

BADAMIBAGH CANTONMENT BOARD
MINUTES OF ORDINARY BOARD MEETING HELD ON 25/04/2017

ATTENDANCE

Members Present:-

- 1- Brig Arun Nair, SM, President
- 2- Shri Ab Sami Wani, Vice President
- 3- Shri Kapil Goyal, Secretary
- 4- Brig M S Tevatia, SEMO, Comdt. 92 BH
- 5- Col A S Pundir, SM, Col Q HQ 31 Sub Area
- 6- Col Pankaj Tuknait, Adm Comdt. HQ 31 Sub Area
- 7- Lt. Col Sachin Jain, GE, 864
- 8- Shri Parvaiz Ahmad Dar, Ward No. 1
- 9- Shri Mohammad Ashraf Lone, Ward No. 2
- 10- Ms. Saima Shah, Ward No. 4
- 11- Shri Raies Ahmad Malik, Ward No. 5
- 12- Smt. Manjeet Kour, Ward No.6
- 13- Shri Bilal Ahmad Wani, Ward No. 7

Members Absent:-

- 1- Sh. Farooq Ahmad Lone, DC Srinagar

The meeting started in the Cantonment Board Office with the PCB welcoming all the members present. Brig Manvir Singh Tevatia, SEMO, Commandant 92 BH took oath under Section 17 of the Cantonments Act, 2006 having become a member of the Board by virtue of his office. He was welcomed by the President and other members. Thereafter, with the permission of the President, following agenda were introduced and decided upon.

Agenda No. 1: MONTHLY ACCOUNTS

Refer CBR No. 1 dated 30.01.2017 whereby the Board deferred the agenda to next Board meeting. The Board may consider and approve the monthly accounts for the month of October, November and December, 2017.

Resolution No. 1:

Considered and approved.

The Board also constituted a Committee of following members who shall peruse documents related to accounts and submit its recommendations to be put before the Board in its next meeting:

- 1- Shri Parvaiz Ahmad Dar, Member
- 2- Shri Raies Ahmad Malik, Member
- 3- Shri Bilal Ahmad Wani, Member

Agenda No. 2: MONTHLY ACCOUNTS

The Board may consider and approve monthly accounts for the months of January, February and March 2017.

SUMMARY JANUARY, 2017

CASH ACCOUNT			
RECEIPT		EXPENDITURE	
Opening Balance	3,36,11,004	Total Expenditure	3,23,94,788
Total Receipts	1,59,294	Closing Balance	13,75,510
Total	3,37,70,298	Total	3,37,70,298

SUMMARY FEBRUARY, 2017

CASH ACCOUNT			
RECEIPT		EXPENDITURE	
Opening Balance	13,75,510	Total Expenditure	60,74,690
Total Receipts	2,64,74,061	Closing Balance	2,17,74,881
Total	2,78,49,571	Total	2,78,49,571

SUMMARY MARCH, 2017

CASH ACCOUNT			
RECEIPT		EXPENDITURE	
Opening Balance	2,17,74,881	Total Expenditure	4,93,24,402
Total Receipts	13,72,89,327	Closing Balance	10,97,39,806
Total	15,90,64,208	Total	15,90,64,208

The head-wise details are annexed as Annexure-A. The connected documents are placed on the table.

Resolution No. 2:

Considered and approved.

Agenda No. 3: RE-APPROPRIATION FROM MINOR HEAD TO MINOR HEAD FOR THE YEAR 2016-17

The Board may consider and approve re-appropriation from one Minor Head to other Minor Head. The Board is the competent authority to effect the said re-appropriation. The re-appropriation statement is attached as Annexure-B.

The case file along with all connected papers is placed on the table.

Resolution No. 3:

Considered and approved.

**Agenda No. 4: ANNUAL MAINTENANCE CONTRACT OF ACCRUAL
BASED ACCOUNTING SYSTEM (ABAS) IN CANTONMENT
BOARDS**

Refer DGDE letter No. 56/15/DGDE/Coord/Double Entry dated 15.04.2017

ABAS is being implemented in all the 62 Cantonments through M/s ABM Knowledgeware, Mumbai. As per the letter under reference, the implementation of ABAS will be done during the first year of “Three Years Maintenance Contract” [from 2017-18 to 2019-20]. The total AMC amount payable to M/s ABM Knowledgeware during the first year will be Rs. 97.20 lakhs plus service tax which is to be shared equally by all the Cantonment Boards. The training charges shall be extra.

The Board has to contribute an initial amount of Rs. 2 lakhs towards first year AMC cost plus taxes plus training charges etc. The Board may approve the same. The connected documents are placed on the table.

Resolution No. 4:

Considered and approved.

Agenda No. 5: ENGAGEMENT OF CANTONMENT BOARD LEGAL ADVISOR (CBLA) TO DEFEND COURT CASES ON BEHALF OF BADAMIBAGH CANTONMENT BOARD

- Refer (i) CBR No.03 dated 30.01.2017 and application no. SAM/AJKHC/088/2017 of Shri S. A. Makroo dated 2.03.2017
(ii) Reference application dated 09.03.2017 submitted by Shri Waqar-ul-Haq Khan (former Deputy Advocate General).

The Board vide CBR under reference has extended the term of Sh. S.A. Makroo up to 31.03.2017. Now, Shri S. A. Makroo has submitted an application for extending his term for a further period of 02 years.

Also, Shri Waqar-ul-Haq Khan has been appointed as CGSC by the Central Government for seeking/representing/conducting court cases on behalf of Union of India before Hon'ble High Court of J&K. Shri Khan is requesting for engaging him as CBLA for representing court cases of Cantonment Board before Hon'ble High Court of J&K.

The Board may decide. The connected documents are placed on the table.

Resolution No. 5:

Considered and approved to extend term of Shri S A Makroo (former ASG) for two months w.e.f. 01.04.2017. Shri Makroo should be requested to attend next Board meeting for apprising the Board about the status and progress of court cases in the Hon'ble High Court.

The Board also resolved to consider ASG, Shri Tahir Majid Shamsi for empanelment and, thus, he should be requested to attend the next Board meeting.

Lt Col Sachin Jain, Member apprised the Board that a request, in writing, may be sent to CBLAs ten days before the date of listing of court cases so that the cases may be listed at the top of the cause list.

Agenda No. 6: ENGAGEMENT OF MALIS AND ELECTRICIANS ON CONTRACT

To consider and approve engagement of –

- (i) 02 Malis/Gardeners for maintenance of 07 no. of public parks situated at Sonwar, Indra Nagar, Batwara and Shivpora on contract basis through contractor.

- (ii) 02 Electricians – one for daily maintenance of street lights and one for replacement of street lights with LED lights – on contract basis through contractor. The Board may also note engagement of one electrician for one month for maintenance of street lights by the CEO.

The case file along with connected documents is placed on the table.

Resolution No. 6:

Considered and approved. Also, the Board resolved that engagement of 02 electricians be done for the whole financial year 2017-18 for better upkeep of street lights in the Cantonment. The Head Mali should also be present in all Board meetings henceforth to explain to the Board about status of public parks.

Agenda No. 7: GENERAL FINANCIAL RULES, 2017

The Department of Expenditure, Ministry of Finance, GoI has published General Financial Rules (GFR), 2017 replacing GFR, 2005.

The Board may constitute a Committee comprising Board members to study the effects of new rules on the working of the Board and to suggest modifications, if any, required to be made in procedure adopted by the Board in public procurement. The Committee shall also study all the tender documents issued by the Board to recommend modifications, if any, in the documents to make them conform to GFR, 2017. The Board may decide.

Resolution No. 7:

Considered and resolved to constitute a Committee of following members of the Board for the purpose as mentioned on the agenda side.

- 1- Shri Parvaiz Ahmad Dar
- 2- Shri Raies Ahmad Malik
- 3- Shri Bilal Ahmad Wani

The Committee shall submit its recommendations, preferably by the end of the month of July, 2017, to the Chief Executive Officer who, on receipt of the said recommendations, shall circulate them to all other Board members for their suggestions. The recommendations along with the suggestions received from all Board members shall be put before the Board for its final approval.

Agenda No. 8:**VOCATIONAL TRAINING COURSE: TALLY**

The Board is running 6 months integrated tally ERP 9 course (English Readiness and holistic personality development course) at Vocational Training Institute, Sonwar. Three batches comprising of 30 students each have already completed their training. The Board is spending about Rs. 15,000/- per student. However, having seen the past trend, some of the candidates enrolled themselves and thereafter left the training midway after attending 10 to 15 days of training. To arrest this trend, it is proposed for the new batch that-

- (a) Rs. 500/- shall be paid by trainee as enrolment fee (non-refundable).
- (b) Rs. 1,000/- shall be paid by trainee and is refundable only after successful completion of the course.
- (c) A candidate shall not be allowed to enrol more than once in a course conducted by the Board.

The Board may approve. The case file is placed on the table.

Resolution No. 8:

Considered and resolved to approve the proposal as on the agenda side.

Further, the Board resolved to constitute a Committee of following members to find out the suitability of BASIX for its further engagement by the Board for conducting further course on Tally.

- 1- Shri Ab. Sami Wani, Vice President
- 2- Shri Parvaiz Ahmad Dar. Member
- 3- Shri Raies Ahmad Malik, Member

The Committee should submit its recommendations by 12th May, 2017 which shall be put before the Board for its final decision in the next meeting.

Agenda No. 9: INCREASE IN MINIMUM WAGES FOR EMPLOYMENT OF SWEEPING AND CLEANING

Refer Ministry of Labour and Employment Notification No. S.O. 186(E) dated 19.01.2017 and F. No. 1/13(5)/2017-LS.II dated 17.03.2017

The MoLE, GoI has revised minimum wages payable to persons engaged in employment of sweeping and cleaning. Now, as per notification under reference, the minimum wages including variable dearness allowance (VDA) payable is Rs. 438.61 per day for Srinagar (UA) which includes Badamibagh Cantonment.

The Board hires services of 80 labourers through contractor for sweeping and cleaning of civil areas in Badamibagh Cantonment and also other required manpower through the same contractor. The Board also called tenders for hiring services of labourers through contractor for sweeping and cleaning at Airforce stations viz. Old Air field and Awantipora. The tenders were called at minimum wage rate of Rs. 312 per day.

Now, in view of increase of minimum wages by the Central Government, the Board may approve paying the contractor at new minimum wage rate of Rs. 438.61 per day. The Airforce stations are also required to be informed about the increase so that they get approval for revised rates from competent authorities. The case file along with connected documents is placed on the table.

Resolution No. 9:

Considered and approved.

Agenda No. 10: PURCHASE OF CLOTH FOR SUMMER UNIFORM FOR CANTONMENT BOARD EMPLOYEES

To consider purchase and issue of summer uniform in respect of eligible employees of Cantonment Board. The proforma bill along with sample has been obtained from National Textile Corporation (NTC, 07 Polo View, Srinagar). The details are as under:

S. No.	Particulars	Quantity	Rate per metre	Amount (in Rs.)
1	Summer Uniform Cloth	456.5 metre	315	1,43,797.75
2	Turban Cloth white mulmul	10 metre	85	850.00
3	Dupatta Cloth	08 metre	85	680.00

The Board may approve purchase of cloth. The connected documents are placed on the table.

Resolution No. 10:

Considered and approved.

Agenda No. 11: FURNITURE FOR LIBRARY

Refer CBR No. 5 dated 30.01.2017.

Quotations were called for purchase of furniture required for library at Cantonment Board Public School, Sonwar. Four agencies have quoted their rates as below for the said purpose. The lowest rates for all items were found to be quoted by M/s Friendz Enterprises, Sonwar.

Particulars	Maccess Mark Associates, Jawahar Nagar	M/s Friendz Enterprises, Sonwar	M/s FQ Syndicates, Shivpora	Gulshan Trading Company, Gulshan Nagar Bye pass
Wooden rack, Single face rack (4)	6300/- each	6250/- each	6500/- each	6800/- each
Wooden rack, Double face Rack (1)	10900/- each	10800/- each	11500/- each	10980/- each
Display rack (1)	10900/- each	10700/- each	11200/- each	10980/- each
Office table with drawers (1)	5100/- each	5000/- each	5250/- each	5190/- each
Office chairs (10)	3375/- each	3300/- each	3500/- each	3875/- each
Wooden table (2)	6500/- each	6400/- each	6700/- each	6590/- each

The Board may approve the lowest rates. An expenditure of Rs. 97,300/- is required to be made for purchase of furniture. The case file along with connected documents is placed on the table.

Resolution No. 11:

Considered and approved.

Agenda No. 12: PURCHASE OF SAPLINGS

To note PCB approval dated 02.03.2017 regarding procurement and distribution of 1500 no. of saplings to the residents of Cantonment area. An expenditure of Rs. 2,12,000/- has been incurred for purchase of the said saplings. The saplings have been distributed to the residents.

The connected documents are placed on the table.

Resolution No. 12:

Noted.

Agenda No. 13: STITCHING OF SUMMER UNIFORM

To consider quotations invited vide this office letter No. CB/Uniform/1586 dated 04.02.2017 published in local news papers i.e., Daily Aftab and Kashmir Reader for stitching of summer uniform (Shirts and Pants). Following agencies have quoted their rates as below for said purpose.

S. No.	Agency	Rate quoted per set
1	Aahar Syndicates, Shivpora, Srinagar	1285/-
2	Mohd Shafi Mir, Batwara, Srinagar	650/-
3	Multineeds General Trading Co., Kursu Padshaibagh	590/-
4	Maccess Mark Associates, Jawahar Nagar, Srinagar	570/-

The Board may approve the lowest rate of Rs. 570/- per set quoted by Maccess Mark Associates. The case file along with connected documents is placed on the table.

Resolution No. 13:

Considered and approved.

Agenda No. 14: CLOSING OF SHOP NO. 64 AT SADAR BAZAAR

Reference PCB approval dated 09.03.2015 and CBR No. 1 dated 16.07.2015.

Shop no. 64 at Sadar Bazaar, Badamibagh Cantonment was allotted to M/s Balmer Lawrie Travel and Vacations (A Govt of India Enterprise) on fixed rent Rs. 1,00,000/- per annum vide this office letter No. CB/S.B/717 dated 18.03.2015 for a period of 03 years. A contract agreement was also executed in this regard which was effective from 01.04.2015 for the period of 03 years.

The said Agency vide its representation dated 14.01.2017, and received on 19.01.2017, intimated that due to poor response in business, the agency intends to close its business w.e.f. 28.02.2017. In its response, the agency was informed that as per clause 7 of the contract agreement, the agency needs to inform the Board of its intention to vacate the shop 02 months in advance by giving a notice. The period of two months completed on 18.03.2017 from the date of notice. The agency was also advised to liquidate the outstanding dues amounting to Rs. 47,267 before closure of the shop. The agency intimated that Rs. 47,267 may be adjusted from its security deposit of Rs. 50,000.

The Board may note the closing of the shop No. 64 by M/s Balmer Lawrie Travel and Vacations. The case file is placed on the table.

Resolution No. 14:

Noted.

Agenda No. 15: HIRING OF TIPPERS/DUMPERS AND CASUAL LABOURERS FOR PROVIDING CONSERVANCY SERVICES TO AIR FORCE STATION, AWANTIPORA.

Reference this office tender No. CB/BB/Sanitation/2017-18/5 dated 18.02.2017 and CB/BB/Sanitation/2017-18/6 dated 10.03.2017.

Online tenders were invited through e-procurement portal by the Board for hiring of casual labourers and tippers/dumpers for providing conservancy services to Air Force Station, Awantipora, Pulwama.

In response to tender notice dated 18.02.2017, three firms viz. M/s Bhat Contractor & General Order Suppliers, M/s New Tajamul Enterprises and M/s Kuchay Traders uploaded their bids. The technical bids were opened on 06.03.2017 and after the scrutiny of documents, technical bid submitted by M/s Bhat Contractor & General Order Suppliers was found incomplete and thus rejected. As a result, two bids were left and since it was the first attempt, the tenders were recalled.

The tenders were called again vide letter No. CB/BB/Sanitation/2017-18/6 dated 10.03.2017. In response to the tender notice, three firms were found to have uploaded their bids. Technical bids were opened on 20.03.2017 and after scrutiny of documents, financial bids in respect of all three firms were opened. The details are as under:

S. No.	Name of Agency	Rate
1.	M/s Bhat Contractor and General Order Suppliers	Rs. 30,52,743.20
2.	M/s New Tajamul Enterprises	Rs. 28,60,132.00
3.	M/s Kuchay Traders	Rs. 27,91,983.84

The Board may consider and approve the lowest rate quoted by M/s Kuchay Traders w.e.f. 01 April, 2017. The case file is placed on the table.

Resolution No. 15:

Considered and approved the lowest bid amounting to Rs. 27,91,983.84/- submitted by M/s Kuchay Traders.

Agenda No. 16: FIXING OF CHARGES FOR STREET POLE ADVERTISING

Badamibagh Cantonment Board is a financially deficit Board and needs to increase its revenue base to as to narrow the gap between its revenue and expenditure. It is proposed to allow advertising on street poles within the limits of the Cantonment subject to following conditions:

- 1- The advertisement on street pole shall be preferably of size four feet in height and three feet in width. An advertisement which does not conform to the prescribed size may also be displayed on the street poles.
- 2- All advertisements on street poles shall be installed at a height of not less than 12 feet from the ground.
- 3- The Board shall, to the extent possible, install the structures/frames on the street poles to maintain uniformity.
- 4- Whoever intends to advertise on such street poles shall apply, in writing, to the Chief Executive Officer for his approval.
- 5- No application shall be valid until it is made on a proforma prescribed by the Chief Executive Officer along with-
 - (a) a sample of the advertisement to be displayed.
 - (b) an application processing fee of one hundred rupees.
- 6- The Chief Executive Officer may either approve or refuse to approve the display of advertisement applied for. In case of approval, the Chief Executive Officer shall be deemed to have given his approval for the content of the advertisement applied for.
- 7- The approval by the Chief Executive Officer shall be given subject to following conditions-
 - i. The person or the agency (hereinafter called “the agency”) who applies for display of advertisement on street poles shall pay the charges and license fee to the Board as fixed by the Board for such display before displaying the advertisement.
 - ii. It shall be the responsibility of the agency to get the approval of the Chief Executive Officer for the content of the advertisement to be displayed on street poles before displaying it, failing which the agency shall be liable to fine of five thousand rupees for each such display on street poles.
 - iii. It shall be the responsibility and liability of the agency to contest all legal proceedings in the event of theft, damages etc. of the display advertisement at its own cost.
 - iv. If any advertisement on street poles creates any traffic or other problems, the Chief Executive Officer of the Board may cancel display of such advertisement for which proportionate amount of fee shall be refunded to the agency, otherwise possibility of shifting the same to a different site may be considered by the Chief Executive Officer.
 - v. If for unforeseen reasons, the Board decides to remove advertisement from any site then such site will be cleared off by the agency within seven days after the receipt of notice from the Chief Executive Officer by the agency, and the agency will not raise any objection for the same.

- vi. The Board may direct removal of one or all the advertisement boards, if any order is received from the court of law or is prohibited by any law.
- vii. No concession of any account shall be admissible on the payment to be made to the Board for non display of advertisement during the permitted period or for any other reason, whatsoever.
- viii. No concession of any kind shall be allowed for any disturbance caused and the Board shall not take any responsibility thereof.

8- Whoever displays an advertisement on a street pole without the written permission of the Chief Executive Officer shall be liable to a fine which may extend to five thousand rupees. The Chief Executive Officer may compound the offence by charging a composition fee which shall not be less than an amount equal to charges for displaying such street pole advertisement for six months or five thousand rupees, whichever is less.

9- If an advertisement on a street pole is displayed beyond the duration permitted by the Chief Executive Officer, a fine of two rupees and fifty paise per square feet shall be imposed for each day of such unauthorised display.

10- The charges for display of advertisement on street poles are as below:

S. No.	Duration	For poles along the road from Sonwar to Pandrethan (per sq feet of display area)		For poles otherwise than along the road from Sonwar to Pandrethan (per sq feet of display area)	
		Charges (in Rs.)	Minimum charges (in Rs.)	Charges (in Rs.)	Minimum charges (in Rs.)
1.	Up to fifteen days	10	120	5.0	60
2.	More than fifteen days and up to one month	15	180	7.5	90
3.	More than one month and up to three months	20	240	10.0	120
4.	More than three months and up to six months	35	420	17.5	210
5.	More than six months and up to one year	60	720	30.0	360

11- The above charges shall be applicable from 01.04.2017.

The Board may approve fixing of charges for display of advertisement on street poles and the terms and conditions, as aforementioned, for displaying such advertisements within the limits of Badamibagh Cantonment.

Resolution No. 16:

Considered and approved. In view of situation in the valley, the Board resolved to add the following to terms and conditions as listed on the agenda side:

“Display of political, religious or inflammatory advertisements shall not be allowed.”

Agenda No. 17: FIXING OF LICENSE FEE

The Board may fix the license fee u/s 67(b) of The Cantonments Act, 2006 w.e.f. 01.04.2017 for display of advertisement on street poles as below:

S. No.	Number of street pole advertisements (one side)	License fee (in Rs.)
1.	Up to 20 advertisements	50 per advertisement
2.	More than 20 advertisements	1000

Resolution No. 17:

Considered and approved.

Agenda No. 18: SWACCH BHARAT ABHIYAN: PURCHASE OF AUTO TIPPERS FOR DOOR-TO-DOOR GARBAGE COLLECTION

The Board is providing sanitation services to the residents of the Cantonment. At present, some of the civil areas are provided with door-to-door garbage collection service by the Board through hand carts. This is labour intensive as well as time consuming.

It is proposed to extend door-to-door garbage collection service to whole of the Cantonment area including the army areas as mandated by Solid Waste Management Rules, 2016. The Board may approve purchase of 10 auto tippers for implementing door to door garbage collection of segregated waste from whole of the Cantonment.

Resolution No. 18:

Considered and approved. It was resolved that Tender Committee will incorporate the Board members.

Agenda No. 19: SWACHH BHARAT ABHIYAN: PURCHASE OF BINS FOR DISTRIBUTION TO HOUSEHOLDS

The Board is mandated to implement door-to-door garbage collection by Solid Waste Management Rules, 2016 in the whole of area under its jurisdiction. The Board has also started charging sanitation fee from the residents of civil pockets of the Cantonment. To augment the efforts being made by the Board in implementing segregation and door to door garbage collection, it is proposed to provide two bins at no cost to all the households of the Cantonment so as to enable the households to retain the garbage till the Board collects it.

It is proposed that for retaining dry and wet wastes respectively, 4000 blue coloured bins and 4000 green coloured bins of 10 litre capacity each be purchased. A segregation chart and Cantonment Board logo shall be embossed on the bins. The Board may approve purchase of bins as proposed.

Resolution No. 19:

Considered and approved. The Board also resolved that sanitation fee collection will also involve Cantonment Board employee visiting one ward per day along with concerned ward member during second and third weeks of every month.

Agenda No. 20: SWACHH BHARAT ABHIYAN: OPEN DEFECATION FREE CANTONMENT

- Refer (i) Govt. Boys High School, Gupkar Road, Sonwar application No. 396 dated 13.03.2017
(ii) Govt. Girls Middle School, Batwara No. Nil dated 07.03.2016

The Board vide CBR No. 1 dated 06.12.2016 resolved to work towards declaring Badamibagh Cantonment Open Defecation Free (ODF). To declare Cantonment ODF, there is a requirement that all schools within Badamibagh Cantonment submit a declaration which, inter alia, should include that the school has sufficient numbers of functional toilets for all students and staff and none of the students or staff go out for defecation or urination while in school.

The Govt. Boys High School and Govt. Girls Middle School vide their applications under reference have requested the Board to renovate/construct separate toilets for boys and girls in their premises.

The Board may approve to renovate/construct toilets for boys and girls in the premises of the said schools u/s 64(1)(v) of The Cantonments Act, 2006 to attain the goal of attaining ODF Cantonment.

Resolution No. 20:

Considered and approved.

Further, the CEO apprised the Board that all the declarations, as required for declaring a ward ODF, have been received from Ward No. 5. Shri Raies Ahmad Malik, Member, Ward No. 5 played a proactive role in obtaining the said declarations. The Board praised Shri Malik for his contribution towards declaring the Cantonment ODF and also exhorted other elected members to contribute towards the cause.

Agenda No. 21: SWACHH BHARAT ABHIYAN: PAY AND USE TOILETS

The Board owns and maintains 11 no. of public toilets. These toilets are cleaned by the Board once in a day. Because of limited manpower, the toilets could not be kept clean round the clock by the Board.

It is, thus, proposed that these toilets be converted into 'Pay and Use Toilets'. The operation and maintenance (O&M) of these toilets should be auctioned by the Board to a private contractor. The contractor shall be responsible for O&M of the toilets round the clock. Since the footfall at all these toilets is not so huge as to make their O&M financially remunerative to the contractor, the Board may approve-

- (a) to call tenders based on viability gap funding.
- (b) to award the contract of O&M of all the toilets to single contractor.

Resolution No. 21:

Considered and approved.

Agenda No. 22: SWACHH BHARAT ABHIYAN: MANAGEMENT OF TRENCHING GROUND

The Board has a trenching ground at Lethpora, Pulwama which is at a distance of 34 km from the Cantonment. About 20 tippers of mixed municipal waste reach the trenching ground daily from Badamibagh Cantonment and Army and Airforce stations. The Board spends a lot of money in managing the municipal waste which is at present not done on scientific lines. The Board dig trenches using own or hired JCB for burying the waste into trenches. The money is also spent on spraying insecticides like Nuvan, Baygon etc. Also, the Board has to hire earth mover often which proves costly.

To manage the trenching ground on scientific lines, it is proposed that on pilot basis-

- 1- space for segregation of waste should be created.
- 2- manpower for segregation should be hired through the present contractor. Initially, 10 no. of persons should be hired for the purpose.
- 3- pits should be dug at trenching ground for treating biodegradable waste

The Board may approve an expenditure of Rs. 5,00,000/- initially to implement the steps as proposed. Provisions have already been made to charge army and airforce stations for processing their municipal waste in proportion of the waste reaching the trenching ground.

Resolution No. 22:

Considered and approved.

Agenda No. 23: SWACHH BHARAT ABHIYAN: SEGREGATION OF MUNICIPAL WASTE AT SOURCE

The Solid Waste Management Rules, 2016 (SWM Rules) stipulates segregation of waste at source. To implement SWM Rules, the residents were asked to segregate waste generated at their establishments or houses. Facilities for processing segregated municipal waste have been created within the Cantonment. The Board has also registered scrap dealers to auction compost and non-biodegradable waste.

Now, to provide incentive to the residents of the Cantonment for their contribution and participation in the initiative of the Board to implement segregation at source, it is proposed that the Board may start a programme by name “Swachhta Challenge” stepwise details of which are given below:

“Swachhta Challenge”

Step 1: Zoning of whole Cantonment

- 1.1 The Cantonment should be demarcated in “Swachhta Zones”.
- 1.2 Each zone shall consist of-
 - 1.2.1 a minimum of 30 establishments i.e. households or shops or both;
 - 1.2.2 land appurtenant to these establishments; and
 - 1.2.3 sanitation workers assigned to the zone for its upkeep.
- 1.3 Commercial buildings except retail shops are not included in the challenge.

Step 2: Registration of zones with the Cantonment Board

- 2.1 Residents of zones have to register their zone with the Board to participate in the Swachhta Challenge.
- 2.2 For registration, the residents of a zone have to select or elect its representative called “*Swachhta Doot*” among themselves.
- 2.3 A zone shall be registered if an application in prescribed format is received by the Board from *Swachhta Doot* of that zone. The *Swachhta Doot* has to enclose a proof of his selection or election as *Swachhta Doot* in prescribed format along with the application for registration.

Step 3: Door to door garbage collection in zones

- 3.1 The Board shall make provision for door to door garbage collection for a zone, if not already made, within one month of such registration.
- 3.2 Only segregated waste from the establishments within a zone shall be collected.
- 3.3 Record of number of establishments segregating the waste at source shall be maintained by the Board.
- 3.4 Provisions for assisting the establishments to understand and to implement segregation of waste at source shall be made.

Step 4: Reward for segregation at source

- 4.1 The registered zones where door to door garbage collection has been implemented shall be eligible for selection for monthly reward.
- 4.2 A rank list of all the registered zones shall be caused to be prepared by the Chief Executive Officer after every month in decreasing order of percentage of segregation within the zones during the preceding month.
- 4.3 Three zones that figure at the top of the rank list shall be selected for monthly reward.
- 4.4 Reward shall be given to the *Swachhta Doot* as representative of his zone as below:

<u>Rank</u>	<u>Reward</u>
First	Rs. 3000/-
Second	Rs. 2000/-
Third	Rs. 1000/-
Elected Board Members of winning zones	Rs. 1000/-
Sanitation Workers of winning zone	Rs. 500/- each

- 4.5 In addition, if any zone figures in top ten zones in the rank list for at least nine months in a financial year, it shall be rewarded with Rs. 5,000/- after end of financial year. The concerned elected member shall be rewarded with Rs. 2,500/- and the concerned sanitation workers a sum of R. 1,000/- each.

The proposed scheme shall cost to the Board a maximum sum of Rs. 1,26,000/- annually in rewards. However, the cost may be recovered if only five tippers per month could be prevented from going to Cantonment Board trenching ground by implementing segregation at source. Thus, the Board may approve the proposed scheme of “Swachhta Challenge” so as to incentivize the members of public for their participation in an eco-friendly initiative.

Resolution No. 23:

Considered and resolved to defer the matter on the request of elected Board members.

Agenda No. 24: REVISION OF RATES OF PROPERTY TAX

Refer Para 2.1.3.6 – “Under generation of revenue by the CBs” of Report of C&AG of India (Report No. 44 of 2015)

The Board has imposed property tax over the lands and buildings situated within the limits of Badamibagh Cantonment. As per the norms u/s 68 of The Cantonments Act, 2006, the property tax shall consist of not less than ten and not more than thirty per cent of the annual rateable value of lands and buildings. Also, Section 66(2) of The Cantonments Act, 2006 cast upon the Board a duty to revise the rates of the property tax every five years.

The rates of property tax have not been revised by the Board since 1965 which was fixed at 10%. The Board may approve to revise the rates of property tax to 20% of annual rateable value for lands and buildings or a portion thereof used for residential purpose and to 30% of annual rateable value for lands and buildings or a portion thereof used for commercial purpose.

Resolution No. 24:

Due to forwarding of different interpretations of Section 66 of the Cantonments Act, 2006 by various members, the Board resolved to defer the matter till next Board meeting. Meanwhile, the Board members will forward their interpretation to the Chief Executive Officer for their consideration by the Board.

Agenda No. 25: BUILDING APPLICATION

Refer CBR No. 22(g) dated 06.07.2015

The Board vide CBR under reference considered building application of Shri Vishal Dhar and Shri Vikas Dhar S/o Shri Vijay Dhar R/o Gupkar for construction of commercial building (hotel/guest house). The Board resolved-

- (a) that the CEO shall inspect the site along with the concerned elected member.
- (b) to have information whether granting of approval to commercial building/hotel is permitted by law/bye-laws.
- (c) to obtain norms from SMC and tourism department for approval of hotel.

Meanwhile, a representation from Shri V. K. Sawhney was received who claimed a part of the subject land on which construction of a hotel is proposed as his own. As per records available with the Board-

- (a) a full dress enquiry was conducted under PPE Act, 1971 by the then Commander, 31 Sub Area, Brig. MML Sehgal as Estates Officer who gave his order dated 30.11.1985 which held Shri K K Amla as an encroacher on 5 Kanals, 1 Marla and 96 sft of land bearing Khasra No. 1100/945/802.
- (b) the enquiry was challenged in the court of law. The Hon'ble High Court vide its judgement dated 23.09.1988 in Civil Revision No. 130/1987 set aside the order dated 30.11.1985 made by the Estates Officer under PPE Act, 1971. Also, the court found no illegality or error of jurisdiction in the judgement of the appellate court by which it was held that Shri Amla was not an un-authorized occupant of the land from which he was sought to be evicted.
- (c) the subject land was gifted to Shri Vikas Dhar and Shri Vishal Dhar by Shri K. K. Amla through a gift deed dated 24.08.1987.
- (d) Shri Sawhney is alleging Mutation No. 920 and 921 vide which the subject land devolved to Shri K. K. Amla as illegal. However, no records are available to confirm whether Shri Sawhney has challenged aforesaid mutations or filed a title suit in a court of law.

Shri Sawhney has been intimated in this regard vide letter No. CB/208/L&B/328/Shivpora/66-67 dated 03.04.2017 and CB/208/L&B/328/Shivpora/705-706 dated 20.04.2017 to take appropriate action on the issue and to send intimation to the Board of such action.

The Board may decide. The case file is placed on the table.

Resolution No. 25:

Considered and resolved that Shri Sawhney has been provided with sufficient time and opportunity to substantiate his claim. Shri Sawhney should not be allowed to delay the matter at the cost of others. The CEO should expedite the matter now. The matter should be brought before the Board for a decision in its next meeting.

Agenda No. 26: SHOPS AT SADAR BAZAAR

The Board owns 64 shops (some with residential accommodation and/or store) at Sadar Bazaar. Due to security issues, the shops are not auctioned. The rights to occupy or use these shops are extended one year at a time. The Board fixed the rent for such usage or occupation in 2004-05 as Rs. 3 per sft for shops and Rs. 1.5 per sft for residential accommodations. A total of 29 shop users have filed a suit in the court of Hon'ble High Court at Srinagar against the revision of rates by the Board. The court has yet to deliver its decision in the case. The shop owners who have filed the court case are not paying any rent to the Board. A sum of Rs. 60,70,083/- has become due on account of arrears of rent of these 29 shops as on 31.03.2017.

In the petition filed before the Court, the petitioners have accepted that the ownership of the shops is with Badamibagh Cantonment Board. The case filed before the Hon'ble High Court pertains only to challenging the decision of the Board to revise rent of its own property and not challenging the ownership of the shop. Now, it is proposed that-

1. These shop users should be allowed to deposit arrears of rent calculated on revised rates with the Board.
2. At least 20% of the arrears can be deposited upfront through cheque by the shop users and balance 80% of the arrears can be deposited in ten instalments through post dated cheques but within 15 months.
3. If the rates of rent decided by the Hon'ble High Court happen to be less than that decided by the Board, the excess rent received by the Board should be refunded to the concerned shop users.

For those shop users who do not accept the above proposal, it is further proposed that-

1. The shop users should be evicted from the shops under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971.
2. The rent of shops should be accepted by the Board on the rates prevailing before the said revision of rates by the Board i.e. at Rs. 1.5 per sft for shops and Rs. 0.75 per sft for residential accommodation.
3. The arrears of rent along with rent applicable up to the date of eviction should be recovered as per provisions of applicable laws if the concerned shop user does not pay the rent.
4. After decision of Hon'ble High Court is delivered on the said case, the arrears of rent, if any, should be recovered as per provisions of law.

The Board may approve the proposal made hereinbefore so as to protect the interest of the Board and public by preventing public property being used by private entities without paying towards cost of such use to the Board.

Resolution No. 26:

The matter was discussed in detail. The CEO apprised the Board that since the subject shop users are contesting only the revision of rent and not the ownership of the shops, the shop users should be evicted as they have become unauthorised occupant of the shops. Col. Pankaj Tuknait and Col A S Pundir were found to be of the same view. The President offered to constitute a Committee of Board members to negotiate with the shop users the no. of instalments in which the shop users can pay their arrears of rent. All the elected Board members except Shri Parvaiz Ahmad Dar opposed the very idea of recovery of arrears on revised rent till the outcome of the court case pending at Hon'ble High Court.

In view of the arguments forwarded by all the elected Board members, the proposal as mentioned on the agenda side was not agreed to by the Board. The CEO was asked to explore a better solution to resolve the matter.

Agenda No. 27: BUILDING PERMISSION IN BADAMIBAGH CANTONMENT

Refer

- (a) Circular No. F. 11026/2/2011/D(Lands), GoI, MoD dated 21.10.2016 addressed to the Chief of Army Staff, the Chief of Air Staff and the Chief of Naval Staff.
- (b) CBR No. 13 dated 30.01.2017.
- (c) Station HQ letter No. 8442/Land/WoDA dated 18.04.2017

The Central Government vide SRO 96 dated 2nd July, 2004 issued under The Works of Defence Act, 1903 imposed restriction up to 500 yards from 2 FOD. MoD vide circular under reference has issued Guidelines for issue of No Objection Certificate (NOC) for building constructions and Badamibagh Cantonment, Srinagar is placed in Part B of Annexure to the circular. An agenda was put before the Board and the Board vide CBR under reference deferred the matter to next Board meeting.

The Station HQ vide its letter under reference has intimated that further clarifications have been sought from HQ Northern Command. A decision should be taken by the Board only after clear directions are received.

The connected documents are placed on the table. The Board may decide.

Resolution No. 27:

Considered and resolved to obtain clarifications regarding the effect of the Circular under reference (a) on the enforcement of the said SRO and further directions from the DGDE through the PDDE, Northern Command.

**Agenda No. 28: REPRESENTATION SUBMITTED BY SH. PARVAIZ AHMAD
DAR ELECTED BOARD MEMBER, WARD NO. 1**

Refer CBR No. 18 dated 30.01.2017

The Board vide CBR under reference resolved to seek advice from the CBLA. The advice of the CBLA is placed on the table. The Board may decide.

Resolution No. 28:

In view of the advice rendered by the PDDE, Northern Command and the CBLA, the Board resolved that the matter of grant of license under Section 277(1)(j) of the Cantonments Act, 2006 should be brought before the Board for its approval. Para numbered (b) of CBR No. 4 dated 16.04.2014 stands modified to this extent.

Agenda No. 29: CHARGING OF USER FEE IN RESPECT OF PUBLIC PARKS OWNED / MAINTAINED BY THE CANTONMENT BOARD

Refer CBR No. 8 dated 30.01.2017

An agenda was brought before the Board for charging of user fee in respect of public parks owned/maintained by the Board. The agenda is reproduced below-

The Board owns / maintains public parks situated at Batwara, Shivpora, IndiraNagar and Sadar Bazaar etc. The parks are used by the public for recreational as well as private purposes. The Board may approve to levy user charges on use of all public parks, owned / maintained by the Board, for private purposes as below-

S. No.	Duration of use	Charges
1.	Up to 3 hours	Rs. 500/-
2.	More than 3 hours and up to 6 hours	Rs. 750/-
3.	More than 6 hours and up to 9 hours	Rs. 1000/-
4.	More than 9 hours and up to one day	Rs. 1250/-
5.	For each additional day	Rs. 1250/-

The Board may also approve that-

- 1- whoever intends to use a public park for private purposes shall have to apply to the Chief Executive Officer of the Board for getting permission of such use.
- 2- whoever uses a public park for private use without the permission from the Chief Executive Officer of the Board shall be fined with Rs. 2000/- per day for such use in addition to recovery of user charges specified hereinbefore.
- 3- the user fee shall be refunded, after deducting cancellation charges, to the applicant only if the applicant gives an intimation to the Chief Executive Officer of the Board to this effect at least twenty four hours before the commencement of the scheduled time of use.
- 4- a cancellation charge equal to 10% of user fee subject to minimum of Rs. 100 shall be charged in case the applicant asks for refund of user fee after depositing it with the Board.

As resolved by the Board vide CBR under reference, a public notice describing the proposed charges was issued by the Chief Executive Officer inviting objections from public, if any. A copy of the notice was also sent to all the elected Board members. No objections, even from the elected members were received by the Board as on 20.04.2017.

The Board may decide keeping public interest over private interests.

Resolution No. 29:

The Board considered and approved the proposal as mentioned on the agenda side except for the charges proposed. The Board approved to impose a user fee including sanitation fee at a flat rate of Rs. 500/- per application for use of public parks only for private use. However, use of public parks for organising funeral meetings is exempted from imposition of the said fee.

A prior intimation of all meetings organised in the public parks shall have to be given to the Chief Executive Officer by the person organising such meetings for administrative reasons.

Agenda No. 30: DEVELOPMENT WORKS

The Board may consider and approve the following development works to be executed by the Board subject to availability of funds.

S. No.	Particulars	Estimated Amount
1	Repair of drain from house of Baldev Singh to house of Mohd. Akbar Dar, Indra Nagar, Ward No 7	5.70 lakhs
2	Repair of Toilet block (Gents) near Govt Boys School, Sonwar, Ward No. 5	0.52 lakhs
3	Repair of Toilet block (Ladies) near Govt Boys School, Sonwar, Ward No. 5	0.50 lakhs
4	Repair of path in front of Non-Biodegradable Garbage Sheds at Sy. No. 186	3.75 lakhs
5	Earth filling the space between Cantt. Board School Building and Group Toilet Block	2.50 lakhs
6	Path from gate to Cantonment Fund School Building	4.00 lakhs
7	Extra expenditure for the work “ Development of Pits for bio-degradable garbage” at Sonwar for development of MS fencing	4.88 lakhs

Resolution No. 30:

Considered and approved subject to availability of funds.

Agenda No. 31: TERM CONTRACT FOR REPAIR OF ROADS FOR THE YEAR 2017-18

Refer this office tender notice No. CB/BB/Works/Roads/2017-18/1 dated 07.02.2017

Online tenders were invited through e-procurement portal by the Cantonment Board for the repair of Roads for the year 2017-18.

In response to the tender notice, seven firms were found to have uploaded their bids. Technical bids were opened on 17.03.2017 and after scrutiny of documents, financial bids in respect of all five firms were opened. The details are as under:

S. No.	Name of Firm / Contractor	Rate offered for 2017-18 (in percentage above or below MES SSR 2010)	Previous year (2016- 17) lowest rates
1	New Zeal Construction Co	49% above	@63% above MES SSR 2010
2	M/s Palace Constructions	45% above	
3	M/s Nazir Ahmad Dar	33% above	
4	M/s Ghulam Rasool Mir	24.99% above	
5	M/s Gh Mohamad Bhat & Sons	17% above	
6	M/s Habibullah Rather	15% above	
7	M/s Mohd Shafi Mir	14.9% above	

The Board may consider and approve the lowest rates i.e. 14.9% above MES SSR 2010 quoted by M/s Mohd Shafi Mir. The connected documents are placed on the table.

Resolution No. 31:

Considered and approved that the term contract for 2017-18 be given to M/s Mohd Shafi Mir for Repair of Roads @ 14.9% above MES SSR 2010 rates.

At 25.04.2017 1900 hrs, the meeting was adjourned by the President till 27.04.2017 1500 hrs under Section 39(3) of the Cantonments Act, 2006.

The meeting resumed on 27.04.2017 1500 hrs.

All members present before adjournment were present except Brig M S Tevatia, SEMO, Comdt. 92 BH. In the meeting, following agenda were discussed and decided upon.

Agenda No. 32: ANNUAL CONSOLIDATED ACCOUNTS FOR THE YEAR 2016-17

To consider and approve Annual Consolidated Accounts for the year 2016-17 in respect of Badamibagh Cantonment Board. The same is required to be forwarded to GOC-in-C, NC through PDDE, NC and PCDA, NC duly audited by LAO(A) Srinagar.

The case file is placed on the table.

Resolution No. 32:

Considered and approved.

Agenda No. 33: RECLASSIFICATION OF DEFENCE LAND: SHOW CAUSE NOTICE FROM GOC-IN-CHIEF, NORTHERN COMMAND

Refer CBR No. 17 dated 30.01.2017 and HQ Northern Command letter No. 26010/A2&B4/Land/Q3L dated 12.04.2017.

The Board vide CBR under reference approved to send proposal to the competent authority for mutual reclassification / conversion of defence land – reclassification of land bearing Sy. No. 48 to class-C land and reclassification of land bearing Sy. No. 150 to class-A1 land. However, all military members present i.e. the President, Cantonment Board and Col. Pankaj Tuknait recorded their dissent for conversion of Class A1 land to Class C land for reasons that the army is facing shortage of land.

The Board has received a show cause notice from HQ, Northern Command in response to the dissent forwarded by the President, Cantonment Board to the HQ, Northern Command vide his letter No. 8013/2/Cantt Bd/Corres/Accts dated 28.02.2017. In the dissent, the President stated that Badamibagh Cantonment has only 617.21 acres of A1 defence land available against authorisation of 1202.72 acres of land. Handing over A1 defence land to Cantonment Board in exchange of C land will further compound the deficiency. The Cantonment Board has to show cause as to why the CBR under reference should not be set aside in the larger interest of security issue affecting Army deployed in Badamibagh Cantonment.

Rule 7 of the Cantonment Land Administration Rule, 1937 (CLAR, 1937) is reproduced below-

“Transfer of land from one class to another-

No alteration in the classification of land which is vested in the Government or in the Board shall be made except by the Central Government, or by such authority as they may empower in this behalf, and the conditions on which land may be transferred from one class to another shall be governed by the orders of the Central Government or by the provisions of any law or rule for the time being in force which may be applicable

Provided that land in class B(4) may be transferred to class B(3) by the authority, and subject to the conditions, prescribed by rules 15 to 48”

Since the proposed reclassifications vide CBR under reference cannot take place without the consent of the Central Government or by such authority as they may empower in this behalf, the GOC-in-Chief may be requested not to set aside the CBR under reference.

The Board may decide.

Resolution No. 33:

The elected members as well as the CEO stated that since the said reclassification of defence land can only take place with the sanction of the Central Government, the GOC-in-Chief should be requested not to set aside CBR No. 17 dated 30.01.2017 and the Central Government should decide upon the matter.

Further, the Cantonment Board is mandated to provide civic amenities to the residents of the Cantonment. The deficiency of C land has become a major obstacle in fulfilling the mandate. Since C-land is being used by the army for defence purposes, the Cantonment Board should also be compensated with land for creating infrastructure to perform municipal functions.

However, the President including all other members from army viz. Col A S Pundir, Col Pankaj Tuknait and Lt. Col Sachin Jain recorded their dissent for such reclassification for the reason that army at Badamibagh Cantonment is facing shortage of land for quartering of troops and reclassification of A-1 land to C land will further compound the deficiency.

Agenda No. 34: SUPPLY AND INSTALLATION OF 15 HP AND 05 HP MOTOR WITH WATER PUMP

To consider the quotations invited for supply and installation of 15 HP motor with water pump (SPL-4) and 05 HP motor with pumps (SPL-3) to be installed at Zabarwan Colony, Sonwar. Following agencies have quoted their rates as below for said purpose.

Particulars	Lori Electricals, Red Cross Road	M/s Tawseef Enterprises, Buchpora	M/s Friendz Enterprises, Sonwar	New Way Traders, Redcross road
Electric 15 HP Motor with water pump 100 mm x 100 mm SPL 4 (Providing and fixing, complete job)	1,70,000	2,50,000	1,93,890	2,40,000
Plastic suction pipe with foot valve 100 mm x 100 mm	4,500	5,500	12,880	6,000
Sluice valve 100 mm x 100 mm	10,000	11,500	15,690	11,000
Water pump SPL4 with base and couplings	8,500	10,000	895	9,800
Bend G.I. 4''X 4''	1,850	2,500	275	3,500
Flange 4'' with chain rubber	1,500	2,000	290	1,800
Nuts with bolts	500	1,000	105	1,200
G.I Pipe 4''	2,500	3,500	2,700	3,200
Gate valve / Ball valve 2''x 2'' with nipple	4,300	5,500	2,030	5,000
MCCB Switch 200 AMP (L&T)	9,500	14,500	7,250	14,000
5 HP Motor with pump (Electric run), with SOL3 water pump	85,000	1,40,000	27,200	1,20,000
Nipple 3''	1,400	650	170	800
G.I. Bend 3''	2,000	1,600	510	1,450
Labour charges	---	----	12,000	---
Total	3,01,550	4,48,250	2,75,885	4,17,750

The quotations were opened on 17.04.2017 by the purchasing Committee constituted by the Board. The Board may approved the lowest rates of Rs. 2,75,885/- quoted by M/s Friendz Enterprises, Sonwar, Srinagar.

The case file along with connected documents is placed on the table.

Resolution No. 34:

Considered and approved in view of continuous disruption in the internet facility in the valley. However, procurement of goods and services worth more than Rs. two lakhs be done through e-tender as well as print media for increasing transparency.

Agenda No. 35: GRANT OF OCCUPANCY RIGHTS UNDER SECTION 267 OF THE CANTONMENTS ACT, 2006

The Board owns 64 shops at Sadar Bazaar out of which 63 shops are under occupation of various shopkeepers. As per Section 267 of the Cantonments Act, 2006, the Board may transfer by public auction, for any period not exceeding five years at a time, the right to occupy or use these shops. However, these shops are not auctioned due to security reasons. As per first proviso of clause (1) of the said section, if the Board is of opinion that such transfer of the aforesaid rights by public auction is not considered desirable or expedient, it may, with the previous sanction of the General Officer Commanding- in- Chief, the Command, farm the rents for such shops for any period not exceeding one year at a time.

Further, 29 out of 63 shopkeepers have applied for grant of occupancy rights under 267 of the Cantonments Act, 2006. These shopkeepers are paying rent regularly on such rates as decided by the Board for these shops. Also, these shopkeepers are not involved in the Court case titled as Joginder Paul and other v/s Union of India. The details of shopkeepers are as under:-

S. No.	Name of Shopkeeper	Shop No.
1	Rehmat Ullah Dar	22
2	Anil Kumar Gupta	27-A
3	Ab Rahim Koul	28
4	Gh. Mohd Dar	29
5	Mohd Qasim Mir	30
6	Anand Kumar	31
7	Mrs Meena Kohli	32
8	M/s Bashir Ahmad Hajam, Fayaz Ahmed Hajam	33
9	Gh. Mohd Rather	34
10	Kastori Lal	35
11	Chandran PK	36
12	Mrs Veena Gupta	37
13	Nazir Ahmed Malik	38
14	Rafiq Ahmad Dar	39
15	Ram Avtar Amila	40
16	Nand Lal Mantoo	41
17	Ab. Rashid Payada	42
18	Ab. Rahim Rather	43
19	Wasim Raja / Ab. Salam	44
20	Mohd Sidiq Wani	45
21	Haji Altaf Hussain, Fayaz Ahmed Malik & Muneer Ahmad Malik	46
22	Nisar Ahmad Rather	47
23	Munawar Baht	48
24	Mohd Akbar Lone	49
25	Zahoor Ahmad Dar	50
26	Gopal Dass	51
27	Gh Mohd Wani	53-B
28	Ab. Satar Dar	53-A

29	Sunil Gupta	54
30	Gh. Hassan Dar	55
31	Mohd Akbar Banarasi	56
32	Muneer Ahmad Malik	58
33	Rehmat Ullah Dar	60
34	Vinod Kumar	61

The Board may approve to send a proposal to GOC-in-Chief, Northern Command for obtaining sanction to grant occupancy rights of the said shops to the shopkeepers as detailed above for the year 2017-18. The case file is placed on the table.

Resolution No. 35:

Considered and approved.

Agenda No. 36: MEASURES TO PREVENT AND MITIGATE FLOODS IN BADAMIBAGH CANTONMENT

Badamibagh Cantonment witnessed incessant rainfall on 05 April, 2017 that continued for 36 hours. Water level of River Jhelum touched danger mark at Ram Munshi Bagh. Since almost all the civil areas are low lying, water logging in these areas could not be avoided. However, accumulated water could be flushed out from most of the areas in reasonable time with the help of dewatering stations installed at various places by the Cantonment Board.

The area of Iqbal Colony was found to be worst affected and the water from the area could be drained out by 08 April, 2017 and only after the water level in the River Jhelum receded below the ground level at Iqbal Colony. This happened because water in the drains in the area flows by gravity into Sonwar Nallah which in turn drains into River Jhelum.

Normally, when water level in the river rises beyond a certain point, sluice valve installed at the mouth of Nallah by the State Govt is closed so as to avoid backflow of water from the river to the Nallah. Thereafter, dewatering station situated on the Nallah and operated by the State Govt. lifts water from Nallah and drains into the river. However, it was observed that the sluice valve installed by the State Govt. has a leakage because of which all efforts to drain water from Nallah to the river become ineffective as there was continuous backflow from the valve. The matter of leakage of the valve was brought to the notice of concerned authorities. However, no remedial action was taken. The Board also operated pumps to dewater the area but proved ineffective because of the same reason.

Moreover, Batwara dewatering station, where electric dewatering pump is installed, witnessed power cut because of electric fault. Though the fault was rectified by PDD, it delayed the dewatering process. Some of the areas that got flooded have open drains that could become a cause for accidents to the people wading through flood waters to meet their daily needs or for vehicles passing through those areas. Also, it was observed that area along both sides of the highway accumulated lot of rain water because of inadequate infrastructure in the form of drains to drain out the stagnant water.

To drain out water from the military area that gets accumulated in and around 2FOD area, MES runs its three dewatering pumps. This is aided by two dewatering pumps run by Cantonment Board. Normally, water from the said military area goes into Indra Nagar drain and then enters into the sump of Cantonment Board's Indra Nagar dewatering sump along with water from Indra Nagar civil areas. During the flood like situation, water from military area was plugged to clear the civil areas first. It was observed that the three MES pumps proved ineffective to drain out water from military areas into the river. On 08 Apr, 2017, the water was allowed to enter the Cantonment Board sump and was drained out from there.

Since the flood like situation arose after 36 hours of rainfall only, this may now become a recurring feature. The Cantonment Board must take necessary steps to install

adequate infrastructure so as overcome the problems faced by the residents during this flood like situation. To achieve this, following measures that should be taken immediately by the Board are proposed-

1. Construction of a sluice valve on Sonwar Nallah before the leaking valve of State Govt. to be maintained and operated by the Board as the State Govt. authorities did not take any remedial measure to plug the leakage. The State Govt. authorities shall be approached for plugging the leakage again and if they do not take any remedial action within reasonable time period, the Board will place another sluice valve to save residents of the Cantonment from flooding of their areas again.
2. Construction of sump and dewatering station near the mouth of Sonwar Nallah and before the Cantonment Board sluice valve. The pumps will lift water from the sump and throw into the river.
3. Reconstruction, wherever required, of Sonwar Nallah passing through Sonwar, Iqbal Colony and Indra Nagar maintaining proper levels and space for desilting.
4. Provision of a 30 HP dewatering pump replacing 15 HP pump at Batwara dewatering station.
5. Provision of diesel generator capable of running 30 HP dewatering pump at Batwara dewatering station.
6. Conversion of open drains to covered drains with provision of demarcation of limit of drain if it could not be covered.
7. Provision of footpaths in the lanes, wherever possible.
8. Construction or reconstruction of underground drains along both sides of highway with proper width, depth and level to drain water of entire area into Sonwar Nallah. Before commencing this work, Beacon and MES will be consulted to avoid any duplicity of efforts.
9. Provision of dewatering of all low lying open spaces before and after rainfall so as to enable these spaces to act as water sink during rain.

In addition to these short measures, the Board should also undertake an exercise of long term planning for disaster management. Such plan should be put in place to handle flood situations.

The proposed civil works shall be done through the Board approved contractors for the year 2017-18. Also, the procurement of items shall be done as per prescribed procedure. The Board may approve the proposed measures to be undertaken as proposed.

Resolution No. 36:

The Board has expressed its concern about increase in the frequency of rising levels of river Jhelum. In view of emergent situation, the Board considered and approved all the steps to be taken as proposed on the agenda side.

Further, the Board resolved -

- (i) to make arrangements for 9000 sand bags for their use in case of breach in the Jhelum Bund.
- (ii) that the CEO shall cause the inspection of Jhelum Bund and put before the Board a proposal of strengthening the Bund in its next meeting.
- (iii) that the CEO shall propose a Disaster Management Plan for the Cantonment after consulting the plans prepared by District Administration and the Station HQ, Badamibagh Cantonment preferably within one month.

With the permission of the President, following supplementary agenda were introduced.

Agenda No. 37: FILLING OF VACANT POSTS OF JUNIOR ASSISTANT IN BADAMIBAGH CANTONMENT BOARD

- Refer (i) PDDE letter No. 6/GEN/ESTT/CANTT/DE/NC/30 dated 30.03.2017
(ii) CBR No. 22 dated 30.01.2017
(ii) Application dated 30.01.2017 to the Board submitted by employees of the Board.

As resolved by the Board vide CBR under reference, a proposal was sent to the competent authority i.e. the GOC-in-C, NC through PDDE, NC under proviso of Rule 5-B(2) of CFSR, 1937 for a general relaxation of five years in the upper age limit for recruitment to Badamibagh Cantonment Board till 31.12.2017 with reference to all persons who had ordinarily been domiciled in the State of Jammu and Kashmir during the period from 01.01.1980 to 31.12.1989. During examination of the said proposal by the PDDE, NC, an anomaly in minimum qualification prescribed for direct recruitment to the post of Junior Assistant in Badamibagh Cantonment Board was observed.

It was observed that one post of Junior Assistant had earlier been re-designated as Junior Assistant-cum-Hindi typist with following qualifications-

- a) Graduation from any recognized university with knowledge of Hindi typewriting having not less than 35 words per minute speed with study in Hindi subject up to 12th.
- b) Six months certificate course in computer application from recognized institute.

For the remaining posts of Junior Assistant, the existing qualification is 'Matriculate possessing a speed of 25 words per minute in typing'. However, as per S. No. II(E) of Schedule II of Govt. of J&K Secretariat (Subordinate) Recruitment Rules, 2009, and Deputy Commissioner, Srinagar letter dated 12.04.2017, the qualification as well as pay scale of Junior Assistant is as under:

- Pay scale : PB-1 Rs. 5200-20200 + GP Rs. 1900/-.
Qualification : (i) Graduation from any recognized university having not less than speed of 35 words per minute in Computer keyboard.
(ii) Six months certificate course in Computer Application from recognized institute.

The Board has been directed by the PDDE, NC to address the anomaly by equating the qualification of the post of Junior Assistant with that in the office of Deputy Commissioner, Srinagar. As on date, sanctioned strength of Junior Assistants in Badamibagh Cantonment Board is as below:

S. No.	Budget Head	Sanctioned Strength
1	B(2)(a)	01
2	E(5)(a)	01
3	F(9)(a)	02
4	G(2)(a)	01

Out of five posts of Junior Assistant, one post of Junior Assistant in the Budget Head G(2)(a) has been designated from Junior Assistant to Junior Assistant-cum-Hindi typist. Sanction accorded by the GOC-in-Chief, Northern Command for such re-designation has been conveyed vide PDDE, NC letter No. 6/Gen/Estt/Cantt/DE/NC/30 dated 19.12.2014. The qualification for the post has already been equated with that in the office of DC, Srinagar as already mentioned.

Further, any up-gradation in minimum qualification of the post of Junior Assistant will adversely affect the employees of the Board who have not completed their Graduation but otherwise eligible to appear in the recruitment examination conducted by the Board for the said post. An application under reference (iii) in this regard has been submitted by some of the employees of the Board. Thus, the employees of the Board may be given a relaxation in minimum qualification to address their concerns.

Rule 5-B(3) of the Cantonment Fund Servants Rules, 1937 (CFSR, 1937) stipulates that-

“No person who has not been declared medically fit by the authorized medical attendant and who does not possess the minimum qualifications and experience, as may be specified for each post by the Officer Commanding-in-Chief, the Command, shall be appointed to any service under a Board:

Provided that the minimum qualification specified as aforesaid shall not operate to the disadvantage of an existing servant for continuance in the post to which he has been appointed or for appointment on promotion.”

Now, it is proposed that-

- (a) the minimum qualification for the post of Junior Assistant should be made as below:
 1. Graduation from any recognized university.
 2. Knowledge of English typewriting having speed not less than 35 words per minute.
 3. Six months certificate course in Computer Application from a recognized institute.

- (b) a relaxation to the proposed qualification may be provided as below to address the concerns of the employees of the Board:
 1. 10+2 for departmental candidates.
 2. The said relaxation shall remain effective for two years from the date the sanction is accorded by the GOC-in-Chief, Northern Command.

The Board may consider and approve to send a proposal to the competent authority i.e. the GOC-in-Chief, NC through the PDDE, NC under Rule 5-B(3) of the CFSR, 1937 for revision of educational qualification for the post of Junior Assistant in Badamibagh Cantonment Board.

The case file with connected documents is placed on the table.

Resolution No. 37:

Considered and approved to send a proposal to the competent authority i.e. the GOC-in-Chief, NC through the PDDE, NC under Rule 5-B(3) of the CFSR, 1937 for revision of educational qualification for the post of Junior Assistant in Badamibagh Cantonment Board as proposed on the agenda side.

Agenda No. 38: BUILDING APPLICATIONS

Refer CBR No. 14(a), 14(b), 14(f), 14(m), 14(n), 14(o), 14(r) dated 30.01.2017

As resolved vide CBRs under reference, the CEO verified the distance of proposed construction sites and it was observed that-

(a) CBR 14(a) dated 30.01.2017:

The proposed site was found within a distance of 500 yards from 2 FOD which is in variation with the report submitted by Building Application Committee. The Board may decide.

Resolution No. 38(a):

Considered and resolved that since the proposed site was found within a distance of 500 yards from 2 FOD, the conditional approval granted by the Board vide CBR No. 14(a) dated 30.01.2017 is revoked for want of fulfilment of the conditions. The Board refuses to sanction the proposed construction in light of SRO 96 dated 2nd July 2004 issued by the Central Government under the Works of Defence Act, 1903. The decision of the Board should be communicated to the applicant, Shri Gh. Mohd Beigh S/o Ab. Rehman Beigh R/o Zakura, accordingly.

(b) CBR 14(b) dated 30.01.2017:

The proposed site was found beyond 500 yards from 2FOD which is in confirmation with the report submitted by Building Application Committee. The Board may decide.

Resolution No. 38(b):

Considered and resolved that the approval granted by the Board vide CBR 14(b) dated 30.01.2017 stands unaltered in view of verification done by the CEO.

(c) CBR 14(f) dated 30.01.2017:

The proposed site was found within a distance of 500 yards from 2FOD which is in **variation** with the report submitted by Building Application Committee. The Board may decide.

Resolution No. 38(c):

Shri Bilal Ahmad Wani, Member requested that the verification of distance of proposed site from 2 FOD should be done again by the CEO along with him. The Board considered and admitted the request.

(d) CBR 14(m) dated 30.01.2017:

The proposed site was found beyond 500 yards from 2FOD which is in confirmation with the report submitted by Building Application Committee. The Board may decide.

Resolution No. 38(d):

Considered and resolved that the approval granted by the Board vide CBR 14(m) dated 30.01.2017 stands unaltered in view of verification done by the CEO.

(e) CBR 14(n) dated 30.01.2017:

The proposed site was found beyond 500 yards from 2FOD which is in confirmation with the report submitted by Building Application Committee. The Board may decide.

Resolution No. 38(e):

Considered and resolved that the approval granted by the Board vide CBR 14(n) dated 30.01.2017 stands unaltered in view of verification done by the CEO.

(f) CBR 14(o) dated 30.01.2017:

The proposed site was found beyond 500 yards from 2FOD which is in confirmation with the report submitted by Building Application Committee. The Board may decide.

Resolution No. 38(f):

Considered and resolved that the approval granted by the Board vide CBR 14(o) dated 30.01.2017 stands unaltered in view of verification done by the CEO.

(g) CBR 14(r) dated 30.01.2017:

The proposed site was found beyond 500 yards from 2FOD which is in confirmation with the report submitted by Building Application Committee. On site inspection, it was found that the building has already been constructed by the applicant. The applicant has been asked to apply for regularisation of the unauthorised construction.

Resolution No. 38(g):

Considered and resolved that in view of the report submitted by the Chief Executive Officer, the applicant should apply for regularisation of the construction already done by the applicant (Shri Imtiyaz Ahmed Rather S/o Late Mohd Akbar Rather, R/o Iqbal Colony, Sonwar) before obtaining sanction of the Board. Since, the applicant has violated the law by constructing the building before getting approval of the Board, the conditional approval granted by the Board vide CBR No. 14(r) is revoked. The matter should be brought before the Board again for its decision on regularisation of unauthorised construction.

Agenda No. 39: CORRIGENDUM

Refer CBR No. 9, 10 and 11 dated 10.03.2017.

Typographical errors occurred while mentioning financial year and rates which were approved by the Board for the term contracts for maintenance and repair works. The Board may consider and approve to amend the CBRs under reference as below to rectify the errors:

“Resolution No. 9:

Considered and approved that the term contract for **2017-18** be given to M/s Javeed Builders for Repair of Lanes and Drains @ 0% above (i.e. at par) MES SSR 2010 rates.

Resolution No. 10:

Considered and approved that the term contract for **2017-18** be given to Habibullah Rather for Miscellaneous Public Improvements @ 11% below MES SSR 2010 rates.

Resolution No. 11:

Considered and approved that the term contract for **2017-18** be given to M/s Habibullah Rather for Repair of Buildings @ **7% above** MES SSR 2010 rates.”

Resolution No. 39:

Considered and approved.

**Sd/-
President
Badamibagh Cantonment Board**

**Sd/-
Chief Executive Officer
Badamibagh Cantonment Board**