

MINUTES OF THE PROCEEDINGS OF A SPECIAL MEETING OF CANTONMENT BOARD, BABINA HELD ON 3RD JANUARY, 2017 AT 10:30 HOURS IN THE OFFICE OF THE CANTONMENT BOARD, BABINA

The following members were present:-

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|-----------------------------|--------------------|
| (1) Brig. Atul Rawat | - President |
| (2) Smt. Sushila Devi | - Vice President |
| (3) Shri Abhishek Azad, CEO | - Member/Secretary |
| (4) Shri Raj Kumar Bhadoria | - Elected Member |
| (5) Shri Ishwar Singh | - Elected Member |
| (6) Smt. Saroj | - Elected Member |
| (7) Shri Ravi Bharti | - Elected Member |
| (8) Shri Anil Kumar | - Elected Member |

The following members were absent:-

- | | |
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| (1) Shri R.P. Mishra, City Magistrate, Jhansi | - Nominated Member |
| (2) Col IPS Chahal, SSO, STN. HQ. | - Nominated Member |
| (3) Lt. Col. Ajay Negi, OC | - Nominated Member |
| (4) Lt. Col R.K. Shukla, SEMO | - Ex Officio Member |
| (5) Maj Sachin Sinha, GE | - Ex Officio Member |
| (6) Smt. Lalita | - Elected Member |

1. **ADDITIONAL ACTIVITIES ON THE OCCATION OF REPUBLIC DAY CELEBRATIONS 2017**

To note Govt. of India, Ministry of Defence (DGDE), Delhi Cantt. letter No. 76/67/Mini Marathon/C/DE/2016, dated 08/12/2016 and letter of even No. but dated 09/12/2016 read with Ministry of Defence D (CEREMONIALS), Note dated 1st Dec, 2016 thereby directing to organize Mini Marathon/Run for Nation of 5.0 Km scheduled to be held on 15th January, 2017 (Sunday) is placed on the table.

The proposed expenditure amounting to Rs. 3,00,000.00 to be incurred on this account is also placed on the table.

Therefore the Board may decide action in the matter.

1. **RESOLUTION:** - The Board noted the same and resolved to approve the proposed expenditure as placed on the table and as mentioned on agenda side. The expenditure to be incurred on this account shall be booked under the appropriate budget head of Revised Budget Estimates 2016-17.

2. **REPAIR AND MAINTENANCE WORK UNDER TERM CONTRACT 2016-17**

To consider and approve the estimates for the following repair and maintenance work to be carried out under term contract 2016-17: -

- | | |
|---|-------------------|
| (1) Provision of Rain Water Harvesting System for Cantonment Fund properties. | -Rs. 10,00,000.00 |
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- (2) Reconstruction of group latrine in Cantonment area of Babina Cantonment IV Blocks @ 10 Seater each -Rs. 24,00,000.00

In this connection estimates for the above mention works is placed on the table. Therefore the Board may decide action in the matter.

2. **RESOLUTION:** - The Board considered and unanimously resolved to approve the estimates as placed on the table and as mentioned on agenda side. The expenditure to be incurred on this account shall be booked under budget head D (2) (a) of the Revised Budget Estimates 2016-17.

3. **BUILDING PLAN**

To consider building application dated 26-12-2016 submitted by Shri. Amit Kumar Gupta & Shri Sumit Kumar Gupta S/o Shri Ramesh Kumar Gupta R/o H.No.1873,Cloth Market, Babina Cantt.

Office report to the effect that the site in question is situated within proposed Civil area comprising Sy.No.29, at Cloth Market, Babina Cantt. From the building plan it may be seen that the applicant desired to carry out proposed construction of the ground floor, first floor & second floor for residential purpose on open land Arazi No 1890 Chamaryana Mohalla. The area shown in the building plan tally with the area at site. The building plan confirms the Building Bye-laws of Babina Cantonment. No unauthorized construction is involved in the case. Classification of land is not available with this office as neither the civil area is notified nor the GLR of civil is prepared so far. However in support of the ownership of the land the applicant has submitted the "No Objection certificate" from Tehshildar, Jhansi dated 29-11-2016 wherein it is stated that the land in question does not belong to Cantt Board, Gram Sabha and Nazool etc . The applicant has paid the security money and also paid all the taxes up to March 2016 on account of house No. 1873. As per record of revenue section the house No.1873 is existing in the name of Shri. Amit Kumar Gupta & Sumit Kumar Gupta.

The applicant has submitted the following documents:-

1. Building application from.
2. Building plan on tracing cloth and blue prints.
3. "No Objection Certificate" dated 29-11-2016 from Tehshildar, Jhansi regarding ownership of land.
4. Photograph showing elevation of proposed construction.
5. Affidavit to the effect that she has no other property except the above said house.

The above documents have been checked by J.E and found in order.

In this connection report of Junior Engineer dated 26-12-2016 along with all relevant papers are placed on the table.

Therefore the Board may decide the action in the matter.

3. **RESOLUTION:** - The Board considered and resolved that the Municipal sanction to carry out proposed construction of the ground floor, first floor & second floor for residential purpose on open land Arazi No 1890 within proposed Civil area comprising Sy. No. 29 at Chamaryana, Babina Cantt. is accorded to Shri. Amit Kumar Gupta & Shri Sumit Kumar Gupta S/o Shri Ramesh Kumar Gupta R/o H.No.1873,Cloth Market, Babina Cantt. subject to the following terms and conditions:-

- (i) that the sanctioned building plan is strictly adhered to the provision of Cantonments Act 2006 and Cantonment Board, Babina existing building bye-laws;
- (ii) that no Govt. land is encroached upon in any case;
- (iii) that the construction is completed within two years from the date of sanction i.e. 03/01/2017;
- (iv) that the date of commencement of construction and completion thereof is notified to the Chief Executive Officer, Babina;
- (v) that the debris of the structure removed and the building material required to be used in the construction is not stocked on the Govt. land;
- (vi) that the instructions issued from this office from time to time are complied with in full;
- (vii) that no traffic hazard is caused to the public, neighbor or passersby;
- (viii) that deviations, if any, found at any stage are liable to be demolished at any time entirely at the risk and cost of the owner/occupier;
- (ix) that the requisite building plan is sanctioned only from municipal point of view and sanction of the same does not confer any ownership title of the land;
- (x) that the construction will be inspected/checked by the Junior Engineer, Cantonment Board, Babina periodically in order to ensure that there is no deviation, obstruction to public, any violation of any term and condition or rules and regulations etc. if so, suitable action will be taken.

It is also resolved that original documents ownership etc. will be checked by the Junior Engineer of this office before issuing sanction.

The PCB desires that before forwarding sanctioned building plan to the applicant, the photographs of the same be collected from the owner of the building, showing the proposed constructions. Therefore resolved that the sanctioned building plan shall be given to the applicant by the CEO only after obtaining photographs.

4. BUILDING PLAN

To consider building application dated 28-12-2016 submitted by Smt. Bhoori Bai W/o Late Shri Munna Lal Sahu R/o H.No.1199, Station Road, Babina Cantt.

Office report to the effect that the site in question is situated within proposed civil area comprising Sy.No.29, at Station Road, Babina Cantt. From the building plan it may be seen that the applicant desired to carry out re-erection of house No.1199, 1215/12 to 1215/16 for commercial and residential purpose at station road Babina Cantt. The area shown in the building plan tally with the area at site. The building plan confirms the Building Bye-laws of Babina Cantonment. No unauthorized construction is involved in the case. Classification of land is not available with this office as neither the civil area is notified nor the GLR of civil is prepared so far. However in support of the ownership of the land the applicant has submitted the "No Objection certificate" from Tehshildar, Jhansi dated 05/08/2016 wherein it is stated that the land in question does not belong to Cantt Board, Gram Sabha and Nazool etc and the house in Question is situated within Bhoomi/Khasra No.1875. The applicant has paid the security money and also paid all the taxes up to March 2016 on account of house No.1199.

The applicant has submitted the following documents:-

1. Building application from.
2. Building plan on tracing cloth and blue prints.
3. "No Objection Certificate" dated 05-08-2016 from Tehshildar, Jhansi regarding ownership of land.
4. Photograph showing elevation of proposed construction.

5. Affidavit to the effect that he has no other property except the above said house.

The above documents have been checked by J.E and found in order. In this connection report of Junior Engineer dated 28-12-2016 along with all relevant papers are placed on the table.

Therefore the Board may decide the action in the matter.

4. **RESOLUTION:** - The Board considered and resolved that the Municipal sanction to carry out re-erection of house No.1199, 1215/12 to 1215/16 for commercial and residential purpose within proposed civil area comprising Sy.No.29 at Station Road, Babina is accorded to Smt. Bhoori Bai W/o Late Shri Munna Lal Sahu R/o H.No.1199, Station Road, Babina Cantt subject to the following terms and conditions:-

- (i) that the sanctioned building plan is strictly adhered to the provision of Cantonments Act 2006 and Cantonment Board, Babina existing building bye-laws;
- (ii) that no Govt. land is encroached upon in any case;
- (iii) that the construction is completed within two years from the date of sanction i.e. 03/01/2017;
- (iv) that the date of commencement of construction and completion thereof is notified to the Chief Executive Officer, Babina;
- (v) that the debris of the structure removed and the building material required to be used in the construction is not stocked on the Govt. land;
- (vi) that the instructions issued from this office from time to time are complied with in full;
- (vii) that no traffic hazard is caused to the public, neighbor or passersby;
- (viii) that deviations, if any, found at any stage are liable to be demolished at any time entirely at the risk and cost of the owner/occupier;
- (ix) that the requisite building plan is sanctioned only from municipal point of view and sanction of the same does not confer any ownership title of the land;
- (x) that the construction will be inspected/checked by the Junior Engineer, Cantonment Board, Babina periodically in order to ensure that there is no deviation, obstruction to public, any violation of any term and condition or rules and regulations etc. if so, suitable action will be taken.

It is also resolved that original documents ownership etc. will be checked by the Junior Engineer of this office before issuing sanction.

The PCB desires that before forwarding sanctioned building plan to the applicant, the photographs of the same be collected from the owner of the building, showing the proposed constructions. Therefore resolved that the sanctioned building plan shall be given to the applicant by the CEO only after obtaining photographs.

5. **UNAUTHORISED CONSTRUCTION**

Shri Uttam Chand Jain S/o Shri Gokul Chand Jain R/o H.No.1314, Main Road, Babina Cantt. was found carrying on unauthorized construction in house No. 1314 situated at Main Road, Babina Cantt as per report of dealing hand dated 21-09-2016. He was issued Show Cause Notice vide this office letter No. XV/UC/1314/857 dated 21-09-2016 and as per fresh site inspection carried out by the JE on 20-12-2016 the present position and details of unauthorized construction is as under:-

Detail of unauthorized constructions

1. Hall -01x6.85x5.95 Mtr.

Construction has been reached up to roof level and at present work is stopped. Date of detection is 21/09/2016.

As per section 248 of Cantonment Act 2006 the Board may issue notice to the party concern in which it considers that the unauthorized construction is an offence under section 247 within 12 months of the completion of such unauthorized construction.

The case of Shri Uttam Chand Jain may be considered by the Board for issuing notice under section 248 of the Cantonment Act 2006 for demolition.

In this connection report of Junior Engineer, Cantonment Board, Babina dated 20-12-2016 alongwith all relevant papers is placed on the table.

Therefore the Board may decide action in the matter.

5. **RESOLUTION:-** The Board considered and resolved to issue notice under Section 248 of the Cantonments Act 2006 to the offender as mentioned on the agenda side to remove the unauthorized construction within 30 days from the receipt of the notice. Failing which further course of action be initiated as per provisions of the Cantonments Act 2006.

6. UNAUTHORISED CONSTRUCTION

Shri Sandeep S/o Shri Rajan R/o New Harijan Colony, Babina Cantt. was found carrying on unauthorized construction on open land at New Harizan Colony, Babina Cantt as per report of dealing hand dated 27/06/2016. He was issued Show Cause Notice vide this office letter No. XV/UC/442 dated 30-06-2016 and as per fresh site inspection carried out by the JE on 20-12-2016 the present position and details of unauthorized construction is as under:-

Detail of unauthorized constructions

1. Room -01 No.3.40X4.10 Mtr.
2. Toilet -01 No.2.10X0.90 Mtr.
3. Kitchen -01 No.1.80X2.45 Mtr.

Construction has been reached upto roof level and at present work is stopped. Date of detection is 27-06-2016.

As per section 248 of Cantonment Act 2006 the Board may issue notice to the party concern in which it considers that the unauthorized construction is an offence under section 247 within 12 months of the completion of such unauthorized construction.

The case of Shri Sandeep may be considered by the Board for issuing notice under section 248 of the Cantonment Act 2006 for demolition.

In this connection report of Junior Engineer, Cantonment Board, Babina dated 20/12/2016 alongwith all relevant papers is placed on the table.

Therefore the Board may decide action in the matter.

6. **RESOLUTION:** - The Board considered and resolved to issue notice under Section 248 of the Cantonments Act 2006 to the offender as mentioned on the agenda side to remove the unauthorized construction within 30 days from the receipt of the notice. Failing which further course of action be initiated as per provisions of the Cantonments Act 2006.

7. **UNAUTHORISED CONSTRUCTION**

Shri Abhishek Jain S/o Shri Abhay Kumar Jain R/o H.No. 724, Patwari Mohalla Babina Cantt. was found carrying on unauthorized construction in house No.724, Patwari Mohalla Babina Cantt as per report of dealing hand dated 05-09-2016. He was issued Show Cause Notice vide this office letter No. XV/UC/770 dated 05-09-2016 and as per fresh site inspection carried out by the JE on 20-12-2016 the present position and details of unauthorized construction is as under:-

Detail of unauthorized constructions

- | | | |
|----|------------|-----------------------------|
| 1. | Room | -01 No.8.75 X5.85 Mtr. |
| 2. | Brick wall | -02 No.8.75 X0.23x1.35 Mtr. |

Construction has been reached upto roof level and at present work is stopped. Date of detection is 05-09-2016.

As per section 248 of Cantonment Act 2006 the Board may issue notice to the party concern in which it consider that the unauthorized construction is an offence under section 247 within 12 months of the completion of such unauthorized construction.

The case of Shri Abhishek Jain may be considered by the Board for issuing notice under section 248 of the Cantonment Act 2006 for demolition.

In this connection report of Junior Engineer, Cantonment Board, Babina dated 20-12-2016 alongwith all relevant papers is placed on the table.

Therefore the Board may decide action in the matter.

7. **RESOLUTION:-** The Board considered and resolved to issue notice under Section 248 of the Cantonments Act 2006 to the offender as mentioned on the agenda side to remove the unauthorized construction within 30 days from the receipt of the notice. Failing which further course of action be initiated as per provisions of the Cantonments Act 2006.

8. **UNAUTHORISED CONSTRUCTION**

Smt. Rati W/o Shri Ghanshyam Das R/o H.No. 124 &126 Madantore Mohalla Babina Cantt. was found carrying on unauthorized construction in open land near house No.124 &126, Madantore Mohalla Babina Cantt as per report of dealing hand dated 13-07-2016. She was issued Show Cause Notice vide this office letter No. XV/UC/232/521 dated 13-07-2016 and as per fresh site inspection carried out by the JE on 20-12-2016 the present position and details of unauthorized construction is as under:-

Detail of unauthorized constructions

- | | | |
|----|------|------------------------|
| 1. | Room | -01 No.4.85 X3.30 Mtr. |
|----|------|------------------------|

Construction has been reached upto roof level and at present work is stopped. Date of detection is 13-07-2016 .

As per section 248 of Cantonment Act 2006 the Board may issue notice to the party concern in which it considers that the unauthorized construction is an offence under section 247 within 12 months of the completion of such unauthorized construction.

The case Smt. Rati W/o Shri Ghanshyam Das may be considered by the Board for issuing notice under section 248 of the Cantonment Act 2006 for demolition.

In this connection report of Junior Engineer, Cantonment Board, Babina dated 20-12-2016 alongwith all relevant papers is placed on the table.

Therefore the Board may decide action in the matter.

8. **RESOLUTION:** - The Board considered and resolved to issue notice under Section 248 of the Cantonments Act 2006 to the offender as mentioned on the agenda side to remove the unauthorized construction within 30 days from the receipt of the notice. Failing which further course of action be initiated as per provisions of the Cantonments Act 2006.

9. **UNAUTHORISED CONSTRUCTION**

Shri Sandeep Jain S/o Shri Ramesh Chandra Jain R/o H.No. 944 (Part), Chamaryana Mohalla, Babina Cantt. was found carrying on unauthorized construction in house No. 944 situated at Chamaryana, Babina Cantt as per report of dealing hand dated 05/09/2016. He was issued Show Cause Notice vide this office letter No.XV/UC/772 dated 05-09-2016 and as per site inspection carried out by the JE on 20-12-2016 the present position and details of unauthorized construction is as under:-

Detail of unauthorized constructions

1.	Hall	-01 No.11.90 X4.95 Mtr.
2.	Verandha	-01 No.2.12 Mtr Wide.
3.	Passage	-01 No.2.15 Mtr Wide.
4.	Room	-01 No.2.4X3.8 Mtr.
5.	Room	-01 No.2.50X3.05 Mtr.
6.	Room	-01 No.2.40X3.10 Mtr.
7.	Room	-02 No.3.10X3.35 Mtr.
8.	Room	-01 No.3.10X2.50 Mtr.
9.	Room	-01 No.3.10X2.50 Mtr.
10.	Room	-01 No.3.75X2.65 Mtr.

Construction has been reached up to roof level and at present work is stopped. Date of detection is 05/09/2016.

As per section 248 of Cantonment Act 2006 the Board may issue notice to the party concern in which it considers that the unauthorized construction is an offence under section 247 within 12 months of the completion of such unauthorized construction.

The case of Shri Sandeep Jain may be considered by the Board for issuing notice under section 248 of the Cantonment Act 2006 for demolition.

In this connection report of Junior Engineer, Cantonment Board, Babina dated 20-12-2016 alongwith all relevant papers is placed on the table.

Therefore the Board may decide action in the matter.

9. **RESOLUTION:** - The Board considered and resolved to issue notice under Section 248 of the Cantonments Act 2006 to the offender as mentioned on the agenda side to remove the unauthorized construction within 30 days from the receipt of the notice. Failing which further course of action be initiated as per provisions of the Cantonments Act 2006.

Sd-x-x-x-x-x-
(Abhishek Azad, IDES)
Chief Executive Officer,
Member/Secretary,
Cantonment Board, Babina.
3rd January, 2017

Sd-x-x-x-x-x-
(Brig Atul Rawat)
President,
Cantonment Board, Babina.
3rd January, 2017

C.T.C.



Office Superintendent
Babina Cantonment
(S.K. Kushwaha)