

BADAMIBAGH CANTONMENT BOARD

MINUTES OF ORDINARY BOARD MEETING HELD ON 10.10.2017

ATTENDANCE

Members Present:-

| | | |
|--|---|---------------------------|
| 1- Brig Arun Nair, SM, President | - | Ex-Officio |
| 2- Shri Ab Sami Wani, Vice President | - | Elected Member-Ward No. 3 |
| 3- Shri Kapil Goyal, Chief Executive Officer | - | Member-Secretary |
| 4- Col. Pankaj Tuknait, SM, Adm Comdt | - | Nominated Military Member |
| 5- Shri Parvaiz Ahmad Dar | - | Elected Member-Ward No. 1 |
| 6- Shri Mohammad Ashraf Lone | - | Elected Member-Ward No. 2 |
| 7- Ms. Saima Shah | - | Elected Member-Ward No. 4 |
| 8- Shri Raies Ahmad Malik | - | Elected Member-Ward No. 5 |
| 9- Smt. Manjeet Kour | - | Elected Member-Ward No. 6 |
| 10- Shri Bilal Ahmad Wani | - | Elected Member-Ward No. 7 |

Members Absent:-

| | | |
|---|---|---------------------------|
| 1- Brig Rajat Prakash, SEMO, Comdt. 92 BH | - | Ex-Officio |
| 2- Sh. Syed Abid Rashid Shah, DC Srinagar | - | Ex-Officio |
| 3- Col A S Pundir, SM, Col Q | - | Nominated Military Member |
| 4- Lt. Col Sachin Jain, GE, 864 | - | Ex-Officio |

The meeting started in the Board Office with the PCB welcoming all the members present. With the permission of the President, following agenda were introduced and decided upon.

Agenda No. 1: MONTHLY ACCOUNTS

The Board may consider and approve monthly accounts for the months of July and August, 2017. The head-wise details are annexed as Annexure-A.

SUMMARY JULY, 2017

| CASH ACCOUNT | | | |
|---------------------|--------------------|--------------------|--------------------|
| RECEIPT | | EXPENDITURE | |
| Opening Balance | 2,45,44,805 | Total Expenditure | 94,90,321 |
| Total Receipts | 11,87,070 | Closing Balance | 1,62,41,554 |
| Total | 2,57,31,875 | Total | 2,57,31,875 |

SUMMARY AUGUST, 2017

| CASH ACCOUNT | | | |
|---------------------|--------------------|--------------------|--------------------|
| RECEIPT | | EXPENDITURE | |
| Opening Balance | 1,62,41,554 | Total Expenditure | 2,72,94,621 |
| Total Receipts | 1,52,43,966 | Closing Balance | 41,90,899 |
| Total | 3,14,85,520 | Total | 3,14,85,520 |

The connected documents are placed on the table.

Resolution No. 1:

Considered and approved. The CEO was advised to send reply to the PCB on observations raised by the Board members within 15 days.

Agenda No. 2: MEDICAL REIMBURSEMENT CLAIM

To consider and approve the reimbursement of medical claims in respect of the family member of below mentioned employee of the Board-

| S. No. | Name of the patient | Referral details | Treatment | Surgery done at | Amount claimed |
|--------|--|--|-----------------|--|----------------|
| 1. | Shah Hajira W/o Mohd Yaseen Shah, Pump Attendant | Cantonment Board dispensary O.P.D Ticket No. 4094 dated 09.08.2017 | Cardiac surgery | Sher-i- Kashmir Institute of Medical Science, Soura Srinagar | Rs. 90,171/- |

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

Resolution No. 2:

Considered and approved.

Agenda No. 3: DISCIPLINARY ACTION AGAINST CANTONMENT BOARD EMPLOYEE

It has been found by the Chief Executive Officer that the Office Superintendent is not performing his prescribed duties timely and efficiently and thus adversely affecting the functioning of the Board. The work on tasks such as preparation of electoral roll, initiation of APARs of the Board employees, implementing procedures in the office as per Manual of Office Procedures etc. have either not been initiated or not completed within time prescribed under statutes.

The Board, being appointing authority, may consider to initiate disciplinary proceedings against Shri Dileep Kumar Trakroo, Office Superintendent under Rule 11-A of CFSR, 1937. Further, the Board may constitute Inquiry Authority to enquire into the conduct of the said employee under sub-rule (2) of Rule 12 of CFSR, 1937.

Resolution No. 3:

Considered and resolved to initiate disciplinary proceedings against Shri Dileep Kumar Trakroo, Office Superintendent. Further, an Inquiry Committee is hereby constituted which shall consist of following members:

1. Col Pankaj Tuknait, Presiding Officer
2. Shri Pervaiz Ahmad Dar, Member
3. Shri Raies Ahmad Malik, Member

The Inquiry Committee shall inquire into various omissions and commissions made by the employee while performing duties prescribed to him and their effects on functioning of the Board. The Committee shall submit its findings to the Board.

Shri Bilal Ahmed Wani, Member raised his suspicion on the genuineness of education qualification certificate submitted by Shri Nazir Ahmed Halwai, Sanitary Inspector and demanded that the certificate be re-verified from concerned authorities. The Board conceded the demand.

Agenda No. 4: EXTENSION OF TERM OF SHRI S A MAKROO, CBLA TO DEFEND COURT CASES ON BEHALF OF BADAMIBAGH CANTONMENT AT HIGH COURT

Refer CBR No. 3 dated 30.01.2017

The term of Cantonment Board Legal Advisor (CBLA) Shri S. A. Makroo (ASG) with the Board expired on 31.03.2017. Shri S. A. Makroo (ASG), CBLA has requested to extend the term of his engagement for further period of one year, as per the reasons stated in his application placed on the table.

The Board may approve to extend term of Shri S. A. Makroo (ASG) for a further period of one year w.e.f. 01.04.2017 on same terms and conditions. The case file is placed on the table.

Resolution No. 4:

Considered and approved.

Agenda No. 5: ENGAGEMENT OF EYE SPECIALIST

The Board runs a dispensary in G B Pant Cantonment General Hospital. At present, Physician, Sonologist, Dental Surgeon, Dental Assistant and Lab Technician are engaged on monthly honorarium basis. There is a demand from residents of the Cantonment that an Ophthalmologist should also be made available in the Dispensary for eye related illnesses.

The Board may fulfil the demands of the residents by engaging an Ophthalmologist for Cantonment Board Dispensary having degree of M.S. in the subject field, purely on honorarium basis for a period of one year on monthly remuneration as decided by the Board. The Ophthalmologist shall provide his services from 10 am to 4 pm on all weekdays i.e. from Monday to Saturday except for officially closed days.

The Board may approve.

Resolution No. 5:

Considered and approved to engage an Ophthalmologist as mentioned on the agenda side on monthly remuneration of Rs. 25,000/- through contractor. Further, it was resolved that appointment of the Ophthalmologist be made based on interview to be taken by an Interview Panel constituting of following members:

- 1- Vice President, Cantonment Board
- 2- Chief Executive Officer, Cantonment Board
- 3- Senior Executive Medical Officer (Commandant 92 BH) or an officer nominated by him.

Further, it was decided that a market survey be conducted for hiring of an ambulance by the Board for shifting patients from the Cantonment to various hospitals as per the need of patients.

Agenda No. 6: REMUNERATION OF DENTAL SURGEON AND DENTAL ASSISTANT

The Board may take note that there is a demand from patients to increase availability of dental facilities at Cantonment Board dispensary. At present, the dental facilities are available from 10 am to 2 pm from Monday to Friday.

The Board may approve that the timings of dental section may be increased as below-

| S. No. | Particulars | From | To |
|--------|-------------|------------------|--------------------|
| 1 | Days | Monday to Friday | Monday to Saturday |
| 2 | Timings | 10 am to 2 pm | 10 am to 4 pm |

An enabling clause was incorporated in the contract agreement signed between the Board and the Dental Surgeon/Dental Assistant which reads as-

“That the SECOND PARTY shall provide her/his services to the FIRST PARTY, outside working hours as agreed by this agreement, on a written requisition by the FIRST PARTY. The SECOND PARTY shall be compensated, in addition to monthly honorarium, for such additional services rendered by the FIRST PARTY as per rules.”

Dr. Gowher Hafiz was appointed as Dental Surgeon on monthly remuneration of Rs. 12000/-. The hourly remuneration comes to Rs. 600/-. Also, Shri Tejbeer Singh was appointed as Dental Assistant on monthly remuneration of Rs. 10,000/-. The hourly remuneration comes to Rs. 500/-. It is proposed to pay the Dental Surgeon and Dental Assistant at same hourly rate for additional hours of work as proposed hereinbefore.

The Board may approve.

Resolution No. 6:

Considered and approved.

Agenda No. 7: SWACHH BHARAT ABHIYAN: OPEN DEFECATION FREE CANTONMENT (ODF)

Refer CBR No. 6 dated 02.08.2017

The Board vide CBR under reference passed final resolution self-declaring the Cantonment ODF. Thereafter, 3rd party assessment was done by CPWD, NZ V which vide their letter AE/SCSD-IV/RTC-IV/2017/35 dated 19.09.2017 certified Badamibagh Cantonment as Open Defecation Free.

The Board congratulates and thanks all the residents of the Cantonment for contributing towards declaring the Cantonment ODF as without their support ODF status could not be achieved. The Board also thanks its President, Vice-President, Members and employees who whole-heartedly contributed towards the cause.

Since the certificate is valid for 6 months only, the efforts of the Board need to be channelled for maintaining the ODF status of the Cantonment in future.

Resolution No. 7:

Considered and approved.

Agenda No. 8: DEVELOPMENT WORKS

The Board may consider and approve following development works to be executed in different wards of the Cantonment subject to availability of funds.

| S. No. | Description of Work | Cost (in lakh Rs.) |
|--------|---|-----------------------|
| 1. | Repair of pavement around Park at Sadar Bazar, Ward No. 6 | 6.37 |
| 2. | Repair of pavement from Shop No. 27A to Shop No. 17, Sadar Bazar | 2.70 |
| 3. | Repair of steps from Shop No. 27B to road at Sadar Bazar, Ward No. 6 | 1.20 |
| 4. | Repair of retaining wall and earth filing of Bund from electric transformer to Shop of Rayees Ahmad, Shivpora , Ward No 2 | 3.50 |
| 5. | Repair of path of Walking Plaza from H/o Manzoor Bakshi to Hanuman Mandir, Ward No. 2 | 9.90 |
| 6. | Repair of road from H/o Dara Singh to H/o Gh. Nabi Mir, Indranagar, Ward No. 7 | 25.04 |
| 7. | Repair of water supply line of Safai Karamchari Quarters Batwara, Ward No. 1 | 1.50 |
| 8. | Repair of pavement in front of Safai Karamchari Quarters | 3.80 |
| 9. | Covering of open drain from H/o Mohd. Shafi Rather to Advocate Ab. Majid , Sonwar, Ward No. 5 | 5.90 |
| 10. | Repair of toilet block/washroom at Masjid Madeena, Indranagar | 2.80 |
| 11. | Repair of path from H/o Ab. Rashid Bhat to H/o Dr. G.M. Bhat, Indranagar, Ward No.7 | 3.60 |
| 12. | Repair of drain from Sh. Muzaffar Ahmad Bhat to H/o Lt. Mohd Sidiq Pandit, Indranagar, Ward No. 7 | 2.90 |
| 13. | Repair of drain from H. No. 120 to H. No. 134, Lane 8, Ward No. 7 | 3.20 |
| 14. | Repair of lane & drain from H/o Nazir Ahmad Bhat to H/o Abdul Majeed Bhat Gojri Kocha, Batwara, Ward No. 1 | 4.20 |
| 15. | Repair of lane & drain from H/o Ab. Salam Sheikh to Watersump Batwara, Ward No. 1 | 3.90 |
| 16. | Repair of lane from H/o Mushtaq Ahmad Malik to Graveyard Batwara, ward No. 1 | 1.61 |
| 17. | Repair of lane from Bund to Farooq Ahmad New Colony, Batwara, Ward No. 1 | 1.38 |
| 18. | Repair of lane from Mir Pan House to Cantt. Fund, Toilet Block, Batwara Market, Ward No. 1 | 1.64 |
| 19. | Extension of Post Office Building Roof Batwara, Ward No. 1 | 2.40 |
| 20. | Repair of Stairs at Yattoo Mohalla near H/o Mohd. Syed Bhat Ward No. 2 | 2.04 |
| 22. | Repair of stairs near H/o Burza, Shivpora, Ward No. 2 | 2.10 |
| 23. | Painting of all trees standing on Defence land | 5.00 |

Resolution No. 8:

Considered and approved. Further, the CEO was advised to levy penalty on contractors for delay in completion of work orders, if any. The Board also resolved to explore possibilities of constructing community hall in Ward No. 7.

Agenda No. 9: HIRING OF AUTO RICKSHAWS

Tenders were invited through eprocure portal vide tender No. CB/BB/Sanitation/2017-18/8 dated 24.08.2017 for hiring of auto-rickshaws for providing door to door garbage collection services in the Cantonment. The below mentioned agencies submitted the tenders which were opened by tender committee on 12.09.2017.

1. M/s Kuchay Traders, Awantipora.
2. M/s Bhat Trading Agency, Nowgam, Anantnag
3. M/s Haji and Sons, Shangus, Anantnag

After scrutinizing technical bids in which all tenderers were found eligible, financial bids were opened. M/s Kuchey Traders, Awantipora was found to have quoted the lowest monthly rates as below-

- | | |
|---|-------------------------|
| 1. Hiring of auto-rickshaw with fuel and driver | - Rs. 45,990/- per unit |
| 2. Hiring of auto-rickshaw with fuel and without driver | - Rs. 36,990/- per unit |

The rates seem to be on higher side. The Board has hired auto-rickshaws directly at monthly rate of Rs. 18,000/- (with fuel and driver) and Rs. 15,000/- (with fuel and without driver). The market has been re-surveyed and it was found that auto-rickshaws are available for hiring at monthly rates of Rs. 18,000/- (with fuel and driver) and Rs. 15,000/- (with fuel and without driver). The Board may decide.

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

Resolution No. 9:

Considered and resolved to cancel the bids received through online tendering due to unreasonable rates quoted by the bidders. Further, the Board resolved to hire-

- (a) four auto-rickshaws directly at monthly rates of Rs. 18,000/- (with fuel and driver); and
- (b) three auto-rickshaws directly at monthly rates of Rs. 15,000/- (with fuel and without driver).

Further, the Board advised the Chief Executive Officer to expedite purchase of 10 auto rickshaws as already approved by the Board.

Agenda No. 10: SUPPLY AND INSTALLATION OF BIO DIGESTER

Tenders were invited through e-procure portal for third time for supply and installation of two bio-digester tanks of 3000 liters each. In response, three tenders were received. Technical bids of all the three tenders were opened by tender committee. It was found that out of 3 tenderers, M/s E-Tec Systems and M/s Vidhar Renewable Energies Pvt Ltd, did not submit, inter alia, proof of them being ToT licensee and three year experience in supply and installation of bio-digester components. Technical bids of M/s E-Tec Systems and M/s Vidhar Renewable Energies Pvt Ltd were rejected for not complying with technical specifications.

Further, as per Rule 173(xx) of GFR, 2017, financial bid of M/s Elefo Biotech Pvt Ltd was opened as the procurement was satisfactorily advertised and sufficient time was given for submission of bids; and the qualification criteria were not unduly restrictive. M/s Elefo Biotech Pvt Ltd has offered bid of Rs. 4 lakhs only. The Board may approve.

The connected documents are placed before the Board.

Resolution No. 10:

Considered and approved.

Agenda No. 11: INSTALLATION OF ROOF TOP SOLAR PANEL

Refer DGDE letter No. 56/15/Misc/DGDE/Coord/Vol-II dated 08.09.2016

Based on recommendations made by 8 groups of secretaries, action plan of DoD was prepared and sent to Cabinet Secretariat with approval of Defence Secretary. One of the action points for the Cantonment Boards in the plan was harnessing of solar power using roof tops of Cantonment Board buildings.

Accordingly, the CEO, JAKEDA was contacted for installation of solar panels on Cantonment Board buildings. It was informed that up to 60% subsidy is available on solar panel installation in state of J&K. Representatives of agency empanelled by JAKEDA also visited the Cantonment for assessment of installation capacity, initially, of Cantonment Board office building. As per the assessment made, 10 kWe capacity solar panels can be installed on the building at an estimate cost of Rs. 2.6 lakhs. Provision of Rs. 15 lakhs for installation of 50 kWe solar panels has already been made in the Budget 2017-18(R).

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

Resolution No. 11:

Considered and approved.

Agenda No. 12: PURCHASE OF PORTABLE/MOBILE BIO-TOILETS

Badamibagh Cantonment Board has been certified Open Defecation Free by CPWD on 19.09.2017. The certification is valid for 6 months only. The Board has to put continuous efforts to better sanitation facilities for its residents.

It is, therefore, proposed that 6 no. of portable bio-toilets (2 seaters each) and 2 no. of mobile bio-toilets (4 seaters each) be procured by the Board for placing it along the highway, near construction sites, private and public functions etc. The Board may also resolve to approach Shri Mohammad Ashraf Mir, Hon'ble MLA, Sonwar for giving funds for procurement of bio toilets from his Constituency Development Fund as Badamibagh Cantonment falls under his constituency.

It is also proposed to include an essential condition while giving building permissions that the applicant will arrange for toilets for defecation of construction workers.

Resolution No. 12:

Considered and approved. Further, the Board resolved that the expenditure for purchase of bio-toilets be incurred from Cantonment Fund. Shri Mohammad Ashraf Mir, Hon'ble MLA, Sonwar be approached for giving funds for community hall instead.

Agenda No. 13: VOCATIONAL TRAINING COURSE: TALLY

Refer CBR No. 8 dated 25.04.2017

A Committee of 3 members was constituted vide CBR under reference to assess the suitability of agency BASIX for its further engagement by the Board to conduct course on Tally. The Committee recommended that a fresh tender may be called for conduct of VTC in Tally.

The report submitted by the Committee is placed on the table. The Board may decide.

Resolution No. 13:

Considered and resolved to constitute a Committee of following members for deciding on the course content and infrastructure needed for effective conduct of the course-

- (a) Shri Bilal Ahmad Wani, Member
- (b) Ms Saima Shah, Member
- (c) Shri Raeis Ahmad Malik, Member

The Committee shall submit its report within two weeks' time to the Board. Based on the Committee's recommendations approved by the Board, a new agency registered with NSDC be engaged for conduct of Tally course.

Further, an explanation from B-able be sought on the report submitted by the Committee constituted vide CBR under reference. If the explanation is not found satisfactory, legal action against the agency be initiated.

Agenda No. 14: EXTERNAL CONSERVANCY SERVICES FOR FINANCIAL YEAR 2018-19 IN RESPECT OF MILITARY STATION, OLD AIRFIELD SRINAGAR

Refer Station HQ, Old Airfield Srinagar letter No. 2500/74/A/(PC) dated 25.08.2017

The Station HQ, Old Airfield vide letter under reference requested to provide the following conservancy services for the year 2018-19:

- | | | |
|---|---|---------------------|
| (a) Sanitary workers (Conservancy Staff) | - | 95 per day |
| (b) Garbage lifting vehicle (with manpower) | - | 104 trips per month |
| (c) Sullage water lifting vehicle (with manpower) | - | 59 trips per month |

The Board may approve to provide conservancy services to Station HQ, Old Airfield Srinagar through contractor subject to following conditions, or otherwise, in addition to standard terms and conditions-

- 1- The Station authorities will allow and assist the Board in implementing Municipal Solid Waste (MSW) Management Rules, 2016 at their station.
- 2- For implementing MSW Rules, the station authorities will provide sufficient land within their respective stations for digging pits for processing biodegradable waste and for erecting waste processing centre for processing non-biodegradable waste.
- 3- The Board shall be compensated at the rate of 10%, as depts charge, over and above the expenditure incurred by it in providing the conservancy services to the stations and in implementing MSW Rules at their station.
- 4- The waste collected by the Board while providing services shall be the property of the Board.
- 5- The station authorities shall assist the Board in disposing off the waste processed at waste processing centre.
- 6- In case, the Station authorities finds it difficult, for any reasons, to segregate waste at the Station, the Board shall be compensated at the rate of 10%, as depts charge, over and above the expenditure incurred by it in providing the conservancy services to the station and in processing the waste collected from the Station at the Cantonment Board trenching ground.

Resolution No. 14:

Considered and approved to provide conservancy services to Station HQ, Old Airfield Srinagar subject to conditions listed on the agenda side through contractor selected through e-tendering process.

Agenda No. 15: OUTSOURCING OF EXTERNAL CONSERVANCY SERVICES AND VEGETATION AND DRAINAGE CLEARANCE SERVICE FOR THE FINANCIAL YEAR 2018-19

Refer Airforce station, Old Airfield Srinagar letter No. 2500/74/A/(PC) dated 25.08.2017

The Airforce station old Air field vide this letter under reference requested to provide the following conservancy services for the year 2018-19:

1. Conservancy Services-
 - (a) Conservancy Labours - 30 per day
 - (b) Tippers with fuel and driver - 5 per day
 - (c) Cycle Rickshaws - 10 per day
 - (d) Lime - 200 kg per month
 - (e) Tagpar - 75 kg per month
 - (f) JCB with fuel and driver 8 hours per day - 1 per day

2. Vegetation and Drainage clearance-
 - (a) Labourers for 8 hours and 26 days in a month - 78 per day
 - (b) Tractors with Jungle Jim, Fuel & Driver for 8 hours in a day for 26 days in a month. - 4 per day
 - (c) Bush cutters with fuel for 8 hours in a day for 26 days in a month. - 20 per day
 - (d) JCB with Fuel & Driver for 8 hours in a day for 26 days in a month - 1 per day

The Board may approve to provide conservancy services to Airforce station, Old Airfield Srinagar through contractor subject to following conditions, or otherwise, in addition to standard terms and conditions-

- 1- The Station authorities will allow and assist the Board in implementing Municipal Solid Waste (MSW) Management Rules, 2016 at their station.
- 2- For implementing MSW Rules, the station authorities will provide sufficient land within their respective stations for digging pits for processing biodegradable waste and for erecting waste processing centre for processing non-biodegradable waste.
- 3- The Board shall be compensated at the rate of 10%, as depts charge, over and above the expenditure incurred by it in providing the conservancy services to the stations and in implementing MSW Rules at their station.
- 4- The waste collected by the Board while providing services shall be the property of the Board.
- 5- The station authorities shall assist the Board in disposing off the waste processed at waste processing centre.
- 6- In case, the Station authorities finds it difficult, for any reasons, to segregate waste at the Station, the Board shall be compensated at the rate of 10%, as depts charge, over and above the expenditure incurred by it in providing the conservancy services to the station and in processing the waste collected from the Station at the Cantonment Board trenching ground.

Resolution No. 15:

Considered and approved to provide conservancy services to Airforce Station, Old Airfield Srinagar subject to conditions listed on the agenda side through contractor selected through e-tendering process.

Agenda No. 16: ANNUAL SUPPLY OF SCHOOL BOOKS FOR CANTONMENT BOARD PUBLIC SCHOOL FOR THE YEAR 2017-18

Refer (i) guidelines to Cantonment Boards issued by DGDE, New Delhi to improve functioning of Cantonment Board Schools vide letter No. 76/Misc/C/DE/2010 dated 04.10.2012 for grant of scholarship, distribution of books and uniform etc. and (ii) NIT No. 9/2/1732/CB/BB/1 dated 25.08.2017.

Tenders were called through e-procure portal vide tender id: 2017_DGDE_237531_1 dated 25.08.2017 from the firms/suppliers for supply of school books to Cantonment Board Public School for the year 2017-18. Only one firm uploaded/quoted its bid/rates. Technical bid was opened by tender opening committee under rule 173(xx) of GFR, 2017 and after scrutiny of documents, the committee recommended to open the financial bids. The financial bids were opened and item wise rates of books are placed on the table as Annexure-B.

The Board may approve.

Resolution No. 16:

Considered and approved. The CEO is authorised to place the supply orders for items on need basis.

Agenda No. 17: PROVISION OF PARKING SPACE

The Cantonment area is witnessing lack of parking space around the National Highway where the vehicles are being parked by the public on the highway itself which is one of the causes for traffic congestion during peak hours. To overcome this problem, parking space needs to be provided to the public for which the required land is not available with the Cantonment Board.

A piece of B-3 defence land bearing Sy. No. 76 admeasuring 2.03 acres is situated abutting National Highway adjacent to G B Pant Hospital. The land is presently not in use and is most suitable to be made available for parking vehicles. This will free the area around G B Pant Hospital from perpetual traffic congestion and will provide much needed relief to the patients visiting the hospital for tertiary care and other visitors.

The Board may approve to send a proposal to the Central Government through PDDE, NC for vesting the management of the said defence land to Badamibagh Cantonment Board which involves reclassification of the land from class B-3 to class-C under Rule 7 of CLAR, 1937.

Resolution No. 17:

Considered and approved to send a proposal to the Central Government through PDDE, NC for vesting the management of the defence land bearing Sy. No. 76 for purpose of vehicle parking to Badamibagh Cantonment Board which involves reclassification of the land from class B-3 to class-C under Rule 7 of CLAR, 1937.

The President and Col Pankaj Tuknait, Member noted their dissent for the proposed reclassification of land from class B-3 to class C as the President informed the Board that there is a proposal for reclassification of the same piece of land from B-3 to class A-1 for army use.

Agenda No. 18: SWACHH BHARAT ABHIYAN: SURVEY OF CATTLE IN CANTONMENT

Many residents of the Cantonment rear cattle number and ownership of which is not known to the Board. The dung of these cattle is disposed of either in the masonry dustbins or on the river bund which cause bad odour and unhygienic surroundings.

It is thus proposed that a survey in the Cantonment be conducted for identifying the households and number of cattle u/s 64(1)(ix) of the Cantonments Act, 2006. The data obtained from survey can be used for providing exclusive dung collection services to these households so as to reduce the dung from reaching dustbins and river bund.

The Board may approve.

Resolution No. 18:

Considered and approved.

Agenda No. 19: PAYMENT GATEWAY FROM SBI E-COLLECT

The Board may note that a payment gateway has been obtained from SBI eCollect for making online payments to the Board. The gateway has been obtained at no cost to the Board. The payment link has been provided on the Board's website where the payer can pay through net banking, debit cards, credit cards etc.

Resolution No. 19:

Noted.

Agenda No. 20: CONSTRUCTION OF COMMUNITY HALL AND SAFAIKARMCHARI STAFF QUARTERS

There is a persistent demand of a community hall in the Cantonment from the residents and elected Board members as there is no community hall available in the Cantonment. The land in the Cantonment is scarce and the Board does not have sufficient C-land which can be utilised for construction of community hall. A Class-C land bearing Sy. No. 188 and admeasuring 1.69 acres is vested in the Cantonment Board. On an area of 1.22 acres of the said land out of total 1.69 acres, 40 safaikarmi staff quarters exist. These quarters are one storey buildings.

It is proposed that three 3-storey buildings each comprising 12 staff quarters – 4 quarters per storey – be constructed replacing the existing staff quarters. This will free up approx. 0.66 acres of land. It is also proposed that a community hall on the freed up land may be constructed by the Board.

The Board may approve to engage an architect for preparation of Detailed Project Report for construction of the proposed safaikarmi staff quarters and the community hall.

Resolution No. 20:

Considered and approved. Further, it is resolved that during preparation of Detailed Project Report for construction of the proposed safaikarmi staff quarters, feasibility of construction up to G+5 (ground plus five storey) be explored.

Agenda No. 21: REGULATING SALE OF FIRE-WORKS WITHIN BADAMIBAGH CANTONMENT

The Board is authorised to grant licence u/s 277(1)(n) of the Cantonments Act, 2006 to dealers who deal in fire-works. Further, u/s 279 of the Act, the licence granted to any person u/s 277 shall specify the part of the Cantonment in which the licensee may carry on his trade, calling or occupation.

During the festivals of Dusshera, Diwali etc., shopkeepers at Sadar Bazar apply for selling of fire-works. Storage of fire-works in shops may prove dangerous to life and property of shopkeepers and the Board because of inadequate fire-fighting arrangements. To avoid any untoward incident of fire in the shops, sale of fire-works during the festivals within Badamibagh Cantonment may be allowed only at Buddha park within security area and at Batwara park outside security area. Stalls of 6 feet x 6 feet each may be erected at designated place by the interested sellers of fire-works for which they have to apply to the Chief Executive Officer.

The permission may be given by the Chief Executive Officer subject to payment of ground rent of Rs. 50/- per day, security deposit of Rs. 2,000/- (refundable after deducting any dues) and license fee, as applicable. A damage charge of Rs 500/- per day shall be imposed if an occupant having been lawfully in occupation of such stalls by virtue of any authority continues to be in occupation of such stalls after the authority has ceased to be valid.

The Board may approve.

Resolution No. 21:

Considered and approved the proposal mentioned on the agenda side except that the stalls be erected at parking or open space near Sadar Bazar instead of Buddha park.

Agenda No. 22: 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) and CBR No. 24 dated 25.04.2017

A matter to revise rates of property tax was brought before the Board in its meeting on 24.05.2017 vide Agenda No. 24. The said agenda is reproduced below for ready reference-

“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.”

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. As resolved, the Board members were asked to forward their interpretations to the Chief Executive Officer for their consideration by the Board. However, no interpretation has been received till 03.10.2017.

Now, 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 under sub-section 2 of section 66 of the Cantonments Act, 2006 (41 of 2006).

Resolution No. 22:

The matter was discussed in detail. The CEO informed the Board that rate of property tax is 10% of the annual rateable value and has not been revised since its imposition. The Vice President forwarded argument that the residents of Badamibagh Cantonment are already in disadvantageous position vis-a-vis residents under jurisdiction of Srinagar Municipal Corporation (SMC) as no property tax is collected by SMC. Any upward revision in rate will further increase tax burden on the residents of the Cantonment. All elected members seconded the Vice-President.

In view of the arguments forwarded by various members, the Board resolved that the rates of property tax to remain at 10% of annual rateable value.

Agenda No. 23: FIXATION OF FEE FOR COMPOSITION UNDER SECTION 248 OF THE CANTONMENTS ACT, 2006

Refer CBR No. 8 dated 02.08.2017

A matter to fix composition fee u/s 248 of the Cantonments Act, 2006 was brought before the Board in its meeting on 02.08.2017 vide Agenda No. 8. The said agenda is reproduced below for ready reference-

“As per first proviso to section 248(1) of the Cantonments Act, 2006, the Board may, instead of requiring the alteration or demolition of any building or part thereof, the erection or re-erection of which the Board considers an offence under section 247 of the Act, accept by way of composition such sum as it thinks reasonable.

It is proposed to fix the compounding fee equal to-

- (a) Rs. 25/- per square feet per storey for area already constructed without permission from the Board, and*
- (b) Rs. 5/- per square feet per storey for area not built as per the sanctioned plan*

for such composition of offence provided the construction without permission or deviation from sanctioned plan is otherwise in accordance with the Act and building bye-laws.

The Board may approve.”

The matter was discussed in detail. Shri Bilal Ahmad Wani, Member did not agree with the contents of agenda. The reason forwarded by him was that the composition fee proposed was arbitrary and he did not get enough time to examine the matter. Shri Parvaiz Ahmad Dar, Member was of view that the composition fee proposed was on higher side and it should be lowered. In view of the arguments forwarded by the members, the Board resolved that detailed comments along with their proposals, if any, be obtained from elected Board members and the agenda was deferred till next meeting. Accordingly, the members were asked to forward their detailed comments on the matter. However, no such comments have been received till 03.10.2017.

Now the Board may, under first proviso to section 248(1) of the Cantonments Act, 2006, approve to fix the compounding fee equal to-

- (a) Rs. 25/- per square feet per storey for area already constructed without permission from the Board, and
- (b) Rs. 5/- per square feet per storey for area not built as per the sanctioned plan

for composition of offence u/s 247 of the Act provided the construction without permission or deviation from sanctioned plan is otherwise in accordance with the Act and building bye-laws framed thereunder.

Resolution No. 23:

Considered and approved to fix compounding fee equal to-

- (a) Rs. 20/- per square feet per storey for area already constructed without permission from the Board, and
- (b) Rs. 5/- per square feet per storey for area not built as per the sanctioned plan

for composition of offence u/s 247 of the Act provided the construction without permission or deviation from sanctioned plan is otherwise in accordance with the Act and building bye-laws framed thereunder.

Further, it was resolved that the building applications received by the Board by 10.10.2017 for which building permission has not been granted earlier within stipulated time will be exempted from above provided the construction is made as per submitted plans and is otherwise in accordance with Act and building bye-laws framed thereunder.

Agenda No. 24: BUILDING APPLICATION

Refer CBR 9(a) to 9(dd) and 20(a) to 20(d) dated 02.08.2017.

The Board may take note of action taken by the Chief Executive Officer on the CBRs under reference is detailed below.

| S. No. | Applicant | CBR No. | Committee | Committee Remarks | Action Taken |
|--------|---|---------|-----------|--|--|
| 1. | Smt. Rashida W/o Gh. Qadir Malik R/o H. No. 356, Shivpora | 9(a) | BC2 | Recommended by Committee. | Letter issued for depositing charges. |
| 2. | Sh. Mushtaq Ahmad Mir S/o Gh. Qadir Mir R/o Yattoo Mohalla, Shivpora | 9(b) | BC1 | Recommended by Committee. | Building Permission Issued. |
| 3. | Smt. Anita Koul W/o Sh. Kulbushan Koul R/o Adarsh Nagar, Jammu | 9(c) | BC2 | Recommended by Committee. | Letter issued for depositing charges. |
| 4. | Sh. Abdul Wahid Wani S/o Abdul Gani Wani R/o Shivpora | 9(e) | BC2 | Recommended by Committee. | Letter issued for depositing charges. |
| 5. | Sh. Ghulam Nabi Mir S/o Habibullah Mir R/o H. No. 168, Sonwar | 9(g) | BC1 | Recommended by Committee. | Building Permission Issued. |
| 6. | Sh. Parvez Ahmad Bhat S/o Gh. Qadir Bhat R/o Naik Mohalla, Shivpora | 9(h) | BC2 | Not recommended by Committee | -- |
| 7. | Sh. Abdul Gani Baba S/o Ghulam Baba R/o Shivpora | 9(i) | BC3 | Not recommended by Committee | -- |
| 8. | Sh. Abdul Majeed Malik & Others S/o Lt. Abdul Khaliq Malik R/o H. No. 26, Batwara | 9(j) | BC3 | Recommended by Committee. | Building Permission Issued. |
| 9. | Sh. Aijaz Ahmad Zargar S/o Lt. Mohi-ud-din R/o Dar Mohalla, Sonwar | 9(l) | BC3 | Findings of Committee in variation with Agenda | -- |
| 10. | Sh. Tariq Ahmad Ganai S/o Habibullah Ganai R/o New Colony Batwara | 9(m) | BC3 | Findings of Committee in variation with Agenda | Pend in view of CBR No. 8 dated 02.08.2017 |
| 11. | Sh. Mushtaq Ahmad Rather S/o Sanaullah Rather R/o Indranagar | 9(n) | BC1 | Proposed construction is within restricted area i.e. within 500 yards from 2 FOD | Refusal of Board conveyed to applicant |
| 12. | Sh. Azad Ahmad Malik S/o Gh. Qadir Malik R/o Batwara | 9(o) | BC1 | -do- | -do- |
| 13. | Sh. Tariq Ahmad Mir & Others S/o Ghulam Ahmad Mir R/o Indranagar | 9(p) | BC1 | -do- | -do- |

| | | | | | |
|-----|---|-------|-----|--|--|
| 14. | Sh. Bilal Ahmad Bhat S/o Gh. Ahmad Bhat R/o Sonwar | 9(q) | BC1 | -do- | -do- |
| 15. | Sh. Bilal Ahmad Wadera S/o Ab. Rashid Wadera R/o Rajbagh, Srinagar | 9(r) | BC1 | -do- | -do- |
| 16. | Sh. Fayaz Ahmad Zaroo S/o Gh. Mohi-ud-din Zaroo R/o H. No. 47, Indranagar | 9(s) | BC1 | -do- | -do- |
| 17. | Sh. Ghulam Nabi Mir S/o Mohammad Ismail Mir R/o H. No. 231, Indranagar | 9 (t) | BC1 | -do- | -do- |
| 18. | Smt. Haleema Bhat W/o Ghulam Nabi Bhat R/o H. No. 157, Indranagar | 9 (u) | BC1 | -do- | -do- |
| 19. | Sh. Pyare Lal Pandita S/o Janki Nath Pandita R/o H. No. 142, Lane 7, Indranagar | 9 (v) | BC1 | -do- | -do- |
| 20. | Sh. Hilal Ahmad Bhat S/o Ghulam Mohammad Bhat R/o Indranagar | 9(w) | BC1 | -do- | -do- |
| 21. | Sh. Ghulam Qadir Malik S/o Lt. Mohd. Sultan Malik R/o Sonwar | 9(x) | BC1 | -do- | -do- |
| 22. | Smt Mehmooda Manzoor & Others W/o Manzoor Ahmad Rather R/o Indranagar | 9(y) | BC1 | -do- | -do- |
| 23. | Sh. Mohammad Sultan Malik S/o Ghulam Nabi Malik R/o Indranagar | 9(z) | BC1 | Proposed construction is within restricted area i.e. within 500 yards from 2 FOD | Refusal of Board conveyed to applicant |
| 24. | Sh. Aijaz Ahmad Sheikh S/o Ghulam Ahmad Sheikh R/o Buchwara, Dalgate | 9(aa) | BC1 | -do- | -do- |
| 25. | Sh. Ajay Kumar S/o Bali Ram R/o Sonwar | 9(bb) | BC2 | -do- | -do- |
| 26. | Sh. Bilal Ahmad Bhat S/o Gh. Mohammad Bhat R/o Sonwar | 9(cc) | BC1 | -do- | -do- |
| 27. | Sh. Fayaz Ahmad Zaroo S/o Ghulam Mohi-ud-din Zaroo R/o Indranagar | 9(dd) | BC1 | -do- | -do- |
| 28. | Sh. Ghulam Nabi Mir S/o Mohammad Ismail Mir R/o Indranagar | 9(ee) | BC1 | -do- | -do- |
| 29. | Sh. Ratan Lal Raina S/o Omkar Nath Raina R/o Shopian | 9(ff) | BC1 | -do- | -do- |
| 30. | Sh. Siraj Ganai & Romie Ganai S/o Sh. Mubarak Ahmad Ganai R/o Shivpora | 20(a) | BC1 | Variation found in area of additional land | -- |

| | | | | | |
|-----|--|-------|-----|-------------------------------------|-----------------------------------|
| 31. | Smt. Sakeena W/o Manzoor Ahmad Malik R/o H. No. 462, Rose Enclave, Shivpora | 20(b) | BC3 | Recommended by Committee. | Building Permission Issued. |
| 32. | Sh. Ali Mohammad Bhat S/o Munawwar Bhat R/o Shivpora | 20(c) | BC3 | Not recommended by Committee. | -- |
| 33. | Sh. Bashir Ahmad Malik S/o Sonallah Malik R/o H. No. 404, Shivpora Bund | 20(d) | BC3 | Recommended by Committee. | Building Permission Issued. |

Resolution No. 24:

Noted.

With the permission of the chair, following agenda was introduced

Agenda No. 24a: CONSTITUTION OF BUILDING COMMITTEE

The Board may approve to constitute three Building Committees as below-

A. Building Committee 1 (BC1):

Members:

1. Elected Board Member-Ward 1
2. Elected Board Member-Ward 2
3. Elected Board Member-Ward 3

B. Building Committee 2 (BC2):

Members:

1. Elected Board Member-Ward 4
2. Elected Board Member-Ward 5
3. Elected Board Member-Ward 6
4. Elected Board Member-Ward 7

BC1 shall submit its report on building applications received for erection or re-erection of buildings in Ward 4, 5, 6 and 7. BC2 shall submit its report on building applications received for erection or re-erection of buildings in Ward 1, 2 and 3.

These two committees shall supersede all previous committees constituted by the Board for the purpose of giving their recommendations for approving building applications.

Resolution No. 24a:

Considered and approved.

Agenda No. 25: BUILDING APPLICATION

(a) Refer CBR 9(d) dated 02.08.2017

To consider the building application of Sh. Bashir Ahmad Bhat & Others S/o Ghulam Rasool Bhat R/o Shivpora for construction of two storeyed residential building with attic on land bearing Khasra No. 5 at Shivpora . The DEO Srinagar has certified that the land of proposed construction is private vide their office letter No. DEO-BP/Shivpora/89/16/4 dated 14 Feb, 2017. The applicant has already constructed the ground floor without obtaining the permission of the Board. If approved, the applicant is liable to pay the fee as under:

| | |
|--|-----------------------------|
| Plot area | = 2716 Sq feet (9.98 Marla) |
| Plinth area | = 1089 Sq feet |
| Construction fee @Rs 16/Sq feet | = Rs 17,424 |
| Registration fee | = Rs 300 |
| Development charges @Rs 2000/Marla | = Rs 19,960 |
| Compounding fee for Ground floor (@Rs 25/Sq feet) | = Rs 27,225 |
| Total | = Rs 64,909 say Rs 64,910 |

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

Resolution No. 25(a):

Considered and approved subject to payment of Rs. 37,684/- in view of CBR No. 23 dated 10.10.2017

Agenda No. 25: BUILDING APPLICATION

(b) Refer CBR No. 9(f) dated 02.08.2017

To consider the building application of Sh. Javid Ahmed Khan & Mrs. Arbeela S/o Late Bashir Ahmed Khan Mohammad Bhat R/o Purnibal Shivpora, Ward 3 for the construction of two storied residential building with attic on land bearing Khasra No.143 & 144 at Shivpora. The DEO Srinagar has certified that the land of proposed construction is private vide their office letter no. DEO-BP/SHIVPORA/91/17/4 dated 15 Mar, 2017. The applicant has already constructed two storied building. The proposed construction is **not** within 500 yards from 2FOD wall. If approved the applicant is liable to pay the construction fee as under:

| | |
|-------------------------------------|--------------------------------|
| Plot area | = 4094 Sq feet (15 Marla) |
| Plinth area | = 1593 Sq feet |
| Construction fee @ Rs.16/Sq feet | = Rs. 25,488 |
| Registration fee | = Rs. 300 |
| Cost of scrutinizing building plan | = Rs. 100 |
| Development charges @ Rs 2000/Marla | = Rs 30,000 |
| Compounding fee @25/Sq feet | = Rs 79,650 |
| Total | = Rs 1,35,538 say Rs. 1,35,540 |

The Board may decide. The case file is placed before the Board.

Resolution No. 25(b):

Considered and approved subject to payment of Rs. 55,890/- in view of CBR No. 23 dated 10.10.2017.

Agenda No. 25: BUILDING APPLICATION

(c) Refer CBR No. 9(k) dated 02.08.2017

To consider the application of Sh. Nisar Ahmad Parray S/o Mohammad Sultan Parray R/o Iqbal Colony for regularization of deviation. The applicant was allowed the construction of two storied residential building with plinth area of 1246 sq feet vide CBR No. 14(u) dated 23.01.2016. However, during spot inspection it was found that the applicant has done construction on plinth area of 1603 sq feet and deviated from the sanctioned plan. The applicant has now submitted new building plan and applied for regularization. The construction falls beyond 500 yards from 2FOD wall.

| | |
|---|---------------------------|
| Plot area | = 3552 Sq feet (13 Marla) |
| Old plinth area | = 1246 Sq feet |
| New Plinth area | = 1603 Sq feet |
| Development charges | = Nil as already paid |
| Construction fee for extra plinth area (@Rs 11/Sq feet) | = Rs 3,927 |
| Registration fee | = Rs 300 |
| Cost of scrutinizing building plan | = Rs 100 |
| Compounding fee for deviation (@Rs 5/Sq feet) | = Rs 12,460 |
| Compounding fee for extra plinth area (@Rs 25/Sq feet) | = Rs 17,850 |
| Total | = Rs 34,637 say Rs 34,640 |

The Board may approve. The case file is placed before the Board.

Resolution No. 25(c):

The Board considered and approved to compound the offence u/s 247 of the Cantonments Act, 2006. The Board proposed a sum of Rs. 31,067/- as compounding fee in view of CBR No. 23 dated 10.10.2017.

Further, the Board approved to send a proposal to the GOC-in-C, Northern Command under second proviso to Section 248 of the Cantonments Act, 2006, for his concurrence to accept the sum by way of composition as the building is on private land which is not under the management of the Board.

Agenda No. 25: BUILDING APPLICATION

- (d) To consider the building application of Sh. Ishtiyaq Ahmad Lone S/o Lt. Abdul Rashid Lone R/o House No.58, Yattoo Mohalla, Shivpora for construction of two storied residential building with attic after demolishing existing construction on land bearing Khasra No. 505/6 at Shivpora. The case was referred to DEO Srinagar for the verification of land. The DEO Srinagar has intimated vide their office letter No. DEO/BP/Shivpora/96/17/11 dated 30.08.2017 that the land of proposed construction involves A-1 Defence land.

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

Resolution No. 25(d):

The Board considered and refused to sanction the erection or re-erection of the building as applied for by the applicant in view of involvement of A-1 defence land in the proposed construction.

Agenda No. 25: BUILDING APPLICATION

- (e) To consider the building application of Sh. Ghulam Qadir Mir S/o Abdul Rehman Mir R/o Iqbal Colony, Sonwar for construction of first and second storey over existing ground floor on land bearing Khasra No. 776 at Iqbal Colony, Sonwar. The case was referred to DEO Srinagar for the verification of the land. The DEO Srinagar has intimated vide their office letter No. DEO/BP/Sonwar/121/17/2 dated 30.08.2017 that the land of proposed construction involves Class C land.
The case is placed before the Board. Board may decide.

Resolution No. 25(e):

The Board considered and refused to sanction the erection or re-erection of the building as applied for by the applicant in view of involvement of class-C defence land in the proposed construction.

Agenda No. 25: BUILDING APPLICATION

- (f) To consider the building application of Sh. Rouf Ahmad Reshi & Shabir Ahmad Reshi S/o Lt. Abdur Rehman Reshi R/o Shivpora B, Srinagar for construction of two storied residential building on land bearing Khasra No. 82 at Shivpora. The DEO Srinagar has certified that the land of proposed construction is private vide their office letter no. DEO-BP/SHIVPORA/118/17 dated 08 Aug, 2017. The drawings are as per building bye-laws. The building application committee BC1, constituted vide CBR NO. 8a dated 02.08.2017, has recommended the case for approval. If approved, the applicant is liable to pay the construction/ development charges as under:

| | |
|-------------------------------------|------------------------------|
| Plot area | = 2804 Sq feet (10.31 Marla) |
| Plinth area | = 1069 Sq feet |
| Construction fee @ Rs 11 / Sq feet | = Rs 11,759 |
| Registration fee | = Rs 300 |
| Development charges @ Rs 2000/Marla | = Rs 20,620 |
| Total | = Rs 32,679 say Rs 32,680 |

Resolution No. 25(f):

Considered and approved subject to payment of Rs. 32,680/-.

Agenda No. 25: BUILDING APPLICATION

- (g) To consider the building application of Smt. Rafeeqa W/o Ghulam Mohammad Shera R/o Aramwari, Srinagar for construction of two storied residential building on land bearing Khasra No. 241 min at Naik Mohalla, Shivpora. The DEO Srinagar has certified that the land of proposed construction is private vide their office letter no. DEO-BP/SHIVPORA/68/17/7 dated 24 Aug, 2017. The drawings are as per building bye-laws. The building application committee BC1 constituted vide CBR NO. 8a dated 02.08.2017 has recommended that ground floor of the building proposed may be regularised and first floor be sanctioned. If approved the applicant is liable to pay the construction/ development charges as under:

| | |
|-------------------------------------|-----------------------------|
| Plot area | = 2084 Sq feet (7.66 Marla) |
| Plinth area | = 990 Sq feet |
| Construction fee @ Rs 11/ Sq feet | = Rs 10,890 |
| Registration fee | = Rs 300 |
| Development charges @ Rs 2000/Marla | = Rs 15,320 |
| Compounding fee for Ground Floor | = Rs 24,750 |
| Total | = Rs 51,260/- |

Resolution No. 25(g):

Considered and approved subject to payment of Rs. 26,510/- in view of CBR No. 23 dated 10.10.2017.

Agenda No. 25: BUILDING APPLICATION

- (h) To consider the building application of Sh. Mohammad Abdullah Wani S/o Ghulam Mohammad Wani R/o Malawari Newa Pulwama for construction of three storied residential building on land bearing Khasra No. 803 at Dar Mohalla. The DEO Srinagar has certified that the land of proposed construction is private vide their office letter no. DEO-BP/SONAWAR/117/17/5 dated 24 Aug, 2017. The drawings are as per building bye-laws. The building application committee BC1 constituted vide CBR NO. 8a dated 02.08.2017 has recommended the case for approval. If approved, the applicant is liable to pay the construction/ development charges as under:

| | |
|-------------------------------------|------------------------------|
| Plot area | = 3302 Sq feet (12.13 Marla) |
| Plinth area | = 1148 Sq feet |
| Construction fee @ Rs 16 / Sq feet | = Rs 18,368 |
| Registration fee | = Rs 300 |
| Development charges @ Rs 2000/Marla | = Rs 24,260 |
| Total | = Rs 42,928 say 42,930/- |

Resolution No. 25(h):

Considered and approved subject to payment of Rs. 42,930/-.

Agenda No. 25: BUILDING APPLICATION

- (i) To consider the building application of Sh. Shabir Ahmad Wani S/o Mohammad Sidiq Wani R/o H. No. 483, Rose Colony, Shivpora for construction of two storied residential building with attic on land bearing Khasra No. 281 at Rose Colony, Shivpora near Dharseed Farm. The DEO Srinagar has certified that the land of proposed construction is private vide their office letter no. DEO-BP/SHIVPORA/116/17/4 dated 28 July, 2017. The drawings are as per building bye-laws. The building application committee BC1 constituted vide CBR NO. 8a dated 02.08.2017 has recommended the case for approval. If approved the applicant is liable to pay the construction/ development charges as under:

| | |
|-------------------------------------|------------------------------|
| Plot area | = 2726 Sq feet (10.02 Marla) |
| Plinth area | = 1260 Sq feet |
| Construction fee @ Rs 16/ Sq feet | = Rs 20,160 |
| Registration fee | = Rs 300 |
| Development charges @ Rs 2000/Marla | = Rs 20,040 |
| Total | = Rs 40,500 |

Resolution No. 25(i):

Considered and approved subject to payment of Rs. 40,500/-.

Agenda No. 25: BUILDING APPLICATION

- (j) To consider the application of Sh. Mohd Maqbool Bhat & Altaf Hussain Bhat S/o Abdul Aziz Bhat R/o H.No. 186, Sonwar Bagh for regularization of two storied residential building and two storied kitchen on land bearing Khasra No. 632, Sonwar. The DEO Srinagar has certified that the land in question is private vide their office letter no. DEO-BP/SONWAR/104/17/6 dated 29 May, 2017. The applicant has not left any fire gap from H/o Mushtaq Ahmad Mir, Bashir Ahmad Bhat, Mushtaq Ahmad Bhat & Farooq Ahmad Bhat. This office has also received a complaint from his neighbour Sh. Farooq Ahmad Bhat which is placed before the Board. If approved the applicant is liable to pay regularization charges as follows:-

| | |
|--|-----------------------------|
| Plot area | = 1292 Sq feet (4.75 Marla) |
| Plinth area | = 1080 Sq feet |
| Construction fee @ Rs 11 / Sq ft | = Rs 11,880 |
| Registration fee | = Rs 300 |
| Development charges @ Rs1000/Marla | = Rs 4,750 |
| Compounding fee for Ground & First Floor | = Rs 54,000 |
| Total | = Rs 70,930/- |

Resolution No. 25(j):

Considered and resolved that building committee BC1 shall visit the site and submit its recommendations to the Board.

Agenda No. 25: BUILDING APPLICATION

- (k) To consider two building applications of Smt. Gowhar Nissar W/o Nisar Ahad Darzi R/o Indranagar for construction of three storied residential building with attic on Khasra No. 2549/1089/832 at Indra Nagar. The proposed construction falls within 500 yards from 2FOD wall.

The case file is placed before the Board. The Board may decide.

Resolution No. 25(k):

The Board considered and refused to sanction the erection or re-erection of the building as applied for by the applicant in view of the restrictions imposed by SRO 96 dated 2nd July 2004 of the Central Government.

Agenda No. 25: BUILDING APPLICATION

- (1) To consider the building application of Sh. Bashir Ahmad Wani S/o Lt. Abdul Khaliq Wani R/o, H. No. 158 Naikoo Mohalla, Shivpora B, Srinagar for the construction of two storied residential building with attic on land bearing Khasra No. 240 at Shivpora. The DEO Srinagar has certified that the land of proposed construction is private vide their office letter no. DEO-BP/SHIVPORA/125/17 dated 14 Sept, 2017. The drawings are as per building bye-laws. The building application committee has recommended the case for approval. If approved the applicant is liable to pay the construction/ development charges as under:

| | |
|-------------------------------------|-------------------------------|
| Plot area | = 1904 sq ft (7 Marla) |
| Plinth area | = 541 Sq feet |
| Construction fee @ Rs 16 / Sq feet | = Rs 8,656 |
| Registration fee | = Rs 300 |
| Development charges @ Rs 2000/Marla | = Rs 14,000 |
| Total | = Rs 22,956/- say Rs 22,960/- |

Resolution No. 25(1):

Considered and approved subject to payment of Rs. 22,960/-.

Agenda No. 25: BUILDING APPLICATION

(m) Reference CBR No. 9(h) dated 02.08.2017.

The building application of Sh. Parvaiz Ahmad Bhat S/o Gh. Qadir Bhat R/o Naik Mohalla, Shivpora was referred to BC2. The report submitted by BC2 is placed before the board along with the case file.

The Board may decide.

Resolution No. 25(m):

Considered and resolved that the applicant be asked to submit fresh building plans after rectification of the shortcomings found by the Committee.

Agenda No. 25: BUILDING APPLICATION

(n) Reference CBR No. 9(i) dated 02.08.2017.

The building application of Sh. Abdul Gani Baba S/o Ghulam Baba R/o Shivpora was referred to BC3. The report submitted by BC3 is placed before the board along with the case file.

The Board may decide.

\

Resolution No. 25(n):

Considered and resolved that building committee BC2 along with Vice-President shall visit the site and submit its recommendations to the Board.

Agenda No. 25: BUILDING APPLICATION

(o) Reference CBR No. 9(1) dated 02.08.2017.

The building application of Sh. Aijaz Ahmad Zargar S/o Lt. Mohi-ud-din R/o Dar Mohalla, Sonwar was referred to BC2. The report submitted by BC2 is placed before the board along with the case file.

Moreover, it was observed that applicant was carrying a construction in spite of issuing notice under section 239 of the Cantonments Act. Therefore the above said un-authorized construction was sealed u/s 249 of the Cantonments Act, 2006.

The Board may decide.

Resolution No. 25(o):

Considered and resolved that building committee BC2 shall visit the site and submit its report with recommendations to the Board.

Agenda No. 25: BUILDING APPLICATION

(p) Reference CBR No. 9(m) dated 02.08.2017.

The building application of Sh. Tariq Ahmad Ganai S/o Habibullah Ganai R/o Batwara was referred to BC3. The report submitted by BC3 is placed before the board along with the case file.

The Board may decide.

Resolution No. 25(p):

Considered and resolved that building committee BC2 shall visit the site and submit its report with recommendations to the Board.

Agenda No. 25: BUILDING APPLICATION

(q) Reference CBR No. 20(a) dated 02.08.2017.

The building application of Sh. Siraj Ahmad Ganai & Romie Ganai Ss/o Sh. Mubarak Ahmad Ganai R/o Shivpora was referred to BC1. The BC1 has reported that land involved under the said construction is 15.85 Marla. However, NOC from DEO Srinagar was earlier sought for only 10 Marla. The applicant has now submitted the documents for 1 Kanal 7 Marla and 133 sft out of which 5.85 Marla is involved in the said construction. The documents have been sent to DEO for verification from the land point of view. The case file is placed before the Board.

The Board may decide.

Resolution No. 25(q):

Considered and resolved that building committee BC2 shall visit the site after verification report is received from DEO, Srinagar and submit its report with recommendations to the Board.

Agenda No. 25: BUILDING APPLICATION

(r) Reference CBR No. 20(c) dated 02.08.2017.

The building application of Sh. Ali Mohammad Bhat S/o Lt. Munawwar Bhat R/o Shivpora was referred to BC3. The report submitted by BC3 is placed before the board along with the case file. The Board may decide.

Resolution No. 25(r):

Considered and resolved that building committee BC2 along with Vice-President shall visit the site and submit its report with recommendations to the Board.

Agenda No. 26: UNAUTHORISED CONSTRUCTION

Refer PDDE letter No. KAS/Gen/Land/DE/NC/19 dated 23.08.2017, CBR No. 12 dated 05.11.2011 and CBR No. 2 dated 04.04.2013

The PDDE forwarded a letter received from Shri Amit Purbi & Ors vide letter under reference regarding unauthorised construction on defence land bearing Sy No 10 and admeasuring 1.85 acres – commonly known as Purbi House. As per information received from DEO Srinagar, the said land was given to Shri A N Purbi on lease for 20 years w.e.f. 22.11.1951. The leasehold rights were sold to Shri Aga Syed Ahmad by Smt Lilian Purbi W/o Shri A N Purbi who, in turn, got the rights through will of Shri A N Purbi. No further mutation was made in the defence records. The lease expired in 1971.

As per available Board proceedings, the Board rejected building application of Shri Ab Rahim Bhat S/o Ab Khaliq Bhat R/o Gupkar Road for constructing a two-storey house on Kh. No. 40, 41, 42 and 43 vide CBR No. 12 dated 05.11.2011. Further, vide CBR No. 2 dated 04.04.2013, the Board took note of the unauthorised construction made by Shri Ab Rahim Bhat which was demolished by SMC.

During inspection, four two-storey buildings were found on the site. A notice u/s 239 of the Cantonments Act, 2006 was served upon the offenders on 05.09.2017. The Board may take note of the unauthorised constructions made by the occupiers and approve that the structures built by the occupiers without permission of the Board be demolished.

Resolution No. 26:

Considered and resolved that the four two-storey buildings have been constructed without permission of the Board and, thus, is an offence u/s 247 of the Cantonments Act, 2006. The Board u/s 248 of the Cantonments Act, 2006 directed that all these buildings be demolished.

Consequent to observations raised by elected members, it was resolved that the Engineer shall inspect Sy. No. 76 and submit his report.

Agenda No. 27: ENGAGEMENT OF TEACHERS

Refer letter received from Principal, CBPS on 23.09.2017.

The Board runs a primary School at Sonwar from Nursery to Class-III with 196 students enrolled presently. In the next academic session, 30 more students will be enrolled. As per letter under reference, there is a need to engage one Kashmiri and one Mathematics teacher for smooth functioning of the school.

The Board may consider hiring of services of one Kashmiri teacher and one Mathematics teacher through existing contractor from the new academic session starting from Nov, 2017 on monthly compensation and annual increment thereon as below:

| S. No. | Designation | Monthly compensation on engagement for first time | Annual increment on re-engagement for subsequent academic sessions |
|--------|---------------------|---|--|
| 1. | Kashmiri Teacher | 6500/- | 500/- |
| 2. | Mathematics Teacher | 6500/- | 500/- |

The minimum qualification for these posts shall be as prescribed by Govt of J&K. The provision of increment shall be deemed to be applicable from the date of engagement of teachers after which they are engaged for all subsequent academic sessions without any premature termination of service.

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

Resolution No. 27:

Considered and approved.

Agenda No. 28: PROCUREMENT OF SWINGS FOR PUBLIC PARKS

The Board may consider and approve to procure following swings for Cantonment Board parks and Cantonment Board Public School, Sonwar-

- | | |
|---|--------------|
| (a) Double AC Swing and Balancing Bridge | - One each |
| (b) Swing 2 seater, Fibre Slides with Steel Ladder and Monkey bar | - Two each |
| (c) Arc Climber and Horizontal Climber | - Three each |
| (d) Butterfly Swing | - Four |
| (e) Sea saw 4 seater | - Six |

Case file is placed on the table.

Resolution No. 28:

Considered and approved.

Agenda No. 29: INSTALLATION OF CCTV CAMERA IN CANTONMENT BOARD PUBLIC SCHOOL

Refer letter received from Principal, CBPS on 14.08.2017.

The Board may consider to install CCTV camera in Cantonment Board Public School, Sonwar for security of students and property of the Board. The cameras are proposed to be installed in classrooms as well as around the school.

A Local Purchase Committee, constituted under Rule 155 of the GFR, 2017, conducted market survey and recommended to procure 16 DVR CH which will cater present and future requirement of school. The committee recommended to procure CCTV system from Computer Renaissance, Srinagar, an authorized dealer of Hikvision at an estimated cost of Rs. 66,620/- including installation charges.

| S. No. | Item | Qty | Unit Rate | Amount |
|--------|----------------------|-----|-----------|----------|
| 1. | DVR 16 CH | 1 | 12500/- | 12,500/- |
| 2. | 1 MP Dome Camera | 16 | 1,650/- | 26,400/- |
| 3. | Power Supply 12 V | 1 | 1,900/- | 1,900/- |
| 4. | BNC connector | 16 | 40/- | 640/- |
| 5. | DC connector | 16 | 30/- | 480/- |
| 6. | Cable 90 mtr roll | 7 | 1,150/- | 8,050/- |
| 7. | VGA cable 5 mtr | 5 | 150/- | 750/- |
| 8. | HDD 1 TB | 1 | 5,500/- | 5,500/- |
| 9. | Installation charges | 16 | 650/- | 10,400/- |
| | | | Total | 66,620/- |

It is also proposed that one such system may be installed in and around the Board office also. One such system was earlier installed in the office which got damaged by floods.

The Board may approve. The file along with connected documents is placed on the table.

Resolution No. 29:

Considered and approved.

Agenda No. 30: PROGRAMME ON SWACHHTA HI SEWA

Refer DGDE letter No. CB/76/68/Swachh Bharat/C/DE/16/Vol. II FMS-53863 dated 14.09.2017.

The Board may note the action taken by the CEO and expenditure incurred thereon as per action plan under reference w.e.f. 15.09.2017 to 02.10.2017 for conducting programme on 'Swachhta Hi Sewa'.

| S. No. | Item | Qty | Amount |
|--------|--|-------|------------|
| 1. | Flex banner 10 x 4 sqft | 9 | 10,800/- |
| 2. | Flex banner 8 x 3 sqft | 14 | 9,408/- |
| 3. | Pamphlets | 2000 | 2,200/- |
| 4. | Drawing sheets | 50 | 500/- |
| 5. | Refreshment for students and members | - | 1,800/- |
| 6. | Refreshment /Water/ Tea etc. on Hindi Pakhwada and Gandhi Jayanti | 205 | 9,034/- |
| 7. | Printing of certificates | 200 | 4,200/- |
| 8. | Hiring of video-grapher on Rally day and celebration of Gandhi Jayanti | - | 10,600/- |
| 9. | Purchase of photo paper, envelops etc. | - | 630/- |
| 10. | Distribution of cash prize amongst students / best workers | - | 10,600/- |
| 11. | Arrangement for celebration of Gandhi Jayanti (Chairs, Carpets, Stage, Red carpets, VIP chairs, Centre Tables, Dice, Carriage) | - | 34,500/- |
| 12. | Stage Pandal theme based, white fancy semi pandal, carriage | - | 41,500/- |
| | | Total | 1,35,772/- |

The case file is placed on the table.

Resolution No. 30:

Considered and approved.

Agenda No. 31: SUPPORT TO GOVERNMENT BOYS HIGH SCHOOL

Refer Headmaster Govt Boys High School letter No. BHS-BBC-100-017 dated 26.09.2017.

The Headmaster of Govt Boys High School, Badamibagh Cantonment, vide letter under reference, has requested to provide the school with a chair, office table and a computer with printer for official work.

The Board may consider the request of the school favourably and approve to provide the school the requested items u/s 64(1)(v) of the Cantonments Act, 2006.

The case file is placed on the table.

Resolution No. 31:

Considered and approved.

Further, the Board resolved that the Divisional Commissioner be approached to allow Cantonment Board to take over Government Boys High School for better management. The school building is in dilapidated state and has not been repaired since floods. The school building, after taking over, can be utilised by the Board for providing classrooms in addition to that in Cantonment Board Public School at Sonwar.

Agenda No. 32: MOHD ALTAF SHEIKH V/s CANTONMENT BOARD

Refer CBR No. 8 dated 29.11.2008 and CBR No. 11 dated 26.03.2009

An employee (now retired) of the Board by name Shri Mohd Altaf Sheikh was terminated from his service w.e.f. 23.07.2002 vide termination order dated 07.08.2003 on the grounds of remaining continuously absent from duty w.e.f. 23.07.2002.

The employee filed a writ petition SWP 1495 of 2006 in which the Hon'ble High Court was pleased to pass an order dated 25.07.2008 based on its judgement that because of mental illness of the employee he was not in a position to explain the cause of his absence from duty. The operative part of the order is reproduced below-

“In these circumstances, the order impugned is quashed and the matter be reconsidered by the respondents. Copy of the present petition shall be given to the respondents by the petitioner, who shall treat the same as objections to the show cause notice issued by them. The respondents are free to hold an inquiry into the matter afresh. While doing so, they shall consider the certificate issued by the Medical Board Members, Government Psychiatric Disease Hospital, Srinagar, and see its effect on the unauthorised absence of the petitioner and pass appropriate orders after giving due opportunity of hearing to the petitioner”

In pursuance of orders of the Hon'ble High Court, the Board vide CBR No. 11 dated 26.03.2009, the employee was reinstated. The employee was also retired from service w.e.f. 31.03.2009 on the request submitted by the employee. The period from the initial termination to the retirement i.e. from 23.07.2002 to 31.03.2009 was regularised by granting Extraordinary Leave. However, the said period was considered as qualifying service for the purpose of retirement benefits.

A Part I OO No. 136 dated 27.08.2009 was issued which is reproduced below-

“ Consequent upon the order dated 25/07/08 passed Hon'ble High Court of J&K, at Srinagar, quashing the termination order No CB/Est/1480-81 dated 07/08/03 the service of Shri Mohd Altaf Sheikh v/s Cantonment Board Badamibagh in SWP No 1495/2006.

Therefore in view of the above, the Cantonment Board vide CBR No 11 dated 26/03/09 resolved that Shri Mohd Altaf Sheikh be reinstated, and the period of absence due to medical reasons/grounds be regularized as leave without pay.”

The employee further filed a Contempt Petition No. 200 of 2009 which was disposed of by the Hon'ble High Court as the Board has complied with the orders issued in SWP 1495 of 2006. The operative part of the order is reproduced below-

“ The respondents vide CBR No. 11 dated 26.03.2009 reinstated the services of the petitioner and accorded sanction to his retirement w.e.f. 31st March 2009 and release of retirement benefits in his favour. The writ court order dated 25th July 2008 in the circumstances stands complied with. However, the petitioner may still have grievance as regards the way in which the period of absence has been treated by the respondents. The grievance is to be voiced through medium of a separate writ petition in the event the petitioner is so advised and cannot be made subject matter

of present proceedings. However, the respondents as a model employer are expected not to push the petitioner belonging to a marginalized, downtrodden and unattended class of society to go for fresh litigation, and as far as possible address his grievance as regards the mode and manner in which the period of absence has been treated, in accordance with the rules. It is further expected that the respondents shall give compassionate and sympathetic consideration to the grievance of the petitioner.”

Thereafter, the employee filed a fresh writ petition SWP No. 1597 of 2012 in which the Hon’ble High Court was again pleased pass an order on 28.03.2014, the operative part of which is reproduced below-

“(i) By writ of certiorari, Part I OO No. 136 dated 27.03.2009 is quashed to the extent treating the petitioner’s service “as leave without pay”.

(ii) By a writ of mandamus respondents are directed to consider the petitioner’s case afresh after providing him ample opportunity of being heard and pass appropriate orders strictly in terms of judgement dated 25.07.2008 passed in SWP No. 1495/06 as also order dated 31.01.2012 passed in Contempt no. 200/2009. Consideration shall be effected and decision taken within a period of two months from the date copy of this order is served.”

Further, the employee has filed Contempt Petition No. 568 of 2014 in the matter in which the Court has framed rule against the undersigned. The next date of hearing in the petition is 23.10.2017

Fundamental Rule 54-A(2)(i) states that-

“ Where the dismissal, removal or compulsory retirement of a Government servant is set aside by the Court solely on the ground of non-compliance with the requirements of the clause (2) of Article 311 of the Constitution, and where he is not exonerated on merits, the Government servant shall subject to the provision of sub-rule (7) of rule 54, be paid such amount (not being the whole) of the pay and allowances to which he would have been entitled had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal, or compulsory retirement, as the case may be, as the competent authority may determine, after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection, within such period, which in no case shall exceed sixty days from the date on which the notice has been served as may be specified in the notice:

Provided that any payment under this sub-rule to a Government servant other than a Government servant who is governed by the provisions of Payment of Wages Act, 1936 (4 of 1936) shall be restricted to a period of three years immediately preceding the date on which the judgement of the court was passed or the date of retirement on superannuation of such Government servant, as the case may be.”

Further Rule 54(7) states that-

“ The amount determined under the proviso to sub-rule (2) or under sub-rule (4) shall not be less than the subsistence allowance and other allowances admissible under rule 53.”

The Hon'ble High Court, in its judgement dated 25.07.2008 in SWP 1495 of 2006, found that the order of termination has been passed without affording an opportunity to the petitioner (Shri Md Altaf Sheikh) to explain his absence from the duty. Though the respondents have stated that notices were issued to the petitioner but sufficient time has not been provided to him. Thus, the petitioner was not exonerated on merits and hence the case falls under the ambit of Fundamental Rule 54-A(2)(i).

The period from termination to retirement (after setting aside of the termination) i.e. from 23.07.2002 to 31.03.2009 has already been considered as qualifying service for the purpose of pension benefits. Now, as per Fundamental Rule 54-A(2)(i), its proviso and Rule 54(7), the Board may propose quantum of pay and allowance to be paid (not less than subsistence allowance under Fundamental Rule 53) to Shri Mohd Altaf Sheikh for period of 3 years i.e. from 26.07.2005 to 25.07.2008. The final quantum may be determined by the Board after considering representation, if any, submitted by Shri Sheikh on the quantum proposed by the Board.

Resolution No. 32:

The Board considered the case and proposed a quantum of sixty percent of pay and allowance to be paid to Shri Mohd Altaf Sheikh as mentioned on the agenda side.

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

Agenda No. 33: GRANT OF ROUTINE PROMOTION

Refer CBR No. 3 dated 02.08.2017

A matter of promoting Shri Nisar Ahmad Bhat, Senior Assistant to the post of Accountant was brought before the Board vide CBR under reference. After a verbal representation made by Shri Dheeraj Singh, Land Revenue Superintendent before the Board, it was resolved vide CBR under reference that the the matter be examined into detail by the CEO after obtaining a written representation from Shri Dheeraj Singh.

The matter was examined in detail. It was found that the Board has following sanctioned clerical posts-

| S. No. | Post | Supervisory / Non-supervisory | Pay scale | Feeder post |
|--------|-----------------------------|-------------------------------|-------------------|---|
| 1 | Office Superintendent | Supervisory | 9300-34800 + 4600 | Accountant, Land Revenue Superintendent |
| 2 | Accountant | Supervisory | 9300-34800 + 4200 | Senior Assistant |
| 3 | Land Revenue Superintendent | Non-supervisory | 9300-34800 + 4200 | Senior Assistant |
| 4 | Senior Assistant | Non-supervisory | 5200-20200 + 2400 | Junior Assistant |
| 5 | Junior Assistant | Non-supervisory | 5200-20200 + 1900 | Direct recruitment |

From the table, it is evident that the post of Accountant should be filled by promoting the Senior Assistant. Under the extant rules, there is no provision of filling post of Accountant from the post of Land Revenue Superintendent.

Shri Nisar Ahmad Bhat, Senior Assistant has become eligible for promotion to the post of Accountant. The Board may approve promoting Shri Nisar Ahmad Bhat from the post of Senior Assistant with pay scale 5200-20200 + GP 2400 to the post of Accountant with pay scale 9300-34800 + GP 4200.

Resolution No. 33:

Considered and approved.

Agenda No. 34: BUILDING APPLICATION

Refer CBR No. 22 (g) dated 06.07.2015, CBR No. 25 dated 25.04.2017 and CBR No. 13 dated 24.05.2017

A matter of sanctioning building application submitted by Shri Vishal Dhar and Shri Vikas Dhar Ss/o Shri Vijay Dhar R/o Gupkar Road was brought before the Board in its meeting held on 06.07.2015. The Board resolved to obtain following information-

- (a) Site inspection report by the CEO and concerned elected Board member
- (b) Provision in bye-laws for approving commercial building/hotel
- (c) Norms for approval for commercial building/hotel

The matter was again brought before the Board in its meeting held on 25.04.2017 and 24.05.2017. The Board resolved to seek advice of CBLA regarding petition filed by Shri V K Sawhney before the court of Financial Commissioner (Rev).

The site inspection reports of the CEO and concerned elected member along with norms of hotel obtained from Tourism Department are placed before the Board. Further, the extant building bye laws do not prohibit granting of permission for constructing building for commercial use. The CBLA was asked to advise further course of action in view of the order of the Financial Commissioner (Rev) dated 19.05.2017. The CBLA, vide his legal opinion dated 12.06.2017, opined that the said order does not operate against the Cantonment Board and the Board is free to grant sanction to the applicants provided they fulfil other requirements.

In view of above, the Board may consider the application of Shri Vishal Dhar and Shri Vikas Dhar Ss/o Shri Vijay Dhar R/o Gupkar Road for construction of five-storeyed (which includes basement for parking) hotel building on land bearing Kh. No. 946/802 at Shivpora. The DEO, Srinagar has certified that the land of proposed construction is private vide letter No. DEO-BP/Shivpora/1/14 dated 20.12.2014. FSI for proposed construction is 1.46. If approved, the applicant is liable to pay charges as under:

| | |
|-------------------------------------|--------------------------------|
| Plot area | = 27289 Sq feet (100.33 Marla) |
| Plinth area | = 10325 Sq feet |
| Construction fee @ Rs.107/Sq feet | = Rs. 11,04,775 |
| Registration fee | = Rs. 300 |
| Cost of scrutinizing building plan | = Rs. 100 |
| Development charges @ Rs 2000/Marla | = Rs. 2,00,660 |
| Total | = Rs. 13,05,835/- |

Resolution No. 34:

Considered and resolved that building committee BC2 shall visit the site and submit its report to the CEO. If no adverse report is submitted by BC2 within 15 days, the building application will be considered as approved by the Board subject to payment of Rs. 13,05,835/-. Further, the Board shall be apprised about the action taken by the BC2 and the CEO in its next meeting.

Agenda No. 35: UNAUTHORISED CONSTRUCTION

The Board may consider the instances of un-authorized constructions carried out within Badamibagh Cantonment by offenders listed in the table below. The offenders were served with notice u/s 239 of the Cantonments Act, 2006 to stop the construction without permission of the Board. The offenders are liable to action warranted u/s 247 and 248 of the Cantonments Act, 2006.

| S. No. | Name | Type of Construction | Dimensions of Building |
|--------|---|----------------------|------------------------|
| 1 | Azad Ahmad Malik S/o Gh. Qadir Malik R/o Batwara | Four Storey | 73 feet × 32 feet |
| 2 | Farooq Ahmad Bhat S/o Abdul Karim Bhat R/o Sonwar | Three Storey | 39.5 feet × 33.6 feet |
| 3 | Gh. Ahmad Sheikh S/o Habibullah Sheikh R/o New Colony, Batwara | Two Storey | 35 feet × 25.6 feet |
| 4 | Muzamil Mir S/o Tahir Ahmad Mir R/o H. No. 280, Shivpora | Two Storey | 15.9 feet × 20.6 feet |
| 5 | Asifa Muzaffar W/o Muzaffar Ahmad Bhat R/o Iqbal Colony | Four Storey | 35.6 feet × 20.3 feet |
| 6 | Bashir Ahmad Bhat S/o Ab. Aziz Bhat R/o Iqbal Colony | Two Storey | 35.6 feet × 33.9 feet |
| 7 | Abdul Ahad Pandit S/o Abdul Aziz Pandit R/o Iqbal Colony | Three Storey | 40.6 feet × 30.6 feet |
| 8 | Sandeep Singh S/o Foja Singh R/o Indra Nagar | Three Storey | 46 feet × 26.2 feet |
| 9 | Jarnail Singh S/o Ajit Singh R/o Iqbal Colony, Indra Nagar | Three Storey | 36.9 feet × 22 feet |
| 10 | Mohd. Rafi Malik S/o Gh. Qadir Malik R/o H. No. 48, Batwara | Three Storey | 45.3 feet × 32.7 feet |
| 11 | Aijaz Ahmad Zargar S/o Gh. Mohi ud deen Zargar R/o Dar Mohalla, Shivpora, Ward 2 | Three Storey | 69.10 feet × 45.3 feet |
| 12 | Tasleema Bhar W/o Peer Gh. Hassan R/o Dar Mohalla, Shivpora, Ward 2 | Two Storey | 39.3 feet × 30 feet |
| 13 | Aijaz Ahmad Mir S/o Mushtaq Ahmad Mir R/o Shivpora, Ward 2 | Three Storey | 63 feet × 37 feet |
| 14 | Shabir Ahmad Rather S/o Mohd. Akbar Rather R/o Iqbal Colony, Sonwar | Three Storey | 40.3 feet × 30.4 feet |
| 15 | Ishtiyag Ahmad Lone S/o Ab. Rashid Lone R/o Yattoo Mohalla, Ward 2 | Plinth | 37 feet × 36.11 feet |
| 16 | Gh.Hasan Bhat S/o Gh. Rasool Bhat R/o H. No. 121, Dar Mohalla | Two Storey | 31.6 feet × 25.4 feet |
| 17 | Gh. Qadir Bhat S/o Mohd. Rajab Bhat R/o H. No. 152, Naikoo Mohalla | Single Storey | 43.5 feet × 32.7 feet |
| 18 | Abdul Ahad Bhat R/o near H. No. 362, Zabarwan Colony | Two Storey | 39 feet × 34.6 feet |
| 19 | Mohd. Shaban Rather R/o H. No. 255, Indra Nagar | Two Storey | 35.6 feet × 25 feet |
| 20 | Abu Bakar Aminudin S/o Amanatullah R/o H. No. 298, Iqbal Colony, Sonwar | Single Storey | 35.6 feet × 30.6 feet |
| 21 | Mushtaq Ahmad Sheikh S/o Sonauallah Sheikh R/o Indra Nagar, Ward 7 | Two Storey | 42.6 feet × 35.4 feet |
| 22 | Javaid Hussain Rather & Muzaffar Ahmad S/o Gh. Mohd Rather R/o Opp. H. No. 726, Indra Nagar | Single Storey | 40 feet × 33 feet |

| | | | |
|----|--|-------------------------|-----------------------|
| 23 | Tariq Ahmad Mir S/o Gh. Mohd. Mir R/o H. No. 303, Indra Nagar | Plinth | 26 feet × 13 feet |
| 24 | Tariq Ahmad Ganai S/o Habibullah Ganai R/o New Colony, Batwara, Ward 1 | First and Second Storey | 37.6 feet × 33.7 feet |
| 25 | Javaid Ahmad Mir S/o Ab. Rashid Mir R/o Yattoo Mohalla, Shivpora | Two Storey Annexee | 15 feet × 12 feet |
| 26 | Altaf Hussain Kar R/o H. No. 455, Iqbal Colony, Ward 7 | Three Storey | 31 feet × 24.6 feet |
| 27 | Mohammad Yaseen Sheikh S/o Gh. Hassan Sheikh R/o Shivpora | Two Storey | 45 feet × 35 feet |
| 28 | Gh. Mohd Sofi S/o Ab. Aziz Sofi R/o Batwara | Single Storey | 35 feet × 35 feet |
| 29 | Mohd Maqbool Sheikh S/o Ab. Satar Sheikh R/o New Colony, Batwara | Ground and First Floor | 35 feet × 30 feet |
| 30 | Ab. Ahad Sheikh S/o Habibullah Sheikh R/o Batwara | Single Storey | 35.2 feet × 29.6 feet |
| 31 | Tariq Ahmad Mir S/o Gh. Mohd Mir R/o H. No. 565, Iqbal Colony | Plinth | 32 feet × 22 feet |
| 32 | Aijaz Ahmad Bhat S/o Mohd. Shaban Bhat R/o Purnibal, Shivpora | Three Storey | 43.9 feet × 27.4 feet |
| 33 | Bilal Ahmad wani S/o Mohd. Sidiq Wani R/o Darseed Farm, Shivpora | Ground and First Floor | 40 feet × 25 feet |
| 34 | Imitiaz Ahmad Rather S/o Mohd. Akbar Rather R/o H. No. 616, Iqbal Colony | Three Storey | 39.3 feet × 30 feet |
| 35 | Mushtaq Ahmad Bhat S/o Ab. Gani Bhat R/o Sec B, Indra Nagar | Three Storey | 35.7 feet × 32.9 feet |
| 36 | Mohd Shafi Makhdoomi C/o Hotel Zephyr G B Pant lane, Ward 7 | Second and Third Floor | 44 feet × 37 feet |
| 37 | Abdul Hamid Rather S/o Mohammad Ramzan Rather R/o Iqbal Colony, Sonwar | Two Storey with Attic | 31 feet × 29 feet |
| 39 | Gh. Qadir Malik S/o Mohd Sultan Malik R/o Indra Nagar | Two Storey with Attic | 28 feet × 18 feet |
| 38 | Shabir Ahmad Bhat R/o Shivpora | Ground Floor | 14 feet × 25 feet |
| 40 | Zulfikar Hussain Hafiz R/o H. No. 514, Indra Nagar | Second Floor | 58 feet × 21 feet |
| 41 | Zahoor Ahmad Dar S/o Ali Mohammad Dar R/o Batwara | Ground and First Floor | 44 feet × 35 feet |

The Board may approve to prosecute the offenders. The Board may also approve that the unauthorised constructions be demolished.

Resolution No. 35:

Considered and resolved that erection or re-erection mentioned on the agenda side has been done without obtaining permission from the Board and thus constitute an offence u/s 247 of the Cantonments Act, 2006. The Board directed that all these unauthorised erection or re-erection except that mentioned at S. No. 34 and 41 be demolished u/s 248 of the Cantonments Act, 2006 and the offenders be prosecuted.

Further, the Engineer will inspect construction, if any, at S. No. 34 and 41 and submit his report.

Agenda No. 36: DEVELOPMENT WORKS

The Board may consider and approve following development works to be executed in different wards of the Cantonment subject to availability of funds.

| S. No. | Description of Work | Cost (in lakh Rs.) |
|--------|--|--------------------|
| 1. | Repair of lane and drain from H/o Mohammad Ashraf to H/o Mohammad Sidiq Malik, Zabarwan Colony, Sonwar, Ward No. 5 | 3.46 |
| 2. | Repair of lane and drain from H/o Jehangir Ahmad to H/o Mohammad Ashraf Rather, Sonwar, Ward No. 5 | 3.45 |
| 3. | Repair of lane and drain from H/o Khazir Mohammad Rather to H/o Ghulam Mohd. Rather, Sonwar, Ward No. 5 | 2.00 |
| 4. | Repair of lane and drain from H. No. 658 to Milk Shop of Abdul Majeed Dar, Indra Nagar, Ward No. 7 | 1.66 |
| 5. | Development of fountain near Jamia Masjid, Sonwar, Ward No. 5 | 3.50 |
| 6. | Development of open space at Non-Bio Sheds near Dagger Huts | 2.97 |
| 7. | Development of open space behind Cantonment Board Public School and fencing of area behind toilet block | 10.00 |
| 8. | Repair of road from H/o Dara Singh to H/o Awtar Singh, Indra Nagar, Ward No. 7 | 2.05 |
| 9. | Toilet for ladies in Ward 1, 2, 3, 5 and 7 and a gents bathroom in Ward 1 | 15.00 |
| 10. | Toilet for ladies at Ration Ghat, Sonwar Ward 5 | 2.50 |
| 11. | Development of class-C land between Cantonment Fund Shops, Mandir Gali and Bund as parking space | 3.00 |
| 12. | Development of space near Garbage shed along NH | 1.50 |

Resolution No. 36:

Considered and approved.

Sd/-
Chief Executive Officer
Badamibagh Cantonment Board

Sd/-
President
Badamibagh Cantonment Board