

CANTONMENT BOARD BAREILLY

**MINUTES OF THE ORDINARY CANTONMENT BOARD MEETING HELD
IN THE OFFICE OF THE CANTONMENT BOARD, BAREILLY ON 11-
.09.2014 AT 1300 HOURS.**

01. Brig . Anil Sharma President
02. Shri. R.H.Awasthi, (CEO) Member Secretary.

01. **REGARDING CONSTRUCTION OF HOSTEL BUILDING IN THE
PREMISES OF MAJOR DHYAN CHAND STADIUM, SAI TRAINING
CENTRE AT BAREILLY**

Major Dhyan Chand Sports Stadium of the Board has been given on 30 years lease to Sports Authority of India on the basis of sanction accorded by the GOC-in-C. In this Connection an M.O.U. dated 16th Jan. 2007 has been signed and registered between Sports Authority of India (First party) and Cantonment Board Bareilly (Second party).

The Sports Authority of India is implementing sports promotion scheme in the stadium which has benefitted the residents of Bareilly as well as the students of Cantt. Board Schools. The training of Athletics, Hockey, Sepak Takraw, Volleyball and Baseball etc. is being imparted in the training centre run by the SAI in Stadium. Recently, a synthetic hockey surface has been laid at the stadium by the CPWD at the cost of Rs.3.50/- crores incurred by SAI. There is a provision of expansion of infrastructure by the SAI with approval of Cantt. Board as per M.O.U.

It is submitted that the functioning of SAI Training Centre was reviewed in the presence of Regional Director, SAI, Lucknow during the meeting held on 02nd Sept,2013 in the office of Cantonment Board. The SAI officials had projected the urgent need of Hostel in Stadium premises. The management & monitoring committee meeting was again held in cantonment board office on 22/05/2014. The meeting was concluded with the resolution that proposal for SAI Hostel will be expedited.

Presently Cantonment Board has provided 05 No. Staff Qtrs. for SAI trainees on temporary basis. Recently SAI Officials were informed to vacate the Qtrs. on immediate basis which are required for working employees of the Cantonment Board.

With ref. to above the Regional Director SAI vide their letter No.5/2(ii)Infra/RSRCL/2009-10/980 dated 19th Aug.2014 has informed that proposal for construction of 50 Bedded Hostel building has been approved in principle by Director General Sports Authority of India. It is further intimated that while the matter is under process for construction of 50 Bedded Hostel Building in Phase-I, a provision is being made for future expansion of 100 Bedded in case the number of trainees increases.

As per clause No.6(xii) of MOU for creation of infrastructure SAI (First party) will obtain approval of the Cantt. Board (Second party). As per terms of MOU the Property of Cantt. Board is being maintained and managed by SAI. Stadium premises is spread in area of

about 11.615 Acres classified as class 'C' and the proposed hostel will be located within the aforesaid leased premises as per MOU.

The Regional Director and other Officials of SAI have requested for approval of Cantonment Board to facilitate construction of Hostel in the Stadium premises.

01. **RESOLUTION:**

M.O.U and relevant records have been perused and matter discussed at length. The proposal given by SAI for construction of Hostel in Stadium premises not accepted and not approved. SAI HQ be informed to approach State Govt. or other organizations for the Land required for proposed Hostel construction.

02. **REGARDING CONTRACT TO RUN, MANAGE AND MAINTAIN SEHNAI BARAT GHAR PREMISES LOCATED NEARBY SADAR BAZAR VEGETEABLE MARKET, BAREILLY CANTT.**

Reference CBR No.13 dated 28.06.2014

The matter has been considered in the meeting of the Cantt. Board held on 28-06-2014. The Board has considered and approved highest bid quoted by Shri Narendra Kumar, Shindu Nagar, Bareilly @ of Rs.20.05 Lacs per year for the contract period of five years subject to the conditions of enhancing the rates of 10% every year during the period and has further resolved that the Bidder not charge more than Rs.51,000/- from the bonafide residents of the Cantt. for each function and will provide 10% rebate on charges to the nearest dependant of the Cantt. Board employees.

The highest bidder Shri Narendra Kumar, Shindu Nagar, Bareilly has provisionally deposited a sum of Rs.14,50,000/- as a part payment in respect of above quoted bids in the office of the Cantt. Board as per terms & conditions of the auction documents.

The highest Bidder Shri Narendra Kumar, Shindu Nagar, Bareilly was informed by this office letter No.BCB/Shehnai Barat Ghar/Revenue/E-3 dated 25 Aug,2014 regarding approval of his bid with terms & conditions as per CBR.

With ref. to above Shri Narendra Kumar, Shindu Nagar, Bareilly has submitted his reply dated 27-08-2014 stating therein that yearly enhancement by 10% of the Bid Amount is not agreed to and further per package limit of Rs.51,000/- is not agreed to. It is noted that the Bidder has not given his willingness for yearly enhancement @10% and package limit and concession, rebate on charges to the dependent of Cantt. Board employees.

02. **RESOLUTION:**

The bid approved by the Board for Sahnai Barat Ghar is @ 20.05 Lacs per year which is considered to be reasonable. The request of the bidder, not agreed to. In case the contractor fails to accept, than fresh bids be asked.

03. REGARDING MUTATION OF HOUSE NO.184-A, SADAR BAZAAR,BAREILLY CANTT.

Reference Mutation Application dated 05.05.2014 submitted by Smt. Madhu Jaiswal w/o Shri Ram Gopal Jaiswal resident of House No.184-A, Sadar Bazar, Bareilly Cantt.

It is submitted that site comprising GLR Sy.No.292/305 measuring an area 1273 Sq.ft., described as House No.184 and 184-A, Sadar Bazar are held on Old Grant terms. The land underneath the above site is classified as B-3 land under the management of Cantonment Board Bareilly Cantt under section 43 of Cantonment Lands Administration Rules, 1937.

The particulars of the proposed property are as under :-

House No.	184 and 184-A
Sy.No.	292/305
Area	1273 Sq.ft.
Exact Situation	Sadar Bazar,
HOR as per GLR	<u>House No.184</u> Shri Nirankar Prasad S/o Madan Gopal <u>House No.184-A</u> Shri Ganga Prasad and Kamta Prasad
Nature of terms	Old Grant.

As per existing entry of GLR the Survey No.292/305 is showing two respective authorized independent holdings bearing No.House No.184 and House No.184-A. As indicated above House No.184 is found recorded in favour of Shri Nirankar Prasad S/o Madan Gopal and House No.184-A stands recorded in the name of Shri Ganga Prasad & Shri Kamta Prasad respectively.

The proposed site known as House No.184-A is held jointly by Shri Ganga Prasad and Shri Kamta Prasad S/o Shri Chet Ram. Shri Ganga Prasad died on 20.12.2002 vide Death Certificate dated 11.01.2003 issued by Cantt Board, Bareilly leaving behind only one legal heirs i.e. Smt. Madhu Jaiswal W/o Shri Ram Gopal Jaiswal vide Varisan Certificate dated 24.08.2009. Shri Kamta Prasad, the Co-HOR of House No.184-A declared dead vide Judgement passed by the Appar Civil Judge Sr. Div. III Order dated 21.09.2012. It is further clarified that Shri Kamta Prasad has no their own children as declared in Will deed dated 17.05.1992. Shri Kamta Prasad has bequathed his share in above property to his niece Smt. Madhu Jaiswal W/o Shri Ram Gopal Jaiswal D/o Shri Ganga Prasad vide will deed dated 17.05.1992.

Smt. Madhu Jaiswal W/o Shri Ram Gopal Jaiswal D/o Late Shri Ganga Prasad resident of House No.184-A, Sadar Bazar, Bareilly Cantt., has applied vide her mutation application dated 05.05.2014 for mutation of House No.184-A on the basis of her father's Varisan Certificate and will deed executed by her uncle i.e. Shri Kamta Prasad dated 17.05.1992.

As per technical report dated 07.08.2014 given by the Asstt. Engineer the site in question does not involve Change of Purpose, Sub-division of site, Encroachment and Unauthorised Constructions.

The objections were invited vide Public Notice dated 11.08.2014 the same was published in local newspaper Dainik Jan Morcha and Dainik Aaj on 12.08.2014. The prescribed period for submission of objection has elapsed but no objection has been received so far.

The proposed mutation application alongwith requisite documents i.e. Admission deed, Varisan Certificate, Will deed Indemnity Bond etc have been examined thoroughly to arrive this reasoned conclusion.

It is finally concluded that the proposed house jointly owned by Shri Ganga Prasad and Kamta Prasad. The share of Ganga Prasad devolved to her daughter Smt. Madhu Jaiswal w/o Shri Ram Gopal Jaiswal on the basis of Varisan certificate and Shri Kamta Prasad has bequeathed his share in favour of her niece Smt. Madhu Jaiswal w/o Shri Ram Gopal Jaiswal vide their will deed dated 17.05.1992. The site does not involve any breach of terms and is being used as per Grant. It is a clear case of transfer mutation on the basis of inheritance and Will Deed.

In view of detailed description of the matter, the site comprising GLR Sy No. 292/305 measuring an area 1273 sq. ft described as H. No. 184 & 184-A, Sadar Bazaar Bareilly Cantt may be considered for transfer of occupancy rights for independent House No.184-A, Sadar Bazar, Bareilly Cantt., only on demise of Shri Ganga Prasad and Shri Kamta Prasad in favour of Smt. Madhu Jaiswal W/o Shri Ram Gopal Jaiswal, on the basis of Varisan Certificate of her father and Will Deed of her uncle Late Kamta Prasad.

03. RESOLUTION:

The HOR of House No. 184-A recorded in Cantt. Board GLR are Shri Ganga Prasad and Kamta Prasad. On perusal of Court's judgement, order dated 21-09-2012 person named - Kanta Prasad Jaiswal (कान्ता प्रसाद जायसवाल) is declared dead whereas name of CO-HOR in GLR is written as Kamta Prasad.

The Board observed discrepancy in name of CO-HOR. The issue is whether the concerned person is Kamta Prasad or Kanta Prasad (कामता प्रसाद or कान्ता प्रसाद). It is also observed that the name of person shown in the will deed is Kanta Prasad not Kamta Prasad. It is accordingly resolved to take clarification with supporting evidence from the applicant for further action as per rule.

04. DETERMINATION PROPOSAL IN RESPECT OF SITE COMPRISING GLR SY.NO.292/604/13 MEASURING AN AREA 1319 SQ. FT., DESCRIBED AS RESIDENTIAL HOUSE SITUATED WITHIN SADAR BAZAR, BAREILLY CANTT HELD ON LEASE TERM IN SCHEDULE VIII CLAR, 1937.

Reference CBR No.04 (2) dated 11.01.2012 and CBR No.3 (01) dated 23.10.2013 and also this office letter No.BCB/H.No.97/SB/E-9 dated 07.12.2013 and CBR No.04 (2) dated 05.06.2014.

It is submitted that the proposal regarding determination of leased site comprising GLR Sy.No.292/604/13 was placed before the CAC/Board for consideration and decision on the matter. The CAC/Board vide above referred CBR No.4 (02) dated 05.06.2014 deferred the matter.

The applicant/occupier was informed vide this office letter No.BCB/H.No.97/SB/E-9 dated 07.12.2013 that CAC/Board has granted 02 months time for submission of requisite mutation and renewal documents from the receipt of intimation/official correspondence. No documents or reply nor any correspondence has been received till yet.

Now it is evident from the record that the prescribed period of 02 months as granted by the CAC/Board to the applicant/occupier for submission of requisite mutation and renewal documents has since elapsed during Feb, 2014. Hence, the proposal regarding determination of proposed leased site is being again placed before the BOARD.

The brief history of the case is as under: -

The site comprising GLR Sy.No.292/604/13 measuring an area 1319 Sq.ft. described as Residential House held on Lease Term in Schedule VIII, CLAR, 1937. The Lease was duly executed between Governor General in Council and Shri Kalloo S/o Gangoo, R/o Sadar, Bazar, Bareilly Cantt on 05th June, 1946. The reserve Lease rent for aforesaid period was Rs.02 and Annas 14 payable to the Cantonment Authority. The land underneath the above site classified as B-3 land and is under the management of Cantonment Board, Bareilly.

The Proposed Lease site was initially granted in favour of Shri Kalloo S/o Gangoo in Schedule VIII, CLAR, 1937 w.e.f. 05.06.1946 for the period of 90 years renewable at the option of lessee for successive terms of 30 years each in Schedule IV, of CLAR, 1937 on payment of enhanced Lease rent. The property was not subsequently transferred in favour of legal heirs of lessee or successor in interest. As per existing entry of GLR shows that the site still stands mutated in favour of HOR Shri Kalloo S/o Gangoo.

The first term of lease of 30 years expired on 31.05.1976 and Second terms of lease has also elapsed on 31.05.2006 without any renewal proceeding. The third and last term of lease w.e.f. 01.06.2006 to 31.05.2036 has also to be renewed as per prevailing policy.

The Lease Rent w.e.f., 05.06.1946 to 31.05.1976 has been recovered from the erstwhile lessee and recovery of Second term and Third Term of lease is pending for want of renewal proceeding. The proposal for renewal of lease could not be initiated since mutation documents submitted by the applicant were found incomplete. Despite best possible efforts and personal liaison the requisite mutation and renewal, documents are still awaited.

The recorded lessee died on 20.05.1980 as per Death Certificate issued by Cantonment Board, Bareilly on 08.08.2008 without submitting renewal option. Smt. Munni Devi w/o Late Ratan Lal S/o Pancham Lal S/o Kalloo had applied for mutation on 12.07.2004. The mutation documents submitted by the applicant were found incomplete.

The applicant was asked vide this office letter No.CBB/H.No.97-A/SB dated 17.03.2005 to furnish Death Certificate of lessee and Varisan Certificate. After long correspondence the applicant submitted Death Certificate of recorded lessee on 20.11.2008 with the request that Varisan Certificate will be submitted later.

The applicant was again intimated vide Letter No.CBB/H.No.97-A/SB/E-9 dated 12.01.2009 to furnish the requisite document. He was again and again intimated vide letters dated 19.03.2009, 26.05.2009, 30.06.2009, 28.08.2009, 07.11.2009 02.12.2009, 25.05.2010, 05.08.2010, 13.04.2011, 16.04.2012 & 07.12.2013 but the requisite documents have not been received so far.

A Public Notice was also published in Local newspapers namely Samvad Kesri and Jan Morcha dated 20.07.2010 and it is again published on 26.01.2013 in Amar Ujala and Hindustan, Bareilly regarding completion of paper formalities but the concerned person have not responded till yet.

It is thus apparent that the erstwhile recorded lessees or successors have committed gross breach of the lease covenants by not following the prescribed procedure the occupiers/legal heirs are enjoying the lease site without paying lease rent and also without having valid Lease Indenture. This amounts to unauthorized occupation of Govt. Land.

As per Clause II of the lease in case of breach in any of the lease terms, there is a provision to determine the lease and vest the same with the lessor. For this action the lease has to be determined by obtaining a sanction of the Govt and consequently the lessee/lessees shall not be entitled to any compensation whatsoever.

In view of detailed description of the matter, the proposal for determination of Leased Site comprising GLR SY.No.292/604/13 admeasuring an area 1319 Sq.ft., known as residential house may be initiated for obtaining the sanction of Dte, DE, CC Lucknow.

04. RESOLUTION:

The matter considered at length and resolved that requisite proposal for determination of lease in respect of site held on GLR Sy.No. 292/604/13 measuring an area 1319 SQ.FT be for forwarded to Dte. DE CC Lucknow for obtaining necessary sanction.

05. REGARDING ENGAGEMENT OF CHARTED ACCOUNTANT IN THIS OFFICE.

Reference DGDE letter No. 56/15/DGDE/Coord/Double Entry Dated 25 April,2014.on dated 07/06/2014 and direction of PCB.

To consider and approve the appointment of Chartered Accountant, an interview was called on dated 08/09/2014 at 11:10 AM by the Board of officer comprising ADM Comdt and CEO, in this office of the Cantonment Board. Accordingly, the three Chartered Accountants have participated in the said interview their names & particulars etc. are mentioned in Comparative Statement. Shri Sanjay Kumar Agarwal, C.A was selected and found suitable for engagement on the payment of Rs. 25000/- PM.

05. RESOLUTION:

Considered and approved the recommendation of the board of officers and resolved Shri Sanjay Kumar Agarwal be engaged as Chartered Accountant on payment of Rs. 25000/- PM (Fixed).

06. FIXATION OF RATES OF MANURE PREPARED THROUGH SOLID WASTE MANAGEMENT PLANT

The Board has engaged an agency M/s Patyey Mahaveer Enclve, New Delhi for disposal of municipal waste i.e. segregation and composting of solid waste vide CBR No. 11 dated 05-04-2014. As per the terms of Contract Agreement with the agency, The society/firm/agency will provide 600 sack/bags of manure and each bag containing 40 KG manure. The board can sell these manure to the farmers and other resident for horticulture purposes.

06. RESOLUTION:

Considered and approved. The Board has decided to sell the manure prepared through Solid Waste Management Plant @ Rs. 2.00 per Kg i.e. Rs. 80 per sack/bag(containing 40KG Manure). The CEO will keep the proper record for sale of manure which shall be placed before the audit authorities during the audit.

07. CONTROL OF MONKEY MENACE AND STRAY DOGS

To consider and approved the lowest quotes rates for the control of monkey mines and stray dogs in Cantt Area.

Tender notice was issued by this office for publication in the local daily hindi news papers vide this office letter no. सीबीबी/सफाई अनुभाग/2014 dated 29 अगस्त 2014. Application received for the issue of tender forms. The tender form was issued to the eligible agencies on payment of Rs. 500/- + Sale Tax only. Duly completed tender forms were received on schedule date and time and were opened in the presence of the tenderers and comparative statement was prepared. The lowest rate has been quoted y the society for Human and animal welfare Bamanpuri Pilibhit Road Puranpur Distt Pilibhit.

The total expenditure of the control of 500 monkey mines is tune of Rs. 1,70,000/- and control of 500 stray dogs is tune of 4.25 lacs. Tender received along with the comparative statement and other relevant papers are put up on the table. The expenditure will be booked under the Budget Head F-9 for the year of 2014-15 where the adequate provision shall be made in revised estimates.

07. RESOLUTION:

Considered and approved. The lowest rates quoted by M/s Human and Animal Welfare, Bamanpuri, Pilibhit Road, Puranpur, Distt. Pilibhit for sterilization of Stray Dog is 885/- each. And Catching of Monkey Mines is 340/- for each monkey. The total expenditure for control of 500 stray dogs is tune of Rs. 4.25 Lacs only and catching of 500 monkey mines is tune of 170000/-. CEO is authorized to execute the work within the budgetry provision.

08. CREATION OF CITIZEN CHARTER IN RESPECT OF BAREILLY CANTONMENT

Reference Dte letter no. 16373/Misc/Adm/LCE dated 11 June 2014. And CBR No. 04 Dt. 28-10-2002.

To approve draft citizen charter of Bareilly Cantonment Board which has been formulated high lighting the service and facilities, public conveniences and civic amenities provided and rendered by the Cantt. Board besides responsibilities of citizens in this regard.

08. RESOLUTION:

Draft citizen charter is approved and CEO is authorized to take further and necessary action on the subject.

09. TO FIX THE REMUNERATION/LABOUR CHARGES FOR THE BOY (BHAN RAKSHAK) AT PARKING STAND IN THE R N TAGORE INTER COLLEGE

Reference an application dated 18-7-14 for requisition submitted by the Principal R N Tagore Inter College.

The parking arrangement has been managing by the Principal of **R N Tagore Inter College** on the basis of fees realized from the students. The fees realized from the students are being deposited in the office of Cantt. Board Office after the deduction of labour Charges of the boy (Bhan rakshak) respectively.

Hence the Principal has requested that the labour charges of **Rs. 2500/-** per month may be increase from 2000/- as the remuneration/labour charges for the boy (Bhan rakshak) for session 2014 -2015 please.

09. RESOLUTION:

Discussed and resolved that the boy (Bhan Rakshak) be paid 2500/- PM for the session 2014-15.

10. **SANCTION FOR AGE RELAXATION FOR FILLING THE VACANT POST OF (ASTT. TEACHER L.T. GRADE) REGARDING EXITING CONTRACTUAL EMPLOYEE.**

Reference CEO Bareilly Letter No. CBB/AT/LT/CI/2010 dated 16-04-2010 on the subject matter, letter even no. dated 31-03-2014, Dte. DE, CC, Letter No. 9876/XI/LC-6/86 dated 19-03-2014 and CEO, Bareilly letter NO. CBB/Computer/Samvida/14 dated 02-06-2014 letter of even No. dated 07-07-2014, Dte. DE, CC Letter No. 9876/XI/LC-6/XI dated 15-07-2014 and this office Letter No. CBB/ESTT/XX/2014 dated 24-07-2014.

The above proposal has been under examination and under correspondence between Dte. DE, CC and Cantt Board Office since 2010. The PDDE, Central Command vide their letter 9876/XI/X.T/LC-6 dated 09th Sept. 2014 has asked clarification on various aspects of the proposal. The relevant case files have been perused and clarification/factual report on the issues given here under:-

- a) It is submitted that recruitment process for post of Computer Teacher were conducted in 2009 but the proposal for the age relaxation was sent to Dte. on 16-04-2010, i.e. almost after 10 months, without any recommendation of the Board. In this regard no reasons for delay are available in proposal files. This may be better known to the than CEO, Shri Alok Gupta.
- b) It is submitted that Shri A.K. Saxena an overaged candidate was probably allowed to participate in the selection process since he was working as contractual Computer Instructor in the college .

It is further submitted that this office is not recommending to accept the Age Relaxation proposal since this will invite many others representations from other persons having served the Cantt Board on Contractual Terms from time to time.

It is further reported that some of the candidate engaged earlier on contractual terms have moved petitions in Allahabad High Court which are being contested by Cantt Board Office.

In view of above the above mentioned documents/correspondence are put up for consideration and recommendation by Cantt Board as asked vide Para 04 of Dte. DE, CC letter dated 09-09-2014 as referred above.

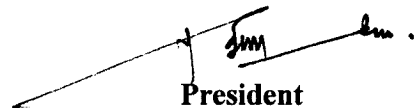
10. **RESOLUTION:-**

The previous correspondence and relevant records have been perused. It is resolved to drop and reject the proposal for Age Relaxation to Shri Aishwarya Kumar Saxena. As the same is likely to be used as a precedence. Dte. Defence Estates be informed accordingly.



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