

C/122

**U.T. ADMINISTRATION OF DADRA & NAGAR HAVELI AND
DAMAN & DIU.**

OFFICE OF THE COLLECTOR, DHOLAR, MOTI DAMAN

**AWARD UNDER SECTION 23 OF THE RIGHT TO FAIR
Compensation and Transparency in Land Acquisition
Rehabilitation and Resettlement Act, 2013.**

CASE No. : No.3/75/2019/LND-ACQ/2019-20/ 5422

NAME OF THE VILLAGE : VARKUND, NANI DAMAN.

NATURE OF THE ACQUISITION : PERMANENT

TALUKA : DAMAN

DISTRICT : DAMAN

PURPOSE OF ACQUISITION : ACQUISITION OF LAND FOR WIDENING OF
EXISTING APPROACH ROAD IN RESPECT OF
GOVERNMENT ENGINEERING COLLEGE,
DAMAN

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 the purpose of widening of Existing Approach road in respect of Government Engineering College, Daman. 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 Principal, Government Engineering College, Daman had submitted a land acquisition proposal for widening of Existing Approach road in respect of Government Engineering College, Daman vide diary dated 01/10/2019.

NOTIFICATION OF SOCIAL IMPACT ASSESSMENT AND REPORT OF SIA:9

Under section 4 & Sub Section 3 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, Notification No. 3/75/2019/LND-ACQ/2019-20/2547 dated 16/10/2019 was published. The Public Hearing conducted on 05/03/2020 at 03:30 PM at Conference Hall, Collectorate, Dholar, SIA report was submitted to the Deputy Secretary (Revenue)

and copies were circulated to the office of the Collector, Daman and Office of the Chief Executive Officer, District Panchayat, Daman, published and elsewhere for wide publicity and uploaded on website.

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 an independent multidisciplinary Expert Group of members for appraisal of Social Impact Assessment was constituted. The SIA/SIMP Report was evaluated and the recommendations as well as observations 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 impacts, dated 06/11/2020, 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. 3775/2019/LND-ACQ/2019-20/8380 dated 06/11/2020 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. Objection to the acquisition were invited from interested persons giving 60 days opportunity from the date of the Publication. A committee was also formed to assess and determine the Market Rate of the land parcels that were going to be acquired.

Under Section 16 of the Act, the Report dated 26/03/2021 of Administrator for Rehabilitation and Resettlement Scheme was submitted to the Commissioner for Rehabilitation and Resettlement stated that affected families may not need relocation and resettlement since they are not being entirely displaced from their residential houses/commercial land. Some recommendations regarding providing repairs and reconstruction permission in a fast-track manner on as-is where-is basis, were accepted by the Competent Authority.

After concluding the personal hearing of all the interested persons as per the requirement of sub section (2) of section 15 of the Act, the proposal Vide Report No. 3775/2019/LND-ACQ/2019-20/1339 dated 01/04/2021 was submitted by the Land Acquisition Collector to the Government Authority i.e. 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. Administrator of Dadra & Nagar Haveli and Daman & Diu.

2/22

C/221

Vide Declaration No. 3/75/2019/LND-ACQ/2019-20/1698 dated 20/04/2021, 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 lands were required for the public purpose namely, widening of Existing Approach road in respect of Government Engineering College, Daman.

In connection with acquisition of total land admeasuring **341.02** Sq. Mtrs. for widening of Existing Approach road in respect of Government Engineering College, Daman, the Administration of Daman intended to take possession of the land, the particulars of which were given in the declaration u/s 19(1) 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 was served dated 21/06/2021 under section 21 of the RFCTLARR Act, 2013 that all persons having interest in the said land to appear personally or by agent or advocate before the Collector, Daman on **23/07/2021** 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 had raised claims and objections were accorded personal hearing on 23/07/2021 at 11.00 a.m.

Mostly objection/representations were received in terms of correction of names, adequate compensation, interest amount, solatium and damages, types of structures etc. These objections representations were considered. After taking necessary steps for re-verification of area, compensation or assets Trees, correction in Records, etc. this award is passed.

METHODOLOGY USED FOR DETERMINATION OF COMPENSATION

- **JOINT MEASUREMENT**

The Land Acquisition Collector, Daman had requested for joint measurement of the land through the Surveyors. The joint measurement of land was carried out by surveyor along with officials of the Executive Engineer, P.W.D., Daman and the latest report was received on 01/10/2019.

- **OWNERSHIP:**

Names of the persons whose land is under acquisition, standing in the record of rights were ascertained from the revenue records and the same are shown in Award statement and after considering the claims received pursuant the notice u/s. 21. No other person except shown in the Award statement has claimed ownership or claim of compensation with regard to their land under acquisition and compensation thereof.

- **SITUATION AND DESCRIPTION OF THE LAND:**

The Land under acquisition is non-agriculture

Land situated at Nani Daman along with the Nani Daman for widening of Existing Approach road in respect of Government Engineering College, Daman as shown specifically in the MAP and Plan displayed u/s. 19.

LOCATION OF THE LAND:

The total acquired land admeasuring **341.02** Sq. Mtrs Situated at Nani Daman.

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

The Mamlatdar, Daman and Enquiry Officer, City Survey, Daman shall ensure that the record of right and all the relevant documents 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 RIGHTS:**

The Mamlatdar, Daman is requested to carry out necessary mutation in the Record of Rights 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 the 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 is free from all encumbrances and it has been mentioned in the Award statement.

• **DETERMINATION OF COMPENSATION:**

As per the provision of Section 30[1] of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, 100% of the market value is awarded as Solutium as 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 workout to be **Rs.29,27,838.58/- (Rupees twenty nine lakhs twenty seven thousand eight hundred thirty eight and fifty eight paisa only).**

SUMMARY OF THE AWARD.

The award is summarized as under:-

A	Total Area of the Land Acquired from interested persons of 341.02 Sq. Mts.	Rs.	12,45,405.04
B	100% Solutium on market Value.	Rs.	12,45,405.04
C	Additional Amount @ 12% Interest for 1 year & 8 month	Rs.	1,24,540.50
D	Value of Structures & Trees including 100% Solutium.	Rs.	3,12,488.00
E	Total value of Award (A+B+C+D)	Rs.	29,27,838.58

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 ___/___/2021 at Conference Hall, Collectorate, Dholar, Moti Daman. 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, Daman.
- 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/Aadhaar Card for identification.
- g) The claimant will have to produce latest I & XIV abstract Nakal of the land.

C/218

POSSESSION OF THE LAND:

As per the requirement of Section 37(2) and 37(3), the Mamlatdar is directed to follow the procedure of display of summary of acquisition proceedings on the official website and to circulate it to all concerned authorities and paste it at conspicuous places.

The possession of land proposed for widening of Existing Approach road in respect of Government Engineering College, Daman shall be taken after compliance of Section 38 by the Mamlatdar, Daman immediately and shall be handed over to the requiring Department.



Place: DAMAN.

Dated: 17/11/2021

Land Acquisition Collector,
Daman.

To

The All persons interested in lands
(Through concerned Talathi).

Copy to:

1. The DIO, NIC, Daman with a request to upload on official Website.
2. The Executive Engineer, PWD, Daman.
3. The Chief Executive Officer, District Panchayat, Daman with a request to keep on notice board and to keep at prominent places of the Panchayat areas and to circulate amongst Member of District Panchayat/Sarpanches of concerned Panchayats.
4. The Mamlatdar, Daman with a request to keep on notice board and to keep at prominent places at Panchayats area and also requested to serve upon the persons interested in lands through the concerned Talathi of Panchayats area.
5. The Block Development Officer, Daman with a request to serve upon the all Gram Panchayats, Daman for wide publicity.
6. The Enquiry Officer City Survey, Daman for information and necessary action, please.
7. The Civil Cum-Sub Registrar, Daman for information and necessary action please.
8. The Village Panchayat Secretary, Varkund Gram Panchayats, Daman for wide publicity.

FORM - VI

[See rule 11]

Land Acquisition Award

Land Acquisition case No. 3/75/2019/LND-ACQ/2019-20/ 5422

1	Name of Project	Land Acquisition for widening of Existing Approach road in respect of Government Engineering College, Daman
2	Number and date of Declaration under which the land is to be acquired	No.3/75/2019/LND-ACQ/2019-20/1698
3	Situation and extend of the land in hectare, the number of field and plots on the survey map, the village on which situated with the number of mile plan if any.	Nani Daman, Panchayat Area & Village Varkund
4	Description of the land, i.e. whether fallow, cultivated? Etc, if cultivated, how cultivated? source of irrigation	N.A land
5	Number of person interested in the land.	04
6	Amount allowed for the land itself, without trees, building etc., if any	Rs. 26,15,350.58
7	Basis of calculation	As per Sec. 19 of the Land Acquisition & Rehabilitation Act, 2013
8	Amount allowed for trees, houses or any other immovable property	Rs.3,12,488.00
9	Amount allowed for crop	Rs. Nil
10	Solatium U/s 30(1)	100%
11	Total of amounts	Rs. 29,27,838.58
12	Apportionment of the amount of compensation	Provided in Annexure I,II & III
13	Total Area (in hectares)	0.034102
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

Place: Daman

Date: 17 / 11 / 2021

Land Acquisition Collector,
Daman

ANNEXURE - I

Details Compensation of Acquisition of Land for Widening of Existing Approach road in respect of Government Engineering College, Daman										
Sr. No.	Survey No.	Area of land acquisition in (Sq.Mtrs.)	Name of persons believed to be having interest	Class of land	Market value @ 100 Sq.Mtrs. for village Varkund, Nani Daman for Rs.182600/- N.A. Land	Multiplication Factor 2	Solatium 100% on value of land	Additional Amout @ 12% of 1 Year 8 Months	Total compensation on land (7+8+9=10)	
1	2	3	4	5	6	7	8	9	10	
1		125.65	Raichand Mohan Patel	N.A.	229436.90	458873.80	458873.80	45887.38	963634.98	
2	4/14	34.42	Smt. Rita Rajendra Prasad Damania	N.A.	62850.92	125701.84	125701.84	12570.18	263973.86	
3	4/14-A	60.53	Dr. Urvi Madhukar Dixit	N.A.	110527.78	221055.56	221055.56	22105.56	464216.68	
4	4/15	120.42	Daman Memnon Jamat	N.A.	219886.92	439773.84	439773.84	43977.38	923525.06	
				Total:		622702.52	1245405.04	1245405.04	124540.50	2615350.58

Handwritten signature

श्री अरुण शर्मा, २१०१
Land Acquisition Collector, Daman

ANNEXURE - II

Details compensation of TREES & Structures for widening of Existing Approach road in respect of Government Engineering College, Daman

Sr. No.	Survey No.	Name of persons believed to be having interest	Type of trees	No. of Trees	Rate	Total	Type of structure	Total Compensation of structure	Compensation of Trees	Total Compensation	Solatium 100%	Total Compensation
1	2	3	4	5	6	7				8	9	10
1	4/1/1	Raichand Mohan Patel	Bettie	3.00	500.00	1500.00	Comp.wall	136244.00	1500.00	137744.00	137744.00	275488.00
2	4/4	Smt. Rita Rajendra Prasad Damania	Teak wood	2.00	5000.00	10000.00	-	0.00	10500.00	10500.00	10500.00	21000.00
			Jungli	1.00	500.00	500.00						
3	4/4-A	Dr. Urvi Madhukar Dixit	Teak wood	1.00	5000.00	5000.00	-	0.00	5500.00	5500.00	5500.00	11000.00
			Jungli	1.00	500.00	500.00						
4	4/5	Daman Memon Jamat	Pipal	1.00	500.00	500.00			2500.00	2500.00	2500.00	5000.00
			Jungli	3.00	500.00	1500.00		0.00	2500.00	2500.00	2500.00	5000.00
			Bordi	1.00	500.00	500.00						
Total:								136244.00	20000.00	156244.00	156244.00	312488.00

श्री अरुण शास्त्री, एएल
Land Acquisition Collector, Daman



0/24

ANNEXURE - III						
Details compensation of land for widening of Existing Approach road in respect of Government Engineering College, Daman						
Sr. No.	Name of persons believed to be having interest	Survey No.	Area of land acquisition in (Sq.Mtrs.)	Land Value	Assets Value	Total
1		2	3	4	5	6
1	Raichand Mohan Patel	41/1	125.65	963634.98	275488.00	1239122.98
2	Smt. Rita Rajendra Prasad Damania	41/4	34.42	263973.86	21000.00	284973.86
3	Dr. Urvi Madhukar Dixit	41/4-A	60.53	464216.68	11000.00	475216.68
4	Daman Memon Jamat	41/5	120.42	923525.06	5000.00	928525.06
Total:			341.02	2615350.58	312488.00	2927838.58

श्री अरुण शर्मा, एएल
Land Acquisition Collector, Daman

(Handwritten Signature)