

Census Act 1948

Section 7B - Payment of Compensation

(1) Whenever in pursuance of Section 7A the Central Government requisitions any premises, there shall be paid to the persons interested compensation the amount of which shall be determined by taking into consideration the following, namely:--

(i) The rent payable in respect of the premises or if no rent is so payable, the rent payable for similar premises in the locality:

(ii) If in consequence of the requisition of the premises the person interested is compelled to change his residence or place of business, the reasonable expenses (if any) incidental to such change: Provided that where any person interested being aggrieved by the amount of compensation so determined makes an application within the prescribed time to the Central Government for referring the matter to an arbitrator, the amount of compensation to be paid shall be such as the arbitrator appointed in this behalf by the Central Government may determine : Provided further that where there is any dispute as to the title to receive the compensation or as to the apportionment of the amount of compensation, it shall be referred by the Central Government to an arbitrator appointed in this behalf by that Government for determination, and shall be determined in accordance with the decision of such arbitrator. Explanation.-In this sub-section, the expression "person interested" means the person who was in actual possession of the premises requisitioned under Section 7A immediately before the requisition, or where no person was in such actual possession, the owner of such premises.

(2) Whenever in pursuance of Section 7A of the Central Government requisitions any vehicle, vessel or animal, there shall be paid to the owner thereof compensation the amount of which shall be determined by the Central Government on the basis of the fares or rates prevailing in the locality for the hire of such vehicle, vessel or animal :

PROVIDED that where the owner of such vehicle, vessel or animal being aggrieved by the amount of compensation so determined makes an application within the prescribed time to the Central Government for referring the matter to an arbitrator, the amount of compensation to be paid shall be such as the arbitrator appointed in this behalf by the Central Government may determine:

PROVIDED FURTHER that where immediately before the requisitioning the vehicle or vessel was by virtue of a hire-purchase agreement in the possession of a person other than the owner, the amount determined under this sub-section as the total compensation payable in respect of the requisition shall be apportioned between that person and the owner in such manner as they may agree upon, and in default of agreement, in such manner as an arbitrator appointed by the Central Government in this behalf may decide.