

OFFICE OF THE DISTRICT & SESSIONS JUDGE (HQs), TIS HAZARI, DELHI

No. LAC/Minutes/ 6159-169 /2018

Dated: 25 JAN 2018

To,

✓ All Ld. District & Sessions Judges, Delhi (NIE)

Subject : Minutes of the meeting to suggest steps to bring out better co-ordination between LAC Branch and Courts, held on 17.04.2017

Sir/Madam,

Please find enclosed herewith a copy of Minutes of the Meeting to suggest steps to bring out better co-ordination between LAC Branch and Courts, held on 17.04.2017 at Tis Hazari Courts, Delhi for information and necessary action.

Vinod Kumar

(Vinod Kumar)
Spl. Judge (NDPS) Central &
Co-Chairperson Coordination Committee
Between LAC Branch & Court

Enclosures :- Minutes of the Meeting held on 17.04.2017

NO. LAC/Minutes/ 6170-180 /2018

Dated, Delhi the 25 JAN 2018

Copy forwarded for information and necessary action to :-

All District Nazair/Branch Incharge dealing with LAC matters.

Vinod Kumar

(Vinod Kumar)
Spl. Judge (NDPS) Central &
Co-Chairperson Coordination Committee
Between LAC Branch & Court

Seen.

Be forwarded to Reviewing Authority Sh. Brijesh Garg, Po(LAC),
W.O.I.C. (Litigation), all the courts of North-East District as
well as branches and OIC Computer to upload the same on
~~server~~ ^{website} with direction for immediate compliance.

[Signature]
DJ/NE
29.1.18

MINUTES OF THE MEETING OF COMMITTEE TO SUGGEST STEPS TO BRING ABOUT BETTER CO-ORDINATION BETWEEN THE LAC BRANCH AND COURT. HELD ON 17.04.2017 IN THE CHAMBER OF CHAIRMAN.

In the presence of :

Sr. No.	Name	Designation
1	Sh. Vinod Kumar	Spl. Judge (NDPS) / Chairperson
2	Sh. Tarun Sahrawat	Additional District Judge (Central) / Member
3	Sh. Hem Raj	Administrative Civil Judge (Central) / Member
4	Sh. Sanjay Kumar	Additional District Judge-02, (West), Spl. Invitee dealing with Land Acquisition cases.

Agenda	Minute
Matter regarding suggesting steps to bring about better co-ordination between the LAC Branch and Court.	<p>Vide order dated 20.02.2017 of Ld. District & Sessions Judge (HQS), Delhi, the present committee has been constituted to suggest steps to bring about better co-ordination between the LAC Branch and the court.</p> <p>Background of the matter is that a departmental inquiry under Rule 14 of the CSS (CCA) Rules, 1965 was initiated against Sh. Ved Prakash, Distrit Nazir (now retired) for not converting the compensation amount into FDR, in case file No. 67/05 (M-22/09) titled as Union of India Vs. Sunny Ashu, due to which parties concerned suffered a huge pecuniary loss as interest.</p> <p>A regular departmental inquiry in this regard was assigned to Sh. Rajesh Kumar Singh, Ld. Inquiry Officer/AD&SJ, Delhi who submitted the final inquiry report dated 02.08.2014 holding charge not proved against Sh. Ved Prakash, the then Distrit Nazir (now retired). Ld. Inquiry Officer has stated that the department has not been able to point out any specific rule or direction applicable to the LAC Branch mentioning the specific functions to</p>

 



be performed by the District Nazir and the steps which were to be taken by him to comply with the orders of the court.

That the Ld. Inquiry Officer has raised certain issues and stated that there should be efficient co-ordination between the LAC Branch and the court, so that such incidents do not occur in future.

It is brought to the notice of the Committee by Sh. Dheeraj, JJA of the LAC Branch that Sh. Sunil Kumar Aggarwal, the then Ld. DDO suggested some points on 17.01.2012 with regard to LAC compensation lying unpaid in Treasury (Annexure-I) and the same was approved by the then Ld. District & Sessions Judge, Delhi on 18.01.2012. The points are as follows :

- I) Keep the unpaid compensation amounts by way of separate FDRs.
- II) Issue payment vouchers of such amounts to Nationalized Banks for converting them into FDRs.
- III) Particulars of FDRs be entered by the District Nazir in a register which may be kept handy for date of renewal and relating with payment registers.
- IV) FDRs may be kept by the District Nazir in a briefcase under his lock which itself may be kept in Vault of Cash Branch of the Central District for security reasons.
- V) District Nazir may take them out for payment to the rightful claimants, renewal or keep fresh FDRs.

However, further instructions were issued by the then Ld. DDO (Annexure-II) to the concerned Banks for

- i) Automatic renewal for one year at a time at the dates of their maturity.
- ii) Bank may retain the original FDRs in its safe custody on providing a copy thereof to us for our record.

W

A. S. S.

v/v

Sh. Sanjay Kumar, Ld. ADJ-02 has explained that Land Acquisition Collector makes a reference to the court only in cases under section 30 & 31 of Land Acquisition Act, where there are dispute of disbursement/ apportionment amongst the claimants concerned. The concerned Land Acquisition Collector normally sends the compensation to the court by way of cheque.

Sh. Sanjay Kumar, Ld. ADJ has apprised that it is a practice that the said cheque is deposited in SBI Bank as FDR for a period of one year with instructions to renew the same. Ld. Additional District Judge has provided a order sheet for such reference (**Annexure-III**).

It is apprised by the Nazir that in pursuance to High Court letter No. 42183/DHC/Gaz./G-10/Old cases/2009 dated 07.12.2009, a special measures with regard to LAC matters, was circulated by Sh. Sanjeev Jain, Additional District Judge-09, Delhi vide letter dated 06.04.2010 (**Annexure-IV**) and thereafter, the same special measures was again circulated by Sh. G. P. Mittal, the then Ld. District Judge-I & Sessions Judge, Delhi (his Lordship then was) vide letter dated 19.07.2010 (**Annexure-V**).

It is further apprised that an Office Order has also been issued on 28.11.2015 by the then Hon'ble Registrar General, High Court of Delhi, New Delhi (**Annexure-VI**).

After discussion with LAC Branch, the committee is of the view that steps with regard to co-ordination between the courts & LAC Branch has already been taken by previous District Judge.

K

G. P. Mittal

Sanjay Kumar

However, it is recommended that

1. Since there is no District Nazir to head the LAC Branch after retirement of Sh. Ved Prakash in Central District from November 2012, therefore, a regular District Nazir for each court complex (if not for each district) be provided who shall coordinate between the court and LAC Branch. He shall be responsible for converting the money deposited in the court to be converted in FDRs as per direction of Hon'ble High Court of Delhi and District Judge referred to as above. Till such appointment of District Nazir, the senior most official in LAC Branch will be responsible to comply with the above said directions of Hon'ble High Court of Delhi and Ld. District Judge.
2. Responsibility of maintaining Co-ordination between Court and LAC Branch will be upon District Nazir. If not posted, the senior most official in LAC Branch will be responsible for such co-ordination.
3. An order may be issued to all the District Nazirs/ Officials of LAC Branch informing them specific responsibility in this regard.
4. The Office Order dated 28.11.2015 issued by the Registrar General, High Court of Delhi and Special Measures dated 07.12.2009 issued by Sh. G. P. Mittal, the then Ld. District Judge-I & Sessions Judge, Delhi may be re-circulated to all courts as well as all the concerned Ahlmad /Nazir/Naib Nazir for strict compliance.

Meeting ended with vote of thanks.
Next meeting is scheduled for

(Tarun Sahrawat)
Member

(Hem Raj)
Member

(Vinod Kumar)
Chairperson

Ld. District & Sessions Judge (H.O.)

LAC Branch
copy
15/11/17