

PROCEEDING OF SPECIAL BOARD MEETING DATED 20.09.2017

1. (A) OATH OF AFFIRMATION MAJ.GEN. J S YADAV, SM AS PRESIDENT, CANTT BOARD LANDOUR.

To administer the oath of Office as PCB Cantt Board, Landour as required under section 17 of Cantonments Act, 2006 (41 of 2006) by Maj.Gen J.S Yadav, SM, GOC HQ Utrakhand Sub Area, Dehradun Cantt.

RESOLUTION (A): Before taking the seat Maj.Gen J.S Yadav, SM, GOC HQ Utrakhand Sub Area, Dehradun Cantt took the oath as required under section 17 of the Cantonments Act, 2006.

(B) OATH OF AFFIRMATION BRIG. V.K SHARMA S.E.M.O, AS EX-OFFICIO MEMBER, CANTT BOARD LANDOUR.

To administer the oath of Office as Ex-Officio Member of the Board as required under section 17 of Cantonments Act, 2006 (41 of 2006) by Brig V.K Sharma, S.E.M.O, C/o MH Dehradun.

RESOLUTION (B): Before taking the seat Brig V.K Sharma S.E.M.O, Ex - Officio Member took the oath as required under section 17 of the Cantonments Act, 2006

2. (A) TO NOTE.

To note the action taken by the CEO with the approval of the PCB to defend the case filed by Shri Sanjay Narang in the Court of Additional District Judge, Dehradun against the Cantt Board.

1	208/2017	Shri Sanjay Narang	Bothwell Bank
2	209/2017	Shri Sanjay Narang	Zoar Cottage
3	210/2017	Shri Sanjay Narang	Tabor
4	215/2017	Shri Sanjay Narang	Rokeby

The Office note dated 05.09.2017 is placed on the table.

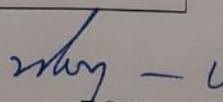
RESOLUTION (A): Noted.

(B) TO NOTE

To note the action taken by the CEO with the approval of the PCB to defend the Notice for suit filed by Shri Sanjay Narang under section 339 of the Cantonments Act, 2006 for the following properties.

1	Rokeby	Survey No.47
2	Dahlia Bank	Survey No.157
3	Zoar Cottage	Survey No.127
4	Tabor	Survey No.100


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Office note dated 17.08.2017 (2), 10.08.2017 & 11.08.2017 and HQ Uttarakhand Sub Area, Dehradun Letter No.140149/Q3L dated 04.09.2017 is placed on the table.

RESOLUTION (B): Noted.

(C) TO NOTE

To note the action taken by CEO with the approval of the PCB regarding to attend the Open Defecation Free Certification at Varanasi Cantt on 14.09.2017 and incurring the expenditure on TA/DA of Members.

The Office Note dated 30.08.2017 and 08.09.2017 alongwith connected documents is placed on the table.

RESOLUTION (C): Noted.

3. ORDER OF THE APPELLATE AUTHORITY DATED 05.09.2017 IN THE MATTER OF APPEAL NO.01/2017 SHRI ASHOK SOLOMAN VS CANTONMENT BOARD, LANDOUR.

To note the Order of the Appellate Authority dated 05.09.2017 rejecting the appeal of Shri Ashok Solomon filed under section 340 of the Cantonments Act, 2006 against the demolition notice of Cantt Board issued under section 248 of the Cantonments Act, 2006 vide Notice No.13/17/CBL/14 dated 09.03.2016.

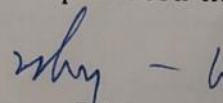
The Order of the Appellate Authority along with relevant file are placed on the table.

RESOLUTION NO.3: Considered and discussed. Further resolved that CEO is directed to take further action in the matter as per law.

4. ISSUE OF NOTICE UNDER SECTION 320 OF THE CANTONMENTS ACT, 2006 TO SHRI SANJAY NARANG S/o LATE SHRI MANOHAR LAL NARANG R/o DAHLIA BANK, LANDOUR CANTT (MUSSOORIE)

To consider Office report to the effect the Shri Sanjay Narang S/o Late Shri Manohar Lal Narang R/o Dahlia Bank, Landour Cantt (Mussoorie) was served notice U/s 248 of the Cantonments Act, 2006 vide notice No.13/157/Vol.IV/CBL/20 dated 10th Nov.,2014 for carrying out certain unauthorised constructions at Dahlia Bank (Survey No.157), near Sister Bazar, Landour Cantt. The details of unauthorised construction are reproduced here below:-


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Name of the Building	Location of the Building	Detail of unauthorised Construction undertaken by owner/Occupier/Lessee	Unauthorisedly construction/built up area (in sq.Ft.)
Dahlia Bank, Survey No.157	Landour Cantt, Near Sister Bazar, Survey No.157	A-Buildings	12189.58
		1) Main Building (Building No.1)	(Basement +G.F.+F.F)
		2) Cottage (Building No.2)	2381.97
			(Basement +G.G.+F.F)
		3) Cook House (Building No.3)	809.02
			(G.F)
		4) Temp. Toilet (Building No.5)	80.00
			(G.F)
		5) Servants Quarters (Building No.6)	3061.93
		Total	18522.50
		B. Rooms Developed below Tennis Court	
	1)Rooms developed below Tennis Court	7477.86	
		(Basement +G.F)	
Total		7477.86	
Grand Total (A+B)		26000.36	

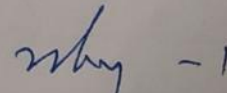
Office report further states that Shri Sanjay Narang preferred Special Appeal No.645/2014 (Shri Sanjay Narang V/s Union of India & Others) in the Hon'ble High Court of Uttrakhand at Nainital which was dismissed by the Hon'ble High Court on 05.09.2017 and subsequently Shri Sanjay Narang filed a SLP(C) No.24548/2017 in the Hon'ble Supreme Court of India, New Delhi which was since been dismissed on 18.09.2017 by the Hon'ble Supreme Court of India. Hence further action in the matter, as per notice dated 10.11.2014 was kept in abeyance, till the decision/orders of the Hon'ble Courts.

Now Board to consider issuing notice under the provisions of Section 320 of the Cantonments Act, 2006 to Shri Sanjay Narang S/o Late Shri Manohar Lal Narang r/o Dahlia Bank, Landour Cantt (Mussoorie) for demolition of unauthorised construction in question.

The Office report together with judgments of Hon'ble High Court of Uttrakhand (Nainital) and Hon'ble Supreme Court of India, New Delhi are placed on the table.

RESOLUTION NO.4: Matter was considered in detail by the Board and resolved that notice under Section 320 of the Cantonments Act, 2006 be issued to Shri Sanjay Narang for demolition of unauthorised constructions as shown on the agenda side, within 07 days of from the date of receipt of notice. Failing compliance, the demolition of unauthorised construction be carried out by the agency of the Board, after the expiry of time period as order dated 18.09.2017 of the Hon'ble Supreme Court of India at the risk and cost of defaulter.


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5. ISSUE OF NOTICE UNDER SECTION 248 OF THE CANTONMENTS ACT, 2006 – FAIR VIEW.

Reference Show Cause Notice bearing No.13/95/CBL/46 dated 05.08.2017 issued to **(1)***The Christian and Missionary Alliance of India Missions Akola, Berar, Fair View Bungalow (Svy No.95)* **(2)** *Shri Sunil Prakash Gupta S/o Shri Inder Prakash, Fair View, Sister Bazaar, Landour Cantt Mussoorie* **(3)** *Shri Anil Prakash S/o Late Shri Inder Prakash, Durga Bhawan, Sister Bazaar, Landour Cantt Mussoorie* and Joint Inspection report headed by Col B.K Shukla, Nominated Member, Cantt Board, Landour dated 10.07.2017.

It is brought to the notice of the Board that the extend of unauthorised construction as above referred Joint report dated 10.07.2017 is 1839.57 Sq.ft on the Survey No.95, Landour Cantt.

Therefore, to consider the question of issue of notice under section 248 of the Cantonments Act, 2006 to **(1)***The Christian and Missionary Alliance of India Missions Akola, Berar, Fair View Bungalow (Svy No.95)* **(2)** *Shri Sunil Prakash Gupta S/o Shri Inder Prakash, Fair View, Sister Bazaar, Landour Cantt Mussoorie* **(3)** *Shri Anil Prakash S/o Late Shri Inder Prakash, Durga Bhawan, Sister Bazaar, Landour Cantt Mussoorie* for carrying out of unauthorised construction on Survey No.95 known as Fair View, Landour Cantt.

The above referred report, Show Cause notice and reply of Shri Sunil Prakash dated 14.08.2017 is placed on the table.

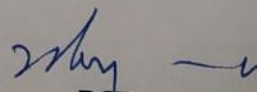
RESOLUTION NO.5: Matter considered in detail. Shri Badal Prakash, Elected Member, Smt Pushpa Padiyar, Elected Member and Smt Chandra Kala Sayana, Elected Member has requested that they have not study the case being Special Board Meeting assembled, hence not in a position to participate in discussion. Therefore the matter may be pend for the next Board Meeting.

The CEO apprises the Board that so many notices has been issued to the Offenders and also prosecuted in the Court of the CJM, Mussoorie.

However, as per the law of natural justice the CEO with the permission of the PCB and other Members requested the Board to pend the matter for next Board Meeting. In the meantime the members objecting the action may file their version alongwith documentary evidence viz., titled deed, Mutation Papers, Succession Certificate etc in favour of the party well in advance for consideration of the undersigned and thereafter the Board.

The PCB and other Members agreed and accordingly the matter has been pend for next Board Meeting.


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ADDITIONAL AGENDA

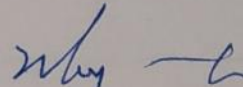
1. TO IMPLEMENT THE COURT ORDER & THE DECISION OF THE BOARD.

The CEO suggested that a Committee of the following be constituted to present at the time of demolition work of unauthorized construction of building at Landour Cantt and to implement the Hon'ble Court Order and the decision of the Board.

- (1) Nominee of the PCB.
- (2) Shri Jakir Hussain, Chief Executive Officer & Member Secretary.
- (3) GE(R&D) Raipur, Dehradun or his Rep.
- (4) Col B.K Shukla, Nominated Member
- (5) Shri Mahesh Chandra, Vice-President.
- (6) Shri Badal Prakash, Ward Member.

RESOLUTION ADDITIONAL AGENDA NO.1: Considered and approved. Further resolved that the CEO is authorised to invite Tender/Quotation for demolition work through vide publicity in News Papers.


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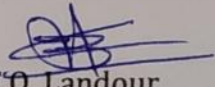
AGENDA BY CIRCULATION DATED 13 Oct. 2017

Sub: Estimates Public Works

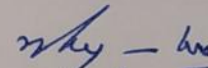
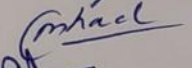
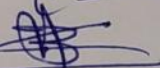

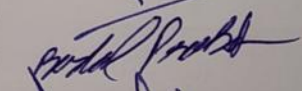

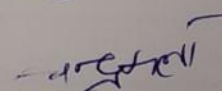
It has been reported by the Junior Engineer Cantonment Board, Landour that due to heavy rains during the monsoon 2017 there are some damages occurred in the Laxmanpuri area Ward No. 5 & 6 Khacharkhana Raod and Below Dak Line and required immediate repair to avoid further damages and safety of human lifes as well as the property nearby. The estimate along with the photographs are attached herewith.

Therefore to consider and approve the following estimates.

Sl. No.	Estimates	Amount
1	Provision repair/re-construction of damaged/bulged out R/Wall of Khacharkhana Road near Kunjeshwari Bhawan.	4,73,000.00
2	Special Repair Monsoon Damages Construction of Safety Wall Below Dak Line Laxmanpuri.	6,52,000.00


C.E.O, Landour

RESOLUTION: 2 – Considered and approved.

Sl. No.	Name & Designation	Resolution	Signature
1.	Maj. Gen. J.S. Yadav SM, P.C.B, Landour.	Approved/N.Approved	
2.	Shri Mahesh Chandra, Vice-President.	Approved/N.Approved	
3.	Shri Jakir Hussain, C.E.O. & Secy.	Approved/N.Approved	
4.	Brig V.K Sharma S.E.M.O.	Approved/N.Approved	
5.	The G.E, R&D, Raipur, Dehradun.	Approved/N.Approved	
6.	Col. B.K Shukla, ITM, Landour Cantt.	Approved/N.Approved	
7.	The SDM, Mussoorie.	Approved/N.Approved	
8.	Shri. Badal Prakash, Elected Member.	Approved/N.Approved	
9.	Shri Sushil Kumar, Elected Member.	Approved/N.Approved	
10.	Smt. Pushpa Padiyar, Elected Member.	Approved/N.Approved	
11.	Shri. Ramesh, Elected Member.	Approved/N.Approved	
12.	Smt. Chandra Kala Sayana, Elected Member.	Approved/N.Approved	