

Minutes of the proceedings of the Ordinary Meeting held on 13/09/2017 at 1100 hours in the Office of the Cantonment Board, Shillong.

Members Present


- | | | | |
|-----|--------------------------------|---|-------------------------------|
| 1. | Brig. Amrit Lal | - | President |
| 2. | Sh. Parasmal Bothra | - | Vice President |
| 3. | Brig. M. S. Chauhan | - | SEMO |
| 4. | Col. Arvind Batra | - | Adm. Commandent |
| 5. | Sh. Gaurav Tamang | - | Elected Member |
| 6. | Dr. Md Meraj Khan | - | Elected Member |
| 7. | Smti. Shaima Anjum | - | Elected Member |
| 8. | Sh. Vikash Gupta | - | Elected Member |
| 9. | Sh. Pradeep Rana | - | Elected Member |
| 10. | Mr Vishwas Sohal | - | Member Secretary |
| 11. | Maj. Nikesh Kaushik | - | Executive Engineer |


Members Absent

- | | | | |
|----|---------------------|---|--------------------------------|
| 1. | Smt. Majaw | - | Additional Deputy Commissioner |
| 2. | Smti. Neelam Gurung | - | Elected Member |
| 3. | Nominated Member | - | Nominated Member |
| 4. | Maj. Nikesh Kaushik | - | Executive Engineer |

Special Invitees - Absent:

- 1) Smt. Wansuk Syiem
Hon'ble MP
Rajya Sabha
- 2) Shri. Vincent. H. Pala
Hon'ble MP
Lok Sabha
- 3) Shri. Sanbor Shullai,
Hon'ble MLA
Meghalaya Legislative Assembly

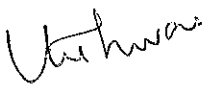

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 Shillong Cantonment Board


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PCB told that Col PS Rana (Col Q(lands)) to take oath but member secretary told that the acceptance of the resignation letter from the competent authority has not been received which is a mandatory requirement. Member Secretary also requested the PCB to forward copy of the resignation acceptance letter from the competent authority, but he said till the letter is not available, he is adjourning the meeting. Member Secretary also requested PCB to provide the next date of the Board meeting but PCB told the same will be communicated to the member Secretary later on.

PCB immediately Adjourned the meeting.


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ACTION TAKEN PERTAINING TO THE PROCEEDINGS OF ORDINARY BOARD MEETING HELD ON 30.8.2017

1. INVESTMENT.

Noted

2. APPROVE OF RATES FOR DENTAL CLINIC IN JRG HOSPITAL, SHILLONG CANTT.

The approved rates for Dental Clinic in JRG Hospital is being implemented.

3. ENHANCEMENT FOR HONORARIUM TO SCHOOL TEACHERS FOR ENUMERATION OF ELECTORAL ROLL.

Honorarium at the enhanced rate will be paid to the entitled school teachers.

4. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 7JB

Proposal is being submitted to the competent authority.

5. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 17JB

Proposal is being submitted to the competent authority.

6. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 20 JB


Proposal is being submitted to the competent authority.


7. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 26 JB

Proposal is being submitted to the competent authority.

8. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 30JB

Proposal is being submitted to the competent authority.


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9. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 39 JB.

Proposal is being submitted to the competent authority.

10. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 50JB

Proposal is being submitted to the competent authority.

11. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 71 JB

Proposal is being submitted to the competent authority.

12. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 28 A JB

Proposal is being submitted to the competent authority.

13. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 59 CB

Proposal is being submitted to the competent authority.

14. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 60 A CB

Proposal is being submitted to the competent authority.

15. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 60 CB

Proposal is being submitted to the competent authority.

16. MONITORING OF WORKS BEING EXECUTED BY CANTONMENT BOARD:

Proposal is being submitted to the competent authority.

17. CONSTRUCTION OF AQUEDUCT CHANNEL ALONG THE SONAPANI ROAD FROM BARAPATHAR JUNCTION TO EXISTING DRAIN RUNNING ALONG T.B HOSPITAL ROAD SIDE:

Proposal is being submitted to the competent authority.

18. CONSTRUCTION OF CANTONMENT BOARD GUEST HOUSE AT SY NO 88 CLASSIFIED AS 'C' ALONG BOUCHIER ROAD AT SHILLONG CANTONMENT.

Proposal has already been forwarded to GOC-in-C vide this office letter No. SHG/6/DEV/GUEST/HOUSE/2016/6337, dt-6.9.2017.

19. CLOSURE OF ROADS IN CANTONMENT

The PD DE EC has been intimated vide this office letter No. 04/EC/CB/SHG/GEN_ADMIN/BOARD PROCEEDING/DE/6323, dt-4.9.2017.

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20. CONSTRUCTION OF COMMERCIAL COMPLEX AT THE EXISTING SITE OF SY. NO. 21/1 WITH PROVISION OF PARKING AND ALL CIVIC AMENITIES.

Proposal has already been forwarded to PD DE EC, Kolkata vide this office letter No. SHG/6/REV/EARN/COM/COMPLEX/6332, dt-6.9.2017.

21. OUTSOURCING OF MANPOWER (SAFAIKARAMCHARI, MALI, SCHOOL TEACHER, SCHOOL LIBRARIAN, CHOWKIDAR, Lab. TECHNICIAN, X-RAY TECHNICIAN, NURSE, BDS DENTIST, TRUCK DRIVER AND HANDYMAN.)

Deferred

22. FUNDS UNDER SWACHHTA ACTION PLAN (SAP) and BUDGET ESTIMATES (R) FOR THE YEAR 2017-18 AND BE(O) FOR THE YEAR 2018-19

Deferred

23. MUTATION OF LEASE HOLD RIGHT OF HOLDING NO.13 CB

Deferred

AGENDA


1. MONTHLY STATEMENT OF ACCOUNTS

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

July 2017

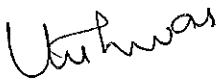
Opening Balance for the month of July 2017	Rs. 19713435.07
Add Collection of revenue made during July 2017	Rs. 4747148.19
Add Deposit:	Rs. 8000.00
Total	24468583.26
Less Expenditure during July 2017	Rs. 6652365.00
Less refund	Rs. 297650.00
Closing Balance	Rs. 17518568.26
Balance of Service Charges	Rs. 92568901.00

Resolution: Meeting Adjourned


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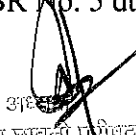
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2. OUTSOURCING OF MANPOWER (SAFAIKARAMCHARI, MALI, SCHOOL TEACHER, SCHOOL LIBRARIAN, CHOWKIDAR, Lab. TECHNICIAN, X-RAY TECHNICIAN, NURSE, BDS DENTIST, TRUCK DRIVER AND HANDYMAN.)

Reference CBR No. 5 dt 11.7.2017.


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The Board vide CBR under reference considered and approved the engagement of three agencies namely, Mawkynroh Women's Service Agency, M/S ALF HR Placement & Consultancy Services and Colonel Shishupal Security Consultancy and Services for outsourcing of manpower to the Shillong Cantonment Board according to the lowest rate quoted by each agency as per the basic pay of the Meghalaya 4th Pay Commission. Upon winning the bid this office has issued letters to all the three agencies asking them to submit the non judicial stamp paper alongwith 10% of bid amount as Security Deposit.


One of the agency namely, Mawkynroh Women's Service Agency (MWSA), Mawlai has however submitted a letter withdrawing the agency from providing the service of Nurse, Truck Driver and Handyman it had won in the bid citing ill health as the reason for its inability to provide the manpower needed.

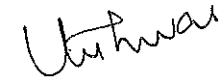
In this connection the agency may be blacklisted and board may forfeit the EMD deposited by the agency.

Further, the board may consider to retender the outsourcing of manpower (Nurse, Truck Driver and Handyman) to the Shillong Cantonment Board.

Relevant file is placed on the table.

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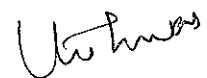
3. FUNDS UNDER SWACHHTA ACTION PLAN (SAP) and BUDGET ESTIMATES (R) FOR THE YEAR 2017-18 AND BE(O) FOR THE YEAR 2018-19

Reference DG,DE, New Delhi letter NO. 76/68/SAP/C/DE/2016/FMS No.58305 dt.14th July, 2017 PD,DE,EC letter No. 362595/Swachh Bharat/LC-3/11/ dt. 18th July 2017 & dt. 21/7/2017.

It is submitted that PD,DE,EC vide letter under reference have intimated this office that an Special Grant-in-Aid under Swachh Action Plan will be allotted by the Min. of Defence for Defence Estate Organization for the following activities to be undertaken by Shillong Cantonment Board as appended below:

Sl.No.	Name of Program/Scheme/ Activities	Requirement of Funds under Swachh Action Plan(in Rs.)
1	Provision for supply and installation including AMC for DRDO Biodigester/ Bio Toilet in Cantt.Area.	52,41,000.00


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2	Provision for purchase of garbage dumper trucks for Civil area.	24,00,000.00
3	Provision for purchase of garbage dumper trucks for Bungalow area.	24,00,000.00
4	Garbage bins for the garbage dumper trucks	12,00,000.00
	TOTAL	1,12,41,000.00


In view of the above, the total amount of Rs. 1,12,41,000.00 will be incorporated in the Budget Estimate for the year 2017-18 (Revised) and 2018-19 (Original) under Special Grant-in-Aid on receipt side for 2017-18 and accordingly in F 4 (b) head for expenditure side 2017-18.

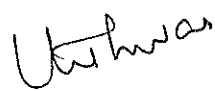
Further, the above works will have to be completed within this financial year i.e by 31st March 2018.

Further Original works under D1 Head for Rs. 82462115.00 for 2017-18 (R) the amount will be utilized from invested funds available with the Board in the form of FDR on receipt of sanction of proposal from competent authority as directed vide PD,DE,EC letter No.363082/LC-3/2017-18/2018-19/SHG/I/13 dated 10/8/2017. All the necessary changes has been made in the Budget estimates as directed vide PD,DE,EC letter No.363082/LC-3/2017-18/2018-19/SHG/I/13 dated 10/8/2017 and No. 362595/Swachh Bharat/LC-3/11/ dt. 18th July 2017 & dt. 21/7/2017.

Relevant file is kept on the table.

Resolution: Meeting Adjourned

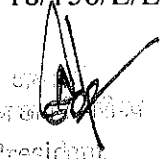

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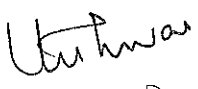

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4. MUTATION OF LEASE HOLD RIGHT OF HOLDING NO.13 CB

The lease hold right of Holding No. 13 CB has been leased out to Babu Jiban Ram, s/o(L) Ganeshdas in Schedule VI of CLAR 1925 and registered at office of the Sub Registrar Shillong vide Book No.1 Volm. No.1 pages 266 to 267 being No.133 of 1932 and thereafter the Mutation effected in the names of Sarbasri Rameshwar Goenka, Hariram Goenka and Dura Prasad Goenka from that of Babu Jibanram, deceased vide CAC Resolution No.1 Dt. 9.7.69 duly approved vide CBR No.6 of the same date.

The lease of Holding No. 13 CB had lapsed and the Lease in Schedule VI renewed in Schedule IV on 6.9.72 for 30 years w.e.f. 1.4.1962 in favour of Shri Rameshwar Goenka, Shri Hariram Goenka and Shri Durga Prasad Goenka with the sanction of the Govt. of India, Ministry of Defence vide their letter No.18/156/L/L&C/69/7080/D(LANDS) dated 5th August 1971 and 18/156/L/L&C/69 dt 7.8.1972 and again renewed in Sch IV for 30 years w.e.f


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01.4.92 in favour of Shri D.D.Goenka, Shri J.P.Goenka,,Sri.Sitaram Sharma, Sri.Radhey Shyam Sharma and Sri.Kailash Sharma vide HQ.EC. letter no.361681/LC-4/63 dt 6.2.95.
Again, Mutation effected in the names of 1.Shri J.P.Goenka in place of his father late Shri Rameshwar Goenka as a Karta of the H.U.F. as one the three lessees which is now to be jointly owned by 1. Shri D.D.Goenka 2.Shri R.S.Goenka and 3.Shri J.P.Goenka vide CBR No.7 dt 28.9.1988.

As on date the lease hold right of holding No.13 CB stands in the names of the following:

1.Shri D.D.Goenka 2.Shri J.P.Goenka. 3. Sri.Sitaram Sharma 4. Sri.Radhey Shyam Sharma 5. Sri. Kailash Chandra Sharma.

Sh. J.P. Goenka vide application dt.8.3.2013 had submitted a Draft Sale Deed for approval to sell his lease hold rights of Holding No.13 CB in favour of Sh. Radheshyam Agarwala and Sh. Banti Agarwala and accordingly, the Draft sale Deed has been approved vide this office letter No.04/EC/CB/SHG/LAND/13CB/15-1/DE/1053 Dt.11.3.2013.

Sh. Radheshyam Agarwala and Sh. Banti Agarwala vide application dt.22.3.2013 had submitted the registered Sale Deed and requested for mutation of their names in place of Sh. Jagadish Prasad Goenka.

This office vide letter No.04/EC/CB/SHG/LAND/13CB/15-1/DE/Dt.22.3.2013 had directed Sh. Radheshyam Agarwala and Sh. Banti Agarwala to deposit a sum of Rs.10,000/- being the fees for publication in the News Paper and the the same has been deposited vide 4B Reciept No.R 52580 Dt.22.3.2013.

A public notice has been published in the Local News Paper "Mawpher Khasi Daily" Dt.25.3.2013 informing that Sri. J.P.Goenka one of the Co-lessee of Holding No.13 CB, Sy. No.15/1 within the notified Civil Area of Shillong Cantonment has transferred his lease hold rights of the above said holding through a Registered Sale Deed 13.3.2013 to Sri. Radheshyam Agarwal and Sri. Banti Agarwal and anybody having objection if any to the proposed mutation may submit to the Chief Executive Officer, Shillong Cantonment Board within 30 (thirty) days from the date of issue of this public notice.

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

However, mutation could not be made due to error in area mentioned in the registered Sale Deed and accordingly, Sh. Radheshyam Agarwala and Sh. Banti Agarwala had been directed to rectify the error vide this office letter No.04/EC/CB/SHG/LAND/13CB/15-1/DE/Dt.7.8.2014. The Sub Registrar, East Khasi Hills District, Shillong vide letter No.EKRN.22/11/2014/8 Dt.16.7.2015 had requested to clarify as to why the sale Deed between J.P. Goenka and Sri. Radheshyam Agarwala needs to be rectified.

This office vide letter No. SHG/7/13CB/5062 Dt.7.7.2016 has clarified the Sub Registrar that the Holding No.13 CB has been leased out under Schedule VI of CLAR 1925 for an area of 2505.50 Sqm and no sub division of the holding is permitted without the sanction of the Govt. of India.

Sh. Radheshyam Agarwala and Sh. Banti Agarwala vide their letter dt.1.6.2017 has requested to mutate the lease hold rights of Holding No.13 CB in their names in place of Sri. Jagadish Prasad Goenka duly enclosing the Registered Sale Deed dt.13.3.2013, Registered Deed of Rectification dt.12.3.2015 registered on 30.5.2017 and Indemnity Bond executed on 27.6.2017. This office vide letter No.SHG/7/13 CB/6089 Dt.27.6.2016 has requested the CBLA to furnish his legal opinion in respect of Mutation of Lease Hold Right of Holding No. 13 CB, Cantonment Bazar, Shillong Cantonment in the name of Sh. Radheshyam Agarwala and Sh. Banti Agarwala.

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CBLA vide his letter Dt.11.8.2017 has opined that mutation can be allowed in favour of the applicant Sh. Radheshyam Agarwala and Sh. Banti Agarwala in place of Sh. Jagadish Prasad Goenka.

Hence, to consider the issue of mutation of lease hold rights of Holding No. 13 CB, Sy.No. 15/1, Cantonment Bazar in the name Sh. Radheshyam Agarwala and Sh. Banti Agarwala in place of Sh. Jagadish Prasad Goenka.

Relevant file is placed on the table.

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**5. NOTICE TO ERECT OR RE ERECT A BUILDING U/S 235 OF THE CANTT. ACT 2006-
 BUNGALOW NO. 33, SY NO. 32, SHILLONG CANTONMENT.**

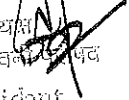
Sh. Narayan Prasad Jhunjunwala, one of the lessee of Bungalow No.33 Cantt, Sy No.32, Shillong Cantonment has given Notice U/s 235 of the Cantonment Act 2006 vide Notice Dt 3.9.2016 and accordingly, this office vide letter No. SHG/7/B.NO. 33/5309 dt 19.9.2016 had forwarded the said Notice to Defence Estate Officer, Guwahati Circle for ascertaining whether there is any objection on the part of Government to such erection or re-erection of building u/s 238(3) of the Cantonment Act 2006 and also intimated that the lessees of Bungalow No. 33 Cantt. had carried out unauthorized construction in Bungalow No. 33 Cantt. and accordingly as resolved by the Board vide CBR No.3 Dt.12.5.2016, notice under Section 248 of the Cantonment Act, 2006 has been issued vide Notice No. SHG/7/B NO 33/4879 Dt.16.5.2016.

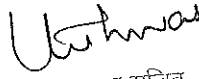
In response, the lessee, vide letter Dt. 13.6.2016 has intimated that they have stopped the construction and requested to accord permission for renovation/re-erect the Assam type Bungalow at the earliest.

The matter has been referred to the Board and the Board vide CBR No.13 Dt.24.8.2016 has Considered and resolved to issue notice U/S 320 of the Cantt. Act, 2006. Accordingly, notice under Section 320 of the Cantonment Act, 2006 has been issued vide Notice No. SHG/7/B NO 33/5202 Dt.25.8.2016.

The Board vide CBR No.13 Dt.24.8.2016 has also resolved that the lessee be directed to give notice U/S 235 of the Cantonments Act, 2006 for erection and re-erection of the building.

On scrutiny of Building plan submitted vide Notice Dt.3.9.2016, , it is observed that the remaining Wooden framed structure of some part of the Assam Type Building which has been directed to demolish vide Notice No. SHG/7/B NO 33/4879 Dt.16.5.2016 and No. SHG/7/B NO 33/5202


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Dt.25.8.2016 has been shown as "to be demolished" and proposed for re-erection of building with its same plinth area of Assam Type Building.

The lessee vide letter Dt.6.7.2017 and 14.8.2017 (sent by Registered Post) has given Notice u/s 238(6) of the cantonments Act 2006 inviting the attention of the Board to the neglect or omission to the Notice given u/s 238 of the Cantonments Act 2006 vide Notice Dt.3.9.2016.

The DEO, Guwahati Circle vide letter No.AS/1321/HRG/SUIT/VOL-V/5 Dt.12.7.2017 has taken up the matter with the Station Cell and requested for issue of NOC from Military Point of view.

The DEO, Guwahati Circle vide letter No.AS/1321/HRG/SUIT/VOL-V/6 Dt.14.8.2017 has requested the Station Cell to intimate the present status of NOC from the Military Point of view at the earliest as the matter has already been delayed.

However, the DEO, Guwahati Circle vide letter No. No.AS/1321/HRG/SUIT/VOL-V/9 Dt.24.8.2017 has forwarded a copy of Station Cell letter No.540/31/Q/33 Dt.12.8.2017.

The Station Cell vide letter No.540/31/Q/33 Dt.12.8.2017 has invited the attention of the DEO, Guwahati Circle to para 238(3) of the Cantonments Act 2006, which mandates that DEO is the competent authority to ascertain if there is any objection on the part of the Govt and shall return the application to the Board within 30 days after receipt of the same by Estate Officer.

The Station Cell vide letter ibid has also highlighted the following:

- (a) Forwarding a letter of 2016 vintage to this office at this belated stage is not understood.
- (b) This office does not have a copy of lease deed and conditions contained in the said deed hence cannot comment on the same.
- (c) However the considered view of Local Military Authority is that since the lease is expiring in 2026 as brought out in your letter under reference allowing a fresh construction involving a considerable amount by the lessee raises question over the intent of the HOR to vacate the said premises on completion of lease period as government sanction for acquisition of lease hold rights in respect of Bungalow No 33 have been received in 1985 and the lessee has demolished the building completely as was intimated to your office by CEO Cantt Bd vide his letter No SHG/7/B No 33/4681 dated 23 March 2016 in violation of condition of lease.
- (d) It is also submitted that the said svy No is under zone 10 for construction of officers married accommodation as a part of Station Zonal Plan.
- (e) It is also brought to your notice that Cantonment Act 2006 is silent about NOC to be given by Local Military Authorities. Policy/guidelines on the same may be forwarded for our perusal please.
- (f) Local Mil Authorities feel that construction of a bldg. by the lessee in the heart of Offrs md accn complex is detrimental to security of the cantonment/Officers Residential complex.


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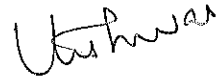
सदस्य सचिव
शिलांग छावनी परीषद
Member Secretary
Shillong Cantonment Board

Hence to consider the issue of sanction/refusal of erection or re erection of Building plan submitted by Sh. Narayan Prasad Jhunjunwala, one of the lessee of Bungalow No.33 Cantt, Sy No.32, Shillong Cantonment vide Notice Dt 3.9.2016 U/S 235 of the Cantonment Act 2006.

Relevant file is placed on the table.

Resolution: Meeting Adjourned


अध्यक्ष
शिलांग छावनी परीषद
President
Shillong Cantonment Board


सदस्य सचिव
शिलांग छावनी परीषद
Member Secretary
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