 10/01/2022

Sd/–
(Saloni Rai, IAS)
Land Acquisition Collector,
Diu

Annexure – III

Details of total compensation for Land Acquisition for development of Pensao Beira Mar into Heritage Hotel in Diu District

Sr. No.	Name of persons in property card	PTS No.	Area in Sq. Mtrs.	Total Compensation of land	Total Compensation of Assets	Grand Total
1	2	3	4	5	6	7
1	Mr. Anverali Nurudin Jiwani	PTS-85/6	60.00	3,12,345.00	5,000.00	3,17,345.00
2	Mr. Nurullah Nurudin Jiwani	PTS-85/18	79.00	4,11,255.00	15,000.00	4,26,255.00
Total			139.00	7,23,600.00	20,000.00	7,43,600.00

Place: Diu

Dated: 10/01/2022

Sd/–
(Saloni Rai, IAS)
Land Acquisition Collector,
Diu
