

**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.3/93/LND-ACQ/2020-21/ 1918
NAME OF THE VILLAGE : KATHIRIA, NANI DAMAN.
NATURE OF THE ACQUISITION : PERMANENT
TALUKA : DAMAN
DISTRICT : DAMAN
PURPOSE OF ACQUISITION : ACQUISITION OF ADDITIONAL LAND FOR
NURSING COLLEGE, 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 Nursing College, 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 Director, Medical and Health Services, Primary had submitted a land acquisition proposal for Nursing College, Daman letter dated 29/03/2019.

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. 3/93/LND-ACQ/2020-21/134 dated 11/01/2021 was published. The Public Hearing conducted on 21/05/2021 at 11:00 AM at Conference Hall, Collectorate, Dholar. SIA report was submitted to the Joint Secretary (Revenue) for appraisal.

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 17/11/2020, 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. 3/93/2019/LND-ACQ/2019-20/5419 dated 17/11/2021 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 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 04/02/2022 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. 3/93/LND-ACQ/2019-20/736 dated 04/02/2022 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.

Vide Declaration No. 3/93/LND-ACQ/2020-21/927 dated 14/02/2022 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, Nursing College, Nani Daman.

In connection with acquisition of total land admeasuring **4091.00** Sq. Mtrs. for Nursing College, 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 (RFCTLARR) Act, 2013.

To facilitate causation of the above requirements, public notice was served dated 15/02/2022 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 17/03/2022 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 22/03/2022.

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 Assistant Engineer, P.W.D. SD-III(B), Daman and the latest report was received on 09/02/2022.

- **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.

Land situated at Nani Daman along with the Nani Daman Road at Kathiria, Nani Daman as shown specifically in the MAP and Plan displayed u/s. 19.

- **LOCATION OF THE LAND:**

The total acquired land admeasuring **4091.00** 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 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 **₹1,15,76,141.00 (Rupees one crore fifteen lakhs seventy six thousand one hundred forty one only).**

SUMMARY OF THE AWARD.

The award is summarized as under:-

| | | |
|---|---|------------------------|
| A | Total Area of the Land Acquired from interested persons of 4801.00 Sq. Mts. | ₹37,51,447.00 |
| | Total Area of the Land Acquired from the Government of 00.00 Sq. Mtrs | -Nil- |
| B | 100% Solatium on market Value. | ₹37,51,447.00 |
| C | Additional Amount @ 12% Interest for 1 year & 2 months and 7 days | ₹5,31,205.00 |
| D | Value of Structures & Trees including 100% Solatium. | ₹35,42,042.00 |
| E | Total value of Award (A+B+C+D) | ₹1,15,76,141.00 |

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 04/05/2022** 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:

- Original land documents.
- Nil Encumbrance Certificate from Sub Registrar, Daman.
- Receipt of Payment of land revenue till date, if any,
- In case of N.A. land, the claimant has to be produced the N.A. order & Sanad.
- A copy of Bank Account Pass Book.
- PAN Card/Aadhaar Card for identification.
- 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 Nursing College, 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: 25/04/2022



**Land Acquisition Collector,
Daman.**

To

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

Copy to:

1. The Chief Officer, Daman Municipal Council with a request to keep on Notice Board at prominent places at Kathiria, Nani Daman for wide publicity.
2. The Mamlatdar, Daman with a request to keep on notice board and to keep at prominent places at Kathiria, Nani Daman and also requested to serve upon the persons interested in lands through the concerned Talathi.
3. The Executive Engineer, PWD, Daman.
4. The Enquiry Officer City Survey, Daman for information and necessary action, please.
5. The Civil Cum-Sub Registrar, Daman for information and necessary action please.
6. The DIO, NIC, Daman with a request to upload on official Website.

ANNEXURE -1

Details of compensation of land for Additional land for Nursing 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 Kathiria, Nani Daman Rs. 91700/- (Agrl./Jarayat Land) | Multiplication Factor 1 | Solatium 100% on Multiplication value of land | additional Amout @ 12% of 1 year, 2 months, 7 days | Total compensation on land (7+8+9=10) |
|---------|------------|--|--|---------------|---|-------------------------|---|--|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| *1 | 8 | 4091.00 | Manekben Rama Tandel & Dharmesh Sukkar Tandel | Jarayat | 3751447.00 | 3751447.00 | 3751447.00 | 531205.00 | 8034099.00 |
| | | 4091.00 | | | 3751447.00 | 3751447.00 | 3751447.00 | 531205.00 | 8034099.00 |

* Lands is attatched under SAFEMA


 भूमि अर्जन समारक्षी, दमण
 Land Acquisition Collector, Daman

ANNEXURE - II

Details compensation of TREES & Structures for Additional land for Nursing 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 | 8 | Manekben Rama Tandel & Dharmesh Sukkar Tandel | Cocconut Mango | 53.00 2.00 | 300000.00 15000.00 | 15900000.00 30000.00 | Cabin, Well | 151021.00 | 1620000.00 | 1771021.00 | 1771021.00 | 3542042.00 |
| Total | | | | | | 1620000.00 | | | 1620000.00 | 1771021.00 | 1771021.00 | 3542042.00 |

* Land is attached under SAFFEMA

Solapur


शुभे अर्जुन ससाहर्दा, दमण
Land Acquisition Collector, Daman

ANNEXURE - III

Details compensation of land for Additional land for Nursing College, Damam

| 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 | Manekben Rama Tandel & Dharmesh Sukkar Tandel | 8 | 4091.00 | 8034099.00 | 3542042.00 | 11576141.00 | |
| Total | | | 4091.00 | 8034099.00 | 3542042.00 | 11576141.00 | |

* Land is attached under SAFFEMA


 भूमि अर्जन समाहर्ता, दमण
 Land Acquisition Collector, Damam