

PROCEEDINGS OF THE SPECIAL MEETING OF THE CANTONMENT BOARD, AMBALA CANTT HELD ON 20.09.2024 AT 1200 HRS. IN THE OFFICE OF THE CANTONMENT BOARD AMBALA

SNo	Name	Signatures
1.	Brig Saikat Roy, Dy GOC, President	Sd/
2.	Sh.Rahul Anand Sharma, CEO- Member Secretary	Sd/
3.	Sh. Ajay Kumar, Nominated Member	Sd/

Before start of the meeting, Sh. Rahul Anand Sharma, Chief Executive Officer, Cantonment Board, Ambala took the oath of allegiance under section 17 of the Cantonments Act, 2006 as Member-Secretary Cantonment Board, Ambala.

1. BOARD TO NOTE: CIRCULAR AGENDA:

a) Board to note the following circular agendas:

i) Dated 10.07.2024 regarding (1) Conservancy agreement (2) Solid Waste Management & dumping site.

ii) Dated 11.07.2024 regarding permission for installation of CoW (Cell on Wheels) sites in Cantonment area of Ambala.

iii) Dated 25.07.2024 regarding permission for installation of CoW (Cell on Wheels) sites in Cantonment area of Ambala.

iv) Dated 05.08.2024 regarding Conclusion of conservancy contract: FY 2024-25.

v) Dated 14.08.2024 regarding (1) Reclassification of A-I land Military Farm Land) for the purpose of Construction of Cantonment Board School near P&T Colony. (2) Issue of notice u/s 248 of the Cantts Act, 2006: Plot No.65/54, RHA Parade, Ambala Cantt. (3) Issue of notice u/s 248 of the Cantts Act, 2006: Plot No.65/65, RHA Parade, Ambala Cantt. (4) Issue of notice u/s 248 of the Cantts Act, 2006: Plot No.65/96, RHA Parade, Ambala Cantt. (5) Grant of working permission to Dedicated Freight Corridor Corporation of India Limited (DFCCIL/Ministry of Railways for construction of Eastern Dedicated Freight Corridor (EDFC) (6) Licence fee in respect of Grace Banquet Hall at Jagadhari Road, Ambala Cantt. (7) Refund of security amount in respect of Shop No.02 near Shastri Park, RHA Bazar, Ambala Cantt. (8) Trade Licence for Restaurant Dilli Darbar.

vi) Dated 16.08.2024 regarding Extension of lease in respect of Survey No. 50/2/1, (House No.420,428-429) RHA Bazar, Ambala Cantt.

vii) Dated 23.08.2024 regarding permission for installation of CoW (Cell on Wheels) sites in Cantonment area of Ambala.

viii) Dated 23.08.2024 regarding Disciplinary Proceedings.

ix) Dated 02.09.2024 regarding Draft Solid Waste Management Bye-Laws of Cantonment Board –Reg.

x) Dated 03.09.2024 regarding Cultural Meet 2024, Cantonment Board Schools, Western Command.

xi) Dated 04.09.2024 regarding construction of office Building and residential complex for officers/staff of Defence Estates Office, Ambala Cantt.

xii) Dated 06.09.2024 regarding (1) Tender for providing 444 Nos unskilled manpower for Cantt area (2) Tender for providing manpower for civil area of Cantt Board Ambala (3) Engagement of two Sanitary Inspectors on contractual basis (4) Solid Waste Management & Dumping site (5) Providing Manpower teaching and non-teaching staff to Cantt Board Schools (6) Providing manpower for Cantt Board Office Ambala Cantt.

xiii) Dated 10.09.2024 regarding (1) Permission for installation of CoW (Cell on Wheels) sites in Cantonment area of Ambala. (2) Permission for installation of CoW (Cell on Wheels) sites in Cantonment area of Ambala. (3) Permission for installation of CoW (Cell on Wheels) sites in Cantonment area of Ambala.

xiv) Dated 13.09.2024 regarding permission for installation of CoW (Cell on Wheels) sites in Cantonment area of Ambala.

b) **REINVESTMENT OF FUNDS/FDR:**

To note the sanction of the President Cantt Board dt. 11.09.2024 for reinvestment of funds Rs.Twenty five crore (Rs.25.00 crore).

The relevant files are placed on the table.

RESOLUTION NO. 1 : Noted. The Board reconsidered the Circular Agenda No. 01 dated 03.09.2024 regarding Cultural Meet 2024, Cantonment Board Schools, Western Command in which the Board was approved the estimated expenditure of Rs. 65 lacs. The Board reconsidered the same and approved an amount of Rs. 20 lacs in Ist instance.

2. MONTHLY ACCOUNT: FOR THE MONTHS OF JUNE, JULY AND AUGUST 2024:

To note the following proceeds of receipts and expenditure for the month of June, July and August, 2024:

Description	June, 2024 Amount (Rs.)	July, 2024 Amount (Rs.)	August, 2024 Amount (Rs.)
Opening Balance	56836484.56	53058590.56	61295837.56
Receipt during the month	95914424.00	59718753.00	27959022.50
Total	152750908.56	112777343.56	89254860.06
Expenditure during the month	99692318.00	51481506.00	44212779.85
Closing balance at the end of month.	53058590.56	61295837.56	45042080.21
Total	152750908.56	112777343.56	89254860.06

The relevant file is placed on the table.

RESOLUTION NO. 2 : Noted.

3. AUCTION OF RIGHTS OF SHOP NO. 17, BHAGAT SINGH MARKET, JAWAHAR LAL NEHRU MARG (ALEXANDRA ROAD), AMBALA CANTT:

To consider the highest bid of Rs.18500/- offered by Sh. Vivek Kumar S/o Sh. Manoj Kumar R/o #127, B.C. Bazar, Ambala Cantt. for the occupancy rights for five years of Shop No.17, Bhagat Singh Market, Jawahar Lal Nehru Marg, (Alexandra Road), Ambala Cantt in the public auction held on 15.08.2024 through e-auction in the office of Cantonment Board, Ambala Cantt, in which four bidders participated, in response to the e-auction notice No. ACB/REV/2024/1085 dated 18.07.2024 which was also published in the newspaper Dainik Jagran, Amar Ujala and Indian Express on 19.07.2024. The highest bidder has deposit 10 months licence fee Rs.185000/- as security vide R.No. 5663 dated 30.08.2024.

The relevant file is placed on the table.

RESOLUTION NO. 3 : Considered and approved the highest bid amounting to Rs.18500/- offered by Sh. Vivek Kumar S/o Sh. Manoj Kumar R/o #127, B.C. Bazar, Ambala Cantt. for the occupancy rights for five years of Shop No.17, Bhagat Singh Market, Jawahar Lal Nehru Marg, (Alexandra Road), Ambala Cantt. Further resolved to take necessary action as per model code of conduct issued by the Election Commission of India.

4. AUCTION OF RIGHTS OF SHOP NO. 15, BHAGAT SINGH MARKET, JAWAHAR LAL NEHRU MARG (ALEXANDRA ROAD), AMBALA CANTT:

To consider the highest bid of Rs.17000/- offered by Sh. Sumit Kumar S/o Sh. Randhir Singh R/o VPO-Jandheri, Kurukshetra for the occupancy rights for five years of Shop No.15, Bhagat Singh Market, Jawahar Lal Nehru Marg, (Alexandra Road), Ambala Cantt in the public auction held on 15.08.2024 through e-auction in the office of Cantonment Board, Ambala Cantt, in which four bidders participated, in response to the e-auction notice No. ACB/REV/2024/1085 dated 18.07.2024 which was also published in the newspaper Dainik Jagran, Amar Ujala and Indian Express on 19.07.2024. The highest bidder has not deposited the 10 months licence fee Rs.170000/- as security as per terms and conditions of the e-auction notice. It is recommended to forfeit the amount of earnest money deposited by him at the time of auction and to consider for re-auction.

The relevant file is placed on the table.

RESOLUTION NO. 4 : Considered and resolved that the earnest money amounting to Rs.17000/- deposited by Sh. Sumit Kumar S/o Sh. Randhir Singh R/o VPO-Jandheri, Kurukshetra be forfeited and initiate action to re-auction of the said shop. Further resolved to take necessary action as per model code of conduct issued by the Election Commission of India.

5. EXTENSION OF LEASE IN RESPECT OF SURVEY NO.50/2/1, RHA BAZAR :

Reference Special CBR No. 13 dated 11.06.2024 & Circular Agenda No. 1 dated 16.08.2024.

As per GLR record lease land /property classified as B-3 under the management of Cantonment Board was held on lease under CLAR 1925 for 90 years (Schedule VI) by L.Ram Chander. The lease full term expired on 01.04.2021.

Sh. Satpal S/o Sh. L. Ram Chander sold the property no. 420,428-429 to Sh. Atma Ram in 1966 by registered sale deed dated 20.11.1966. The said property has allegedly been transferred by Sh, Atma Ram to Sh. Faqir Chand. However, there is no record in this office regarding the mode of transfer of said property from Sh. Atma Ram to Faqir Chand. Futher Sh. Faqir Chand vide sale deed dated 31.03.1986 sold this property to Sh. Radhey Shyam. After the death of Sh. Radhey Shyam, Sh. Yogesh Nandan s/o late Sh. Radhey Shyam & Sh. Brijesh Nandan S/o late Sh. Radhey Shyam occupied the said lease property.

The Proposal was sent to the PDDE,WC vide this office letter No. ACB/AE /Lease/ 2021/1577 dated 24.09.2021 for extension of lease. Dte DE,WC, Chandigarh vide letter No. 21/5185/L/DE/WC/2016/22 dated 06.12.2021 has given direction/advise to obtain legal opinion of ASG/Govt Counsel. This office obtained legal opinion from Govt Counsel. Govt Counsel has gave a legal opinion that *“the applicant Brijesh Nandan and Sunita Wife of Shri Yogesh Nandan should be directed to produce the documents/record in respect of transfer of lease land from Lala Atma Ram to Faquir Chand and in the absence of any such documents, the lease rights cannot be transferred in the name of Brijesh Nandan and Sunita Wife of Shri Yogesh Nandan”*. The case was forwarded to the Committee to condonation of breaches in respect of lease of survey No.50/2/1,RHA Bazar. Minutes of the meeting of committee constituted with regard to condonation of breach in respect of lease of survey No. 50/2/1 held on 27.10.2023 and decided by the committee that: before further consideration of the subject matter, CEO Ambala will carry out the following actions:-

i) Obtain the legal opinion from Senior Panel Counsel Punjab and Haryana High Court with regard to extension of Subject lease after full term expiry as per facts of the case and policy dated 10.03.2027

ii) Issue demand notice to the present occupier /succession -in interest for recovery of lease rent w.e.f 01.04.1961 as per para B(a)iii) of the policy dated 10.03.2017.

iii) To get a notice published in the local newspapers stating that the case is being processed for extension of lease of the subject the property (with detailed description of property) on the basis of sale deed dated 31.03.196 executed between ‘Shri Faquir Chand and Shri Radhey Shyam’. It may also be mentioned in the notice that objection, if any, to the proposed extension of lease shall be given within 10 days from the date of publication. No objection was received.

This office has completed all the formalities given by the PDDE,WC. Sh. Brijesh Nandan has deposited the occupancy charges / rent Rs.41077/-upto 31.12.2024. Legal opinion received from the Sr. Central Govt Counsel, Punjab & Haryana High Court, Chandigarh in which mentioned *“renewal of the lease deed is only possible if there is any provision in the Act for condonation of breach of lease deed . Otherwise in the absence of a link and there is no provision in the act for condonation of breach of lease, then in that case cantonment Board can proceed against the party as per law”*.

As per the opinion of the CBLA, Sh. Jitender Sharma shall be dealt with for extension however CGSC and Sr.CGC have given their opinion for the point of view at renewal.

As per property tax register presently in the name of Sh. Radhey Shyam. Lease land 225.50 sft is small area and attached with old grant property (Sy No. 50/386 and area 422 sft) and applied for freehold. Brijesh Nandan has used a land as house for more than 38 years.

The case was put up before the Board in its meeting held on 11.02.2024 and the Board vide Special CBR NO.13 resolved that

“Considered in detail. President, Cantonment Board directed that the detail of legal heirs of late Sh. Yogesh Nandan and NOC /consent from the legal heirs of Late Yogesh Nandan regarding said property be placed before the Board for consideration of the matter”.

This office vide letter No. ACB/AE/2024/952 dated 18.06.2024 intimated Sh. Brijesh Nandan to submit the NOC/consent documents from the legal heirs of late Sh. Yogesh Nandan. Sh. Brijesh Nandan (brother of Yogesh Nandan) has submitted the NOC/consent of the legal heirs of Sh. Yogesh Nandan namely Dhananjay and Shashank alongwith their birth certificates and death certificate of Sh. Yogesh Nandan & Smt. Sunita w/o Yogesh Nandan, citing that they have no objection to extend the lease in favour of Sh. Brijesh Nandan.

The case was put up before the Board through Circular Agenda No.1 dated 16.08.2024 and the Board resolved that the matter may be forwarded to the committee constituted by the Dte DE WC to evaluate the case. The Dte DE WC has put up the case in the committee dated 10.09.2024. The matter discussed by the Committee on 10.09.2024. CEO Ambala has requested that the period of 15 days may please be given so that Cantonment Board, Ambala can re-submit the proposal with their specific recommendations. The Committee considered and accepted the request.

In this regard, it is submitted that as per GLR maintained by this office the survey No. 50/2/1 is entered in the name of L. Ram Chander. At present Sh. Brijesh Nandan S/o Late Sh. Radhey Shyam is residing in the said house for the last 38 years. Sh. Ajay Baweja, Nominated member during the meeting held on 11.06.2024 has also raised the point that the present occupier /their family is residing in the said property for the last 38 year, therefore, the case of extension of lease should be considered on humanitarian ground, long occupancy and tax & lease rent record. As per property tax register, property is entered in the name of Sh. Radhey Shyam. Lease land is 225.50 sft is small area and attached with old grant property (SyNo.50/386 and area 422 sft), Brijesh Nandan has used this land as house for more than 38 years and this land is no use for municipal purpose.

The relevant files are placed on the table.

RESOLUTION NO. 5 : Considered and resolved that keeping in view the above facts, it is recommended that the case be forwarded for extension of lease in favour of Sh. Brijesh Nandan S/o Late Sh. Radhey Shyam to the committee constituted by the PDDE, WC vide their letter No. 33/LC/Ren-Lease/L/DE/WC/RMS-31982 dated 08.07.2024/higher authorities.

6. OPERATION/MAINTENANCE OF TUBEWELLS IN CANTT. AREA.

Reference Special CBR No. 08 dated 23.12.2022 and Circular Agenda dated 02.03.2024 noted by CBR No. 01 dated 20.03.2024.

To consider the extension of term of contract for operation/ maintenance of tubewells in Cantt area which was expired on 29.02.2024. The Board vide CBR No. 01 dated 20.03.2024 resolved to extend the contract period till the finalization of new tender or three months whichever is earlier on the same rates, terms & conditions. But model of code of conduct was impose in the month of May & June and from last week of July & August the Govt. procurement portal i.e www.defproc.gov.in not working, now the MCC again imposed. As per clause 12 of Section -1 of DNIT “The contract shall be valid for one year from the date of commencement. After evaluating the performance of the contractor, the Board may choose to extend the contract for further period”. Therefore, the contract of pervious contractor i.e Sh. Kulwant Singh, Vill. & P.O Pilkhani, Distt. Ambala may be extended on the same rates, terms and conditions of the contract agreement for one year from 29.02.2024 to 28.02.2025.

All the relevant papers are placed on the table.

RESOLUTION NO. 6 : Considered and approved the extension of contract of Sh. Kulwant Singh, Vill. & P.O. Pilkhani, Distt. Ambala on the same rates, terms and conditions of the contract agreement up to 31.12.2024 or up to the date of finalization of fresh tender whichever is earlier for operation/ maintenance of tubewells in Cantt area.

**7. WEEDING OUT OF OLD RECORD OF CANTONMENT BOARD
AMBALA:**

Reference CBR No.6 Dated 28.09.2022.

To consider the report of the committee dated 10.09.2024 constituted vide CBR referred above for weeding out of old records i.e. 177 files scrutinized by the Record Section.

The committee constituted for the purpose has also checked the list of old record and recommended to weed out the same as per the retention schedule of Cantonment Account Code, 2020.

The relevant file is placed on the table.

RESOLUTION NO. 7 : Considered and approved. CEO is authorized to weed out the record as recommended by the committee as per the retention schedule of Cantonment Account Code, 2020.

EXTRA ITEMS TAKEN WITH THE PERMISSION OF THE CHAIR:

8. PROCUREMENT OF LED STREET LIGHT 150 WATT FOR MAINTENANCE OF STREET LIGHT IN CANTONMENT AREA ON GEM PORTAL

Reference requisition for procurement of 70 Nos. LED Street light. 150 watt for maintenance of street light work in Cantonment area. The same specification LED Street lights is available on GeM portal. The LED street light 150 watt, IP 66 , one electronic control gear with 02 year warranty with other specifications as required was searched in the Gem portal and GeM current L-1 amounting to Rs.4,89,300/- for 70 Nos. Including all taxes and freight etc with the required configurations, while comparing the rates of 04 firms. The comparative statement for the same as per Gem is as under:

S No.	Description of Items	Approx. Qty	SURYA	SQUADRON	ASCORAJ	SUN ENERGY INDIA
1.	LED Street Light 150 watt, IP 66 01 electronic control gear etc. with 02 years OEM warranty	70 Nos.	Rs.4,89,300/- Category Current L-1	Rs.8,35,730/-	Rs.8,71,430/-	Rs.11,60,450/-

The (GEM) Govt.e-Marketplace category current L-1 amounting Rs.4,89,300/- for procurement of 70 Nos. LED Street Light 150 watt, IP 66 01 electronic control gear etc with 02 years OEM warranty with other specifications, including all taxes and freight etc. The amount is to be incurred out of the relevant head of the Budget Estimates for the current financial year. The Board to decide further action

The relevant file is placed on the table.

RESOLUTION NO. 8 : Considered and approved.

sd/
(Rahul Anand Sharma, I.D.E.S.)
Member Secretary (CEO)

20.09.2024

sd/
(Saikat Roy)
Brig
President, Cantonment Board

अनुप्रमाणित

कार्यालय अधीक्षक
छावनी परिषद,अम्बाला
(प्रेम कुमार धमीजा)