

1. ACTION TAKEN PERTAINING TO THE PROCEEDINGS OF ORDINARY BOARD MEETING HELD ON 04.09.2018 AT 1500 HOURS.

2. MONTHLY STATEMENT OF ACCOUNTS

Noted.

3. UPGRADATION OF CANTT BOARD SCHOOL BUILDING AND JRG HOSPITAL BUILDING AT SHILLONG CANTT.

Action taken vide this office letter No. SHG/6/CPWD/DPR/SCHOOL/HOSP/1250, dated-14.09.2018.

4. DEVELOPMENT WORKS OUT OF MLA LOCAL AREA DEVELOPMENT FUND.

Action taken vide this office letter NO. 04/EC/CB/SHG/GEN_ADMIN/BOARD-PROCEEDING/I/DE/1216, dated-04.09.2018.

5. MUTATION OF LEASE HOLD RIGHTS OF H. NO. 3 JB SY. NO. 135/22, JHALUPARA BAZAR, SHILLONG CANTONMENT.

Action taken vide this office letter No. SHG/7/3JB/1251, dated-14.09.2018.

6. MUTATION OF H.NO.27 CB

Action taken vide this office letter No. SHG/7/27 CB/1252, dated-14.09.2018.

7. REVISION OF PAY SCALE OF CANTONMENT FUND SERVANTS SHILLONG.

Action taken vide this office letter No. SHG/1/PAY REVISION/DE/1343, dated-16.10.2018.

2. ACTION TAKEN PERTAINING TO THE PROCEEDINGS OF SPECIAL BOARD MEETING HELD ON 19.09.2018 AT 1100 HOURS.

BIO TOILET CABINS INSTALLED BEHIND CANTONMENT BOARD COMMUNITY HALL AT JHALUPARA BAZAR: GUTTED BY FIRE.

Action taken vide this office letter No. SHG/6/BIO/SAP/2017/1303, dated-3.10.2018.

AGENDA

3. MONTHLY STATEMENT OF ACCOUNTS

To consider and approve the statement of accounts of receipts and expenditure for the following months:

August 2018

Opening Balance for the month of August 2018	Rs.	7363893.42
Add Collection of revenue made during August 2018	Rs.	1315551.00
Add Deposit:	Rs.	<u>65365.00</u>
Total		8744809.42
Less Expenditure during August 2018	Rs.	3340254.00
Less Refund	Rs.	<u>65356.00</u>
Closing Balance	Rs.	5339199.42
Balance of Service Charges	Rs.	108484446.00

September 2018

Opening Balance for the month of September 2018	Rs.	5339199.42
Add Collection of revenue made during September 2018	Rs.	10466203.00
Add Deposit:	Rs.	<u>469507.00</u>
Total		16274909.42
Less Expenditure during September 2018	Rs.	8386768.00
Less Refund	Rs.	<u>0.00</u>
Closing Balance	Rs.	7888141.42
Balance of Service Charges	Rs.	108484446.00

4. ISSUE OF TRADE LICENSE UNDER THE CANTONMENT ACT, 2006

It is submitted that this office had invited Traders/Manufacturers/Vendors/Contractors/suppliers dealing in items intended for human consumption and traders of other category within the limits of Shillong Cantonment area to apply for license for the year 2018-19 and further extension notice was also issued vide Notice No. 04/EC/CB/SHG/REV/TRADE LICENCE/DE/531, dt-16.03.2018.

As per Section 277 (3) (a) any person carrying on his trade, calling or occupation in any part of a Cantonment shall be bound to apply for a license for carrying such trade or occupation in that part until he has received from the Board not less than three months' notice in writing of his obligation to do so, and if the Board refuses to grant him licence, it shall pay compensation for any loss incurred by reason of such refusal.

This office has received 366 applications (list enclosed) for issue of trading licenses for the year 2018-19 as per details below: -

Jhalupara Bazar	-	156 Nos
Cantonment Bazar	-	80 Nos
Bungalow Area	-	130 Nos.
Total	-	366 Nos.

The above applicants for trade license for the year 2018-19 have applied for and they have to obtain a license in this behalf from the Board as per Cantonment Act, 2006.

In view of the above, the applications for trade licenses for the year 2018-19 may be approve by the Board as per list enclosed for issue of trade license so as to allow this office to charge the necessary fees as approved vide CBR No. 6 dated-7.7.2018 to enhance the revenue of the Board and applicant for license for eatable/hotels, Restaurant/Grocery/Vegetable/Saloons may be issued only after getting the endorsement of the AHO, MH, Shillong.

Further, license for the year 2018-19 will be issued as per Cantonment Act, 2006 and without any prejudice to any Court Order and without any prejudice so far as land in question is concerned.

List of applications received for issue of license is placed on the table.

5. FIXING OF OPD CHARGES AND RATE FOR GYNAECOLOGICAL PROCEDURE.

To consider and fix the rate of OPD charges and rate for Gynaecological procedure.

The Board has engaged a Gynaecologist through outsourcing on a part time basis. The Gynaecological wing was inaugurated on 12.09.2018. The Gynaecology OPD opens on every Monday & Saturday from 3:00 P.M to 5:00 P.M and since its opening it has catered to the medical need of residents.

At present a nominal rate of Rs 5/- for public residing within Cantonment area and Rs 10/- for residents outside Cantonment area are collected as OPD charges. Further, the Gynaecological wing is equipped to handle small Gynaecological procedures.

As per the Gynaecologist the procedures that can be performed is as under: -

1. Dressing
2. D & E
3. Copper T insertion
4. Copper T removal.

Therefore, matter is placed before the Board for fixing of OPD charges and rate of above gynaecological procedures.

Relevant file is placed on the table.

6. CULTURAL/SPORTS MEET OF DIRECTORATE EASTERN COMMAND, 2018.

The PD DE EC vide letter No. 262709/LC-3/C&S/II/2, dt-11.10.2018 has informed that the Cultural/Sports meet of the Cantonment Board Schools under Eastern Command will be held w.e.f 18.11.2018 to 20.11.2018 at Barrackpore Cantonment.

The Cultural meet is proposed to be held on 18.11.2018 and the sports meet will be held on 20.11.2018. The expenditure of the Cultural/sports meet would be initially borne by Barrackpore Cantonment and the actual expenditure incurred would be proportionately shared amongst the Cantonment Boards on pro rata basis. The share of which will be intimated later on.

Matter is therefore placed before the Board for approval for participating in the Cultural/Sports meet 2018 and for incurring expenditure thereon.

Relevant papers is placed on the table.

7. CELEBRATION OF SWACHHTA PAKHWADA.

The Shillong Cantonment Board had celebrated the Swachhta Pakhwada w.e.f 15.09.2018 to 02.10.2018 with a series of programmes for each day.

The expenditure incurred on the 02.10.2018 will be borne initially by Shillong Municipal Board and the actual expenditure incurred will be shared with the Shillong Cantonment Board and Shillong Municipal Board.

Therefore, the matter is placed before the Board for approval of incurring expenditure for celebration of Swachhta Pakhwada on 02.10.2018 jointly with the Shillong Municipal Board and Civil Defence and Home guards.

8. PRAYER FOR PROMOTION TO THE POST OF PLUMBER.

Reference Vice president Shillong Cantt. Board letter Dt 06.10.2018

It is submitted that Shri. Pawan Rai, Mazdoor has vide his letter dt 06.10.2018 has requested the Vice-President Shillong Cantt. Board to consider his promotion to the post of Fitter:

As per GOC-in-C, Eastern Command Letter No. 362532/LC-3/ dt 7.4.1977, **the post of fitter is a direct recruitment post** with the Essential qualification prescribed for the post as primary school standard pass with recruitment trade test pass in fitter (water Supply) prescribed under rule 5-B (3) of CFSR 1937 and as per Rule 5-B (Notes 5 & 6) of CFSR 1937, the upper age limit for Group “C” & “D” is relaxable upto 35 years of age working in same or allied cadres and for Group “C” departmental candidates is relaxable upto 40 years for general candidates and 45 years for SC/ST.

Further, Sh. Pawan Rai, Mazdoor has filed a petition before the Hon’ble High Court of Meghalaya-WP (C) No. 364 of 2013 for appearing in interview for the post of Fitter (water supply) whereby the Court has passed an Order vide Judgement order Dt 16.08.2016 that “Sh. Pawan Rai shall be allowed to sit for interview; if at the time of scrutiny of the application and he fulfils the terms and conditions as mentioned in the advertisement and as per rule”.

In view of the above, if Sh. Pawan Rai, Mazdoor fulfils the requisite qualification as per rule, he will be considered for the post of fitter as a departmental candidate.

Relevant file is placed on the table.

9. REVISION OF PENSION: CANTONMENT FUND PENSIONERS

To consider the question of revision of pension to Cantonment Fund pensioners w.e.f 01.01.2017 as per the implementation of Fifth Meghalaya Pay Commission published vide Govt. of Meghalaya Finance Deptt. No. F(PR) -62/2017/20, dated 7th December 2017.

The present pension was sanctioned / revised w.e.f 01.01.2007 with the instructions from PD, DE, EC letter No. 362536/BKP/LC-3/P-9 dated 06.10.2010 that “separate sanction of the Directorate is not required for revision of pension as the provisions of the CCS (Pension) Rules 1972, as amended from time to time shall mutatis mutandis govern the grant of Pension, Family Pension etc of the Cantonment Board Employees as per Rule 31 of the CFS Rule 1937” and the minimum pension of Rs. 9000/- wherever applicable was fixed as per the instructions issued by DG, DE, New Delhi letter No. 138/740/ADM/DE/17(PENSION) dated 16.05.2017 and Deptt. of Pension & Pensioners’ Welfare OMs F.No.38/37/2016-P&PW(ii) dated 4/08/2016. However, payment of arrears and Dearness Allowances and other allowances should be made as per the orders of the concerned State Government in this regard after audit.

Similarly, as per clause 6 of Govt. of Meghalaya the minimum pension per month will be Rs. 8700/- effective w.e.f 01.01.2017. In this connection it is submitted that the minimum pension of Cantt. Fund Pensioners is fixed as per instructions issued by DG, DE, New Delhi letter No. 138/740/ADM/DE/17(PENSION) dated 16.05.2017 and Deptt. of Pension & Pensioners’ Welfare OMs F.No.38/37/2016-P&PW(ii) dated 4/08/2016 and 38/37/2016-P&PW(A) dated 12/05/2017 for which the minimum pension of Cantonment Board Pensioners shall be Rs. 9000/- per month. As per Govt. of Meghalaya notification Dt 07.12.2017, Para 13 - “40% arrears of pension shall be paid in the year 2017-18. Orders in regard to the release of the balance of the arrears (i.e 60%) will be issued separately”. The revised pension has been fixed as per the formula prescribed by the Govt. of Meghalaya and whenever the pension is to be fixed at the minimum, the same has been fixed at Rs. 9000.00 per month.

A sum of Rs. 37,37,479/- (approx.) will be required for payment of arrears of pension w.e.f 01.01.2017 to 30.09.2018. This office have already been sanctioned ordinary grant-in-aid of Rs.1,41,41,554.00 and to avoid lapse of funds the payment to pensioners/ family pensioner may be made after obtaining an undertaking from them and the same will be place during next audit.

Relevant file alongwith Govt. orders and instructions are put up on the table.

10. BIO TOILET CABINS INSTALLED BEHIND CANTONMENT BOARD COMMUNITY HALL AT JHALUPARA BAZAR: GUTTED BY FIRE.

Reference Special CBR NO.1 Dt.19.9.2018.

The DG DE vide letter No 78/68/SAP/C/DE/2017-18 dated 31.08.2017 has conveyed the sanction of the Central Government for Swachhta Action Plan to 61 Cantonment Board for the financial year 2017-18 and out of which an amount of Rs 1,15,00,000/- has been allotted to Shillong Cantonment Board accordingly, the PDDE, EC vide letter No.363082/LC-3/2017-18/2018-19/SHG/I/15 Dt.5.1.2018 has conveyed the sanction of the competent authority.

However, as resolved by the Board vide CBR referred to above, a proposal has been submitted to the General Officer Commanding-in-Chief, HQ, Eastern Command requesting to regularize the loss action as per provisions under Rule 14(1) of the Cantonment Account Code, 1924 vide this office letter No. SHG/6/BIO/SAP/2017/1267 Dt.19.9.2018 and also installed security lights at the corners of the Ist Floor of the Community Hall and the area has become free from darkness.

The PDDE, EC vide letter No.363051/GENL/LC-3/99 Dt.19.9.2018 has advised that all action should be completed in terms of the provisions of Cantonments Act, 2006 and Cantonment Account Code 1924.

In this connection, it is to mention that the Superintendent of Police, East Khasi Hills, Shillong vide letter No. CB/SR/18/1113 Dt.19.9.2018 has forwarded a Report Dt.14.9.2018 submitted by In Charge Jhalupara Police Out Post, Shillong wherein, "it has been reported that the sample of the burnt toilet cabin have been collected to send to FSL, Shillong to ascertain whether any combustible substances were used for burning down the newly installed Bio Toilets Cabin. It has also reported that sources have been engaged as well as to gather information to identify the miscreants involved in connection with the instant case".

The aforesaid report has been forwarded to the General Officer Commanding-in-Chief, HQ, Eastern Command vide this office letter No. SHG/6/BIO/SAP/2017/ Dt.1.10.2018.

The present status of the case is placed before the Board for its appraisal.

Relevant file is placed on the table.

11. HOLDING NO.60 CB & 60 A CB

Reference CBR No. 15 Dt. 28.1.2014.

The Board vide CBR referred to above has Considered and approved the mutation of lease hold rights of H.No.60 CB, Sy. No. 15/94 and 60A CB, Sy.No.15/95 in the name of Sh. Pawan Bawri from that of (L) Sh. J.N. Bawri.

Further it was resolved that the bill for tax demand including compound interest be sent for early realization of taxes. Mutation will be effected on withdrawal of all court cases against the Cantt. Board, Shillong filed by (L) J. N. Bawri, Lessee of H. No. 60 & 60A CB, Shillong Cantt.

The taxes amounting to Rs.93,12,603.00 has been paid vide 4B Receipt No. 282114 dt.7.9.2018 and No. 282115 Dt.7.9.2018 in respect of Holding No.60 ACB, Sy.No.15/95 and also all court cases against the Cantt. Board, Shillong filed by (L) J. N. Bawri, Lessee of H. No. 60 & 60A CB, Shillong Cantt has been withdrawn.

Hence, to note that Mutation in respect of lease hold right of Holding No.60 CB and 60 A CB has been effected in the name of Sh. Pawan Bawri from that of his father (L) J.N. Bawri in compliance with the Order dt. 8.12.2014 passed by the Hon'ble High Court of Meghalaya in W.P.(C) No.380 of 2014 and W.P.(C) No.382 of 2014 and as approved vide CBR No. 15 Dt. 28.1.2014 and communicated to Sh. Pawan Bawri vide this office letter No. SHG/7/60 ACB/ 1258 Dt.14.9.2018.

Relevant files are placed on the table.

12. DELETION OF NAME OF SMT. HARIMAYA SUBBA FROM THE RECORD OF LEASE HOLD RIGHT OF HOLDING NO. 31 JB, SY NO. 135/81 JHALUPARA BAZAR, SHILLONG CANTONMENT.

The necessary ex-post facto sanction for renewal of lease in Schedule VI of CLAR 1937 in respect of an area measuring 0.357 Acre comprising GLR Sy. No. 135/81, Holding No.31 JB, Jhalupara Bazar, Shillong Cantonment for the 2nd and Final Term of 30 Years w.e.f. 01.04.1992 has been conveyed by the competent authority vide letter No.361695/LC-4/65 Dt.9.2.2017 and accordingly, the following lessees of Holding No.31 JB had been requested to appear before the CEO on 6.4.2018 for execution of renewal of lease Deed:

- (1) Smt. Harimaya Subba
- (2) Smt. Urmila Subba
- (3) Smt. Damayanti Subba W/o (L) Mani Kumar Subba

- (4) Sh. P. K. Subba
 (5) Smt. Monika Subba, w/o of (L) Basu Dev Subba,
 (6) Smt. Rashni Subba D/o of (L) Basu Dev Subba and
 (7) Smt. Reshma Subba D/o of (L) Basu Dev Subba,

In response, Smt. Urmila Subba vide letter dt.31.3.2018 has informed that their mother Smt. Harimaya Subba, has expired on 1.1.2004 and requested for deletion of her name from the record of lease hold right of Holding No. 31 JB, Sy No. 135/81 Jhalupara Bazar and as such, the execution of renewal of lease Deed of lease hold right of Holding No. 31 JB could not be executed.

Accordingly, this office vide letter No. 04/EC/CB/SHG/LAND/13JB/135-81/DE/867 Dt.7.6.2018 had requested the recorded lessees of the holding to submit the legal heir certificate of (L) Hari Maya Subba and No Objection Certificate from all the legal heir of (L) Hari Maya Subba that they do not have any objection in deleting the name of Smti Hari Maya Subba from the record/lease hold rights of Holding No. 31 JB Sy No. 135/81 Jhalupara Bazar.

The Legal Heirs of (L) Hari Maya Subba has submitted a Declaration/ No objection in deleting the name of Hari Maya Subba vide Affidavit sworn in before the Notary Public at Shillong on 4.7.2018.

Accordingly, a public Notice bearing No. SHG/7/31JB/1221 Dt. 6.9.2018 has been published in the Local News Paper "The Shillong Times" Dt.8.9.2018 informing that the name of Smt. Hari Maya Subba (Now deceased) is proposed to be deleted from the records of lease hold right of Holding No. 31 JB, Sy No. 135/81 Jhalupara Bazar (within Notified Civil Area) Shillong Cantonment and also inviting anybody having objection to the proposed deletion may submit within 30 (thirty) days from the date of issue of public notice.

No objection has been received in respect of the proposed deletion.

Hence, to consider and approve the deletion of name of Smt. Hari Maya Subba from the records of lease hold right of Holding No. 31 JB, Sy No. 135/81 Jhalupara Bazar.

Relevant documents are placed on the table.

13. DEVELOPMENT WORKS OUT OF MLA LOCAL AREA DEVELOPMENT FUND.

Reference CBR No.4 Dt.4.9.2018.

The proceedings of the Cantonment Board meeting held on 4.9.2018 has been forwarded to Shri. Sanbor Shullai, Hon'ble MLA, Government Deputy Chief Whip, Meghalaya Legislative Assembly cum Chairman, M.T.D.C. Govt of Meghalaya vide this office letter No. 04/EC/CB/SHG/GEN_ADMIN/ BOARD PROCEEDINGS/1/DE/1216 Dt.

The Hon'ble MLA, Government Deputy Chief Whip, Meghalaya Legislative Assembly cum Chairman, M.T.D.C. Govt of Meghalaya vide letter No. SS/MLA/DEV/2018-19/416 Dt.11.9.2018 has intimated that the development works mentioned in Sl. No.1,2,4,5,6 and 7 of CBR referred to above will be carried out by the State Agency under the MLA Scheme and requested to issue NOC for preliminary site inspection for preparation of estimate for the development works for the Year 2018-19 by the concerned Department of Govt. of Meghalaya.

Accordingly, this office vide letter No. SHG/7/CORRES-MLA/1247 Dt.13.9.2018 has intimated the Hon'ble MLA that Preliminary site inspection for the development works for the Year 2018-19 by the concerned Department of Govt. of Meghalaya may be carried out for preparation of estimate only as desired and the necessary NOC for execution of development works will be issued by the Board on receipt of detailed proposal together with estimated cost for each work.

The Hon'ble MLA vide letter No. SS/MLA/NOC/2018-19/436 Dt.10.10.2018 has submitted the following proposed estimated cost prepared by the engineer from the concerned department and also intimated that all the works will be done with Local Area Development Fund allotted for the year 2018-2019. It is further requested to issue NOC to execute the work and the denial of NOC will hamper development in the Shillong Cantonment Area and the fund allotted will lapse for not being able to execute the work.

Sl No	Area	Purpose	Proposed fund from the MLA Scheme for the year 2018-19	PRESENT STATUS OF LAND
1	Jhalupara (Dhobitala)	Public toilet including Development of land in between 60A JB and 62 JB	10 Lakhs	There exists a plot of land bearing Sy. No.135/102 classified as Class "C" for the purpose of Latrine and presently the site is lying vacant and fenced.
2	Jhalupara (Adjacent to Mahavira park)	Development of land adjacent to parking lot near Lord Mahavira park for maintenance and cleanliness	4 Lakh	There exists vacant land bearing Sy. Nos. as 135/56, classified as "C" for the purpose of drain,135/57, classified as B-4, 135/70, classified as "C" for the purpose of Drain and Sy. No.71, classified as B-4 and the site is lying vacant.
3	Jhalupara (Community Hall)	Library-cum-Recreation centre for students	8 Lakh	There exists a Cantonment Board Community Hall at Jhalupara Bazar on the part of land bearing Sy. No. 135/82, Classified as C. The existing Community Hall consists of Ground Floor and 1 st Floor.
4	Jhalupara	Open air gym at Lord Mahavira Park	1 Lakh	There exists a Cantt Board Lord Mahavira park bearing Sy. NO. 135/52 classified as "C" for the purpose of Garden.
5	Paltan Bazar	Development of land behind holding NO. 14CB for maintenance and cleanliness.	2.86 Lakh	There exists a plot of land bearing Sy. No. 15/5, classified as B-4 at Cantonment Bazar. A proposal for reclassification of land from B-4 to C has already been submitted for the purpose of Revenue earning project and the same is under consideration.

Hence, to consider and to issue NOC for carrying out the above works within the Civil Area of Shillong Cantt out of Local Area Development fund allotted to Shri. Sanbor Shullai, Hon'ble MLA, Government Deputy Chief Whip, Meghalaya Legislative Assembly cum Chairman, M.T.D.C. Govt of Meghalaya.

Relevant file is placed on the table.

14. ELIGIBILITY OF ELECTED MEMBERS INVOLVED IN ENCROACHMENT OR AIDING OR ABETTING ENCROACHMENT/ ILLEGAL CONSTRUCTION ON DEFENCE LAND IN CONTRAVENTION TO PROVISION OF SECTION 34 (1) (E) OF CANTONMENT ACT 2006.

The PCB, Shillong Cantonment vide letter No. 547/1/Q/PCB dt19.3.2018 had forwarded a copy of PDDE, EC letter No.362717/LC-3/III/101 Dt.19.3.2018 and HQ Eastern Command letter No.305110/Cantt Bd/Shillong/Q3(Land)(PC) dt.13.3.2018 requesting to furnish information as asked vide PDDE, EC letter ibid and accordingly, the requisite information has been furnished vide this office letter No. SHG/GEN/ADMIN/MISC/Vol-II/DE/588 Dt.2.4.2018.

The details of unauthorised construction in the holding No.17 JB is as under:

Holding No.17 JB: A Building plan was sanctioned for construction of a building consisting of basement floor measuring 2530 Sqft, ground floor measuring 3288.00 Sqft and 1st floor measuring 3288.00 Sqft vide this office letter dated 15.9.1994 and the appellant has completed the construction of building and submitted a completion report on 29.4.1999. On receipt of the completion report, the site has been inspected and found that the appellant has constructed the building consisting of basement floor measuring 5376.33 Sqft i.e. with deviation of $(5376.33 \text{ Sqft} - 2530.00) = 2846.33 \text{ Sqft}$, ground floor measuring 5376.33 Sqft i.e with deviation of $(5376.33 - 3288.00) = 2088.00 \text{ Sqft}$ and first floor measuring 5376.33 Sqft i.e with deviation of $(5376.33 - 3288.00) = 2088.00 \text{ Sqft}$ and on notice of the same, notice under section 185(1) of the Cantonment Act, 1924 has been issued vide Notice dated 15.9.1999.

The lessee, in response to the Notices had applied for regularization of unauthorized construction and as resolved by the Board vide CBR No. 11 dated 2.12.1999, notice under section 256 of the Cantonment Act 1924 has been issue vide notice dated 9.12.1999

The lessee further constructed the following unauthorized construction:

An Assam Type building measuring 22' x 36' = 792 Sqft over the roof of the RCC building. Notice under section 185(1) and 256 of the Cantonment Act 1924 has been issued vide Notice dated 4.12.2001 and dated 1.2.2002.

The lessee in response to the Notice dated 4.12.2001 and 7.10.2002 had requested for regularization of un authorized construction vide application 2.1.2002 which could not be considered in view of Sub-Clause 18 of clause 3(A) of Building Bye Laws of Shillong Cantonment.

Constructed unauthorized construction with RCC column and half brick walling in superstructure measuring 30' x 25' = 750.00 Sqft. Notice under section 185(1) of the Cantt. Act 1924 has been issued vide notice dated 7.10.02 followed by notice under section 256 vide notice dated 3.1.2003.

Further the brief in respect of determination of lease is under:

Holding No. 17 JB: As resolved by the Board vide CBR No. 6 dt 21.01.2003 a proposal had been submitted for determination of lease vide this office letter No. SHG/7/17 JB/348 dt 07.7.2003.

The PDDE, EC vide Para 5 of letter No. 361573/LC-4/41 Dt. 16.2.2004 had observed that "There appears to be no lease in force at present. The lease expired on 31.3.1992 and there has been no renewal. It has also advised to obtain legal opinion and to furnish all the information/documents raised in the letter ibid.

The requisite reply has been furnished vide this office letter No.SHG/7/17JB/2010/53 Dt.12.4.2011.

The CBLA vide letter Dt.7.7.2011has opined that a case is pending before the Hon'ble court of Munsiff in between Renu Singh Chettri and Sh. B.S. Chettri and Others bearing T.S.No.9(H) of 2001 and if no injunction is granted then the same may be acted upon by the

authority as per terms and condition Lease. The Legal opinion has been forwarded to the PDDE, EC vide this office letter No. 04/EC/CB/SHG/LAND/17JB/135-33/DE Dt.6.6.2012.

The PDDE, EC vide letter NO.361573/LC-4/48 Dt.17.8.2012 had directed to submit a self-contained proposal for determination of lease of Holding No.17 JB duly incorporating the required information/documents.

The matter for determination of lease has been placed before the Board. The Board vide CBR No.2 Dt.30.10.2012 has resolved that the lease should be renewed first and renewal proposal should be sent to the Government.

Accordingly, a proposal for renewal of lease of H. No. 17 JB had been submitted vide this office letter No. 04/EC/CB/SHG/LAND/17JB/135-33/DE dt 18.2.2013.

The PDDE, EC vide letter No.361651/LC-4/15 Dt.20.1.2016 had directed to submit proposal for determination of as per the guidelines/instructions contained in DG DE letter No. 723/A/3/SE/2007 letter Dt.19.12.2012.

Accordingly, the matter to consider the issue of dropping of proposal for renewal of lease and to initiate proposal to the competent authority for according sanction for determination of lease of Holding No.17 JB had been placed before the Board. The Board vide CBR No.12 Dt.21.3.2016 has resolved to give one month time to the lessees of the leases in the Shillong Cantonment Board whose renewal is pending and where there is Change of Purpose/Violation of lease condition to rectify/remove any violation of the lease condition but the lessees have failed to comply with the direction contained in this office letter No. 04/EC/CB/SHG/LAND/17JB/135-33/DE/4690, dt 23.3.2016 but no further proposal for determination of lease has been submitted.

However, in response to the GOI, MoD letter No. 11013/2/2016/D (Lands) Dt-10.3.2017 and GOI, MoD, DG DE letter No. 18/48/L/DE/57, dt-10.3.2017, a public notice has been published in "the Shillong Times" dt-30.3.2017 and in "times of India" vide No. Shg/2/Exp-Lease/5833, dt-29.3.2017 in respect of :

1. Extension of expired/expiring cantonment code lease of 1899 & 1912 AND CLAR, 1925 & 1937.
2. Renewal of Cantonment Code and CLAR leases whose full term has not expired

In response to the above Public Notice, the lessees of the Holding No. 17JB, Sy. No. 135/23, has submitted an application dt-24.7.2017 requesting to condone the breach of lease condition as the holding is in use for residential purpose and a small portion of the building is in use for commercial purpose.

As resolved by the Board vide CBR No.5 Dt.30.8.2017 and CBR No. 14 Dt.14.3.2018, a proposal has been forwarded to the PDDE, EC for onward submission to the DGDE as required vide para 2 C(b) of GoI, MoD letter dt. 10.3.17 for orders or for onward submission of the case to the MoD in respect of breaches of lease conditions by way of unauthorised construction in the leased site which is not within the provisions of the existing Building Bye-laws vide this office letter No. SHG/7/17JB/CONDONATION/544 Dt.20.3.2018.

The PDDE, EC has referred the matter to DGDE under the provisions of para 2 C(b) of GoI, MoD letter dt. 10.3.17 vide letter No.361651/LC-4/22 Dt.4.5.2018.

Further, this office vide letter No. SHG/GEN/ADMIN/MISC/Vol-II/DE/588 Dt.2.4.2018 had intimated the PDDE, EC that the concerned members i.e. Sh. Vikash Gupta was not the Elected Members of the Cantonment Board Shillong at the time of unauthorized construction.

In this connection, the Govt. of India, Min. of Defence, DGDE letter No.76/40/Court case/EC/SHILLONG/C/DE/2014 may please be referred to.

Hence, to consider the issue of Determination of Lease, removal of un authorized construction.

Relevant file is placed on the table.

15. ELIGIBILITY OF ELECTED MEMBERS INVOLVED IN ENCROACHMENT OR AIDING OR ABETTING ENCROACHMENT/ ILLEGAL CONSTRUCTION ON DEFENCE LAND IN CONTRAVENTION TO PROVISION OF SECTION 34 (1) (E) OF CANTONMENT ACT 2006.

The PCB, Shillong Cantonment vide letter No. 547/1/Q/PCB dt19.3.2018 had forwarded a copy of PDDE, EC letter No.362717/LC-3/III/101 Dt.19.3.2018 and HQ Eastern Command letter No.305110/Cantt Bd/Shillong/Q3(Land)(PC) dt.13.3.2018 requesting to furnish information as asked vide PDDE, EC letter ibid and accordingly, the requisite information has been furnished vide this office letter No.SHG/GEN/ADMIN/MISC/Vol-II/DE/588 Dt.2.4.2018.

The details of unauthorised construction in the holding No.39 JB is as under:

Holding No.39 JB:

The lessee namely Sh. Azaz Khan has constructed basement floor measuring (19' x 40') + (33' x 10') and ground floor measuring 77' x 33'. Notice under section 185(1) of the Cantonment Act, 1924 has been issued vide notice dated 6.1.2003 followed by notice dated 17.2.2003 under section 256 of the Cantt.Act,1924.

Constructed 1st floor on the roof of unauthorized ground floor measuring 77'x33'. Notice under section 185(1) of the Cantt. Act 1924 has been issued vide notice dated 18.6.2003.

Constructed 2nd floor on the roof of unauthorized first floor with R.C.C. structure. Notice under section 185(1) and 256 of the Cantonments Act, 1924 has been issued vide notice dated 25.7.2005 and 30.1.2006 respectively.

Brief in respect of Determination of lease:

As resolved by the Board vide CBR No. 6 dt 21.01.2003 a proposal had been submitted for determination of lease vide this office letter NO. SHG/7/39 JB/251 dt 27.5.2003.

The PDDE, EC vide Para 5 of letter No. 361573/LC-4/41 Dt. 16.2.2004 had observed that "There appears to be no lease in force at present. The lease expired on 31.3.1992 and there has been no renewal. It has also advised to obtain legal opinion and to furnish all the information/documents raised in the letter ibid.

The requisite reply had been furnished vide this office letter No. SHG/7/39 JB/200 dt 17.6.2004.

However, the matter for determination of lease has been placed before the Board. The Board vide CBR No.2 Dt.30.10.2012 has resolved that the lease should be renewed first and renewal proposal should be sent to the Government.

Accordingly, this office vide letter No. 04/EC/CB/SHG/LAND/17JB/135-119/DE dt 18.2.2013 had submitted proposal for renewal of lease of H. No. 39 JB.

The PDDE, EC vide letter No.361545/LC-4/VOL-II/14 Dt. 26.4.2011 had directed to submit the proposal for renewal of lease only after removal of violation of lease condition.

This office vide letter No.04/EC/CB/SHG/LAND/39JB/135-119/DE/4302 Dt.30.12.2015 had intimated that there exists no violation in the holding by way of change of purpose but there exists unauthorized construction in the holding.

However, in response to the GOI, MoD letter No. 11013/2/2016/D (Lands) Dt-10.3.2017 and GOI, MoD, DG DE letter No. 18/48/L/DE/57, dt-10.3.2017, a public notice has been published in "the

Shillong Times” dt-30.3.2017 and in “times of India” vide No. Shg/2/Exp-Lease/5833, dt-29.3.2017.

In response to the above Public Notice, the lessees of the Holding No. 39 JB, Sy. No. 135/119, has submitted an application dt-21.7.2017 requesting to renew the lease of Holding No.39 JB.

The matter has been referred to the Board and as resolved by the Board vide CBR No.9 Dt.30.8.2017, a proposal has been forwarded to the PDDE, EC for onward submission to the DGDE as required vide para 2 C(b) of GoI, MoD letter dt. 10.3.17 for orders or for onward submission of the case to the MoD in respect of breaches of lease conditions by way of unauthorised construction in the leased site which is not within the provisions of the existing Building Bye-laws vide this office letter No. SHG/7/39JB/CONDONATION/19 Dt.4.10.2017.

The PDDE, EC has referred the matter to DGDE under the provisions of para 2 C(b) of GoI, MoD letter dt. 10.3.17 vide letter No.361545/LC-4/TY/VoL. II/23 Dt.5.12.2017.

Further, the PDDE, EC vide letter No.362717/LC03/III/17 Dt.1.10.2018 has referred the matter to the DGDE in response to PCB Shillong Cantonment Board letter No.11.7.2018 for taking further necessary action for further orders to remove 2 elected members from Board who have aided or abetted illegal constructions on Defence land in contravention to provisions of 34 (1) (e) of cantonments act 2006.

Further, this office vide letter No. SHG/GEN/ADMIN/MISC/Vol-II/DE/588 Dt.2.4.2018 had intimated the PDDE, EC that the concerned members i.e. Dr. M.M. Khan was not the Elected Member of the Cantonment Board Shillong at the time of unauthorized construction.

In this connection, the Govt. of India, Min. of Defence, DGDE letter No.76/40/Court case/EC/SHILLONG/C/DE/2014 may please be referred to.

Hence, to consider the issue of Determination of Lease, removal of un authorized construction.

Relevant file is placed on the table.

16. HOLDING NO. 39 JB: REPRESENTATION.

The lessee of H.No.39 JB has made unauthorized construction in Holding No. 39 JB, Sy. No.135/119 and accordingly notice under Section 185 followed by Notice under section 256 of the Cantonments Act had been issued.

The lessee had preferred Appeal Under Section 340 of the Cantonments Act 2006 and the App[elate authority has rejected the appeal vide Order Dt.21.2.2014.

This office vide letter No. SHG/7/39JB /5562 Dt.16.12.2016 had directed the lessee to remove the unauthorized construction.

The lessee, instead of removing the unauthorized construction has made a representation before the President, Shillong Cantonment Board vide representation dt.2.1.2017 requesting that the demolition order may be kept in abeyance till the approval of the revised FSI by the Govt. The president Cantonment Board vide letter No.5471/Q/PCB Dt.23.3.2017 had directed to include the points mentioned by Mr Azaz Khan and another in its ordinary Meeting.

The matter had been taken up with the CBLA for his Legal Opinion who vide letter Dt.1.10.2018 has opined that though there is no provision in the Cantonment Act to consider the same after the decision of the Appellate Authority, however, as the said representation has been addressed to the President Cantonment Board as such it can be placed before the Board for necessary actions, as desired.

Hence to consider and dispose off the representation.

Relevant file is placed on the table.

17. UPGRADATION OF CANTONMENT BOARD SCHOOL BUILDING AND JRG HOSPITAL BUILDING AT SHILLONG CANTONMENT.

Reference CBR NO. 3 Dt. 4.9.2018.

As resolved by the Board vide, this office vide letter No. SHG/6/CPWD/DPR/SCHOOL/HOSP/1250 Dt.14.9.2018 has conveyed the Executive Engineer, CPWD, Shillong that the Board has considered and approved the enabling estimate amounting to Rs. 4,02,000/- and requested to forward MoU in respect of pre-construction works for Cantt Board JRG hospital Building and School Building at Shillong Cantt for execution of Agreement.

The Executive Engineer, MgCD, CPWD, Shillong vide letter No.54(Cantonment Board)/MGCD/2018-19/1184 Dt.22.9.2018 has informed that the MOU forwarded vide their letter No. 23(CBS)/MGCD/873 Dt.8.8.2018 is for complete execution of works which includes preconstruction works and as such it is not required to execute a separate MOU for Pre construction works and requested to execute the MOU and to deposit the sanction amount of Rs. 4,02,000.00 to get the work expedited.

Hence, to consider the issue of execution of MoU.

Relevant file is placed on the table.