

Report of the Administrator for Rehabilitation and Resettlement Scheme u/s 16 of The Right to Fair Compensation and Transparency in Land Acquisition Act, 2013 in respect of Acquisition of land for Girls Hostel and Staff Quarters in respect of National Institute of Fashion Technology, Daman.

Preface:-

Vide Notification No. 3/117/LND-ACQ/2022-23/398 dated 15.03.2024 proposal for land acquisition admeasuring 836.00 Sq.Mtrs. of Nani Daman was notified u/s 11(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 for a public purpose, namely, Acquisition of land for Girls Hostel and Staff Quarters in respect of National Institute of Fashion Technology, Daman. The Collector, Daman is the Land Acquisition Collector under the RFCTLARR Act 2013. Vide Notification No.5/2/COL/Land/RFCTLARR/2015-16/2296 dated 04/08/2015, Deputy Collector 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 the said land as mentioned above.

Introduction:-

Upon receiving the proposal of Land Acquisition from the Requiring Department, i.e. the Higher & Technical Education, Daman a meeting was conducted by the SIA Committee on 04.12.2023. The affected parties and families were explained in detail the reasons for the land acquisition, and the process that shall be followed in calculation of the compensation as per the provisions of the RFCTLARR Act 2013. During the Public meeting, particulars of lands and immovable properties being acquired of each affected family, Livelihoods primarily dependent on the lands being acquired, Public utilities and Government buildings likely to be affected, Common property resources, Amenities and infrastructural facilities likely to be affected, etc, were discussed

Methodology:-

As per section 16 of the RFCTLARR Act 2013, the Preparation of Rehabilitation and Resettlement Scheme should be done by the Administrator. Therefore, the undersigned conducted a field survey of the proposed land with revenue field staff which included Mamlatdar of Daman, and Officials of the requiring department. During the joint survey, 20 parcels of land were visited, their properties measured and demarcated and a rough assessment of the needs of resettlement and rehabilitation was drawn. Prior to that, a meeting was conducted by the Expert Group Committee on 05.02.2024.



Rehabilitation & Resettlement Plan

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 for drafting the Rehabilitation and Resettlement scheme. This Rehabilitation and Resettlement scheme and Plan are drafted in consonance with provisions of the RFCTLARR (Compensation, Rehabilitation and Resettlement and Development Plan) Rules 2015.

Findings:-

In the present case, the land being acquired is for the purpose of Acquisition of land for Girls Hostel and Staff Quarters in respect of National Institute of Fashion Technology, Daman for which compensation shall be paid as and when the Land Acquisition Collector announces the Award. 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. Accordingly, after the publication of the draft Rehabilitation and Resettlement scheme and hearing conducted on 20.08.2024, the report is submitted for the review of the Collector, Daman, and afterward approval of the Commissioner of R&R.

Recommendations:-

- a) The competent Authority may consider providing Rehabilitation and Resettlement.

Dated: 13 / 09 / 2024

Submitted by



(Rahul Dev Boora)

Administrator

U/s RFCTLARR Act 2013

Final Rehabilitation and Resettlement Scheme (ELEMENTS OF REHABILITATION AND RESETTLEMENT ENTITLEMENTS FOR ALL THE AFFECTED FAMILIES)

Land Acquisition Case No. 3/117/LND-ACQ/2022-23/1847

1	Name of Project: Acquisition of land for Girls Hostel and Staff Quarters in respect of National Institute of Fashion Technology, Daman.			
2	Name/ Names of person interested in the land and the nature of respective claim for rehabilitation and resettlement: As mentioned below.			
3	Time limit for provisions of Rehabilitation and Resettlement entitlements given to the affected family: Within 18 months from date of Award u/s 23 of RFCTLARR Act 2013			
4	Rehabilitation and Resettlement entitlements			
	1. Provision of housing units in case of displacement			
	(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 sq. mts. in plinth area.			
	(2) The benefits listed above shall be extended to any affected family which is without homestead land and which has been residing in the 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 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 entitlement cost of the house may be offered in lieu of the constructed house:			
	Provided also that no family affected by acquisition shall be given more than one house under the provisions of this Act.			
	Recommendation:			
	As the land to be acquired is in a Rural area, each displaced families shall be granted entitlement cost of the house of ₹.1,50,000/- in lieu of the constructed house. Therefore, 04 displaced families shall be granted ₹.6,00,000/- or they may apply for a house under Pradhan Mantri Awas Yojana.			
	Sr.No.	Name of claimants/ displaced family	Village	Survey No.
	1.	Ganpatbhai Becharbhai Mitna (Handicapped)	Dunetha	564/15
	2.	Damubhai Laxman	Dunetha	598/2
	3.	Shankarbhai Laxaman Other Rights: - The Daman & Diu State Co-Op Bank Ltd.	Dunetha	598/2-A
	4.	Lilly Xirino Coutinho Other Right The Government	Dunetha	564/11
				Class of Land
				Agri.
				Agri
				N.A.
				N.A.

2. Land for land

In case of Irrigation project, as far as possible and in lieu of compensation to be paid for land acquired, each affected family owning agriculture 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 or 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:

Provided that in every project those person losing land and belonging to the Scheduled Castes or Scheduled Tribes will be provided land equivalent to land acquired or two and a half-acres, whichever is lower.

Recommendation-

Not Applicable as it is not an irrigation project.

3. Offer for developed land

In case the land is acquired for urbanization purposes, twenty five percent of the developed land will be reserved and offered to land owing 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.

Provided that in case the land owing project affected family wishes to avail this offer, an equivalent amount will be deducted from the land acquisition compensation package payable to it.

Recommendation-

Not Applicable as land is not being acquired for urbanization purpose.

4. Choice of annuity or Employment

The appropriate government shall ensure that the affected families are provided with following option: -

- (a) Job may be given to at least one member per affected family in the project or arrange for a job in such other project as may be required and providing suitable training and skill development in the required field or make provision for employment at a rate not lower than the minimum wages provided for in any other law for the time being enforced. or
- (b) One time grant of ₹.5 lakh rupees per affected family. Or
- (c) The affected family will be provided with an annuity payment of Rupees 2000 per month per family for twenty years (this will be adjusted for inflation annually).

Recommendation:

One time grant of ₹.5 lakh shall be granted to each affected family amounting to **₹.30,00,000/- for 06 affected families.**

Sr.No.	Name of claimants/ displaced family	Village	Survey No.	Class of Land
1.	Lilly Xirino Coutinho	Dunetha	564/7, 564/4, 564/11	N.A. Agri., N.A.
2.	Damubhai Laxman	Dunetha	598/2	Agri.

3.	Shankarbhai Laxaman Other Rights: - The Daman & Diu State Co-Op Bank Ltd.	Dunetha	598/2-A	N.A.
4.	Shri Dineshchandra Vasantbhai Patel, Ramesh Vasana	Dunetha	564/8-A	Agri.
5.	Ganpatbhai Becharbhai Mitna	Dunetha	564/15	Agri.
6.	Somabhai laxmanbhai Patel	Dunetha	598/2-B	N.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 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.

Recommendation:

The Territory is not a Scheduled area. Therefore, each affected family shall be granted a subsistence allowance of ₹.36,000/- (Rs. 3,000 per month) for a period of one year from the date of award, amounting to ₹.1,44,000/- for 04 affected families.

Sr.No.	Name of claimants/ displaced family	Village	Survey No.	Class of Land	Scheduled Castes and Scheduled Tribes
1.	Ganpatbhai Becharbhai Mitna (Handicapped)	Dunetha	564/15	Agri.	N.A.
2.	Damubhai Laxman	Dunetha	598/2	Agri	N.A.
3.	Shankarbhai Laxaman Other Rights: - The Daman & Diu State Co-Op Bank Ltd.	Dunetha	598/2-A	N.A.	N.A.
4.	Lilly Xirino Coutinho Other Right The Government	Dunetha	564/11	N.A.	N.A.

6. Transportation cost for displaced families

Each affected family which is displaced shall get one-time financial assistance of fifty thousand rupees as transportation cost for shifting of the family, building materials, belongings and cattle.

Recommendation-

Each affected family shall be granted one-time financial assistance of ₹.50,000/- as transportation cost for shifting of the family, building materials, and belongings amounting to ₹.2,00,000/- for 04 affected families.

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.				
Recommendation- Nil				
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 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.				
Recommendation- Nil				
9. Fishing Rights				
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.				
Recommendation-				
Not Applicable as it is not an irrigation or hydel project.				
10. One-time Resettlement Allowance				
Each Affected family shall be given one time "Resettlement Allowance" of fifty thousand rupees only.				
Recommendation:				
Each affected family shall be given one-time Resettlement Allowance of ₹.50,000/- amounting to ₹.2,00,000/- for 04 affected families.				
Sr.No.	Name of claimants/ displaced family	Village	Survey No.	Class of Land
1.	Ganpatbhai Becharbhai Mitna (Handicapped)	Dunetha	564/15	Agri.
2.	Damubhai Laxman	Dunetha	598/2	Agri
3.	Shankarbhai Laxaman Other Rights: - The Daman & Diu State Co-Op Bank Ltd.	Dunetha	598/2-A	N.A.
4.	Lilly Xirino Coutinho Other Right The Government	Dunetha	564/11	N.A.

11. Stamp duty and registration fee (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 for 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 families.
Recommendation- Nil
Total: ₹.41,44,000/- Forty-One Lakh Forty-Four Thousand Only

No.3/117/LND-ACQ/2023-24/ 1847

Date: 13/09/2024.

(Rahul Dev Boora)

Administrator for Rehabilitation
and Resettlement,
Daman

Copy to:-

1. The Joint Secretary, Planning & Statistics, DNH & DD, Daman for publishing in e-Gazette.
2. The Director, Higher and Technical Education, DNH & DD with a request to display at a prominent place for wide publicity
3. The Director (IT), DNH & DD, Daman for uploading it on the official website of Dadra and Nagar Haveli and Daman & Diu.
4. The Field Publicity Officer, Daman for publishing it in two daily local newspapers (Gujarati and Hindi Languages) for wide publicity.
5. The Mamlatdar, Daman for wide publicity among affected and displaced families through concern Talathi and placing it on the Notice Board.
6. P.A. to the Collector, Daman for placing it on Notice Board.
7. P.A. to the Chief Executive Officer, District Panchayat, Daman for placing it on the Notice Board and wide publicity.
8. P.A. to Deputy Collector (HQ), Daman for placing it on Notice Board.