

**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. 3/85/LND-ACQ/2020-21/2545
NAME OF THE VILLAGE : BHIMPORE, KADAIYA, MARWAD, DUNETHA,
AND KATHIRIA, NANI DAMAN.
NATURE OF THE ACQUISITION : PERMANENT
TALUKA : DAMAN
DISTRICT : DAMAN
PURPOSE OF ACQUISITION : ACQUISITION OF LAND FOR WIDENING OF
ROAD STARTING FROM BHIMPORE CHAR
RASTA TO MASHAL CHOWK, 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 Acquisition of land for widening of Road starting from Bhimpore Char Rasta to Mashal Chowk, 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, WD-I, Daman had submitted a land acquisition proposal for Acquisition of land for widening of Road starting from Bhimpore Char Rasta to Mashal Chowk, Nani Daman vide diary dated 10/08/2020.

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.3/85/LND-ACQ/2020-21/6925 dated 27/08/2020 was published. The Public Hearing conducted on 15.12.2020 at 03:00 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, 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 17/12/2020, 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. 3/85/LND-ACQ/2020-21/500 dated 05/02/2021 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. 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 05/02/2021 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. 3/85/LND-ACQ/2020-21/3667 dated 22/07/2021 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. 3/85/LND-ACQ/2020-21/3668 dated 22/07/2021, 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, Acquisition of land for widening of Road starting from Bhimpore Char Rasta to Mashal Chowk, Nani Daman.

In connection with acquisition of total land admeasuring **23797.00** Sq. Mtrs. for Acquisition of land for widening of Road starting from Bhimpore Char Rasta to Mashal Chowk, 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 04/03/2022 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 **08/04/2022** 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 04/04/2022 at 11.00 a.m.

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 Executive Engineer, P.W.D. WD-I, Daman and the latest report was received on 07/05/2022.

- **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 Village Bhimpore, Kadaiya, Marwad, Dunetha, and Kathiria, Nani Daman along with the Nani Daman Road for Acquisition of land for widening of Road starting from Bhimpore Char Rasta to Mashal Chowk, Nani Daman as shown specifically in the MAP and Plan displayed u/s. 19.