

Minutes of the proceedings of the Ordinary Meeting held on 30/08/2017 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. | Smt. Majaw | - | Additional Deputy Commissioner |
| 5. | Smti. Neelam Gurung | - | Elected Member |
| 6. | Sh. Gaurav Tamang | - | Elected Member |
| 7. | Dr. Md Meraj Khan | - | Elected Member |
| 8. | Smti. Shaima Anjum | - | Elected Member |
| 9. | Sh. Vikash Gupta | - | Elected Member |
| 10. | Sh. Pradeep Rana | - | Elected Member |
| 11. | Mr Vishwas Sohal | - | Member Secretary |
| 12. | Maj. Nikesh Kaushik | - | Executive Engineer |

Members Absent

- | | | | |
|----|-------------------|---|------------------|
| 1. | Col. Arvind Batra | - | Adm. Commandent |
| 2. | Nominated Member | - | Nominated Member |

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


अध्यक्ष
शिलांग छावनी परीषद
President
Shillong Cantonment Board


सदस्य सचिव
शिलांग छावनी परीषद
Member Secretary
Shillong Cantonment Board

Smt I Majaw took oath as member of the Cantonment Board, Shillong.

1. ACTION TAKEN PERTAINING ON THE PROCEEDINGS OF ORDINARY BOARD MEETING HELD ON 24.07.2017

1. SHILLONG CANTONMENT BOARD VOCATIONAL TRAINING CENTRE: FIXING OF RENT & EXTENSION OF LEASE

The Shillong Cantonment Board Vocational Training Centre has been requested to submit the Non judicial stamp paper for execution of agreement.

2. BUILDING BYE LAWS-2016: SHILLONG CANTONMENT

The Proposal has been submitted to PD DE EC vide this office letter No. SHG/7/BLDG/BYE-LAW/2016, dt-26.7.2017.

3. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 6 A CB

Proposal has been submitted to PD DE EC vide this office letter No. SHG/7/6A CB/CONDONATION/6211, dt-31.7.2017.

4. CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 32 CB

Proposal has been submitted to PD DE EC vide this office letter No. SHG/7/32CB/CONDONATION/6212, dt-31.7.2017.

5. SWACHH BHARAT ABHIYAN OPEN DEFICATION FREE CANTONMENT.

Request is being made to Quality Council of India (QCI) and MoUD for third party verification of ODF status of Shillong Cantonment.

2. TO NOTE CIRCULAR AGENDA-DATED- 27th JULY 2017

ENGAGEMENT OF DATA ENTRY OPERATOR FOR IMPLEMENTATION OF ABAS.

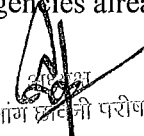
Reference PD, DE, EC letter No.362123/LC-3/E-Governance/DE/120 dated 26/07/2017 and Minutes of Interactive Session on ABAS Action Plan held at Dte.SC Pune on 17/07/2017.

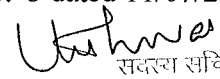
It is submitted that the implementation of ABAS will take effect w.e.f 1st April 2018 and so lot of data entry work is required for which it was decided in the Interactive session at Pune that Cantt. Board should have dedicated terminals for data entry and for Category II Cantonment four to six numbers of Data Entry Operator can be engage for implementation of ABAS.

In view of the above, Shillong Cantonment Board may engage 6 Nos. of Data Entry Operators through outsource agencies for implementation of ABAS. Expenditure for the same can be met from Budget Head A (2) for the year 2017-18(R).

Put up for consideration.

Resolution : Considered and approved. CEO is authorized to engage 6 Nos. of Data Entry Operators through outsource agencies already approved vide CBR No. 5 dated 11/07/2017.


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AGENDA**1. INVESTMENT.**


To note the action taken for re-investing the following amounts:

Sl.No	Date of Investment	Name of Fund	Amount	Name of Bank	Period	Rate of interest
1	29.07.2017	Cantt Fund	Rs 18,00,00,000/-	Central Bank of India	91 days	6.50%
2	29.07.2017	Service Charge	Rs. 9,25,68,901/-	Central Bank of India	91 days	6.50%
3	29.07.2017	Special Grant –in - Aid	Rs, 75,36,200/-	Central Bank of India	91 days	6.50%
4	29.07.2017	Pension Fund	Rs. 60,00,000/-	Central Bank of India	91 days	6.50%
5	29.07.2017	Provident Fund	Rs. 80,00,000/-	Central Bank of India	91 days	6.50%

Relevant file is kept on the table for noting of the Board.

Resolution: Noted


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

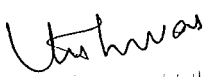
To consider and approved the rates for Dental Clinic in the Cantonment JRG Hospital, Shillong Cantonment.

It has been proposed by the Cantonment Board, Shillong to appoint a BDS Dentist from outsourcing agency in the Cantonment Board JRG Hospital which will provide the dental care facilities for the residents of Cantonment area as well as residents outside Cantonment area.

In view of the above, the expenditure incurred on account of Specialist, it is proposed to recover by way of charging the following rates as under:-

PROPOSED RATES FRO DENTAL CLINIC			
SI NO	Procedure	Rates for residents of Cantonment area	Rates for residents outside Cantonment area
1	OPD Consultation	50/-	200/-
2	X-Ray	40/-	100/-
3	Fillings		

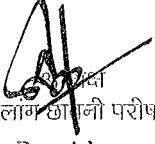

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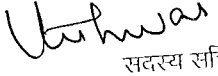
	Anterior	100/-	300/-
	Posterior	1200/-	2500/-
4	RCT		
	Anterior	800/-	1500/-
	Posterior	1200/-	2500/-
5	Extraction	300/-	600/-
6	Scaling	400/-	1000/-

Resolution: The Board deliberated and resolved following rates for next six months which will be reviewed after six months. For Cantonment Board, Shillong Staff, following facilities will be provided at the rate of 10 percent of the rates for residents of Cantonment area.

PROPOSED RATES FRO DENTAL CLINIC			
SI NO	Procedure	Rates for residents of Cantonment area	Rates for residents outside Cantonment area
1	OPD Consultation	50/-	200/-
2	X-Ray	40/-	100/-
3	Fillings		
	Anterior	100/-	300/-
	Posterior	200/-	600/-
4	RCT		
	Anterior	300/-	800/-
	Posterior	400/-	1000/-
5	Extraction	200/-	500/-
6	Scaling	150/-	450/-


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

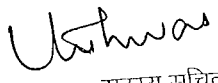
Reference letter dated-03.07.2017

To consider the enhancement of honorarium to School teachers for enumeration duty with respect to preparation of Electoral Roll 2017.

The School Teachers (07) nos have been engaged to undertake enumeration duty for the preparation of electoral roll for which an honorarium of Rs 700/- has been paid to them. The Teachers vide letter under reference have requested to increase the honorarium. As per the provision under fundamental rules employees are eligible to receive an honorarium for work performed which is of occasional or intermittent in nature.


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Therefore, the request of the teachers may be considered and the honorarium may be enhanced accordingly. Budget provision has been made under Budget Head L (10) in the Revised Budget Estimate 2017-18.

Relevant paper are put on the table for consideration.

Resolution: Board Considered and resolved to enhance the honorarium to Rs 1500/- per school teacher who have been engaged to undertake enumeration duty for the preparation of electoral roll.


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

Reference 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.

An area of 499.82 Sqm bearing Sy. No. 135/23 situated in the Notified Civil Area of Shillong Cantonment was leased out to Sh. Golam Hussain. executed on 18.1.1932 in Schedule VI of CLAR 1925.

The lease holding No.7 JB has been renewed on Schedule IV on 10.6.67 for 30yrs w.e.f 1.4.1962 with the approval of HQ EC letter No. 0041/LAND Dt. 16.3.65.

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 CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.

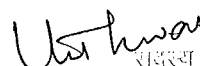
2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED

The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.

In response to the above Public Notice, the lessees of the Holding No. 7JB, Sy. No. 135/23, has submitted an application dt-2.6.2017 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.

The Site has been inspected by the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on 25.7.2017 wherein it has been reported


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that there exists change of purpose as well as unauthorized constructions in the Holding. Statutory Notice under the provisions of Cantonments Act has already been issued in respect of removal of unauthorized construction.

The lessee had filed a petition before the Hon'ble Court of Assistant District Judge who vide order Dt. 21.2.2006 had passed Status Quo to be maintained in Misc case No.4(H) 2006 in T.S.No.8 (H)2006.

The case has been contested by the Board and the Hon'ble Court vide order Dt.5.5.2015 passed in T.S.No.8 (H)2006 has disposed off the case as the plaintiff have failed to establish entitlement to any relief.

On disposal of case, this office vide letter No.SHG/7/7JB/3652 Dt.3.6.2015 has directed the lessees of Holding no.7 JB to remove all the unauthorized constructions standing at site within 15 (Fifteen) days from the date of receipt of the letter failing which the same will be removed by the agency of the Board at your Risk and Cost.

The lessee filed an Appeal before the Hon'ble Court of District Judge at Shillong vide F.A.O. No. 6(H) of 2015 against the Order Dt.5.5.2015 passed in T.S.No.8 (H)2006 by the Hon'ble Court of Assistant District Judge.

The District Judge vide Order Dt.5.11.2015 passed in F.A.O. No. 6(H) of 2015 has dismissed the appeal.

The lessee again filed another Appeal bearing RSA No. 3 of 2016 before the Hon'ble Meghalaya High Court and the case is being contested by the Board.

However, the extent of area of Change of purpose is 1379.87 Sqft = 128.24 Sqm and the value of lease rent for Area in actual use for Commercial purpose meant for Livelihood/ for gain have been calculated as per the formula given by the PDDE, EC vide letter No.361972/LC-4/Vol.XII/15 Dt.7.8.2017 duly concurred by the DGDE vide letter No.738/149/L/DE/EC/MISC/2017 which is as under:

HOLDING NO. 7 JB
RENT FOR LIVELIHOOD

Sl No	Area being used commercially (in Sqm)	date of change of use or date of renewal		STR applicable on 01.041992 (Sq Mtr)	Commercial factor	Rent for the area being used commercially	
1	128.24	01.04.1992		6.5	2	1667.12	
Sl No	Land Rent upto 31.03.1992	Total area of Holding	Area being used commercially	Balance area using for the original purpose	Proportionate rent on the date of expiry	Enhancement of rent by 50%	Rent FOR the balance area after enhancement

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2	24	499.82	128.24	371.58	17.84226	8.92113 1607	26.76339
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Proposed annual lease rent to be charged for entire term being renewed (Total of Sl. No.1&2)

1693.883

Calculation for compounding fee

SI No	Area being used commercially (in Sqm)	date of change of use or date of renewal	STR applicable on 01.04.1992 (per Sq Mtr)	Conversion factor for cost of land	Cost of land	15% of cost of land	Total
1	128.24	01.04.1992	6.5	40	33342.4	5001.36	6695.24 3

Further, in respect of unauthorised constructions, it is to mention that the area of existing Buildings in the holding including the area of unauthorised construction is **6236.50 Sqft. The Permissible FSI limit (50% of Plot Area i.e. 5378.06 Sqft) is 2690.00 Sq.ft. and whereas, the area of existing building is 6236.50 Sqft and hence exceeded the FSI limit by (6236.50 -2690.00) = 3546.50 Sqft**


In view of the above, it clear that the unauthorized constructions have **exceeded the FSI limit and not conforming to Building Bye-Laws of Shillong Cantonment and as such the case shall have to be referred to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above.**

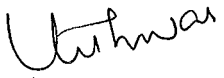
Hence to consider the application dt. 2.6.2017 and to recommend and forward the application/proposal to the committee constituted ibid to decide the case of condonation /compounding of breach of lease condition and to consider and forward the application/proposal to the committee constituted ibid for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence.

Relevant file is placed on the table.

Resolution: The Board Deliberated and resolved that without prejudice to any court case in any court of law, the board approves and forward the application/proposal to the committee constituted ibid to decide the case of condonation /compounding of breach of lease condition for **commercial gains calculated annual basis** for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence in respect of unauthorized construction which is not conforming to the Building bye-laws of Shillong cantonment.

Shri Vikash Gupta with the permission of the chair excused from the discussion of Agenda no. 5


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

Reference 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.

An area of 2,784.220 Sq Mt bearing Sy. No. 135/33 situated in the Notified Civil Area of Shillong Cantonment was executed on 20.8.1936 in Schedule VI of CLAR 1925.

The lease holding No.17 JB has been renewed on Schedule IV on 27.9.1968 for 30yrs w.e.f 1.4.1962 with the approval of HQ EC letter No. 361651-LC4 Dt. 28.8.68. 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 CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.

2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED

The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.

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.

The Site has been inspected by the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on 25.7.2017 wherein it has been reported that there exists change of purpose as well as unauthorized constructions in the Holding. Statutory Notice under the provisions of Cantonments Act has already been issued in respect of removal of unauthorized construction.

The lessee had filed an Appeal u/s 340 of the Cantonments act 2006 before the appellate authority. The Appellate authority vide Order Dt.30.4.2014 bearing No.363049/Civil Appeal/SHG/LC-3/VIII has rejected the Appeal.

However, the extent of area of Change of purpose in the Holding is **3305.50 Sqft** = 307.20 Sqm and the value of lease rent for Area in actual use for Commercial purpose meant for Livelihood/ for gain have been calculated as per the formula given by the PDDE, EC vide letter No.361972/LC-4/Vol.XII/15 Dt.7.8.2017 duly concurred by the DGDE vide letter No.738/149/L/DE/EC/MISC/2017 which is as under:

**HOLDING NO. 17 JB
RENT FOR LIVELYHOOD**

SI No	Area being used commercially (in Sqm)	date of change of use	STR applicable on 01.04199 2 (per Sq Mtr)	Commercial factor	Rent for the area being used commercially

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1	307.16	01.04.1992		6.5	2	3993.08	
SI No	Land Rent upto 31.03.1992	Total area of Holding (in Sqm)	Area being used commercially (in Sqm)	Balance area using for the original purpose (in Sqm)	Proportionate rent on the date of expiry	Enhancement of rent by 50%	Rent FOR the balance area after enhancement
	75	2784.22	307.16	2477.06	66.72587	33.362934 68	100.0888

Proposed annual lease rent to be charged for entire term being renewed 4093.169

Calculation for compounding fee

SI No	Area being used commercially (in Sqm)	date of change of use or date of renewal	STR applicable on 01.04.1992 (per Sq Mtr)	Conversion factor for cost of land	Cost of land	15% of cost of land	Total
1	307.16	01.04.1992	6.5	40	79861.6	11979.24	16072.41

Further, in respect of unauthorised constructions, it is to mention that the area of existing Buildings in the holding including the area of unauthorised construction is 35887.50 Sqft. **The the Permissible FSI limit 14979.11 Sq Sq.ft. i.e.50% of 29958.21 Sqft = 14979.11Sq.ft. and whereas, the area of existing building is 35887.50 Sqft and hence exceeded the FSI limit by -14979.11 -35887.50 = 20908.39 Sqft.**


In view of the above, it clear that the unauthorized constructions have **exceeded the FSI limit and not conforming to Building Bye-Laws of Shillong Cantonment and as such the case shall have to be referred to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above.**

Hence to consider the application dt. 24.7.2017 and to recommend and forward the application/proposal to the committee constituted ibid to decide the case of condonation /compounding of breach of lease condition and to consider and forward the application/proposal to the committee constituted ibid for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence.

Relevant file is placed on the table.

Resolution: The Board Deliberated, resolved and approved to forward the application/proposal to the committee constituted by PD DE EC to decide the case of condonation /compounding of breach of lease condition for **commercial gains calculated on annual basis for necessary action.**


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Sh. Vikash Gupta , Elected Member rejoined the meeting.

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

Reference 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.

An area of 3,435.720 Sq Mt bearing Sy. No. 135/36 situated in the Notified Civil Area of Shillong Cantonment was leased out on 29.8.1940 in Schedule VIII of CLAR 1937.

The lease holding No.20JB has been renewed in Schedule IV on 12.4.71 with the sanction of HQ EC letter No. 361705-LC4 dt 5.2.71.

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 CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.

2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED


The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.

In response to the above Public Notice, the lessees of the Holding No. 20 JB, Sy. No. 135/36, has submitted an application dt-Nil received in this office on 4.5.2017 requesting to renew the lease of Holding No.20 JB.

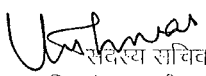
The Site has been inspected by the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on 25.7.2017 wherein it has been reported that there exists no change of purpose but there exists unauthorized constructions in the Holding. Statutory Notice under the provisions of Cantonments Act has already been issued in respect of removal of unauthorized construction.

The lessee had filed an Appeal u/s 340 of the Cantonments act 2006 before the appellate authority. The Appellate authority vide Order Dt. 29.4.2014 bearing No. 363049/Civil Appeal/SHG/LC-3/VIII has rejected the Appeal.

However, the extent of area unauthorized construction is 17625.00 Sqft and the area of existing Buildings in the holding including the area of unauthorised construction is 23056.40 Sqft. **The Permissible FSI limit of the Holding is 50% of 15,196.93 Sqft = 7598.47 Sq.ft. and whereas, the area of existing building is 23056.40 Sqft and hence exceeded the FSI limit by (23056.40 -7598.47) = 15,457.93 Sqft.**


शिलांग छावनी परीषद

President
Shillong Cantonment Board



शिलांग छावनी परीषद
Member Secretary
Shillong Cantonment Board

In view of the above, it clear that the unauthorized constructions have **exceeded the FSI limit, No. of floors and height of Building and thus not conforming to Building Bye-Laws of Shillong Cantonment and as such the case shall have to be referred to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above.**

Hence to consider and to recommend to forward the application/proposal to the committee constituted ibid for onward submission to the DGDE for orders or for submission the case to the Ministry of Defence.

Relevant file is placed on the table.

Resolution: The Board Deliberated and resolved that without prejudice to any court case in any court of law, the board approves and forward the application/proposal for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence in respect of unauthorized construction which is not conforming to the Building bye-laws of Shillong cantonment.


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President
Shillong Cantonment Board


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शिलांग छावनी परीषद
Member Secretary
Shillong Cantonment Board

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

Reference 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.

An area of 2,015.37 Sq Mt bearing Sy. No. 135/45 situated in the Notified Civil Area of Shillong Cantonment was leased out on 1.4.1934 in Schedule VI of CLAR 1925.


Lease.

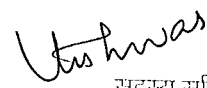
However, in response to the GOI, MoD letter No. 11013/2/2016/D (Lands) Dt-10.3.2017 and GOI, MoD, DG DE letter No. 18/48/L/DE/57, dt-10.3.2017, a public notice has been published in "the Shillong Times" dt-30.3.2017 and in "times of India" vide No. Shg/2/Exp-Lease/5833, dt-29.3.2017 in respect of :

1 EXTENSION OF EXPIRED/EXPIRING CANTONMENT CODE LEASE OF 1899 &1912 AND CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.

2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED

The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.


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Member Secretary
Shillong Cantonment Board

In response to the above Public Notice, the lessees of the Holding No. 26 JB, Sy. No. 135/45, has submitted an application dt-9.5.2017 requesting to renew the lease of Holding No.26 JB.

The Site has been inspected by the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on 25.7.2017 wherein it has been reported that there exists no change of purpose but there exists unauthorized constructions in the Holding. Statutory Notice under the provisions of Cantonments Act has already been issued in respect of removal of unauthorized construction.

The lessee had filed an Appeal u/s 340 of the Cantonments act 2006 before the appellate authority. The Appellate authority vide Order Dt. 18.9.2013 bearing No. 363049/SHG/BC/26JB/LC-3 has rejected the Appeal.

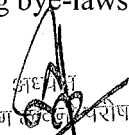
However, the extent of area unauthorized construction is $(488.00 + 636.00) = 1124$ Sqft and the area of existing Buildings in the holding including the area of unauthorised construction is 11,342.50_Sqft. **The Permissible FSI limit of the Holding is 50% of 21685.02 Sqft = 10,842.51 Sq.ft. and whereas, the area of existing building is 11,342.50_Sqft and hence exceeded the FSI limit by -10,842.51 -11,342.50 = 499.99 Sqft.**

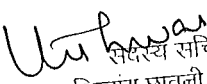
In view of the above, it clear that the unauthorized constructions have **exceeded the FSI limit and not conforming to Building Bye-Laws of Shillong Cantonment and as such the case shall have to be referred to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above.**

Hence to consider and to recommend to forward the application/proposal to the committee constituted ibid for onward submission to the DGDE for orders or for submission the case to the Ministry of Defence.

Relevant file is placed on the table.

Resolution: The Board Deliberated and resolved that without prejudice to any court case in any court of law, the board approves and forward the application/proposal for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence in respect of unauthorized construction which is not conforming to the Building bye-laws of Shillong cantonment.


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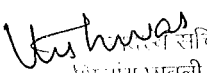
8.CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 30JB

Reference 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.

An area of 347.450 Sq Mt bearing Sy. No. 135/67 situated in the Notified Civil Area of Shillong Cantonment was leased out to on 22.12.1931 in Schedule VI of CLAR 1925.

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


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 Member Secretary
 Shillong Cantonment Board

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 CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.

2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED

The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.

In response to the above Public Notice, the lessees of the Holding No. 30 JB, Sy. No. 135/67, has submitted an application dt-29.6.2017 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 for livelihood.

The Site has been inspected by the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on 25.7.2017 wherein it has been reported that there exists change of purpose as well as unauthorized constructions in the Holding. Statutory Notice under the provisions of Cantonments Act has already been issued in respect of removal of unauthorized construction.


The lessee had filed an Appeal u/s 340 of the Cantonments act 2006 before the appellate authority and the same is pending for disposal.

However, the extent of area of Change of purpose in the Holding is 35.00 Sqft = 3.25 Sqm and the value of lease rent for Area in actual use for Commercial purpose meant for Livelihood/ for gain have been calculated as per the formula given by the PDDE, EC vide letter No.361972/LC-4/Vol.XII/15 Dt.7.8.2017 duly concurred by the DGDE vide letter No.738/149/L/DE/EC/MISC/2017 which is as under:

HOLDING NO. 30 JB
RENT FOR LIVELYHOOD

Sl No	Area being used commercially (in Sqm)	date of change of use		STR applicable on 01.04.1992 (Per Sq Mtr)	Commercial factor	Rent for the area being used commercially
1	3.25	01.04.1992		6.5	2	42.25


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SI No	Land Rent upto 31.03.1992	Total area of Holding (in Sqm)	Area being used commercially (in Sqm)	Balance area using for the original purpose (in Sqm)	Proportionate rent on the date of expiry	Enhancement of rent by 50%	Rent FOR the balance area after enhancement
	24	347.45	3.25	344.2	23.77551	11.88775363	35.66326

77.9132

Proposed annual lease rent to be charged for entire term being renewed

6

Calculation for compounding fee

SI No	Area being used commercially (in Sqm)	date of change of use or date of renewal	STR applicable on 01.04.1992 per Sq Mtr	Conversion factor for cost of land	Cost of land	15% of cost of land	Total
1	3.25	01.04.1992	6.5	40	845	126.75	204.6633

Further, in respect of unauthorised constructions, it is to mention that the area of existing Buildings in the holding including the area of unauthorised construction is 2631.88 Sqft. **The Permissible FSI limit of the Holding is 50% of 3740.00 Sqft Sqft = 1870.00 Sq.ft. and whereas, the area of existing building is 2631.88 Sqft and hence exceeded the FSI limit by 1870.00 -2631.88 = 761.88 Sqft.**

In view of the above, it is clear that the unauthorized constructions have **exceeded the FSI limit and not conforming to Building Bye-Laws of Shillong Cantonment and as such the case shall have to be referred to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above.**

Hence to consider the application dt. 29.6.2017 and to recommend and forward the application/proposal to the committee constituted ibid to decide the case of condonation /compounding of breach of lease condition and to consider and forward the application/proposal to the committee constituted ibid for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence.

Relevant file is placed on the table.

Resolution: The Board Deliberated, resolved and approved to forward the application/proposal to the committee constituted by PD DE EC to decide the case of condonation /compounding of breach of lease condition for Change of Purpose for **Livelihood calculated on annual basis for further necessary action.**

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Dr. M M khan with the permission of the chair excused from the discussion of Agenda no.

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

Reference 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.

An area of 727.980 Sqm bearing Sy. No. 135/119 situated in the Notified Civil Area of Shillong Cantonment was leased out on 1.4.1934 in Schedule VI of CLAR 1925.

The lease holding No.39 JB has been renewed on Schedule IV on 2.4.1969 with the sanction of HQ EC letter No.0045/LAND Dt.24.10.1964.

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 CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.

2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED

The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.

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 Site has been inspected by the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on 25.7.2017 wherein it has been reported that there exists no change of purpose but there exists unauthorized constructions in the Holding. Statutory Notice under the provisions of Cantonments Act has already been issued in respect of removal of unauthorized construction.

The lessee had filed an Appeal u/s 340 of the Cantonments act, 2006 before the appellate authority. The Appellate authority vide Order Dt. 21.2.2014 has rejected the Appeal. However, the extent of area unauthorized construction is 11,235.90 Sqft and the area of existing Buildings in the holding including the area of unauthorised construction is 18390.57 Sqft.. **The Permissible FSI limit of the Holding is 50% of 7794.41 Sqft = 3897.21 Sq.ft. and whereas, the**

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Member Secretary
Shillong Cantonment Board

area of existing building is 18390.57 Sqft and hence exceeded the FSI limit by 3897.21 - 18390.57 Sqft = 14493.36 Sqft.


In view of the above, it clear that the unauthorized constructions have exceeded the FSI limit, No. of floors and height of Building and thus not conforming to Building Bye-Laws of Shillong Cantonment and as such the case shall have to be referred to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above.

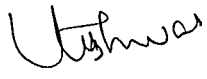
Further, vide para 5(v) of interim Policy guidelines issued by the Mod vide No. 11013/2/2016/D (Lands) dt-10.03.2017, it has been made clear that cases of unauthorized constructions which are within the purview of the Building Bye-Laws should be dealt with for demolition or regularization under the provisions of the Cantorments act 2006 and Building Bye-Laws. The renewal of lease should not be linked with the unauthorized constructions.

Hence to consider and recommend to forward the application/proposal to the committee constituted ibid for onward submission to the DGDE for orders or for submission the case to the Ministry of Defence in respect of unauthorised construction not conforming to Building Bye-Laws of Shillong Cantonment.

Relevant file is placed on the table.

Resolution: The Board Deliberated and resolved that without prejudice to any court case in any court of law, the board approves and forward the application/proposal for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence in respect of unauthorized construction which is not conforming to the Building bye-laws of Shillong cantonment.


शिलांग छावनी परीषद
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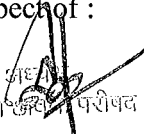
Dr. M M Khan, with permission of the chair, rejoined the meeting

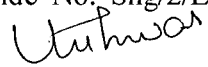
10.CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 50JB

Reference 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.

An area of 485.600 Sq Mt bearing Sy. No. 135/73 situated in the Notified Civil Area of Shillong Cantonment was leased out on 18.4.1932 in Schedule VI of CLAR 1925.

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 :


शिलांग छावनी परीषद
President
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शिलांग छावनी परीषद
Member Secretary
Shillong Cantonment Board

1. EXTENSION OF EXPIRED/EXPIRING CANTONMENT CODE LEASE OF 1899 & 1912 AND CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.

2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED

The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.

In response to the above Public Notice, the lessees of the Holding No. 50 JB, Sy. No. 135/73, has submitted an application dt-17.5.2017 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 for livelihood.

The Site has been inspected by the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on 25.7.2017 wherein it has been reported that there exists change of purpose as well as unauthorized constructions in the Holding. Statutory Notice under the provisions of Cantonments Act has already been issued in respect of removal of unauthorized construction.

The lessee had filed an Appeal u/s 340 of the Cantonments act 2006 before the appellate authority and the same is pending for disposal.

However, the extent of area of Change of purpose in the Holding is 45.91 Sqm and the value of lease rent for Area in actual use for Commercial purpose meant for Livelihood/ for gain have been calculated as per the formula given by the PDDE, EC vide letter No.361972/LC-4/Vol.XII/15 Dt.7.8.2017 duly concurred by the DGDE vide letter No.738/149/L/DE/EC/MISC/2017 which is as under:


**HOLDING NO. 50 JB
RENT FOR LIVELIHOOD**

Sl No	Area being used commercially (in Sqm)	date of change of use		STR applicable on 01.04.1992 (Per Sq Mtr)	Commercial factor	Rent for the area being used commercially	
1.	45.91	01.04.1992		6.5	2	596.83	
Sl No	Land Rent upto 31.03.1992	Total area of Holding (in Sqm)	Area being used commercially (in Sqm)	Balance area using for the original purpose (in Sqm)	Proportionate rent on the date of expiry	Enhancement of rent by 50%	Rent FOR the balance area after enhancement
	24	485.6	16.03	469.57	23.20774	11.6038715	34.81161

Proposed annual lease rent to be charged for entire term being renewed

631.6416


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 Shillong Cantonment Board


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 Member Secretary
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Calculation for compounding fee

Sl No	Area being used commercially (in Sqm)	date of change of use or date of renewal	STR applicable on 01.04.1992 per Sq Mtr	Conversion factor for cost of land	Cost of land	15% of cost of land	Total
1	45.91	01.04.1992	6.5	40	11936.6	1790.49	2422.132

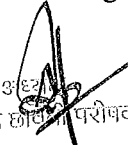
Further; in respect of unauthorised constructions, it is to mention that the area of existing Buildings in the holding including the area of unauthorised construction is 3082.00 Sqft. **The Permissible FSI limit of the HoLding is 50% of 5227.00 Sqft = 2613.50 Sq.ft. and whereas, the area of existing building is 3082.00 Sqft and hence exceeded the FSI limit by (2613.00-3082)= 469.00 Sqft.**


In view of the above, it clear that the unauthorized constructions have **exceeded the FSI limit and not conforming to Building Bye-Laws of Shillong Cantonment and as such the case shall have to be referred to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above.**

Hence to consider the application dt. 17.5.2017 and to recommend and forward the application/proposal to the committee constituted ibid to decide the case of condonation /compounding of breach of lease condition and to consider and forward the application/proposal to the committee constituted ibid for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence.

Relevant file is placed on the table.

Resolution: The Board Deliberated and resolved that without prejudice to any court case in any court of law, the board approves and forward the application/proposal for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence in respect of unauthorized construction which is not conforming to the Building bye-laws of Shillong cantonment.


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

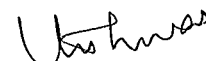
Reference GOI, MoD letter No. 11013/2/2016/D (Lands) Dt-10.3.2017 and GOI, MoD, DG DE letter No. 18/48/L/DE/57, dt-10.3.2017.

An area of 603.870 Sq Mt bearing Sy. No. 135/1 (Part) situated in the Notified Civil Area of Shillong Cantonment was leased out on 1.6.1948 in Schedule VIII of CLAR 1937.

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 CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.


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 President
 Shillong Cantonment Board


 सदस्य सचिव
 शिलांग छावनी परिषद
 Member Secretary
 Shillong Cantonment Board

2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED

The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.

In response to the above Public Notice, the lessees of the Holding No. 71 JB, Sy. No. 135/1 (Part), has submitted an application dt-2.6.2017 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 for livelihood.

The Site has been inspected by the the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on wherein it has been reported that there exists change of purpose as well as unauthorized constructions in the Holding. Statutory Notice under the provisions of Cantonments Act has already been issued in respect of removal of unauthorized construction.

The lessee namely Md. Sohail had filed a petition before he Hon'ble Court of Assistant District Judge and Status Quo Order was passed vide Order Dt. 21.2.2006 (Page 23 of Case File) passed in Misc case No.13(H) of 2006 in T.S.No.9(H) of 2006.

The case has been contested by the Board and the Hon'ble Court has dismissed the Plaintiff's suit vide Order Dt.5.5.2015 passed in T.S.No. 9(H) of 2006.

Being aggrieved, the lessee filed an Appeal before the Hon'ble Court of District Judge at Shillong vide F.A.O. No. 10(H) of 2015 against the Order Dt.5.5.2015 passed in T.S.No.9 (H)2006 by the Hon'ble Court of Assistant District Judge.

The District Judge vide Order Dt.6.11.2015 passed in F.A.O. No. 10(H) of 2015 has dismissed the appeal.

On the other hand another lessee namely Md Taiyab had filed a petition before he Hon'ble Court of Assistant District Judge and Status Quo Order was passed vide Order Dt. 21.2.2006 (Page 23 of Case File) passed in Misc case No.13(H) of 2006 in T.S.No.9(H) of 2006.

The case has been contested by the Board and the Hon'ble Court has dismissed the Plaintiff's suit vide Order Dt.5.5.2015 passed in T.S.No. 9(H) of 2006.

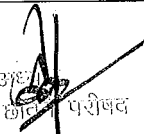
Being aggrieved, the lessee filed an Appeal before the Hon'ble Court of District Judge at Shillong vide F.A.O. No. 10(H) of 2015 against the Order Dt.5.5.2015 passed in T.S.No.9 (H)2006 by the Hon'ble Court of Assistant District Judge.

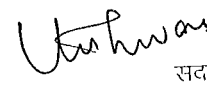
The District Judge vide Order Dt.6.11.2015 passed in F.A.O. No. 10(H) of 2015 has dismissed the appeal.

The lessees again filed another Appeal bearing RSA No. 7 of 2016 and RSA No. 1 of 2016 before the Hon'ble Meghalaya High Court and the case is being contested by the Board.

However, the extent of area of Change of purpose in the Holding is 102.60 Sqm and the value of lease rent for Area in actual use for Commercial purpose meant for Livelihood/ for gain have been calculated as per the formula given by the PDDE, EC vide letter No.361972/LC-4/Vol.XII/15 Dt.7.8.2017 duly concurred by the DGDE vide letter No.738/149/L/DE/EC/MISC/2017 which is as under:

HOLDING NO. 71 JB
RENT FOR LIVELIHOOD


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President
Shillong Cantonment Board


सदस्य सचिव
शिलांग छावनी परीषद
Member Secretary
Shillong Cantonment Board

SI No	Area being used commercially (in Sqm)	date of change of use		STR applicable on 01.04.1992 (Per Sq Mtr)	Commercial factor	Rent for the area being used commercially	
1	102.6	01.04.1992		6.5	2	1333.8	
SI No	Land Rent upto 31.03.1992	Total area of Holding (in Sqm)	Area being used commercially (in Sqm)	Balance area using for the original purpose (in Sqm)	Proportionate rent on the date of expiry	Enhancement of rent by 50%	Rent FOR the balance area after enhancement
	73.5	603.87	102.6	501.27	61.01205	30.50602365	91.51807

Proposed annual lease rent to be charged for entire term being renewed

1425.318

Calculation for compounding fee

SI No	Area being used commercially (in Sqm)	date of change of use or date of renewal		STR applicable on 01.04.1992 per Sq Mtr	Conversion factor for cost of land	Cost of land	15% of cost of land	Total
1	102.6	01.04.1992		6.5	40	26676	4001.4	5426.718

Further, in respect of unauthorised constructions, it is to mention that the area of existing Buildings in the holding including the area of unauthorised construction is 13672.00 Sqft. **The Permissible FSI limit of the Holding is 50% of 6497.64 Sqft = 3248.82 Sq.ft. and whereas, the area of existing building is 13672.00 Sqft and hence exceeded the FSI limit by (3248.82 -13672.00)= 10,423.18 Sqft.**

In view of the above, it clear that the unauthorized constructions have **exceeded the FSI limit and not conforming to Building Bye-Laws of Shillong Cantonment and as such the case shall have to be referred to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above.**

Hence to consider the application dt. 2.6.2017 and to recommend and forward the application/proposal to the committee constituted ibid to decide the case of condonation /compounding of breach of lease condition and to consider and forward the application/proposal to the committee constituted ibid for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence.

Relevant file is placed on the table.

Resolution: The Board Deliberated and resolved that without prejudice to any court case in any court of law, the board approves and forward the application/proposal for onward


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Member Secretary
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submission to the DGDE as required vide Para 2 C (b) of GOI, MoD letter No. 11013/2/2016/D (Lands) Dt-10.3.2017 for orders or for submission the case to the Ministry of Defence in respect of unauthorized construction which is not conforming to the Building bye-laws of Shillong cantonment.

Shri Vikash Gupta with the permission of the chair excused from the discussion of Agenda no. 12.


 31/2/17
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 President
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12.CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 28 A JB

Reference 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.

An area of 116.770 Sqm bearing Sy. No. 135/68 situated in the Notified Civil Area of Shillong Cantonment was executed on 8.3.1932 in Schedule VI of CLAR 1925.

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 CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.
2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED

The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.

In response to the above Public Notice, the lessees of Holding No. 28 A JB, Sy. No. 135/68, 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 portion have been in use for commercial purpose.

The Site has been inspected by the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on 25.7.2017 wherein it has been reported that there exists change of purpose and the extent of area of Change of purpose in the Holding is 172.50 Sqft= 16.03 Sqm and the value of lease rent for Area in actual use for Commercial purpose meant for Livelihood/ for gain have been calculated as per the formula given by the PDDE, EC vide letter


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No.361972/LC-4/Vol.XII/15 Dt.7.8.2017 duly concurred by the DGDE vide letter No.738/149/L/DE/EC/MISC/2017 which is as under:

In view of the above, the value of lease rent for Commercial use of Premises meant for Livelihood/ Commercial use of premises for Gain/ Area in actual use for commercial purposes for gain have been calculated which is as under:

HOLDING NO. 28 A JB
RENT FOR LIVELYHOOD

SI No	Area being used commercially (in Sqm)	date of change of use		STR applicable on 01.04.1992 (Per Sq Mtr)	Commercial factor	Rent for the area being used commercially	
1	16.03	01.04.1992		6.5	2	208.39	
SI No	Land Rent upto 31.03.1992	Total area of Holding (in Sqm)	Area being used commercially (in Sqm)	Balance area using for the original purpose (in Sqm)	Proportionate rent on the date of expiry	Enhancement of rent by 50%	Rent FOR the balance area after enhancement
2	24	116.77	16.03	100.74	20.70532	10.35265907	31.05798

Proposed annual lease rent to be charged for entire term being renewed

239.448

Calculation for compounding fee

SI No	Area being used commercially (in Sqm)	date of change of use or date of renewal		STR applicable on 01.04.1992 (per Sq Mtr)	Conversion factor for cost of land	Cost of land	15% of cost of land	Total
1	16.03	01.04.1992		6.5	40	4167.8	625.17	864.618

Hence to consider the application dt. 24.7.2017 and to recommend either for commercial use of premises for lively hood or for commercial use of premises for gain and to forward the

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application/proposal to the committee constituted ibid to decide the case of condonation /compounding of breach of lease condition.

Relevant file is placed on the table.

Resolution: The Board deliberated, resolved and approved to forward the application/proposal to the committee constituted by PD DE EC to decide the case of condonation /compounding of breach of lease condition for **commercial gains calculated on annual basis for necessary action.**


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 Member Secretary
 Shillong Cantonment Board

Sh. Vikash Gupta with the permission of the chair rejoined the meeting

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

Reference 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.

An area of 1,360.150 Sq Mt bearing Sy. No. 15/87 (Part) situated in the Notified Civil Area of Shillong Cantonment was executed on 16.7.1947 in Schedule VIII of CLAR 1937.

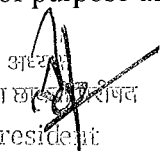
However, in response to the GOI, MoD letter No. 11013/2/2016/D (Lands) Dt-10.3.2017 and GOI, MoD, DG DE letter No. 18/48/L/DE/57, dt-10.3.2017, a public notice has been published in "the Shillong Times" dt-30.3.2017 and in "times of India" vide No. Shg/2/Exp-Lease/5833, dt-29.3.2017 in respect of:


1. EXTENSION OF EXPIRED/EXPIRING CANTONMENT CODE LEASE OF 1899 & 1912 AND CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.
2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED

The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.

In response to the above Public Notice, the lessees of the Holding No. 59 CB, Sy. No. 15/87 (Part), has submitted an application dt-12.6.2017 requesting to condone the breach of lease condition as the holding is in use for residential purpose and a part of the building is in use for commercial purpose.

The Site has been inspected by the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on 25.7.2017 wherein it has been reported that there exists change of purpose as well as unauthorized constructions in the Holding. Statutory


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Notice under the provisions of Cantonments Act has already been issued in respect of removal of unauthorized construction.

The lessees had filed an Appeal u/s 340 of the Cantonments act 2006 before the appellate authority. The Appellate authority vide Order Dt. 30.4.2014 vide No.363049/Civil Appeal/ SHG/ LC-3/VIII has rejected the Appeal.

However, the extent of area of Change of purpose in the Holding is 4187.50 Sqft = 389.17 Sqm and the value of lease rent for Area in actual use for Commercial purpose meant for Livelihood/ for gain have been calculated as per the formula given by the PDDE, EC vide letter No.361972/LC-4/Vol.XII/15 Dt.7.8.2017 duly concurred by the DGDE vide letter No.738/149/L/DE/EC/MISC/2017 which is as under:

HOLDING NO. 59 CB
RENT FOR LIVELYHOOD

SI No	Area being used commercially (in Sqm)	date of change of use		STR applicable on 01.04.1992 (Per Sq Mtr)	Commercial factor	Rent for the area being used commercially	
1	389.17	01.04.1992		8.6	2	6693.724	
SI No	Land Rent upto 31.03.1992	Total area of Holding (in Sqm)	Area being used commercially (in Sqm)	Balance area using for the original purpose (in Sqm)	Proportionate rent on the date of expiry	Enhancement of rent by 50%	Rent FOR the balance area after enhancement
	49.19	1360.15	389.17	970.98	35.11562	17.5578084	52.67343

Proposed annual lease rent to be charged for entire term being renewed

6746.397

Calculation for compounding fee

SI No	Area being used commercially (in Sqm)	date of change of use or date of renewal		STR applicable on 01.04.1992 (per Sq Mtr)	Conversion factor for cost of land	Cost of land	15% of cost of land	Total
1	389.17	01.04.1992		8.6	40	133874.48	20081.17	26827.57


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Further, in respect of unauthorised constructions, it is to mention that the area of existing Buildings in the holding including the area of unauthorised construction is 30232.46 Sqft. **The Permissible FSI limit of the Holding is 50% of 42,586.25 Sqft = 21,293.12 Sq.ft. and whereas, the area of existing building is 30232.46 Sqft and hence exceeded the FSI limit by (30232.46 – 21,293.12) = 8939.34 Sqft.**


In view of the above, it clear that the unauthorized constructions have **exceeded the FSI limit and not conforming to Building Bye-Laws of Shillong Cantonment and as such the case shall have to be referred to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above.**

Hence to consider the application dt. 12.6.2017 and to recommend and forward the application/proposal to the committee constituted ibid to decide the case of condonation /compounding of breach of lease condition and to consider and forward the application/proposal to the committee constituted ibid for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence.

Relevant file is placed on the table.

Resolution: The Board Deliberated and resolved that without prejudice to any court case in any court of law, the board approves and forward the application/proposal for onward submission to the DGDE as required vide Para 2 C (b) of GOI, MoD letter No. 11013/2/2016/D (Lands) Dt-10.3.2017 for orders or for submission the case to the Ministry of Defence in respect of unauthorized construction which is not conforming to the Building bye-laws of Shillong cantonment.


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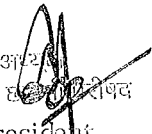
14.CONDONATION/COMPOUNDING OF BREACH OF LEASE CONDITIONS OF SITES LOCATED IN CIVIL AREA: HOLDING NO. 60 A CB


Reference 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.

Originally, the Holding No 60 A CB measuring an area of 2 Acres of land situated in the Notified Civil Area of Shillong Cantonment was leased out to Babu J.N.Bawri under Schedule VIII of CLAR 1937 executed on 28.2.1945 for the period of 30 years for dwelling purpose.

The lessee surrendered the lease vide surrender deed executed on 3.5.1968 for bifurcation of single lease in to two new leases.

The new lease for Holding No 60 A CB had been executed on 7.2.1969 in Schedule VIII of CLAR 1937, measuring 1.44 Acre= 5827.48 sqm = 62703.67 Sqft w.e.f 28.2.1945 for a term of 30 years renewable at the option of lessee upto 90 years and another lease has been executed for Holding No.60 CB, Sy. No.15/94.


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The lease has been renewed under Scheduled IV of CLAR 1937 executed on 2.7.1977 w.e.f 14.2.1975 for further period of 30 years.

As on date the lease hold right of Holding No.60 ACB stands in the name of Shri J.N. Bawri.

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 CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.
2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED

The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.


In response to the above Public Notice, Sh. Pawan Bawri for leased land of Holding No. 60 A CB, Sy. No. 15/95, has submitted an application dt- 15.7.2017 requesting to renew the lease of Holding No.60 A CB.

The Site has been inspected by the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on 25.7.2017 wherein it has been reported that the holding has been leased out for Commercial Purpose (Shop) but, the holding No.60 A CB is being used partly for shops and partly for Residential and hence, there exists change of purpose by using the site for partly residential and also there exists unauthorized constructions in the Holding. Statutory Notices under the provisions of Cantonments Act has already been issued in respect of removal of unauthorized construction.

However, the extent of area of Change of purpose i.e. by using the site for partly residential in the Holding is 10381.52 Sqft = 964.83 Sqm.

Further, in respect of unauthorised constructions, it is to mention that the area of existing Buildings in the holding including the area of unauthorised construction is 30432.90 Sqft. **The Permissible FSI limit of the Hoding is 50% of 62703.67 = 31351.83 Sq.ft. and the area of existing building is 30432.90 Sqft and hence hence the unauthorised construction is within the FSI limit.**

Further, As per clause (15) of 3-A of Building Byelaws that No building shall have ground & 2 storied with Basement Floor of 1 only, but in the instant case, the building consists of ground & 2 storied but with 2 no's of Basement Floor instead of 1 and hence does not conform to the clause (15) of 3-A of Building Byelaws of Shillong Cantonment.


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In view of the above, it is clear that the unauthorized constructions are **not conforming to Building Bye-Laws of Shillong Cantonment and as such the case shall have to be referred to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above.**

Hence to consider the application dt. 15.7.2017 and to recommend and forward the application/proposal to the committee constituted ibid to decide the case of condonation /compounding of breach of lease condition and to consider and forward the application/proposal to the committee constituted ibid for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence.

Relevant file is placed on the table.

Resolution: The Board Deliberated and resolved that without prejudice to any court case in any court of law, the board approves and forward the application/proposal for onward submission to the DGDE as required vide Para 2 C (b) of GOI, MoD letter No. 11013/2/2016/D (Lands) Dt-10.3.2017 for orders or for submission the case to the Ministry of Defence in respect of unauthorized construction which is not conforming to the Building bye-laws of Shillong cantonment.

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

Reference GOI, MoD letter No. 11013/2/2016/D (Lands) Dt-10.3.2017 and GOT, MoD, DG DE letter No. 18/48/L/DE/57, dt-10.3.2017.

Originally, the H. No 60 CB measuring an area of 2 Acres situated in the Notified Civil Area of Shillong Cantonment was leased out to Babu J.N.Bawri was held on lease executed on 28.2.1945 under Schedule VIII of CLAR 1937 for the period of 30 years for dwelling purpose.

The lessee surrendered the lease vide surrender deed executed on 3.5.1968 for bifurcation of single lease in to two new leases.

The new lease for Holding No 60 CB had been executed on 7.2.1969 in Schedule VIII of CLAR 1937, measuring **1622.79 Sqm** w.e.f 28.2.1945 for a term of 30 years renewable at the option of lessee upto 90 years and another lease has been executed for Holding No.60A CB, Sy. No.15/95.

The lease has been renewed under Scheduled IV of CLAR 1937 executed on 2.7.1977 w.e.f 14.2.1975 for further period of 30 years.

As on date the lease hold right of Holding No.60 CB stands in the name of Shri J.N. Bawri.

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 :

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1 EXTENSION OF EXPIRED/EXPIRING CANTONMENT CODE LEASE OF 1899 & 1912 AND CANTONMENT LAND ADMINISTRATION RULE, 1925 & 1937.

2. RENEWAL OF CANTONMENT CODE AND CLAR LEASES WHOSE FULL TERM HAS NOT EXPIRED

The PD DE EC has constituted a Committee of Officers comprising of PD DE EC (Chairperson) and CEO, Shillong Cantonment (as member) vide Office Order part I No. 133 dt-11.5.2017 as per guidelines issued by MOD letter No. 11013/2/2016/D (Lands) dt-10.03.2017 to decide each case for condonation/compounding of breach of lease condition given under CLAR 1925 & 1937 and Cantt. Code Leases of 1899 and 1912 whose first or second term have expired but the sanction for renewal could not be given due to breach of certain condition of lease in Civil area as per MoD guideline cited above.

In response to the above Public Notice, the Sh. Pawan Bawri for leased land of Holding No. 60 CB, Sy. No. 15/94, has submitted an application dt- 15.7.2017 requesting to renew the lease of Holding No.60 CB.

The Site has been inspected by the team formed vide Shillong Cantonment Board Office Order No.109(A) Dt.24.5.2017 and submitted its report on 25.7.2017 wherein it has been reported that there exists change of purpose by using the site for partly residential and also there exists unauthorized constructions in the Holding. Statutory Notice under the provisions of Cantonments Act has already been issued in respect of removal of unauthorized construction.

However, the extent of area of Change of purpose i.e. by using the site for partly residential in the Holding is $10,965.00 \text{ Sqft} = 1019.05 \text{ Sqm}$.


Further, in respect of unauthorised constructions, it is to mention that the area of existing Buildings in the holding including the area of unauthorised construction is 20843.00 Sqft . **The Permissible FSI limit of the Hoding is 50% of $17,461.00 = 8730.50 \text{ Sq.ft}$. and whereas, the area of existing building is 20843.00 Sqft and hence exceeded the FSI limit by $(20843.00 - 8730.50) = 12112.50 \text{ Sqft}$.**


In view of the above, it is clear that the unauthorized constructions have **exceeded the FSI limit and not conforming to Building Bye-Laws of Shillong Cantonment and as such the case shall have to be referred to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above.**

Hence to consider the application dt. 12.6.2017 and to recommend and forward the application/proposal to the committee constituted ibid to decide the case of condonation /compounding of breach of lease condition and to consider and forward the application/proposal to the committee constituted ibid for onward submission to the DGDE as required vide Para 2 C (b) of GoI, MoD letter referred to above for orders or for submission the case to the Ministry of Defence.

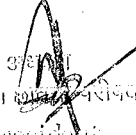
Relevant file is placed on the table.


Resolution: The Board Deliberated and resolved that without prejudice to any court case in any court of law, the board approves to forward the application/proposal for onward submission to the DGDE as required vide Para 2.C (b) of GOI, MoD letter No. 11013/2/2016/D (Lands) Dt-10.3.2017 for orders or for submission the case to the Ministry of Defence in respect of


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unauthorized construction which is not conforming to the Building bye-laws of Shillong Cantonment.


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16. MONITORING OF WORKS BEING EXECUTED BY CANTONMENT BOARD:

Reference CBR No. 9 Dt 23.5.2017.

As resolved by the Board vide CBR referred to above, this office vide letter No.SHG/6/TC/2016-17/MONITORING/5988 Dt.24.5.2017 has intimated the Registrar (i/c), NIT, Meghalaya that the Board has approved the following and requested to let this office know their willingness to provide services as a 3rd Party evaluator for checking of quality of works

- (i) Expense towards travelling: As per the Central government approved rates for the same.
- (ii) Actual work(s) to be evaluated : All the D1 works and D2 works (above Rs. 10 lakhs value)
- (iii) Honorium, etc to the Evaluator(s) from Shillong Cantonment Board : 0.5 percent of the actual value of the work.

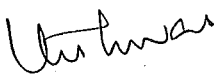
The Registrar(i/c), NIT, Meghalaya vide letter No.NITMGH/ES/MISC/Vol-II/633 Dt.19.6.2017 has conveyed their acceptance of sub para (i) and (ii) and in respect of sub para (iii), it has been informed that at present the Institute charges 1% of the actual value of work, including Service tax as consultancy fee. However, the Institute has accepted the offer of 0.50% of the actual value of work, provided Service tax is excluded from this fee.

Hence, to consider and approve the offer of 0.50% of the actual value of work, excluding the Service tax.

Relevant documents are placed on the table.

Resolution: The Board deliberated, considered and approved the offer of 0.50% of the actual value of work, excluding any applicable taxes. The period of the Contract will be valid for the period of the project from the date of the agreement. The Agency has to submit the monitoring report on quarterly basis and final monitoring report on physical completion of the project given to the agency for the monitoring of the works. All the documents related to consultancy will be forwarded to the tender accepting officer before the acceptance of the tender. Any change in the Monitoring officer by the agency shall be with the prior approval of Competent Authority.


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

Reference Executive Engineer, PWD (Roads), Shillong Central Division vide letter No.TB/SCD/27/2015-16/892 Dt.26.4.2017.

The E.E PWD (R) has requested to accord permission to construct connecting drain of size 0.45m X 0.3.m for a total length of 8.5m from Barapathar junction to existing drain along T.B Hospital road side for construction of Aqueduct Channel.

In this connection, it is to mention that the connecting drain proposed to be constructed is along the sonapani road bearing Sy No 135/2.

It is also mentioned that the Sonapani road and the road leading to electric crematorium and T.B Hospital is the property of Cantonment Board.


Hence, to consider the issue of according permission for construction of Aqueduct Channel for connecting the drain running from Barapathar under Shillong Municipal area.

Relevant file is placed on the table.

Resolution: The Board Considered and deliberated and resolved to constitute a three member committee comprising the following and submit the report to the Board along with the recommendations.

1. Shri Vikash Gupta , Elected member
2. GE, Shillong
3. SE Cantonment Board , Shillong


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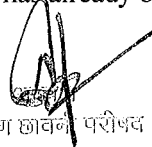

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18. CONSTRUCTION OF CANTONMENT BOARD GUEST HOUSE AT SY NO 88 CLASSIFIED AS 'C' ALONG BOUCHIER ROAD AT SHILLONG CANTONMENT.

Reference CBR NO 10 dated 23.05.2017 this office letter No. SHG/6/DEV/GUEST/HOUSE/2016/5992 dated 25.05.2017 and PD DE EC letter No 363040/LC-3/Guest House/SHG/20 dated 28.07.2017.

The PD DE EC vide letter referred to above have intimated that, a proposal for construction of Cantonment Board Guest House at Shillong Cantonment Board was forwarded to GOC in C, EC for sanction. The HQ EC, vide letter dated 19.07.2017 has accorded in principle approval and suggested to cater for a banquet hall, either on the ground floor or on the first floor of the Guest House. HQ EC has returned the proposal in original for reconsideration, reassessing and has requested for early submission for final approval of the GOC-in-C.

In this connection it is to mention that the proposed Guest House building has been made in two blocks and the minimum required area for banquet hall in the said blocks will be less and will not resolve the purpose of banquet hall. However, the proposal submitted was for Guest House and not for Banquet hall as the provision of the same has already been kept in phase 2.


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Further, according to National Building Code 2005, Public Assembly Hall requires more stringent fire fighting and fire escape provision which are not met by the current design for Guest House.

However, provision for construction of Banquet Hall has been made in the site plan of the Guest House complex (Refer drawing No 3 of DPR).

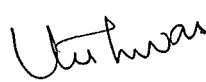
The Banquet hall of size 35'x 70' with area of 2450.00 Sqft assuming the accommodating capacity of 140 persons may be constructed as 2nd phase of the project and the approximate cost of the banquet hall will be 80 Lakhs in case of Ground Floor only and for double storied the approximate cost will be 1.50 Crore.

Hence, to consider the advice rendered by the HQ EC for reconsideration, reassessing and to resubmit the proposal for final approval.

Relevant file is placed on the table.

Resolution: The Board Discussed and resolved Viewed that the proposal for guest house shall be resubmitted immediately to the competent authority as the escalation in the estimated cost of the project is happening leading to the increase in the total estimate of the project cost of the Guest House. The matter of banquet hall will be considered in the second phase. The main project is mainly for the Guest house and for which the DPR has already been prepared and approved by the Board. For banquet hall, tender can be floated for additional DPR in the next phase. In addition to the same, it is also noted by all the members that the final approval for various other D1 projects has not been accorded by the competent authority, like staff quarters and water reservoir. These projects pertains to the infrastructure development and revenue Generation of Shillong Cantonment Board which is also the thrust of the MoD. All the elected members request to the PD DE EC to expedite the same and accord necessary approval from the competent authority.


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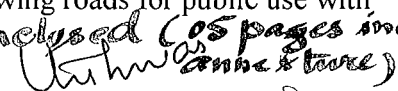
19. CLOSURE OF ROADS IN CANTONMENT

The DG DE vide letter No. 76/72/C/DE/2015 Dt 21.1.2015 had forwarded a copy of Govt. of India , Ministry of Defence letter No. 4(2)/2015 D(Q&C) Dt 7.1.2015 and requested to ensure compliance of the direction contained in Para 4 of the letter which states that roads already closed without following the procedure as delineated in the Cantt. Act 2006 should be opened forthwith and closed again if such closure is required after following the laid down procedure and obtaining the statutory approval.

Accordingly, this office vide letter No. SHG/6/STR-QUES/3238 Dt 29.1.2015 had requested the Station Cell to take immediate necessary action to open the following roads for public use with

Signed with dissent. Dissent Note Enclosed (05 pages including annex & more)


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immediate effect for compliance of the direction contained in the Govt. of India, Ministry of Defence letter referred to above.

1. Gates erected near the Cantt. Board Office approached road and near Bungalow No. 12 Cantt. over the road under the management of Shillong Cantonment Board classified as "C" bearing Sy. No. 31.
2. Gate erected near Hindi Balika Vidyalaya over the road under the management of Shillong Cantonment Board classified as class "C" bearing Sy. No. 31.

However, the present status of the following roads under the management of Shillong Cantonment Board classified as "C" bearing Sy. No. 31 is as under:

1. Gates erected near the Cantt. Board Office approached road and near Bungalow No. 12 Cantt. over the road has been opened for pedestrian for 24 x7 hours and partially closed from 6.00 Pm to 6.00 AM for plying of vehicles and complete closure for plying of vehicles on holidays and Sundays.
2. Gate erected near Hindi Balika Vidyalaya over the road has been kept closed.

The matter has been reported to the PDDE,EC who vide letter No.363051/MISC/LC-3/III/38 Dt.6.9.2016 has advised to put up the matter before the Board.

Hence to consider the issue of closure of roads under the management of Shillong Cantonment Board with due procedure under the provisions of Section 258 of the Cantonments Act 2006.

Relevant file is placed on the table.

Resolution: PCB told the meeting that as LMA he will not allow the road to be open.

PCB also read letter No. Station cell HQ 101 Area dated 28 Sep 16 written by LMA to the DC in front of the Board members.

ADC told that, we really need to open the road to public, security was at one point of time was a problem but it should be relooked and the same can be regulated and the road should be opened.

PCB mentioned that these are residential area and the same shall not be opened and he has security concerns.

SEMO supported the PCB on the issue.

Shri Parasmal Bothra (Vice President) , Dr. MM Khan (Elected Member) told that the road should be opened 24 * 7.

Shri Rana Elected member also told the board that the road should be opned for students only.

Shri Gaurav told to open the road for public with timing of 6 AM to 6 PM.

GE and member Secretary told that procedure should be followed.

*Signed with Dissent. Dissent
Note enclosed
(05 Pages including annexure)*

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Shri Vikash Gupta told that voting shall take place on the same whether road should be opened for public or not. As there is a lot of traffic congestion, the roads should be opened for vehicular traffic 24*7 and the road should be repaired.

Ms. Shaima Anjum told that the road shall be opened up with timings.

and Neelam Gurung told that the road should be opened 24 * 7.

As per Section 45 method of deciding Questions, the Board following members voted in favor to open the following Road 24 * 7 (1) Shri Parasmal Bothra (Vice President) ,(2) Dr. MM Khan (Elected Member) ,(3) Shri Vikash Gupta (Elected member) ,(4) Gaurav (Elected Member), 5) Smt Neelam Gurung

Following members voted in favor to open the following Road with timings i.e. from 6 AM to 6PM the road shall be opened for vehicular traffic and from 6 PM to 6 AM , the roads shall be closed for 6 Pm to 6 AM

1. Smt. I Majaw , (2) Smt Shaima Anjum

Following members voted in favor of closure of road 24 * 7

1. PCB and (2) SEMO

So the board by majority of 5 Votes resolved to open the following roads for 24 * 7 for vehicular traffic.

1. Gates erected near the Cantt. Board Office approached road and near Bungalow No. 12 Cantt. over the road under the management of Shillong Cantonment Board classified as "C" bearing Sy. No. 31.
2. Gate erected near Hindi Balika Vidyalaya over the road under the management of Shillong Cantonment Board classified as class "C" bearing Sy. No. 31.

*Signed with Dissent.
Dissent note enclosed
(05 pages including
annexure)*

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Shri Parasmal Bothra and ADC with the permission of the chair excused themselves from discussion of the next agenda.

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

Reference CBR No.15 Dt. 15.5.2017, letter dated 25/04/2017 received from the elected members of the Cantonment board, Shillong regarding revenue generation projects for Cantonment Board, Shillong by way of construction of Commercial complex.

As resolved by the Board vide CBR referred to above, a proposal has been submitted to the PDDE, EC requesting to accord in principle approval for the following so that the DPR for the project, terms and condition of the occupancy right, auctioning procedures etc. may be prepared:

1. Sanction of Project for construction of Godowns/Shops/Offices at the existing site of Sy. No. 21/1 with provision of parking of vehicles and all civic amenities.
2. To grant periodical occupancy rights of shops/Godowns/office space/Commercial institutes, professionals etc for 30 years to the highest bidder by way of auctioning and taking advance rent for 10 years period under the provisions of the Cantonments Act, 2006 read with Rule 8 of the Cantonment Property Rule 1925 with escalation clause for annual increase of rent to be decided by the Board.

The PDDE, EC vide letter No. 363040/LC-3/Commercial Complex/SHG/DE/2 Dt.6.6.2017 has observed that there exists no provision for grant of in principle approval either for construction of multi-storey Complex or grant of occupancy right under section 267 of the cantonments Act 2006 and advised to submit a comprehensive proposal and also to furnish the following documents/information alongwith the proposal:

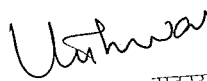
- (i) What will be the economics of the project? How much cost is involved and how the cost is proposed to be recovered?
- (ii) What will be the modality of allotment of shops and how the MRP of rent is proposed to be calculated?
- (iii) Whether there are existing occupants and if so, how the land will be vacated?
- (iv) The classification of land with GLR extract.
- (v) How the cost of project is proposed to be met out?

In the meanwhile, and the Cantonment Board Godown holders vide letter dt.24.8.2017 has proposed the following terms amongst others:

1. That the Cantonment Board Godown Holder may be allotted the Godown having the same area.
2. The occupancy rights of the existing Godowns Holders may be made for 35 years with an option of renewal and on advance rent of 5 (Five) years payable to the board.
3. The occupancy rights of the existing Godowns Holder shall not be auctioned in a manner as the board may deem fit and proper.
4. The board may fix the rent at a reasonable rate and consider that the existing Godowns holders have already paying the enhanced rent w.e.f 1st January, 2016 in respect of the existing Godown.
5. The board may provide the water and sanitation facilities to Godown Holders.


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Resolution:

SEMO told the board that inputs from the members should be sought in writing from all the members.

All the members resolved that first the approval from the competent authority has to be taken and only after that the matter can further be discussed in the board and to resubmit the proposal already submitted by the Board.

The board resolved by majority of all the present elected members (Dr MM Khan, Neelam Gurung, Smt Shaima Anjum, Shri Gaurav Tamang, Shri Vikash Gupta) that the proposal submitted by the present occupants of the Godowns and construction cost can be processed after getting the final DPR from an Architect for which a tender has to be floated and construction cost may be realized from the successful bidders as an advanced rent and rest may be taken from the available cantonment fund.MRP should be Rs 24 per sq ft rent should be increased 5 percent annually and to resubmit the proposal already submitted by the Board with above mentioned details.

PCB ended the meeting .

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21. 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.

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.

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Relevant file is placed on the table.

Resolution: Deferred


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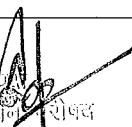

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22. FUNDS UNDER SWACHHTA ACTION PLAN (SAP) and BUDGET ESTIMATES (R) FOR THE YEAR 2017-18 AND BE(O) FOR THE YEAR 2018-19

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
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		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
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.

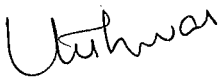
Further, the above works will have to be completed within this financial year i.e by 31st March 2018

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.

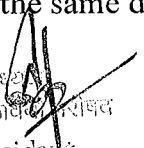
Resolution: Deferred

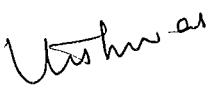

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 Member Secretary
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23. MUTATION OF LEASE HOLD RIGHT OF HOLDING NO.13 CB

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.


 अध्यक्ष
 शिलांग छावनी परीषद
 President
 Shillong Cantonment Board


 सदस्य सचिव
 शिलांग छावनी परीषद
 Member Secretary
 Shillong Cantonment Board

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 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.

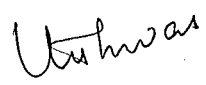
No objection has been received in respect of the proposed mutation.

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 mutuate 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


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Member Secretary
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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. 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.

Resolution: Deferred



शिलॉंग छावनी परीषद


President
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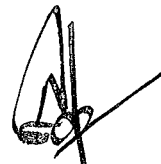
**DISSENT NOTE AGAINST RESOLUTION WITH RESPECT TO AGENDA POINT NO
19 OF ORDINARY MEETING HELD ON 30 AUG 2017 IN THE OFFICE OF
CANTONMENT BOARD SHILLONG**

1. As President Cantonment Board, I exercise power conferred to me under Section 56 of Cantonment Act, 2006 against resolution with respect to agenda point No 19 of ordinary meeting held on 30 Aug 2017 in the office of Cantonment Board, Shillong. Reasons for the Dissent Note are appended below.
2. It is clarified that PCB views on the closure of two roads under above agenda as LMA were conveyed by reading out the contents of the Station Cell HQ 101 Area letter No 547/1/Q/Road dated 28 Sep 2016(Copy of the letter is enclosed as annexure to Dissent Note). The spirit and sentiment expressed and recorded in the minutes is further amplified in subsequent paragraphs.
3. Firstly, it is informed that no public road has been closed permanently and no access is in anyway denied to the students, their wards and staff of Lady Keane College. There are four approaches to Lady Keane College from Cantonment Board Office, MES IB, Bungalow No 12 and one more approach exists from Keating Road and used by the Students and Staff of the College. However, keeping in view the prevailing security concerns, law and order situation in and around Shillong Cantt and factors considered prejudicial to the health, welfare, discipline and security of the forces and their families residing in the Pine Walk area of Cantonment and in the spirit of section 258 and 56 (1) of the Cantonment Act, traffic along road junction near Cantonment Board Office to Bungalow No 12 bearing Svy No 31 has been regulated for vehicular traffic between 06 AM to 06 PM. One gate towards Bungalow No 12 is closed for vehicular traffic between 06 PM to 06 AM and for pedestrians from 08 PM to 06 AM. Army Units like ZRO, 2 AMC and other Army Establishment and Unit Training Facilities are located in the Pine Walk Area. Access control and regulating traffic was carried out in the backdrop of a bloody and unfortunate terrorist attack at various Army installations across the country in the recent past. The Military Police is in constant touch with the State Police. During peak traffic, the Army allows vehicular movement and regulating traffic for a specific duration only, under supervision to decongest the road.
4. Secondly, gate near Hindi Balika Vidyalaya to the road/pathway is closed. This gate also gives access to students of Lady Keane School and College and barely 10 meter away from another gate directly leading to the premise of the Lady Keane School and College. Four approaches to Lady Keane College namely from Cantonment Board Office, MES IB, Bungalow No 12 and direct approach from Hindi Balika Vidyalaya, Keating Road is used by the Students and Staff of the College are considered


(Amrit Lal)
Brigadier
President Cantonment Board

adequate. It is also submitted that road distance from all entry /exit points in Pine Walk area leading to Lady Kean College varies from 10 to 100 meter, nearest being the direct approach road from Keating Road, specifically opened and used by the students, wards and staff of Lady Keane College. A need was felt to minimize entry/exit and vulnerabilities to Pine walk area thereby exercising effective access control with scarce resource and available manpower to a small complex that already has four entry /exit points.

5. It was also emphasised to the members that Armed Forces Establishments as well as residential complexes of families of Armed Forces personnel present a very soft target to such enemies of the State and army authorities need to take steps to regulate movement through the defence areas. In view of the security situation and health, welfare, discipline and security of the forces and their families in the Cantonment, provision under Section 56 of Cantonment Act 2006 was evoked.



(Amrit Lal)

Brigadier

President Cantonment Board

Tele Mil : 6201
Civ-2223413

Station Cell HQ 101 Area
PIN-908101
c/o 99 APO

547/1/Q/Road


28 Sep 16

Mr PS Dkhar, IAS
Deputy Commissioner
East Khasi Hills District
Shillong

CLOSURE OF ROADS FOR PEDESTRIANS

Sir,

1. Please refer to your letter No C&S.4/MISC/2001/Pt.II/149 dated 05 September 16.
2. I hereby seek to clarify that the main road in Pine Walk Officers residential complex leading to Lady Keane College is open 24X7 and access has not been denied to any one. Only one footpath leading to Boucher Road from Anjalee Defence Officers Residential Complex, meant for use by officers and families and civilian servants staying in their servant quarters has been closed which even though inconvenient to defence personnel, was necessary to ensure access control. *It is reiterated that there is a difference between Cantonment land / roads and Military A-1 defence land and MES roads. The procedure for road closure brought out in your earlier letter applies to roads on Cantonment land and not to A-1 defence land.*
3. The deteriorating security, law & order situation in and around Shillong Cantonment and other parts of Military areas is a cause of concern. There have been a number of incidents of petty thefts in Military Residential Campus in recent past. The details of which are enclosed as Appendix for your kind perusal. While we have lodged FIR at concerned police stations, the cases are yet to reach their logical conclusion.
4. It is also a reality that Shillong Cantonment in East Khasi Hills is in close proximity to porous Indo Bangladesh Border where HNLC (Hynniewtrep National Liberation Council) and other Militant outfits are active in the general area posing a threat to Military Installations. Recent arrest of an Area Commander of LAEF (Liberation Achik Elite Forces) in July this year in North Garo Hills is an indication that area is not Dormant and isolated incidents by Militant groups continue in the state. Regular seizure of explosives, weapons, foreign currency and infiltrators along the Indo Bangladesh border by BSF continue to pose a security threat in the area.
5. It may also be appreciated that residential complex of troops and the families of armed forces are soft targets for terrorists and are equally vulnerable as unit lines. An attack took place in family quarters at Jammu Satwari Military Station, Air Force Station Pathankot as also in an Army Public School in our neighbouring country. Thus, the perception that there is no security threat to defence residential complexes may not be true.


(Anant Lal)
Brigadier
President, Cantonment Board

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6. In view of the above, you will appreciate that there is a need to increase security of defence establishments, including residential areas, in the light of worsening security situation. Apart from the passive and active measures of increasing guards and patrols, another step which needs to be taken is to tighten access control and regulation of movement within the cantonment area / Military Station so as to prevent un-regulated movement of civil vehicles and persons. Following footpaths, in A-1 defence land, which were primarily meant for defence persons and their families, but also permitted movement of civilians through defence areas, have been closed till the security situation improves :-

- (a) Footpath from Anjalee Complex to Boucher Road. *Svy No - 18*
- (b) Footpath from Pine Walk Area to Boucher Road (near Bawri Netralaya). *Svy No - 31*
- (c) Footpath from Pine Walk Area to Police Bazar. *Svy No - 31*

7. A notice board to this effect has been placed at a suitable location to inform the passers by. We would like to assure you that the access to Lady Keane College is not being restricted or closed. However, security checks and access control are being exercised.

8. We request your good office to inform the general public accordingly.

(Arvind Batra)
Colonel
Administrative Commandant
for Station Commander

ks/
Copy to

HQ 101 Area(G Branch)
HQ 101 Area Q(Land)

} for info alongwith a copy of DC Shillong
letter No C&S.4/MISC/2001/Plt.II/149 dt
05 Sep 16

(Amit Lal)
Brigadier
President Cantonment Board

Appendix
 (Str Cell letter No
 547/1/Q/Road dt Sep 16)

Ser No	Date	Qtr No	Loss	FIR Lodged with Police Station
1.	17.4.16	Between Cantt 25 & 28	02 Nos of batteries stolen	04/EC/CB/SHG/SOLAR dt 17.4.16 at OIC Cantt Beat House Shillong.
2.	20.4.16	Near Durga Mandir Palton Bazar (Jurisdiction of Cantonment Board Shillong)	01 Solar Light battery missing	4/CB/SHG/SOLAR dt 20.4.16
3.	20.4.16	Boucher Road	24 Nos Solar Light batteries	04/EC/CB/SHG/SOLAR dt 20.4.16 Lumdiengiri Police Station Shillong
4.	20 May 16	Near MH Shillong	Jelly Filled Cable (JFC) 10 Pr/ Approx 200mtrs	FIR No 1055/05/COMN dt 22 July 16
5.	15 Jun 16	From back side of Qtr Number MES 15, Anjalee Complex	Jelly Filled Cable (JFC) 20 Pr/ Approx 40 mtrs	-do-
6.	22 July 16	Near main gate 119 Inf Bn(TA)	Jelly Filled Cable (JFC) 10 pr/ Approx 1 km	-do-