

3. Upon compliance with the foregoing Provisions with respect to the publication and service of notices of the compulsory acquisition order, the Commissioner shall submit to the Standing Committee any objections received under clause 2 of this Schedule and any suggestions he may wish to make in that respect.

4. The Standing Committee shall after consideration of any such objections and suggestions make such modifications in respect of the order as it may think fit and the Commissioner shall thereafter submit the order as modified by the Standing Committee to the State Government for confirmation.

SCHEDULE D.

(See section 284-O.)

Constitution and powers of compensation tribunal.

1. (1) The Tribunal shall consist of a President and two assessors.

Constitution of
Tribunal.

(2) The President of the Tribunal shall be such Judge of a Court as may, after consultation with the High Court, be selected by the State Government.

(3) The assessors shall be appointed by the State Government.

(4) Each assessor of the Tribunal shall receive such remuneration as the State Government may determine. The remuneration shall be paid by the Corporation to the President of the Tribunal for distribution.

V of 1908. 2. (1) The State Government may, by notification in the *Official Gazette*, make rules, not inconsistent with the Code of Civil Procedure, 1908, for the conduct of business by Tribunals established under this Act.

Rules of procedure
to be made by
State Government.

(2) All such rules shall be subject to the conditions of previous publication.

3. (1) For the purpose of determining the award to be made by the Tribunal under the Land Acquisition Act—

Award of Tribunal
how to be determined.

(a) if there be any disagreement as to the measurement of land or the amount of compensation or costs to be allowed or the determination of betterment charges, the opinion of the majority of the members of the Tribunal shall prevail;

(b) questions relating to the determination of the persons to whom the compensation is payable, or the apportionment of compensation, may be tried and decided in the absence of the assessors, if the President of the Tribunal considers their presence unnecessary; and, when so tried and decided, the decision of the President shall be deemed to be the decision of the Tribunal;

(c) notwithstanding anything contained in the foregoing clauses (a) and (b), the decisions on all questions of law and procedure shall rest solely with the President of the Tribunal.

V of 1908. (2) The President of the Tribunal may by the same means and (so far as may be) in the same manner as is provided in the case of a Civil Court under the Code of Civil Procedure, 1908 obtain proof of facts by affidavits, summons, witnesses and enforce their attendance, compel the production of documents and issue commissions for the examination of witnesses.

XLV of 1860. (3) Proceedings before the Tribunal shall be deemed to be the judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code.]
