

10/2/17

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.3/57/2019/LND-ACQ/2018-19/1351
NAME OF THE VILLAGE : KATHIRIA, NANI DAMAN.
NATURE OF THE ACQUISITION : PERMANENT
TALUKA : DAMAN
DISTRICT : DAMAN
PURPOSE OF ACQUISITION : LAND ACQUISITION FOR WIDENING OF
ROAD STARTING FROM DHOBI TALAV
JUNCTION TO ROMA GAS JUNCTION, 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 Starting from Dhobi Talav Junction to Roma Gas Junction at 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 Starting from Dhobi Talav Junction to Roma Gas Junction at Nani Daman. vide diary dated 06/02/2019

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.3/57/2019/LND-ACQ/2018-19/1194 dated 11/02/2019 was published. After conducting the Public Hearing on 15/02/2019 at 05.00 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,

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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 12/09/2019, 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. 3/57/2019/LND-ACQ/2018-19/3404 dated 03/12/2019 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 29/02/2020 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 the interested persons as per the requirement of sub section (2) of section 15 of the Act, the proposal Vide Report No. 3/57/2019/LND-ACQ/2018-19/1611 dated 20/03/2020 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.

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Vide Declaration No. 3/57/2019/LND-ACQ/2018-19/1612 dated 20/03/2020, 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 Starting from Dhobi Talav Junction to Roma Gas Junction at Nani Daman.

In connection with acquisition of total land admeasuring 935.50 Sq. Mts. for widening of Road Starting from Dhobi Talav Junction to Roma Gas Junction at Nani 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 (RFTLARR) Act, 2013.

To facilitate causation of the above requirements, public notice was served dated 23/10/2019 under section 21 of the RFTLARR Act, 2013 that all persons having interest in the said land to appear personally or by agent or advocate before the Collector, Daman on 18/05/2020 at 15:00 hrs. 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 05/02/2020 at 03:00 p.m.

Mostly objection/representations were received in terms of correction of names, adequate compensation, interest amount, solatium, re-survey 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



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by surveyor along with officials of the Executive Engineer, P.W.D., Daman and the latest report was received on 02/07/2019.

- **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 NA Land situated at Nani Daman along the Nani Daman Main Road Starting from Dhobi Talav Junction to Roma Gas Junction at Nani Daman as shown specifically in the MAP and Plan displayed u/s. 19.

LOCATION OF THE LAND:

The total acquired land admeasuring 935.50 Sq. Mts 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.

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• **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 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 workout to be Rs. 1,80,38,603/- (Rupees One crore eighty lakhs thirty eight thousand six hundred three only).

SUMMARY OF THE AWARD.

The award is summarized as under:-

A	Total Area of the Land Acquired from interested persons of 935.50 Sq. Mts.	Rs.	45,74,595.00
	Total Area of the Land Acquired from the Government of 770.00 Sq. Mts		-Nil-
B	100% Solatium on market Value.	Rs.	45,74,595.00
C	Additional Amount @ 12% Interest for 1 year & 4 month	Rs.	7,31,937.00
D	Value of Structures & Trees including 100% Solatium.	Rs.	81,57,476.00
E	Total value of Award (A+B+C+D)	Rs.	1,80,38,603.00

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 ~~10:30~~ 25 11 / 11 / 2020 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.

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- 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 Bhimpore Char Rasta to Shital chowkdi (NH-848-B), Nani Daman shall be taken after compliance of Section 38 by the by Mamlatdar, Daman immediately and shall be handed over to the requiring Department.

Place: DAMAN.

Dated: 08 /11 /2020



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 Executive Engineer, PWD, Daman.
4. The Chief Officer, Daman Municipal Council, Daman with a request to keep on notice board and to keep at prominent places of the Municipal areas and to circulate amongst concern Member of Daman Municipal Council, Daman.
5. The Mamlatdar, Daman with a request to keep on notice board and to keep at prominent places at Municipal area and also requested to serve upon the persons interested in lands through the concerned Talathi of Municipal area.
6. The Enquiry Officer City Survey, Daman for information and necessary action, please.

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FORM - VI

[See rule 11]

Land Acquisition Award

Land Acquisition case No. 3/57/2019/LND-ACQ/2018-19/1351

1	Name of Project	Land Acquisition for Widening of Road from Dhobi Talav Junction to Roma Gas Junction at Nani Daman
2	Number and date of Declaration under which the land is to be acquired	No. 3/57/2019/LND-ACQ/2018-19/1612 dated 20/03/2020
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.	Municipal Area at Kathiria, Nani Daman
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.	14
6	Amount allowed for the land itself, without trees, building etc., if any	Rs. 98,81,127.00
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. 81,57,476.00
9	Amount allowed for crop	Rs. Nil
10	Solatium U/s 30(1)	100%
11	Total of amounts	Rs. 1,80,38,603.00
12	Apportionment of the amount of compensation	Provided in Annexure I,II & III
13	Total Area (in hectares)	0.09355
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: 03/ 11/2020

Land Acquisition Collector,
Daman



ANNEXURE - I

Details of compensation of land for widening of road from Dhobi Talav Junction to Roma Gas Junction at Nani 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 Kathiria, Nani Daman N.A. Land Rs.489000/-	Multiplication Factor 1	Solatium 100% on Multiplication value of land	additional Amout @ 12% of 1 Year 4 Months	Total compensation on land (7+8+9=10)
1	2	3	4	5	6	7	8	9	10
1	PTS-35-11	11.50	Shri Trikam Sukar Prajapati	N.A	56235.00	56235.00	56235.00	8998.00	121468.00
2*	PTS-35-14-A	200.00	Shri Ratanbhai Minubhai Halpati	N.A	978000.00	978000.00	978000.00	156480.00	2112480.00
3*	PTS-35-14	70.00	Shri Ratanbhai Minubhai Halpati	N.A	342300.00	342300.00	342300.00	54768.00	739368.00
4	PTS-35-13	95.00	1 Shri. Guliabhai Babubhai Halpati, 2 Shri Pravinbhai Babubhai Halpati, 3 Rajubhai Babubhai Halpati, 4 Kaushikbhai Babubhai Halpati 5 Sanjaybhai Banubhai Halpati	N.A	464550.00	464550.00	464550.00	74328.00	1003428.00
5	PTS-35-12-C	20.00	1 Shri Dhansukhlal Rajivbhai Prajapati, 2 Shri Ishwarlal Rajivbhai Prajapati, 3 Shri Gopalbhai Rajivbhai Prajapati 4 Shri Bhagwandas Rajivbhai Prajapati	N.A	97800.00	97800.00	97800.00	15648.00	211248.00
6	PTS-35-12-B	10.00	1 Shri Gopalbhai Rajivbhai Prajapati, 2 Shri Bhagwandas Rajivbhai Prajapati	N.A	48900.00	48900.00	48900.00	7824.00	105624.00
7	PTS-35-2	187.00	1 Mrs. Parveen A Khan, Mrs. Nasreen A Khan	2 N.A	914430.00	914430.00	914430.00	146309.00	1975169.00
8	PTS-35-111-F	57.00	1 Shri Abedin Kaam Sharif, Shri Mansur Kasam Sharif, Shri Siraj Kasam Sharif	2 N.A	278730.00	278730.00	278730.00	44597.00	602057.00
9	PTS-35-111-D	15.00	1 Shri Abedin Kaam Sharif, Shri Mansur Kasam Sharif, Shri Siraj Kasam Sharif	2 N.A	73350.00	73350.00	73350.00	11736.00	158436.00
10	PTS-88-A	2.00	1 Fatimabanu Noormohamed Gully, 2 Riyaz Noormohamed Gully, 3 Sohil Noormohamed Gully, 4 Munira Noormohamed Gully, 5 Jakir Noormohamed Gully, 6 Rubina Noormohamed Gully	N.A	9780.00	9780.00	9780.00	1565.00	21125.00
11	PTS-35-111-A	79.00	Shri Rameshbhai Narsinhbhai Tandel	N.A	386310.00	386310.00	386310.00	61810.00	834430.00
12	PTS-35-87	25.00	Shri Rameshbhai Narsinhbhai Tandel	N.A	122250.00	122250.00	122250.00	19560.00	264060.00

* Land is under litigation

14	427/1-C	77.00	Chandanben Thakor	N.A	376530.00	376530.00	4574595.00	4574595.00	60245.00	813305.00
13	427/1-C(1)	87.00	1 Hirubhai Bhulabhai patel, 2 Jagubhai Bhulabhai Patel, 3 Narebhai Bhulabhai Patel, 4 Ramabhai Bhulabhai Patel, 5 Dhansukhbhai Bhulabhai Patel	N.A	425430.00	425430.00	4574595.00	4574595.00	68069.00	918929.00
		935.50							731937.00	9881127.00

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Land Acquisition Officer, D.M.

ANNEXURE - II

Details compensation of TREES & Structures for widening of road from Dhobi Talav Junction to Roma Gas Junction at Nani 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 stucture	Compensation of Trees	Total Compensation	Solatium 100%	Total Compensation
1	2	3	4	5	6	7				8	9	10
1	PTS-35-11	Shri Trikam Sukar Prajapati	--	0.00	0.00	0.00	Shop (G.F.) and 1st & 2nd Floor Residence	349851.00	0.00	349851.00	349851.00	699702.00
2*	PTS-35-14-A	Shri Ratanbhai Minubhai Halpati	--	0.00	0.00	0.00	Shop (G.F.)	555931.00	0.00	555931.00	555931.00	1111862.00
3*	PTS-35-14	Shri Ratanbhai Minubhai Halpati	--	0.00	0.00	0.00	House (G+2)	105810.00	0.00	105810.00	105810.00	211620.00
4	PTS-35-13	1 Shri. Guliabhai Babubhai Halpati, 2 Shri Pravinbhai Babubhai Halpati, 3 Rajubhai Babubhai Halpati, 4 Kaushikbhai Babubhai Halpati 5 Sanjaybhai Banubhai Halpati	--	0.00	0.00	0.00	Septic Tank and House (G.F.)	496918.00	0.00	496918.00	496918.00	993836.00
5	PTS-35-12-C	1 Shri Dhansukhlal Rajivbhai Prajapati, 2 Shri Ishwarlal Rajivbhai Prajapati, 3 Shri Gopalbhai Rajivbhai Prajapati 4 Shri Bhagwandas Rajivbhai Prajapati	Mango	2.00	15000.00	30000.00	0.00	26037.00	30000.00	56037.00	56037.00	112074.00
6	PTS-35-12-B	1 Shri Gopalbhai Rajivbhai Prajapati, 2 Shri Bhagwandas Rajivbhai Prajapati	Jangli	3.00	500.00	1500.00	0.00	26037.00	1500.00	27537.00	27537.00	55074.00
7	PTS-35-2	1 Mrs. Parveen A Khan, 2 Mrs. Nasreen A Khan	Ashoka	12.00	500.00	6000.00	Comp. Wall	70198.00	6000.00	76198.00	76198.00	152396.00

* Land is under litigation

8	PTS-35-111-F	1 Shri Abedin Kaam Sharif, 2 Shri Mansur Kasam Sharif, 3 Shri Siraj Kasam Sharif	--	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	503068.00	503068.00	503068.00	1006136.00
9	PTS-35-111-D	1 Shri Abedin Kaam Sharif, 2 Shri Mansur Kasam Sharif, 3 Shri Siraj Kasam Sharif	--	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	503068.00	503068.00	503068.00	0.00
10	PTS-88-A	1 Fatimabannu Noormohamed Gully, 2 Riyaz Noormohamed Gully, 3 Sohail Noormohamed Gully, 4 Munira Noormohamed Gully, 5 Jakir Noormohamed Gully, 6 Rubina Noormohamed Gully	--	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
11	PTS-35-111-A	Shri Rameshbhai Narsinhbhai Tandel	--	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1272545.00	1272545.00	1272545.00	2545090.00
12	PTS-35-87	Shri Rameshbhai Narsinhbhai Tandel	--	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	634843.00	634843.00	634843.00	1259686.00
13	427/1-C(1)	1 Hirubhai Bhulabhai Patel, 2 Jagubhai Bhulabhai Patel, 3 Narebhai Bhulabhai Patel, 4 Ramabhai Bhulabhai Patel, 5 Dhansukhbhai Bhulabhai Patel	--	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
14	427/1-C	Chandanben Thakor	--	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
				17.00	16000.00	37500.00	4041238.00	37500.00	4078738.00	37500.00	4078738.00	37500.00	4078738.00	37500.00	8157476.00

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Land Acquisition Collector, Damam

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ANNEXURE - III						
Details compensation of land for widening of road from Dhobi Talav Junction to Roma Gas Junction at Nani 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	8
1	Shri Trikam Sukar Prajapati	PTS-35-11	11.50	121468.00	699702.00	821170.00
2*	Shri Ratanbhai Minubhai Halpati	PTS-35-14-A	200.00	2112480.00	1111862.00	3224342.00
3*	Shri Ratanbhai Minubhai Halpati	PTS-35-14	70.00	739368.00	211620.00	950988.00
4	1 Shri. Guliabhai Babubhai Halpati, 2 Shri Pravinbhai Babubhai Halpati, 3 Rajubhai Babubhai Halpati, 4 Kaushikbhai Babubhai Halpati 5 Sanjaybhai Banubhai Halpati	PTS-35-13	95.00	1003428.00	993836.00	1997264.00
5	1 Shri Dhansukhlal Rajivbhai Prajapati, 2 Shri Ishwarlal Rajivbhai Prajapati, 3 Shri Gopalbhai Rajivbhai Prajapati 4 Shri Bhagwandas Rajivbhai Prajapati	PTS-35-12-C	20.00	211248.00	112074.00	323322.00
6	1 Shri Gopalbhai Rajivbhai Prajapati, 2 Shri Bhagwandas Rajivbhai Prajapati	PTS-35-12-B	10.00	105624.00	55074.00	160698.00
7	1 Mrs. Parveen A Khan, 2 Mrs. Nasreen A Khan	PTS-35-2	187.00	1975169.00	152396.00	2127565.00
8	1 Shri Abedin Kaam Sharif, 2 Shri Mansur Kasam Sharif, 3 Shri Siraj Kasam Sharif	PTS-35-111-F	57.00	602057.00	1006136.00	1608193.00

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9	1 Shri Abedin Kaam Sharif, 2 Shri Mansur Kasam Sharif, 3 Shri Siraj Kasam Sharif	PTS-35-111-D	15.00	158436.00	0.00	158436.00
10	1 Fatimabanu Noormohamed Gully, 2 Riyaz Noormohamed Gully, 3 Sohail Gully, 4 Munira Noormohamed Gully, 5 Jakir Noormohamed Gully, 6 Rubina Noormohamed Gully	PTS-88-A	2.00	21125.00	0.00	21125.00
11	Shri Rameshbhai Narsinhbhai Tandel	PTS-35-111-A	79.00	834430.00	2545090.00	3379520.00
12	Shri Rameshbhai Narsinhbhai Tandel	PTS-35-87	25.00	264060.00	1269686.00	15333746.00
13	1 Hirubhai Bhulabhai Patel, 2 Jagubhai Bhulabhai Patel, 3 Narebhai Bhulabhai Patel, 4 Ramanbhai Bhulabhai Patel, 5 Dhansukhbhai Bhulabhai Patel	427/1-C(1)	87.00	918929.00	0.00	918929.00
14	Chandanben Thakor	427/1-C	77.00	813305.00	0.00	813305.00
			935.50	988127.00	8157476.00	18038603.00

* Land is under litigation

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Land Acquisition Collector, Daman

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