

All the applicants were also heard in person. Thus as per records the title of the land is clear. The MS DNHPDA has reported that land use as per Regional Plan is the land bearing Srv. No.15/1 of village Besda in the Green Zone and does not falls in the Irrigation Command Area as per record. Direct accessibility to the survey number is 12 mtrs ROW as per ODP 2013. The proposal is recommended as per DC Rule Section 24.1.14 subject to the condition that the proposed land area has to be sub vided separately before obtaining construction permission. No development is permissible within 15 mtrs from the boundary of River and Proper drainage facility to be provided. The holder shall pay of Rs. 5,88,000/- (Rupees five lakhs eighty eight thousand only) to DNPDA as land use conversion charge.

Tribal selling land Rule 17(4) of the D&NH Land Revenue Administration Rules 1972, is attracted and permission to such agricultural land in such case can be granted only if the Collector is satisfied that the sale consideration is adequate and also that the proposed transfer is not against the interest of tribal holding land. In this case the seller is tribal and purchaser are non-tribal and they have settled sale consideration at the rate of Rs. 13,000/- per Are. The existing circle rate of non-agricultural land in village Besda is also Rs.13,000/- (Rs. Thirteen thousand only) per Are, which is agreed by the both parties at the time of hearing before Hon. Collector. Hence we may fix the sale consideration at the rate of Rs.13,000/- per Are for non-agricultural land.

However, to safeguard the interest of tribal selling the land it is the policy of the Administration to provide for keeping an amount of Rs.1.00 lakh or 25% of the total sale consideration, whichever is less in Fixed Deposit with any nationalized bank for 5 years and where the tribal land holder is left with less than 1-00 Hect, of land after sale of proposed land than in that case the intending purchaser is required to put up amount of Rs. 50,000/- or 50% of the sale consideration amount, whichever is less in Fixed Deposit, in favour of the seller, in a nationalized bank for 5 years being in addition to the agreed consideration.