

9203

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. 3/19/2017/LQN/HELIPAD/2017-18/ 1540
NAME OF THE VILLAGE/
TOWN : DUNETHA
NATURE OF THE
ACQUISITION : PERMANENT
TALUKA : DAMAN
DISTRICT : DAMAN
PURPOSE OF ACQUISITION : LAND ACQUISITION FOR HELIPAD AT
DUNETHA IN DAMAN DISTRICT.

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 construction of land for Helipad at Village Dunetha, 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 construction of land for Helipad at Village Dunetha, Nani Daman vide diary dated 04/10/2017.

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. 3/19/2017/LQN-HELIPAD/2017-18/10281 dated 13/11/2017 was published. After conducting the Public Hearing on 29/11/2017 at 04.45 PM at Collectorate, Dholar, SIA report was submitted to the Deputy Secretary (Revenue) and copies were circulated to the office of the Collector, Daman & concerned Gram Panchayat and uploaded on website.

4202

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 10/02/2018, 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. 3/19/2017/LQN-Helipad/2017-18/2962 dated 23/03/2018 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 04/08/2018 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.

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.3/19/2017/LQN/Helipad/2017-18/6974 dated 06/08/2018 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. 3/19/2017/LQN/Helipad/2017-18/8525 dated 08/10/2018, 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, construction of land for Helipad at Village Dunetha, Nani Daman. h

In connection with acquisition of total land admeasuring 15331.00 Sq. Mtrs. for construction of land for Helipad at Village Dunetha, 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.

4/201

To facilitate causation of the above requirements, public notice was served dated 23/11/2018 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 23/12/2018 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 01/01/2019 at 11:00 AM.

The objection regarding adequate compensation was considered. After considering the same, 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 28/09/2017.

- **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/Jarayath Land situated at Village Dunetha for construction of land for Helipad at Village Dunetha, Nani Daman as shown specifically in the MAP and Plan displayed u/s 19.

- **LOCATION OF THE LAND:**

The total acquired land admeasuring **15331.00** Sq. Mtrs. Situated at Village Dunetha, 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

h

