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OFFICE OF THE COLLECTOR,  
U.T. ADMINISTRATION OF DAMAN & DIU, DAMAN.

**AWARD UNDER SECTION 23 OF THE  
Right to Fair Compensation and Transparency in Land Acquisition  
Rehabilitation and Resettlement Act, 2013.**

CASE No. : No. 3/40/2018/LND-ACQ/2018-19/907

NAME OF THE VILLAGE/ TOWN : NANI DAMAN

NATURE OF THE ACQUISITION : PERMANENT

TALUKA : DAMAN

DISTRICT : DAMAN

PURPOSE OF ACQUISITION : LAND ACQUISITION FOR WIDENING OF  
ROAD FROM CULVERT AT KADAIYA TO  
HOTEL PRINCESS PARK FOR  
DEVELOPMENT OF SEA FRONT ROAD AND  
BEAUTIFICATION OF DEVKA BEACH, NANI  
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 road from Culvert at Kadaiya to Hotel Princess Park, Devka for Development of Sea front road and beautification of Devka Beach, Nani 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 Executive Engineer, Public Works Department, Daman had submitted a land acquisition proposal for widening of road from Culvert at Kadaiya to Hotel Princess Park, Devka for Development of Sea front road and beautification of Devka Beach, Nani Daman vide diary dated 08/08/2018.

**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, Notification No.3/40/2018/LND-ACQ/2018-19/7525 dated 28/08/2018 was published. After conducting the Public Hearing on 06/09/2018 at 11.00 AM at 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 Officer, Daman Municipal Council published and elsewhere for wide publicity and uploaded on website.

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## **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 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 31/10/2018, 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. 3/40/2018/LQN-ACQ/2018-19/9822 dated 23/11/2018 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 07/03/2019 of Administrator for Rehabilitation and Resettlement Scheme was submitted to the Commissioner for Rehabilitation and Resettlement that 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 interested persons as per the requirement of sub section (2) of section 15 of the Act, the proposal Vide Report No.3/40/2018/LQN-ACQ/2018-19/1646 dated 09/03/2019 was submitted by the Land Acquisition Collector to the Government Authority i.e. Administrator of Daman & Diu seeking approval to proceed with acquisition process and the same was approved by the Appropriate Government i.e. Administrator of Daman & Diu.

Vide Declaration No. 3/40/2018/LQN-ACQ/2018-19/1647 dated 09/03/2019, 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 road from Culvert at Kadaiya to Hotel Princess Park, Devka for Development of Sea front road and beautification of Devka Beach, Nani Daman.

In connection with acquisition of total land admeasuring 405.00 Sq. Mtrs. for widening of road from Culvert at Kadaiya to Hotel Princess Park, Devka for Development of Sea front road and beautification of Devka Beach, Nani Daman, the Administration of Daman intended to take possession of the land, the particulars of

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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 09/03/2019 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 09/04/2019 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 16/02/2019.

One objection/ representation were received in terms of re-measurement of area. This objection representation was considered. After taking necessary steps for re-verification of area, 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 14/02/2019

- **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 agriculture Land situated at Kadaiya, Nani Daman starting from Culvert at Kadaiya to Hotel Princess Park, Devka for Development of Sea front road and beautification of Devka Beach, Nani Daman as shown specifically in the MAP and Plan displayed u/s 19.

- **LOCATION OF THE LAND:**

The total acquired land admeasuring **405.00** Sq. Mtrs. Situated at Kadaiya, Nani Daman.

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- **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 SOLATIUM:**

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 Solatium 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 worked out to be **Rs. 35,05,493.00 (Rupees Thirty Five Lakhs Five Thousand Four Hundred Ninety Three only )**.

- **SUMMARY OF THE AWARD.**

The award is summarized as under:-

A	Total Area of the Land Acquired from interested persons of 405.00 Sq. Mtrs.	Rs. 7,73,590.50
	Total Area of the Land Acquired from the Government.	-Nil-
B	100% Solatium on market Value.	Rs. 7,73,590.50
C	Additional Amount @ 12% interest for 06 months on land value	Rs. 23,208.00
D	Value of Structures & Trees including 100% Solatium.	Rs. 19,35,104.00
E	Total value of Award (A+B+C+D)	Rs. 35,05,493.00

The details of compensation of the land acquisition as per the Annexure – I, II & III are enclosed herewith.



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**PAYMENT OF COMPENSATION TO INTERESTED PERSONS:**

The interested parties are hereby informed that the payment of compensation shall start from 11.00 AM on 06/06/2019 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 produce 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.

**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 road from Culvert at Kadaiya to Hotel Princess Park, Devka for Development of Sea front road and beautification of Devka Beach, Nani 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:-29/05/2019.

  
**Land Acquisition Collector, Daman.**

To

The 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 DIO, NIC, Daman with a request to upload on official Website.
3. The Village Panchayat Secretary, Kadaiya Gram Panchayat, Daman for wide publicity.
4. The Executive Engineer, PWD, Daman.
5. The Chief Officer, Daman Municipal Council with a request to keep on notice board and to keep at prominent places of the Municipal areas and to circulate amongst Councilors and interested persons.
6. The Enquiry Officer, City Survey, Daman for necessary action.
7. The Mamlatdar, Daman with a request to keep on notice board and to keep at prominent places at Kadaiya and also requested to serve upon the persons interested in lands through the concerned Talathi of Kadaiya area.
8. The Block Development Officer, Daman with a request to serve upon the all Gram Panchayats, Daman for wide publicity.

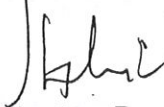
FORM – VI

[ See rule 11 ]  
Land Acquisition Award

Land Acquisition case No: 3/40/2018/LND-ACQ/2018-19/1907

1.	Name of the Project -	Land acquisition for widening of road from Culvert at Kadaiya to Hotel Princess Park, Devka for Development of Sea front road and beautification of Devka Beach, Nani Daman.
2.	Number and date of declaration under which the land is to be acquired	No. 3/40/2018/LND-ACQ/2018-19/1647 dated 09/03/2019
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.	Village Kadaiya, Nani Daman.
4.	Description of the land, i.e. whether fallow, cultivated, homestead, etc. If cultivated, how cultivated? Sources of irrigation	Agriculture Land. Not Cultivated
5.	Numbers of persons interested in the land.	04
6.	Amount allowed for the land itself, without trees, building etc., if any	Rs. 15,70,389/-
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. 19,35,104/-
9.	Amount allowed for crop	-Nil-
10.	Solatium u/s 30(1)	100%
11.	Total of amounts	Rs. 35,05,493/-
12.	Apportionment of the amount of compensation	Provided in Annexure I, II & III
13.	Total Area (in hectares)	0.0405
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	

Date: 29/05/2019

  
Collector, Daman

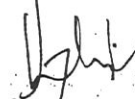


## Annexure – I

File No. 3/40/2018/LND-ACQ/2018-19/1907

Details of Compensation of land for widening of road from Culvert at Kadaiya to Hotel Princess Park, Devka for development of Sea front road  
and beautification of Devka Beach, Nani Daman

Sr. No.	Survey No./ PTS No.	Area of land acquired in(Sq. Mtrs.)	Name of persons believed to be having interest	Class of land	Market value @ 100 Sq. mtrs. for village Kadaiya, Nani Daman Rs. 95505/-, for Agriculture land	Multiplication Factor 2	Solatium 100% on Multiplication value of land	Additional Amount @ 12% of 6 Months	Total compensation on land
1	2	3	4	5	6	7	8	9	10
1	277/7	7	Ramji Kanji	Jarayath	6,685.35	13,370.70	13,370.70	401.00	27,142.00
2	277/2	131	Bijiya Fakir	Kyari	125,111.55	250,223.10	250,223.10	7,507.00	507,953.00
3	276/1-A	199	Jimmy Jahangir Palia & Perin Jimmy Palia	Jarayath	190,054.95	380,109.90	380,109.90	11,403.00	771,623.00
4	276/1-B	68	Godareg Minochar Pundol, Beharoz Godarej Pundol & Shiraz Godarej Pundol	Jarayath	64,943.40	129,886.80	129,886.80	3,897.00	263,671.00
	Total Area	405			386,795.25	773,590.50	773,590.50	23,208.00	1,570,389.00

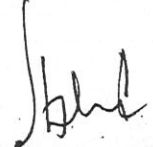
  
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Land Acquisition Collector, Daman

## Annexure – II

File No. 3/40/2018/LND-ACQ/2018-19/1907

Details of Compensation of land for widening of road from Culvert at Kadaiya to Hotel Princess Park, Devka for development of Sea front road and beautification of Devka Beach, Nani Daman

Sr. No.	Survey No.	Name of the persons believed to be having interest	Type of trees	No. of trees	Rate	Total	Structures (Residential/Commercial/Tanks/Ponds/Wells) etc.	Compensation of Structures (Residential/Commercial/Tanks/Ponds/Wells) etc	Compensation of trees	Total Compensation	Solatium 100%	Grand Total
1	2	3	4	5	6	7	8	9	10	11	12	13
1	277/7	Ramji Kanji	-	-	-	-	-	-	-	-	-	-
2	277/2	Bijiya Fakir	-	-	-	-	-	-	-	-	-	-
3	276/1-A	Jimmy Jahangir Palia & Perin Jimmy Palia	Coconut	2	30,000.00	60,000.00	Compound Wall	704,113.00	62,000.00	766,113.00	766,113.00	1,532,226.00
			Saru	1	500.00	500.00						
			Neem	1	500.00	500.00						
			Ambali	1	1,000.00	1,000.00						
4	276/1-B	Godareg Minochar Pundol, Beharoz Godarej Pundol & Shiraz Godarej Pundol	Coconut	1	30,000.00	30,000.00	Compound Wall	169,439.00	32,000.00	201,439.00	201,439.00	402,878.00
			Jamfal	1	500.00	500.00						
			Ambali	1	500.00	500.00						
			Jungali	2	500.00	1,000.00						
										967,552.00	967,552.00	1,935,104.00

  
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 Land Acquisition Collector, Daman




ANNEXURE - III

File No. 3/40/2018/LND-ACQ/2018-19/1907

Details of Compensation of land for widening of road from Culvert at Kadaiya to Hotel Princess Park, Devka for development of Sea front road and beautification of Devka Beach, Nani Daman

Sr. No.	Name of the persons believed to be having interest	Survey No.	Area in Sq. Mtrs.	Total compensation of land	Total compensation of Assets	Total
1	2	3	4	5	6	7
1	Ramji Kanji	277/7	7	27,142.00	-	27,142.00
2	Bijiya Fakir	277/2	131	507,953.00	-	507,953.00
3	Jimmy Jahangir Palia & Perin Jimmy Palia	276/1-A	199	771,623.00	1,532,226.00	2,303,849.00
4	Godareg Minochar Pundol, Beharoz Godarej Pundol & Shiraz Godarej Pundol	276/1-B	68	263,671.00	402,878.00	666,549.00
			405	1,570,389.00	1,935,104.00	3,505,493.00

  
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 Land Acquisition Collector, Daman