

**MINUTES OF THE ORDINARY BOARD MEETING HELD ON 29<sup>th</sup> MARCH, 2017 AT 1100 HOURS IN THE OFFICE OF THE CANTONMENT BOARD, PUNE.**

**MEMBERS PRESENT**

Brig. A K Tyagi	President
Shri. Dilip Madhukar Giramkar	Vice President
Shri. D N Yadav, CEO	Member-Secretary
Col. A P Singh	Nominated Member
Col. S P Bhosale	Nominated Member
Smt. Roopali Shailendra Bidkar	Elected Member
Shri. Ashok Dnyaneshwar Pawar	Elected Member
Shri. Atul Vinayak Gaikwad	Elected Member
Shri. Vivek Mahadev Yadav	Elected Member
Shri. Vinod M Mathurawala	Elected Member
Smt. Kiran Tushar Mantri	Elected Member
Smt. Priyanka Rajesh Shrigiri	Elected Member

**MEMBERS ABSENT**

Brig. P S K Patel, SEMO	Ex-officio Member
Col. Nilesh Dahiya	Nominated Member
Major C Hareesh Kumar, GE (N)	Ex-officio Member

**SPECIAL INVITEES ABSENT**

Shri. Dilip Kamble, Hon'ble M.L.A. & Minister of State, Government of Maharashtra  
 Shri. Anil Shirole, Hon'ble M.P. (Lok Sabha)  
 Smt. Vandana Chavan, Hon'ble M.P. (Rajya Sabha)  
 Shri. Sanjay D Kakade, Hon'ble M.P. (Rajya Sabha)

**01. CIRCULAR AGENDA : TENDER FOR THE WORK OF REPAIRS OF MANIK NALLAH IN CANTONMENT AREA FOR THE YEAR 2016-17**

To note Circular Agenda dated 16<sup>th</sup> February, 2017 approving the lowest rate quoted by M/s. Om Constructions @ 65.70% above MES SSR, 2010 alongwith list of works for the work of repairs to Manik Nallah in Cantonment area for the year 2016-17.

Connected papers are placed on the table.

**RESOLUTION NO. 1 :** Considered. Noted & confirmed.

**02. E-TENDER IN RESPECT OF ENGAGEMENT OF 46 SECURITY PERSONNEL (WITHOUT ARMS) FROM NON-DGR SPONSORED AGENCIES**

To note Circular Agenda dated 4<sup>th</sup> March, 2017 wherein the Board noted the opinion submitted by the Chartered Accountant in respect of the subject tender and resolved to reinvoke the tender by publishing short tender notice.

Connected papers are placed on table.

**RESOLUTION NO. 2 :** Considered. Noted & confirmed.

**03. STATEMENT OF ACCOUNTS FOR THE MONTH OF JANUARY, 2017**

To note the statement of accounts for the month of January, 2017.

	<b>Amount (in Rs.)</b>
Opening balance as on 01.01.2017 (as per Cash Book)	9,79,09,142.47
Receipts during the month	6,70,22,199.04
Total	<b>16,49,31,341.51</b>
Expenditure during the month	13,74,95,858.01
Closing balance as on 31.01.2017	2,74,35,483.50
Total	<b>16,49,31,341.51</b>

Sub-Head wise income and expenditure statement is enclosed.

**RESOLUTION NO. 3 :** Considered, scrutinized and approved.

**04. STATEMENT OF ACCOUNTS FOR THE MONTH OF FEBRUARY, 2017**

To note the statement of accounts for the month of February, 2017.

	<b>Amount (in Rs.)</b>
Opening balance as on 01.02.2017 (as	2,74,35,483.50

per Cash Book)	
Receipts during the month	25,93,37,376.94
Total	<b>28,67,72,860.44</b>
Expenditure during the month	23,20,70,891.00
Closing balance as on 28.02.2017	5,47,01,969.44
Total	<b>28,67,72,860.44</b>

Sub-Head wise income and expenditure statement is enclosed.

**RESOLUTION NO. 4 :** Considered, scrutinized and approved.

**05. RE-APPROPRIATION OF BUDGET HEADS (EXPENDITURE) FOR THE YEAR 2016-17 : PUNE CANTT.**

To consider re-appropriation from Minor Head to Minor Head of the Budget Estimates (Revised) 2016-17 as per Section 21 (b) of the Cantonment Account Code.

Office note alongwith statement of re-appropriation from one Minor Head to another under the same Major Head is placed on the table.

**RESOLUTION NO. 5 :** Considered. The Board perused the re-appropriation statement for the year 2016-17, wherein re-appropriation from one Minor Head to another under the same Major Head has been done. Resolved to consider and approve the same.

**06. REVISION OF PAY SCALES IN RESPECT OF SENIOR CLERKS OF PUNE CANTONMENT BOARD.**

To consider the Government of Maharashtra, Finance Deptt, Resolution No. VEPUR 1292/PRA KRA 31/SEVA-9, dated 11.02.2013 to upgrade the Graded pay in respect of Senior Clerks from Rs.2800/- to Rs.3500/- in the same pay scale w.e.f. 01.01.2006 as per the 6<sup>th</sup> Pay Commission (equated with Revenue Deptt "Avval Karkun" as per Memorandum of Settlement). The financial benefit will be w.e.f. 01.01.2006 to 31.01.2013, which will be notionally fixed and the actual benefits as per pay scale fixation shall be given from 01.02.2013.

The Government of Maharashtra, Finance Deptt vide its Resolution dated 11.02.2013 *ibid*, has also accorded approval for the retired employees who have retired from service from 01.01.2006. The permissible increase in the basic pension will be for the period from

01/01/2006 to 31/01/2013 which will be notionally fixed and the financial benefits as per pay scale fixation shall be given from 01/02/2013. However, the pensionary benefits will not be revised for the retired employees.

Connected papers are placed on the table.

**RESOLUTION NO. 6 :** Considered. Resolved to upgrade the Grade pay in respect of Senior Clerks and also for the retired employees, who have retired from service from Rs.2800/- to Rs.3500/- in the same pay scale w.e.f. 01.01.2006 as per the 6<sup>th</sup> Pay Commission. The financial benefit will be w.e.f. 01.01.2006 to 31.01.2013, which will be notionally fixed and the actual benefits as per pay scale fixation shall be given from 01.02.2013. However, the pensionary benefits will not be revised for the retired employees. Necessary sanction of the Competent Authority be obtained.

**07. PROMOTION TO THE POST OF RESIDENT MEDICAL OFFICER, SVP CGH : PUNE CANTT.**

To consider promotion to the post of RMO, SVP in the pay scale of 15600-39100 GP Rs. 6600/-, as the present RMO is retiring on superannuation on 30<sup>th</sup> June, 2017.

The senior most AMOs are as under –

- i. Dr. A V Saoji, AMO
- ii. Dr. V D Gaikwad, AMO
- iii. Dr. Usha Tapase, AMO

Connected papers are placed on the table.

**RESOLUTION NO. 7 :** Considered. The Board noted that the Resident Medical Officer is retiring on superannuation on 30.06.2017 and it is necessary that the next senior most AMO should be made in-charge, so that the concerned AMO gets acquainted with the various tasks to be accomplished as RMO. Matter discussed. Resolved that Dr. A V Saoji, the senior most AMO be directed to work with RMO in order to get acquainted with the various administrative works of SVP CGH as well as to be aware about the assets, documents, inventories of the Cantonment General Hospital and other procedure & norms so that after 30.06.2017, she could not deny that ex-RMO has not told / briefed about such matter / assets / documents / projects / rules / norms etc. Thereafter again the matter be referred to Board for taking decision on promotion to the post of RMO.

**08. APPOINTMENT OF NEXT OF KIN ON COMPASSIONATE GROUNDS : PUNE CANTT.**

To consider appointment of next of kin of those employees, who died while in service / who have been declared medically unfit based on the seniority of the date of death / medically unfit of the concerned employees.

Connected papers alongwith office report & list of next of kin as per seniority are placed on the table.

**Note :** There are 71 vacancies under Group D Category, which have been fallen vacant due to retirement on superannuation / medically unfit / death of the employees while in service from April 2014 to December 2016. As per the Rules, 5% vacancies of the total vacant posts of the year have to be filled on account of next of kin appointment, which comes to maximum 4 vacancies.

**RESOLUTION NO. 8 :** Considered. Dr. Kiran T Mantri, Elected Member stated that while considering the next of kin appointment, the death cases should be given priority. CEO stated that as per instructions received from the Directorate vide letter bearing No. 8119/XXXXIII/DE/TY dated 28.09.2016, the applicant should be considered seniority wise and this office has made the list of applicants accordingly. Further CEO stated that as per the Government norms 5% vacancies of the total vacant post of the year has to be considered.

Further the Board perused the list, as per year wise, death / medically unfit cases. Shri. Atul Gaikwad, Elected Member brought to the notice of the Board that one applicant viz. Shri. Somnath Bharat Thorat was issued appointment memo dated 25.10.2010 by the Cantonment Board. At that relevant time total 23 persons were given employment on compassionate ground, who were appointed except one i.e. Shri. Somnath Bharat Thorat as his police verification was not received in time. The Board perused the letter issued by this office and resolved to give appointment to Shri. Somnath Bharat Thorat on compassionate ground subject to fulfillment of required criteria / terms and conditions.

Further the Board noticed that Sr. No.1. i.e. Shri. Sandeep Ramsharan is a missing case since 2005 wherein the applicant has not submitted the death certificate nor succession certificate / missing declaration from the Court / Competent Authority, hence his claim on compassionate ground could not be considered. Board noted and approved the same. Matter discussed. After detailed deliberations resolved to appoint the following claimants under next of kin appointment on compassionate grounds –

<b>Sr. No.</b>	<b>Name of claimant</b>	<b>Name of deceased / medically unfit employees</b>	<b>Year of death / Medically unfit</b>	<b>Whether Death case or Medically Unfit case</b>
1	Shri. Digambar Subhash Kamble	Shri. Subhash Kamble	23.09.2005	Medically Unfit
2	Shri. Vijay Ulhas Gaikwad	Shri. Ulhas J Gaikwad	31.08.2006	Death
3	Shri. Rajesh Kondayya	Smt. Tulsamma Kondayya	24.11.2006	Medically Unfit

During the discussion, the Members of the Board raised the issue that in future only death case should be considered by giving priority to those widow, whose husband has expired during service period. The Board resolved to carry out survey as per rule / instructions issued by the Government before considering the appointment on compassionate ground in the Board Meeting and agreed in principle to consider the cases of widows first.

#### **09. FILLING UP OF VACANT / TO BE VACANT POSTS**

To consider the long pending issues of filling up of vacant posts in various sections of this Board. A letter bearing No. Accts/38 dated 21.12.2016 and 23.01.2017 has been forwarded to the PD DE, SC, Pune for obtaining sanction for filling up the posts. The posts lying vacant are as under –

<b>Sr. No.</b>	<b>Name of the post and pay scale</b>	<b>Total</b>	<b>Appointing Authority</b>
1	AMO PB : 15600-39100/- GP : Rs.5400/-	02	CEO
2	Workshop Superintendent PB : 9300-34800/- GP : Rs.4300/-	01	CEO
3	Junior Engineer (Civil) PB : 9300-34800/- GP : Rs.4300/-	03	CEO
4	Junior Engineer (Electrical) PB : 9300-34800/- GP : Rs.4300/-	01	CEO
5	Teachers - B.Ed. PB : 9300-34800/- GP : Rs. 4300/- Teachers – D.Ed. PB : 5200 – 20200/- GP : 2800/-	43	CEO

6	Health Inspector PB : 5200-20200/- GP : Rs.2400/-	03	CEO
7	Staff Nurse PB : 9300-34800/- GP : Rs.4200/-	09	CEO
8	Junior Clerks & Ledger Clerk PB : 5200-20200/- GP : Rs.1900/-	16	CEO
9	Hindi Typist PB : 5200-20200/- GP : Rs.1900/-	01	CEO
10	Wireman PB : 5200-20200/- GP : Rs.1900/-	03	CEO
11	Automechanic PB : 5200-20200/- GP : Rs.1900/-	01	CEO
12	Fire Brigade Lascars PB : 4440-7440/- GP : Rs.1600/-	06	CEO
13	Malies (Trainees) PB : 5200-20200/- GP : Rs.1800/-	15	CEO
14	Mazdoor-PWD PB : 4440-7440/- GP : Rs.1300/- Mazdoor-Electrical PB : 4440-7440/- GP : Rs.1300/- Mazdoor-Workshop PB : 4440-7440/- GP : Rs.1300/-	11 04 03	CEO
15	Safaikarmachari PB : 4440-7440/- GP : Rs.1300/-	99	CEO
16	Ayah PB : 4440-7440/- GP : Rs.1300/-	04	CEO

**Note :** This office has already forwarded vide above referred letter that the application for filling of the various vacant post in Pune Cantonment Board is being invited and PDDE/DGDE will be requested to provide a Committee of Competent Officer who will conduct the selection process and will recommend the names of selected candidates to the CEO, Pune for appointment, which will maintain the transparency in appointment.

**RESOLUTION NO. 9 :** Considered. The Board appreciated the efforts / initiatives taken by the CEO for bringing the agenda before the Board about the filling up the vacant posts, as the functions of all the

sections of the Cantonment Board are hampering too much due to acute shortage of staff. The CEO informed the Board and highlighted following issues –

- i. The CEO / office of the Board is pre-engaged in the projects of Smart Cantonment.
- ii. There is no Dy. / Jt. CEO, who may help in routine and urgent functioning of the Board.
- iii. Proposals for expired lease cases have to be submitted in time bound manner.
- iv. CEO, Pune is nominated as a member in Command level meeting for expired lease cases.
- v. A number of cases of mutation in GLR / Tax Registers and building applications are pending since years.

Keeping in view the above aspects, the CEO suggested the Board that although the CEO is the Appointing Authority for filling up the vacant posts as mentioned on the agenda side, the Board may request the PD DE / DG GE to provide the services of 03 competent IDES officers, whose committee will be delegated the power to select the most competent candidates for vacant posts. The CEO also suggested that in case the PD DE / DG DE does not provide IDES officers, some reliable agency may be approached to select the suitable candidates as per Rule. The Members expressed their views and opinion that they have full faith upon the CEO. They further expressed that the vacancies in Group D posts should be filled up in the Board only and they also demanded that the claimants of compassionate grounds / medically unfit case should be given priority while direct recruitment, because under the policy of only 5% vacancies for compassionate appointment such long list will never be ended and most of the claimants will be age bar. After discussing the agenda in detail and depth, the Board resolved as under –

- i. To invite applications for various posts by publishing advertisement in Employment News as per Roaster as well as by inviting online applications.
- ii. The PD DE / DG DE be requested to depute three competent and reliable IDES officers to conduct the selection process and to forward names of selected candidates to the Cantonment Board / CEO for appointment in Group C post.
- iii. If PD DE / DG DE do not provide IDES Officers, expert recruiting agency may be approached to complete the selection process.
- iv. If both above options fail, the CEO being the Appointing Authority will start the selection process as per Rules by constituting an appointment committee.



- v. Since 01 Marathi Medium have been converted into English Medium School and English medium classes have also been started in all 05 Primary Schools, total 28 posts out of 43 vacancies of teachers are declared as teachers for English Medium Schools and accordingly requisite sanction be obtained from the PD DE.
- vi. Till permanent appointment on above vacant posts, contractual staff be engaged to continue the various necessary services.

#### **10. IMPLEMENTATION OF WEB BASED PROPERTY TAX SOFTWARE FOR PUNE CANTONMENT BOARD**

To consider the e-tenders received for procurement of Web Based Property Tax Software for Pune Cantonment Board.

E-tenders were invited on 11.02.2017 and accordingly the technical bids were opened on 28.02.2017. Four bidders participated in the tender, out of which three bidders have been technically qualified. As per Clause No. 5 of the tender document, the three technically qualified bidders gave their presentation on 15.03.2017. Thereafter the financial bids of the technically qualified bidders were opened on 16.03.2017. The comparative statement is as under –

<b>Sr. No.</b>	<b>Name of the bidders</b>	<b>Amount quoted (in Rs.)</b>
1	Satoop Media, New Delhi	3,18,000/-
2	Priyatech Solutions Pvt. Ltd., Pune	10,39,860/-
3	Aveon Infotech Pvt. Ltd., Chennai	13,88,000/-

The lowest rate has been quoted by Satoop Media, New Delhi @ Rs. 3,18,000/-.

Connected papers alongwith office report is placed on the table.

**RESOLUTION NO. 10 :** Considered. Resolved to approve the lowest rate quoted by Satoop Media, New Delhi @ Rs. 3,18,000/- for procurement of Web Based Property Tax Software for Pune Cantonment Board. Computer Section to take further necessary action.

**11. APPOINTMENT OF MEDICAL OFFICER OF PUNE CANTONMENT BOARD AS 'REGISTRAR OF MARRIAGE BUREAUS & MARRIAGES' FOR PUNE CANTONMENT AREA**

To note the Notification issued by Government of Maharashtra, Public Health Department, New Mantralaya, Mumbai dated 11<sup>th</sup> November, 2016 wherein the Government of Maharashtra has appointed the Medical Officer, Cantonment Board as the 'Registrar, Marriage Bureaus & Marriages' for Pune Cantonment Area.

Connected papers are placed on the table.

**Note :** Earlier, the Public Health Department, Govt. of Maharashtra vide Notification No. S.30/1007/848/C.R.284/FW.2 dated 27<sup>th</sup> February, 2008 had appointed the Chief Executive Officers of the Cantonment Boards as the Registrar, Marriage Bureaus & Marriages'. Now it is modified.

**RESOLUTION NO. 11 :** Considered. The Board noted the Notification issued by Government of Maharashtra, Public Health Department, New Mantralaya, Mumbai dated 11<sup>th</sup> November, 2016. Resolved to authorize the Medical Officer from SVP CGH as the 'Registrar, Marriage Bureaus & Marriages' for Pune Cantonment Area. RMO to initiate further action.

**12. BUILDING PLAN : HOUSE NO. 200-201 GHORPURI VILLAGE : PUNE CANTT.**

To consider building application dated 27.10.2016 received from Shri. Kishore Pardeshi & Others, owners of H. No. 200-201 Ghorpuri Village requesting to sanction the building plan for proposed construction of building consisting ground floor and two upper floors for residential purpose as shown on the plan and also submitted following document supporting the above proposal viz. Regd. Sale Deed, tax paid receipt, Parking Affidavit & Photographs of the existing structure.

The Area / FSI Statement :-

i.	Area as per Sale Deed	545.00 sq.ft.
ii.	Area of plot as per site condition	554.31 sq.ft
iii.	Existing built up area to be demolished	467.12 sq.ft.
iv.	Proposed built up area	533.00 Sq.ft
v.	FSI Allowable	1.00
vi.	FSI Consumed	0.97

As per the report of the Engineering Department, the building plans are in accordance with the Building Bye laws and FSI restrictions & there is no objection from municipal point of view. The site bearing H. No. 200-201, Ghorpuri Village is outside the notified civil area and is private land under the management of Collector, Pune.

Connected papers along with office report are placed on the table.

**Note :** As per the records available in the file previously the combined building plan for House No. 200-201 Ghorpuri Village for demolition and reconstruction was sanctioned in the year 1941 vide CBR No. 5 dated 28.01.1941 and also addition / alteration plan was sanctioned in the year 1952 vide CBR No. 5 dated 29.04.1952.

**RESOLUTION NO. 12 :** Considered. Resolved to approve the building plan under Section 238 of The Cantonments Act, 2006. The sanctioned building plans should be absolute in every particular. The building must be completed within 12 calendar months from the date of commencement of work. The sanctioned plans are valid for a period of two years as envisaged in Section 243 of The Cantonments Act, 2006. The date of commencement of construction should be intimated by the Applicant to the Cantonment Board Office as per the provisions of bye-laws.

Notice of completion is to be given to the Board as required under Section 82 of the Cantonments Act, 2006.

**13. BUILDING PLAN : HOUSE NO. 69 GHORPURI BAZAR : PUNE CANTT.**

To consider building application dated 21.02.2017 received from Shri. Pradeep Nana Sonawane & Shri. Sanjay Dattu Jadhav, HORs of House No. 69 Ghorpuri Bazar requesting to sanction the building plan for demolition of existing structure i.e. ground floor & proposed construction of building consisting ground floor and first floor for residential purpose as shown on the plan and also submitted following document supporting the above proposal viz. Indenture Deed as per Land Policy 1995, tax paid receipt, Parking Affidavit, GLR Extract, debris undertaking & Photographs of the existing structure.

The Area / FSI Statement :-

i.	Area as per GLR	376.00 sq.ft.
ii.	Area of plot as per site condition	376.00 sq.ft
iii.	Existing built up area to be demolished	376.00 sq.ft.
iv.	Proposed built up area	324.00 Sq.ft
v.	FSI Allowable	1.00
vi.	FSI Consumed	0.87

As per the report of the Engineering Department, the building plans are in accordance with the Building Bye laws, Land Policy of 1995 and FSI restrictions & there is no objection from municipal point of view. The site bearing H.No. 69, Ghorpuri Bazar, GLR Sy. No. 89/9 (Old Grant) is situated outside the notified civil area and land is under the management of the Board.

Connected papers along with office report are placed on the table.

**RESOLUTION NO. 13 :** Considered. Resolved to approve the building plan under Section 238 of The Cantonments Act, 2006. The sanctioned building plans should be absolute in every particular. The building must be completed within 12 calendar months from the date of commencement of work. The sanctioned plans are valid for a period of two years as envisaged in Section 243 of The Cantonments Act, 2006. The date of commencement of construction should be intimated by the Applicant to the Cantonment Board Office as per the provisions of bye-laws.

Notice of completion is to be given to the Board as required under Section 82 of the Cantonments Act, 2006.

**14. BUILDING PLAN : BUNGALOW NO. 16 KAHUN ROAD, GLR SY. NO. 331 : PUNE CANTT.**

To consider building application dated 02.12.2016 with building plans received from Mr. John D'Souza, HOR of the subject property bearing Bungalow No. 16 Kahun Road requesting for sanction of demolition and reconstruction of the main bungalow under the Revised Land Policy 09.02.1995.

The built up area / FSI Statement is as under –

Area of the plot as per GLR	0.37 Acres
Existing built up area of the main bungalow	256.29 sq.mtr.
Permissible built up area	281.91 sq.mtr.
Proposal builtup area of main bungalow	256.11 sq.mtr.

As per the report of the Engineering Department, the building plans are in accordance with Building Bye Laws and Government Land Policy. The DEO, Pune Circle, Pune has conveyed No Objection under Section 238 (3) of the Cantonments Act, 2006 for the proposed construction vide letter No. H/393/II/11 dated 02.02.2017. Further the DEO, Pune Circle, Pune vide their letter dated 06.03.2017 has informed that the HOR of the subject property have executed and registered an Indenture of Admission deed No. 1077/2017 dated 06.02.2017 in the office of the Jt. Sub Registrar Class II, Haveli, Pune.

The site bearing GLR Sy. No. 331 is classified as Class B-3 land held on Old Grant terms situated outside notified Civil Area and is placed under Management of DEO, Pune Circle, Pune.

Connected papers alongwith office reports are placed on the table.

**RESOLUTION NO. 14 :** Considered. Shri. Vivek M Yadav, Elected Member stated that the item be pended for site inspection since there is unauthorized construction in the subject property bearing B. No. 16 Kahun Road. On this Dr. Kiran T Mantri, Elected Member stated that there are no unauthorized constructions in the said property and also

the Board may note that NOC has been conveyed by DEO, Pune Circle, Pune, which has been specified on the agenda side and hence there is no requirement for site inspection and the plan may be sanctioned. CEO informed the Board that NOC has been conveyed by DEO only after site inspection. AEE (Civil) also clarified that there are no unauthorized constructions in the subject property and the site has been jointly inspected by the rep. of DEO before the issue of NOC from land point of view. The Vice President supported by Shri. Vivek M Yadav & Shri. Atul V Gaikwad – Elected Members stated that before the close of the meeting the site may be inspected by the technical staff of this Board and verify whether any unauthorized constructions exist in the subject property. On this CEO instructed the technical staff for inspection of the said site. The site was inspected by the technical staff and clarified that no unauthorized construction exists in the subject property. Matter discussed. Resolved to approve the building plan under Section 238 of The Cantonments Act, 2006. The sanctioned building plans should be absolute in every particular. The building must be completed within 12 calendar months from the date of commencement of work. The sanctioned plans are valid for a period of two years as envisaged in Section 243 of The Cantonments Act, 2006. The date of commencement of construction should be intimated by the Applicant to the Cantonment Board Office as per the provisions of bye-laws.

Notice of completion is to be given to the Board as required under Section 82 of the Cantonments Act, 2006.

**15. BUILDING PLAN : LASHKAR POLICE STATION BUNGALOW NO. 9 ELPHINSTON ROAD : PUNE CANTT.**

To consider the building application alongwith plans dated 09.03.2017 received from Sr. Inspector of Police, Lashkar Police Station, Pune for proposed construction of waiting room & building consisting of ground floor for record room and first floor for staff room for ladies police and toilet block. The Area / FSI statement is as under:-

<b>No.</b>	<b>Description</b>	<b>Area as per building plan</b>
i.	Area of the plot as per GLR	1.010 Acres
ii.	Existing builtup area	1716.33 sq.mtr.
iii.	Proposed builtup area	72.83 sq.mtr.
iv.	Total builtup area	1789.16 sq.mtr.
v.	FSI allowable	0.5
vi.	FSI consumed	0.44

The building plans are in accordance with Building Byelaws and FSI restrictions. There is no any objection from Municipal point of view.

The site bearing GLR Sy. No. 391, which is Class B-2 land situated outside the notified Civil Area and under the management of Provincial Government and the Holder of Occupancy Rights are with Public Works Division. The Sub-Divisional Engineer, PWD, Pune vide letter dated 17.03.2017 has conveyed the NOC for the proposed construction and for obtaining permission / approval of the Board. Since the construction is exclusively for government purpose the same has to be noted as required under the Government Building Act, 1899.

In similar cases, the Board vide CBR No. 6 dated 07.05.2010, CBR No. 4 dated 12.12.2012, CBR No. 5 dated 12.12.2012, CBR No. 32 dated 18.12.2013 & CBR No. 38 dated 30.01.2014 had noted the building plans submitted by Executive Engineer, PWD in respect of B. No. 1 Queens Garden Road, 24 Queens Garden, 27 Queens Garden, Sy. No. 463 Stavely Road & GLR Sy. No. 500 Empress Gardent under the Government Building Act, 1899.

Connected papers are placed on the table.

**RESOLUTION NO. 15 :** Considered. The plan submitted by Sr. Inspector of Police, Lashkar Police Station for proposed construction of waiting room & building consisting of ground floor for record room and first floor for staff room for ladies police and toilet block at property bearing Bungalow No. 9 Elphinston Road is hereby noted as required under The Government Building Act, 1899.

**16. ISSUE OF NOTICE UNDER SECTION 248 OF THE CANTONMENTS ACT, 2006 : HOUSE NO. 35 GHORPURI BAZAR : PUNE CANTT.**

To consider issue of notice under Section 248 of the Cantonments Act, 2006 to Baburao Pentanna Angirwal, Mahadeo Pentanna Angirwal, Saidu Pentanna Angirwal, Balaram Pentanna Angirwal, Narsoo Pentanna Angirwal, Smt. Nirmala L Angirwal, Raju L Angirwal and Ashish Anil Angirwal, HOR / occupier of property bearing House No. 35 Ghorpuri Bazar in respect of following unauthorized construction for which show cause notice has been issued on 01.02.2017 and also notice under Section 239 (1) dated 01.02.2017 & 239 (2) dated 08.02.2017 of the Cantonments Act, 2006 has been issued.

‘Construction of RCC column, beam and slab measuring 15’6” + 17’10” / 2 x 14’8” x 8’6” ht. approx. at ground floor towards north-west corner of the property’.

However, on further site inspection dated 13.02.2017, party has carried out following unauthorized construction –

‘Construction of ground floor and first floor in RCC framed structure measuring 15’6” + 17’10” / 2 x 14’8” x 8’6” ht. approx. with BB

masonry walls at ground floor towards north-west corner of the property’.

The work is in progress.

The subject site is situated in Bazar area outside the notified civil area of Pune Cantonment and is under the management of Cantonment Board, Pune.

Connected papers are placed on the table.

**RESOLUTION NO. 16 :** Considered. Resolved to issue notice under Section 248 of the Cantonments Act, 2006 giving 30 days of time, failing which further notice under Section 320 of the Cantonments Act, 2006 be issued by giving 10 days time.

**17. ISSUE OF NOTICE UNDER SECTION 248 OF THE CANTONMENTS ACT, 2006 : HOUSE NO. 64 GHORPURI BAZAR : PUNE CANTT.**

To consider issue of notice under Section 248 of the Cantonments Act, 2006 to Gaodavaribai B Pardeshi, Kondiram B Pardeshi, Mahavir B Pardeshi, Sindhu B Pardeshi & Ashok Gharsund HOR / occupier of property bearing House No. 64 Ghorpuri Bazar in respect of following unauthorized construction for which show cause notice has been issued on 15.03.2017 and also notice under Section 239 (1) dated 15.03.2017 & 239 (2) dated 17.03.2017 of the Cantonments Act, 2006 has been issued.

‘Re-construction of south side part of house measuring 16’0” x 16’0” x 9’ ht. approx. on ground floor in RCC framed structure and first floor RCC column work is in progress’.

The work is in progress.

The subject site is situated outside the notified civil area of Pune Cantonment and land is under the management of Cantonment Board, Pune.

Connected papers are placed on the table.

**RESOLUTION NO. 17 :** Considered. Resolved to issue notice under Section 248 of the Cantonments Act, 2006 giving 30 days of time, failing which further notice under Section 320 of the Cantonments Act, 2006 be issued by giving 10 days time.

**18. REVOCATION OF SANCTIONED BUILDING PLAN & ISSUANCE OF NOTICE UNDER SECTION 248 OF THE CANTONMENTS ACT, 2006 : HOUSE NO. 181 GHORPURI VILLAGE : PUNE CANTT.**

Reference CBR No. 13 dated 30.05.2013.

To consider the question of revocation of sanctioned building plan in respect of House No. 181 Ghorpuri Village, Pune Cantt. and issue of

notice under Section 248 of the Cantonments Act, 2006. The building plans were sanctioned vide CBR No. 13 dated 30.05.2013 for demolition of existing old building and reconstruction of RCC building consisting of ground floor for 6 Nos. shops and partly parking and partly first floor for residential purpose After demolishing the existing structure, it was noticed that party has carried out following deviation to the sanctioned building plan –

<b>Description</b>	<b>Area as per the sanctioned building plan</b>	<b>Area as per the site</b>
Area of plot	1600.00 Sq.ft	---
Ground floor built up area (RCC framed structure)	961.39 Sq. ft	i)32' x 40' = 1280.00 Sq.ft ii) 12'2"x27'5" = 333.30 Sq.ft ----- 1613.33 Sq.ft
First floor built up area (RCC framed structure)	611.56	Mezzanine floor – 2x13'5 x 40' = 1072.80 Sq.ft
Second floor built up area (RCC framed structure)	NA	i)32' x 40' = 1280.00 Sq.ft ii) 12'2" x 27'5" = 333.30 Sq.ft ----- 1613.33 Sq.ft
Total built up area	1572.95 Sq.ft	4299.40 Sq.ft
FSI consumed	0.98	2.68
FSI allowable	1	

The above deviation carried out by the party to the sanctioned building plan violates the FSI restriction / Building Byelaws, 1988, attracting Byelaw No. 15 thereby violating Condition No. 12 of the sanction letter bearing No. 7-1/9467 of 2013 dated 05.07.2013 of the subject property. The owners carried out works deviating to the sanctioned plan. Thus the sanction has been obtained by misrepresentation of facts and works, which were not sanctioned have been carried out. Therefore a notice was issued on 09.02.2017 directing the owner to stop the construction work and showcause as to why action for revocation of building plan should not taken against them under Building Byelaw No. 15. No reply has been received from the party.

Connected papers alongwith office report is placed on the table.



**RESOLUTION NO. 18** : Considered. Board noted the fact that the HOR of the subject property bearing House No. 181 Ghorpuri Village has carried out deviation from the sanctioned plan and exceeded the FSI upto 2.68 whereas the allowable FSI is 1. Matter discussed. After detailed discussion resolved to revoke the sanctioned plan vide CBR No. 14 dated 30.05.2013.

Board further resolved to issue notice under Section 248 of the Cantonments Act, 2006 giving 30 days of time, failing which further notice under Section 320 of the Cantonments Act, 2006 be issued by giving 10 days time.

**19. COMPOSITION OF UNAUTHORIZED CONSTRUCTIONS IN RESPECT OF SHOPS & OFFICES AT HOUSE NO. 2394 A GENERAL THIMAYYA ROAD : PUNE CANTT.**

To consider and reject the composition plans submitted by various owners of the shops / offices carried out in House No. 2394-A Gen. Thimayya Road for regularization of the unauthorized constructions as per table below –

<b>Sr. No.</b>	<b>Name of the owner</b>	<b>Date of Application</b>	<b>Area before unauthorized construction (As per sanctioned plan)</b>	<b>Area after unauthorized construction</b>
1	Mr. Sheriyar J Irani Office No. 7	12.06.2000	190 sq.ft.	380 sq.ft.
2	Mr. Sohan S Boob, M/s. Balaji Construction, Regd.Partnership Firm Shop No. 5	16.06.2000	396.62 sq.ft.	793.24 sq.ft.
3	Mr. Habib Khan Tasin Khan Shop No. 9	29.06.2000	112.50 sq.ft.	225.00 sq.ft.
4	Mr. Abdul Latif Karim & Mrs. Saniya Abdul Latif Shop No. 7 & 8	01.07.2000	363.87 sq.ft.	727.94 sq.ft.

5	Mr. Parvez Jamadar Office No. 1	16.06.2000	285.00 sq.ft.	646.00 sq.ft.
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Connected papers are placed on the table.

**Note :** the Building plans in the said property was sanctioned on 06.05.1997 for construction of basement, ground floor for shops, first floor for office and second floor for pantry room and two toilet blocks with the remaining area on the said floor to be kept as open terrace. The owners of all the shops on the ground floor have carried out unauthorized construction taking advantage of the height and constructed intermediate floors for which, notices were issued under Section 185 under the provisions of the then Cantonments Act, 1924. The shop owners filed appeals under Section 274 of the then Cantonments Act, 1924 before the Appellate Authority, which were also dismissed by the Appellate Authority in the year 2000. Hence notices under Section 256 of the then Cantonments Act, 1924 were issued for demolition of the unauthorized construction. Thereafter the shop owners filed civil suits in the local courts against the Board and brought stay orders. Some of them have also sought redressal in the District Court and the matters are still in subjudice. However, in Civil Appeal 90/2007 filed by M/s. Balaji Construction, the Hon'ble Court have observed that since the composition plan submitted by the Appellant is pending, the Cantonment Board should take decision on the composition plan and thereafter appeal will be heard on merits. The Building plan for composition of unauthorized construction violates the Building Byelaws and FSI restrictions. Hence the Board may reject the composition proposal, so that the courts can be appraised accordingly.

The site bearing GLR Sy. No. 390/3001 is Freehold land and is held within the notified civil area.

**RESOLUTION NO. 19 :** Considered. Resolved to reject the composition plan for regularization of unauthorized construction submitted by various owners of the shops / offices of the subject property bearing House No. 2394-A GT Road. CEE to initiate further action.

**20. PERMISSION FOR ROAD CUTTING FOR LAYING 600 MM DIA MS WATER PIPE LINE FROM LULLANAGAR JUNCTION UPTO WANOWRIE BAZAR POLICE CHOWKY ON PRINCE OF WALES DRIVE : PUNE CANTT.**

To consider letter dated 28.02.2017 received from the Executive. Engineer, Cantonment Water Works, PMC requesting to grant the road cutting permission for laying 600 mm dia MS water pipe line

from Lullanagar Junction upto Wanowrie Police Chowky on Prince of Wales Drive, Pune Cantonment.

The subject site (road) is classified as Class C land under the management of this Board. Road cutting charges is calculated as Rs. 54,72,000/- plus rent payable per annum as per STR.

Connected papers alongwith office report are placed on the table.

**RESOLUTION NO. 20 :** Considered. Matter dicussed. Resolved to grant permission for road cutting for 600 mm dia MS water pipe line from Lullanagar Junction upto Wanowrie Police Chowky on Prince of Wales Drive, Pune Cantonment subject to payment of road cutting charges amounting to Rs. 54,72,000/- plus rent payable per annum as per STR.

**21. BOARD PROCEEDINGS FOR LAYING OF UNDERGROUND OPTICAL FIBRE CABLE (OFC) FROM PULGATE CHOWK TO MITS & D, PUNE**

To consider letter bearing No. 1006/12/Gen/Q3 dated 02.01.2017 received from the Station Cell, Headquarter, Dakshin Maharashtra Sub Area wherein the copy of the Board Proceedings for laying of underground optical fibre cable (OFC) from pulgate Chowk to MITS&D, Pune passing through Defence land and has requested to issue NOC for use of Class C land at GLR Sy. No. 635 admeasuring 2.5 sq. mtr. under management of this Board. Further the Station Headquarter has informed that the lease rent / premium for the class C land will be credited to the Cantonment Board.

Connected Board Proceedings are placed on the table.

**Note :** The Station Cell, HQ, DMSA stated in their letter dated 02.01.2017 that a Board of Officers was ordered for permission to lay underground optical fibre cable from Pulgate Chowk to MITS&D, Pune. The Headquarters MG&G area vide their letter bearing No. 3009/1/Gen/Q(L) dated 21.12.2016 wherein it is informed that the Board Proceedings have been examined and it is noticed that there is a portion of Class C land admeasuring 2.5 sq.mtr. in GLR Sy. No. 635, which is required for execution of the said work. Therefore the consent / NOC of the Board is required supported by a Cantonment Board resolution.

**RESOLUTION NO. 21 :** Considered. Matter discussed. Resolved to grant NOC for use of Class C land at GLR Sy. No. 635 subject to payment of road cutting charges as already approved by the Board and on payment of Annual Rent of Class C land as per prevailing STR. The Payment towards road cutting and the issue of NOC be informed to the Station Headquarters.

**22. RECLASSIFICATION OF LAND FROM CLASS B-4 TO CLASS C : PUNE CANTT.**

Reference DEO, Pune Circle, Pune letters bearing No. H/1053/Lands/IX dated 03.02.2017, H/1053/Lands/IX/139 dated 24.01.2017, H/1053/Lands/126 dated 04.01.2017 & H/1053/Lands/125 dated 30.12.2016

To consider the question of forwarding proposal for reclassification of land from Class B-4 to Class C in respect of following Survey Numbers for municipal purpose of Pune Cantonment. Presently, the said sites are under the Management of DEO, Pune Circle, Pune and the area involved in reclassification are as under :-

<b>Sr. No.</b>	<b>GLR Sy. No. along with Classification</b>	<b>Area</b>	<b>Description as per GLR</b>	<b>Proposed Reclassification</b>
1	507 – B4	0.51 Acres	Vacant Land	Class ‘C’
2	515 – B4	0.95 Acres	Vacant Land	Class ‘C’
3	600 – B4	6269.75 Sq. Ft.	Vacant Land	Class ‘C’
4	601 - B4	2723.00 Sq. Ft.	Vacant Land	Class ‘C’
5	602 – B4	7525.00 Sq.Ft.	Vacant Land	Class ‘C’
6	88 – B4	2.2210 Acres	Vacant Land	Class ‘C’

Connected papers are placed on the table.

**Note :** The Board vide CBR No. 36, 37 & 66 dated 25.01.2017 has considered the letters received from DEO, Pune Circle, Pune and resolved to erect a permanent fence / compound wall around the vacant land and also to plant trees within the defence land on the aforesaid survey numbers. Further the Board vide CBR No. 9 dated 28.02.2017 has resolved to utilize Class B-4 land at GLR Sy. No. 507 for uses as temporary / mobile toilet for public purpose.

**RESOLUTION NO. 22 :** Considered. Resolved to recommend to reclassify the following Survey Numbers from Class B-4 to Class C land for municipal purpose of Pune Cantonment. Necessary proposal be forwarded to the Competent Authority for obtaining necessary sanction.

<b>Sr. No.</b>	<b>GLR Sy. No. along with Classification</b>	<b>Area</b>	<b>Description as per GLR</b>	<b>Proposed Reclassification</b>
1	507 – B4	0.51 Acres	Vacant Land	Class ‘C’
2	515 – B4	0.95 Acres	Vacant Land	Class ‘C’
3	600 – B4	6269.75 Sq. Ft.	Vacant Land	Class ‘C’
4	601 - B4	2723.00 Sq. Ft.	Vacant Land	Class ‘C’
5	602 – B4	7525.00 Sq.Ft.	Vacant Land	Class ‘C’
6	88 – B4	2.2210 Acres	Vacant Land	Class ‘C’

**23. APPOINTMENT OF RCC CONSULTANT FOR VARIOUS PROJECTS : PUNE CANTT.**

To consider the quotations received for appointment of RCC Consultant in Pune Cantonment Board for various civil works as well as original works. The comparative statement is as under :-

<b>Sr. No.</b>	<b>Name of Firm</b>	<b>Percentage quoted (in Rs.)</b>
1	Pradeep Sakpal, Project Planner & Designer	1% of the estimated cost + Govt. Taxes
2	S K Enterprises	1.5% of the estimated cost + Govt. Taxes
3	<b>Shantal Consulting Engineers</b>	<b>0.75% of the estimated cost + Govt. Taxes</b>
4	M B Kalbhor, Architect & Engineer, Approved Govt. Valuer	1.25% of the estimated cost + Govt. Taxes
5	The North-Tech Engineers	1.3% of the estimated cost + Govt. Taxes

As per the above comparative statement, the lowest rate has been quoted by Shantal Consulting Engineers @ 0.75% of the estimated cost of the project + Govt. Taxes as applicable.

Connected papers alongwith office note is placed on the table.

**RESOLUTION NO. 23 :** Considered. CEO explained the necessity for appointment of a RCC Consultant for the various projects being undertaken by the Board. Further CEE brought to the notice of the Board that M/s. Shantal Consulting Engineers, who have quoted the lowest rate, has submitted a letter dated 27.03.2017 stating that they have further reduced their percentage quoted for providing RCC consultancy services to the Board @ 0.60% of the estimated cost + Govt. Taxes instead of 0.75% of the estimated cost + Govt. Taxes. Board noted the same.

Resolved to appoint M/s. Shantal Consulting Engineers as RCC Consultant in Pune Cantonment Board for various civil works as well as original works, who have quoted the lowest rate @ 0.60% of the estimated cost + Govt. taxes. The period of contract shall be for a period of two years. Further resolved that M/s. Shantal Consulting Engineers be asked to deposit a refundable Security Deposit of Rs. 25,000/- alongwith necessary stamp paper for executing the contract. CEE to initiate further action.

During the discussion, the CEO intimated the Board that during the presentation given to the Defence Secretary in South Block on Smart Cantonments on 21.03.2017, the Defence Secretary has directed to appoint a regular Technical Consultant / Expert for various projects / services of the Cantonment Board, who will vet the scheme / plan / design etc. In this regard the Board perused the DG DE letter No. 76/68/SwachhBharat/C/DE/15 dated 29.03.2017. Keeping in view the recent proposal submitted to the PD DE / GOC-in-Chief, for provision of a processing facility/ plant for treatment of solid waste, the Board resolved to appoint / approach an agency / expert to examine and vett the technology proposed by the M/s. G P Energy Systems Pvt. Ltd. In this regard, the CEO is authorized to incur the expenditure as per Rule.

#### **24. ENGAGEMENT OF 10 CASUAL LABOUR: ENGINEERING DEPARTMENT**

To consider the question of engaging 10 casual labour in the Engineering Department (PWD) for carrying out maintenance viz. painting, repairing, removal of waste material, bituminous patch work, concreting work, pot holes developed due to monsoon season etc departmentally

Connected papers are placed on the table.

**Note** : There are 36 Nos. of mazdoor as per the sanctioned strength in the PWD, out of which 29 Nos. are working. 7 Nos. of post of mazdoor is lying vacant. Due to shortage of mazdoors, the day to day maintenance work is pending and many complaints are being received from the residents of the Cantonment.

**RESOLUTION NO. 24** : Considered. Matter discussed. Resolved to engage 10 casual labour purely on temporary basis for a period for a six months for carrying out maintenance viz. painting, repairing, removal of waste material, bituminous patch work, concreting work, pot holes developed due to monsoon season etc. The payment will be made as per Minimum Wages Act. CEE to initiate further action.

**25. EXTENSION IN TIME LIMIT FOR THE VARIOUS CONTRACTS FOR THE YEAR 2016-17**

To consider the issue of granting extension in time limit to the various contracts for civil as well as electrical works, which are approved by the Board for the year 2016-17 from time to time, for completion of remaining work, which are under progress, upto 30<sup>th</sup> April, 2017.

Connected papers are placed on the table.

**RESOLUTION NO. 25** : Considered. The Elected Members stated that since many works are in progress, which has to be completed. hence the time limit of the contracts for civil as well as electrical work may be extended for further two months. Matter discussed. Resolved to grant extension in time limit to all the contracts for civil as well as electrical works for the period 2016-17 upto 30<sup>th</sup> May, 2017. The Board further resolved that no further extension will be granted. The Board further approved to incur the following expenditure headwise for the year 2017-18 :-

D2-a	Rs. 75.00 lakhs
D2-b	Rs. 100.00 lakhs
D2-c	Rs. 50.00 lakhs
D2-d	Rs. 15.00 lakhs
D2-f	Rs. 50.00 lakhs

**26. EXTENSION IN TIME LIMIT FOR THE WORK OF SUPPLY, INSTALLATION & COMMISSIONING OF 100 KWP SOLAR ROOF TOP POWER PLANT AT CANTONMENT OFFICE BUILDING & SVP CGH : PUNE CANTT.**

To consider letter bearing No. PEC/DEF/CB-Pune/CR/SP/2016-17/409 dated 16<sup>th</sup> March, 2017 requesting to grant extension for

execution of the work as they did not get clearance from MNRE (Ministry of New & Renewable Energy) regarding the percentage of subsidy for roof top solar power plant. PEC Ltd. has stated that the National Policy on Solar PV Programme is under review of Government of India and no further requests for sanction and release of subsidy is processed by MNRE at present. PEC Ltd. has further stated that the project will be implemented and executed as soon as the sanction and subsidy is released by MNRE.

Connected papers are placed on the table.

**Note :** The work order bearing No. E/W/13/2016-17 dated 21.11.2016 was issued to PEC Ltd. for supply, installation, commissioning of 40 KW Solar PV Power Plant at Cantonment administrative building and 60 KW Solar PV Power Plant at SVP CGH amounting to Rs. 55,37,000/-having work completion period upto 31<sup>st</sup> March, 2017. Till date only site survey and technical feasibility survey of both the sites have been carried out by PEC Ltd.

**RESOLUTION NO. 26 :** Considered. Matter discussed. Dr. Kiran T Mantri, Elected Member stated that since PEC Ltd. is not able to commence the project till date within the stipulated time limit, it is suggested that action be initiated for inviting tenders from private firms. AEE (Electrical) explained that the PEC Ltd. has completed the technical feasibility and site survey. The PEC Ltd. is not able to commence the project due to non-clearance of subsidy issue by MNRE. CEO explained that since PEC Ltd. is a govt. undertaking firm, one extension may be given as till date no extension has been given. President suggested that a representative from PEC Ltd. be called for discussion in order to bring out the factual position of the project as already five months has been lapsed from the date of issue of work order. Matter discussed. Resolved to call the representative from PEC Ltd. to have a detailed discussion with the CEO regarding assurance to complete the subject project and accordingly action will be initiated for granting extensions to PEC Ltd.

**27. NOC FOR CIVIL WORKS : CONSTRUCTION OF STAINLESS STEEL BUS SHED UNDER MLA FUND FOR THE YEAR 2015-16 : PUNE CANTT.**

Reference CBR No. 53 dated 25.01.2017.

To consider letter bearing No. PMPML/Civil Engg/7618 dated 14.03.2017 received from the Jt. Managing Director, PMPML wherein it has been informed that after following due procedure, the tender procedure has been completed in respect of the subject work therefore the requisite funds to the Pune Cantonment Board for erection of stainless steel bus shed cannot be deposited. Further it has been requested to grant NOC for erection of stainless steel bus shed at the



following locations to be executed under the MLA fund for the year 2015-16.

<b>Sr. No.</b>	<b>Name of the Location</b>	<b>Class of land</b>	<b>Remarks</b>
1	Wanowrie Road Limb Centre up	A-1	Under the Management of LMA
2	Wanowrie Road Command Hospital up	A-1	Under the Management of LMA
3	Near Mihir Apartment, Fatimanagar	Collector Land	Under the management of Collector
4	Sachapir Street Peer Baba - down	C	Under the management of this Board
5	Wanowrie Road Corner up	A-1	Under the Management of LMA

Connected papers are placed on the table.

**Note :** The Board vide above referred resolution had resolved that the PMPML Authorities may be requested to transfer the fund to Cantonment Account so that the works can be executed through the Board and also after erection, the advertisement rights will vest with the Board. Accordingly the decision of the Board was communicated to the PMPML Authorities vide this office letter dated 15.02.2017.

**RESOLUTION NO. 27 :** Considered. CEO brought to the notice of the Board that as per the letter dated 14.03.2017 from PMPML Authorities, it has been informed that the MLA fund for erection of stainless steel bus shed as shown on agenda side cannot be transferred to Cantonment Fund. Matter discussed. Dr. Kiran T Mantri, Elected Member stated that atleast NOC should be granted to Sr. No. 3, since the land is under the management of Collector, Pune. President opined that the NOC should be considered for Sr. No. 3 & 4 in view of public interest and possibility be explored for resiting the location of Bus Shelter instead of A-1 to nearby Class C land. Further Shri. Ashok Pawar, Elected Member also stated that there is no requirement of bus shelter at the site shown at Sr. No. 4 and an alternative site will be suggested by him. Matter discussed. After detailed discussion, resolved to grant NOC for erection of stainless steel bus shed at the locations shown at Sr. No. 3, viz. Near Mihir Apartment, Fatimanagar, to be executed under the MLA fund for the year 2015-16. Further resolved that PMPML Authorities may be asked to suggest alternative locations for erection of stainless steel bus

sheds in consultation with the Engineering Department. Thereafter the matter may be referred to the Board.

**28. TENDER FOR THE WORK OF ACOUSTICAL INTERIOR WORKS OF AUDITORIUM FOR EXISTING CULTURAL HALL AT MAHADJI SHINDE HIGH SCHOOL, WANOWRIE : PUNE CANTT.**

To consider the online tenders for the subject work, which was received in two parts i.e. Technical & Financial Bid. The Technical bids were opened on 09.03.2017 and Five bids were received. The technical bids were scrutinized and three tenderers are technically qualified. Thereafter the financial bids of the technically qualified tenderers were opened on 14.03.2017 and the details are as under :-

<b>Sr. No.</b>	<b>Bidder's Name</b>	<b>Amount Quoted (in Rs.)</b>	<b>Rank</b>
1	Shubhankar Enterprises	40,31,471.76	L-1
2	M/s. S K Acoustics	42,33,068.48	L-2
3	Overseas Electronics	44,70,920.00	L-3

The lowest rate has been quoted by Shubhankar Enterprises @ Rs. 40,31,471.76.

The estimated cost of the work is Rs. 45.00 lakhs.

Connected papers alongwith office report is placed on the table.

**Note :** Sankalpana Associates have been engaged for preparing layout drawings, estimates and the actual drawings with bill of quantity and market analysis for the subject work. Accordingly the consultant has submitted estimates amounting to Rs. 45.00 lakhs and layout drawings for the same.

**RESOLUTION NO. 28 :** Considered. Resolved to approve the lowest rate quoted by Shubhankar Enterprises @ Rs. 40,31,471.76 in the year 2017-18 for the work of acoustical interior works of Auditorium for existing cultural hall at Mahadji Shinde High School, Wanowrie. CEO is authorized to issue necessary work order.

Shri. Atul V Gaikwad, Elected Member stated that work of renovation to Dr. Ambedkar Memorial Cultural Hall is pending since long and be carried out on priority basis. Further Shri. Ashok D Pawar, Elected Member also stated that the Parmar Hall has to be renovated.

CEO informed the Board that the tenders for the period 2017-18 have been already invited. After approval of the same by the Board, the work will be carried out. Board noted and approved the same

**29. TENDER FOR COLLECTION OF VEHICLE ENTRY TAX IN PUNE CANTONMENT BOARD**

To consider the reply received from M/s. Shri Swami Samarth Engineers dated 27.02.2017 to the showcause notice issued by this office vide letter No.1/2/Tax/2017-2018 dated 18.02.2017.

Connected papers are placed on the table.

**Note :** A show cause notice dated 18-02-2017 was issued to the contractor of Vehicle Entry Tax, Shri Swami Samartha Engineers for harassment/misbehavior with the Military Officer and collecting illegal amount in the form of fine by way of extortion and thereby violating terms and conditions of the Contract Agreement.

Vide above referred letter Shri Swami Samarth Engineers has given reply to the show cause notice explaining the fact that they have erected cautionary boards at a distance of 500 metres, 200 metres, 100 metres and 50 metres for informing the general public about the check posts located ahead.

**RESOLUTION NO. 29 :** Considered. CEO informed the Board that the complaint from the Military Officer was received telephonically as well written complaint regarding harassment from VET Contractor. President also stated that several complaints are being received regarding harassment from the VET Contractor. He also stated that the staff deputed by the contractor does not stop the vehicle at the vehicle check post but are waiting 200 mtrs. ahead of the Toll Naka to collect the VET with fine. Matter discussed. President also opined that the VET contractor may be instructed to ask his staff to behave politely with the passengers from whom the VET is being collected and also efforts should be taken to stop the vehicle at the Check post itself. The contractor may be informed accordingly. Shri. Atul V Gaikwad, Elected Member stated that amount of fine imposed by the VET Contractor may be reduced at least in the next contract. Matter discussed. After detailed discussion and deliberations resolved to issue a warning letter to the VET Contractor and instructing that if the action is repeated, the contract for collection of VET will be cancelled.

**30. PENDING MAINTENANCE PAYMENT OF M/S. MEHTA & SHAH ENTERPRISES, PUNE.**

Reference CBR No. 86 dated 23.08.2016.

To consider application dated 15<sup>th</sup> Nov, 2016 received from M/s Mehta & Shah Enterprises, Pune requesting to make the balance payment amounting to Rs. 10,08,986/- towards the tender for maintenance

services for Garden/landscapes sites with respect to Zone- A, B & C for a period w.e.f. 1<sup>st</sup> Dec, 2015 to 31<sup>st</sup> March, 2016.

Connected papers are placed on table.

**Note** : The tender work for provision of maintenance services for Garden/landscapes sites with respect to zone A, B & C were offered to M/s. Mehta & Shah Enterprises, Pune during the financial year 2015-16. The firm was not putting sincere efforts for undertaking maintenance works in Garden/ landscaping sites. As the quality of maintenance works was very poor, the maintenance bill during Sept to Nov, 2015 were withheld but the same was released thereafter since progress was seen on ground.

Again since December 2015 onwards organization did not shown progress with respect to quality of maintenance works. Therefore payment w.e.f 1<sup>st</sup> Dec, 2015 to 31<sup>st</sup> March, 2016 was not released. Even after many oral instructions from this office & 3<sup>rd</sup> party officials no sincere efforts were observed till the concluding period. As the party were orally assuring about completion of pending maintenance works, the matter was kept pending. But even after 2 months from concluding period no progress were found on various sites, hence, vide office note dated 20<sup>th</sup> May, 2016 matter was placed before the Board.

The Board vide CBR No. 86 dated 23.08.2016 resolved to grant 1 month period for completing the pending works. Thereafter firm undertook the plantation works & lawn patches but still the painting works for ferroconcrete artifact are incomplete.

**RESOLUTION NO. 30** : Considered. Garden Overseer explained the issued in detail and the nature of working of the concerned contractor M/s. Mehta & Shah. He further explained that Rs. 5,02,614/- have been deducted on account of non-completion of works. Matter discussed. All the Elected Members also stated that since now the contractor has completed his works, the payment may be released. After detailed deliberations resolved to release the balance payment amounting to Rs. 10,08,986/- towards the tender for maintenance services for Garden/landscapes sites with respect to Zone- A, B & C for a period w.e.f. 1<sup>st</sup> Dec, 2015 to 31<sup>st</sup> March, 2016.

**31. REMOVAL OF TREES – HOUSE NO. 593 SACHAPIR STREET & HOUSE NO. 497 CENTRE STREET : PUNE CANTT.**

To consider site inspection report dated 4<sup>th</sup> Feb, 2017 by the Elected Members regarding removal of trees from Prop. No.593, Sachapir street, Pune & prop. No.. 497, Centre street, Pune

Connected papers are placed on table.

**Note :** The Board vide CBR No. 46 & 47 dated 22.10.2016 resolved to carry out site inspection of house No. 593, Sachapir street & House No. 497, Centre street by all Elected Members of the Board, for taking the decision regarding removal of green, standing trees from the said site. Accordingly site inspection was carried out on 9<sup>th</sup> Dec, 2016 by Shri. Dilip Giramkar - Vice-president, Shri. Atul Gaikwad, Chairman EPC & Mrs. Priyanka Shrigiri, Member. The details are as follows -

**Removal of Nine various trees from Prop. No. 593, Sachapir Street, Pune.**

The committee members inspected the site and opined that since nine trees namely Tamarind tree (2 Nos.), Mango tree (2 Nos.), Jangali tree (4 Nos.) & Pimpal tree (01 No.) are becoming an obstruction for newly proposed construction works & alternative options to save these trees is not possible from this existing site. Hence the permission may be granted for removal of nine trees as per necessary norms followed during process of grant of permission for removal of trees.

**Removal of Peepal tree from House No. 497, Centre street, Pune.**

The committee members inspected the site and opined that the peepal tree had grown up in an open ground within the demolished building material but, tree is in very well balanced condition & not creating any obstruction. Hence the permission may not be granted for removal of tree from the site.

**RESOLUTION NO. 31 :** Considered the report submitted the Elected Member of the Board after the inspection of the subject site. Matter discussed. Resolved to grant permission of 9 various trees from the site bearing House No. 593 Sachapir Street. Further resolved that the permission may not be granted for removal of Peepal tree from the site bearing House No. 497 Centre Street.

**32. REMOVAL OF TREES : HOUSE NO. 827 DASTUR MEHER ROAD : PUNE CANTT.**

To consider application dated 9.02.2017 received from Mr. Sum Irani, 827, Dastur Meher road regarding removal of entire thirty-four Nos. of various kinds of trees from site. The details of the trees to be removed are as under -

<b>Sr. No.</b>	<b>Name of tree</b>	<b>Total No. of trees</b>
1	Nirgudi	1 No.
2	Vilayti chinch	15 Nos.
3	Ashoka tree	1 No.
4	Peepal tree	2 Nos.
5	Cherry tree	3 Nos.
6	Jamun tree	1 No.

7	Subabul tree	5 Nos.
8	Walavi tree	1 No.
9	Umber tree	1 No.
10	Ber tree	2 Nos.
11	Neem tree	1 No.
12	Ficus tree	1 No.
		<b>34 Nos.</b>

Connected papers are placed on table.

**Note** : Within the premises of property bearing no 827, Dastur Meher Road, there is partially demolished bungalow structure & total 34 Nos. of trees of various kinds as mentioned below are grown up within this portion only. Since this portion of plot is lying unutilized for many years, all these trees are intermingled in each other, within & around the bungalow structure.

As per CRS : Property tax not paid till date.

As per CEE : The property involves unauthorized construction for which notices u/s 248 of C.A. 2006 have been issued & appeals filed by the parties are pending with Principal Director, Defence Estates for hearing & disposal.

As per GLR : Old grant

**RESOLUTION NO. 32** : Considered. Board viewed the photographs of the site. Matter discussed. Resolved to grant permission for removal of only five trees as per priority as decided by the occupier of the said property. Thereafter as and when application comes, the matter may be referred to the Board for decision in the matter.

**33. REMOVAL OF OUTGROWTH OF TREES IN WALL CRACKS DEVELOPED AT HOUSE NO. 459 CENTRE STREET : PUNE CANTT.**

To consider application dated 7.01.2017 received from Shri. Mohan Solanki, H.No. 459, Centre street requesting to grant permission for removal of outgrowth of Peepal tree ( 2 Nos.) & Banyan tree ( 1 No.) grown up in wall cracks.

Connected papers alongwith photographs are placed on table.

**Note** : There are three trees viz. Peepal trees ( 2 Nos.) & Banyan (1 No.) hasbeen grown up on the terrace area & along the wall cracks. Due to growth of this trees wall & roof top is getting damaged. These trees are not planted by anybody &are not on the ground.

As per CRS : Property tax paid for till date.

As per CEE : Notice bearing no. CE/624/1990 dated 2.7.1990 has been issued under section 185 of C.A 1983 for unauthorized construction.

As per GLR : old grant

**RESOLUTION NO. 33 :** Considered. Board viewed the photographs of the subject site. Matter discussed. Resolved to grant permission of removal of outgrowth of Peepal Tree (2 Nos.) and one Banyan tree grown up in wall cracks.

**34. REMOVAL OF PEEPAL TREE : HOUSE NO. 2241 NEW MODIKHANA : PUNE CANTT.**

To consider the application dated 13.2.2017 received from Shri. Vishnu Baburao Jadhav & others, H. No. 2241, New Modikhana, requesting to grant permission for removal of Peepal tree

Connected papers are placed on table.

**Note :** The subject property is in the name of Shri. Abanna Narasoo Vargant & Yellappa N. Vargant having land classified as B-3. The owner did not paid property tax till the date. The owner did not applied for removal of said peepal tree. There are about 8 tenants residing within these premises who have jointly requested for removal of this tree. This Peepal tree is grown up & attained to its mature growth. Due to huge stem of this tree, adjacent wall of bathroom is in bad condition & have been deteriorated. The tree is in balanced condition.

As per CRS : Property tax not paid for till date.

As per CEE : No unauthorized construction in said property.

As per GLR : Old grant

**RESOLUTION NO. 34 :** Considered. Board viewed the photographs. Shri. Atul V Gaikwad, Elected Members informed the Board that the adjacent rooms had been totally damaged and hence it is necessary to grant permission to remove this tree. Matter discussed. Resolved to grant permission to remove the entire Peepal tree from the subject site through auction procedure.

**35. REMOVAL OF RAIN TREE : HOUSE NO. 8 IN PCB QUARTER, GHORPADI BAZAR**

To consider the application undated received from Shri. Deepak S. Walmiki, H. No. 8, PCB quarter, Ghorpadi bazar, requesting to grant permission for removal of rain tree

Connected papers are placed on table.

**Note** : One huge rain tree situated near house No. 8, PCB, quarter, Ghorpadi bazar. As the tree is in closed vicinity of building structure, the root of this tree have penetrated in the basement of the said house, hence the applicant has requested for removal of entire rain tree from the site.

**RESOLUTION NO. 35** : Considered. The Board viewed the photographs. Dr. Kiran T Mantri, Elected Member stated that the roots of the tree has penetrated into base of the said quarters. Hence it is essential to remove the entire tree. Matter discussed. Resolved to grant permission to remove the entire Rain tree from the subject site through auction procedure.

**36. REMOVAL OF RAIN TREE : HOUSE NO. 2037 JAN MOHAMMED STREET : PUNE CANTT.**

To consider applications dated 2.2.2017 & 27.2.2017 received from Shri. Surendra Premveer Pardeshi, H.No. 2038, Jan Mohammad Street & Shri. Anilkumar G. Bhavsar, H.No. 2037, Jan Mohammad street, respectively requesting to grant permission for removal of Rain tree situated within the premises of 2037, Jan Mohammad street.

Connected papers are placed on table.

**Note** : There is one rain tree situated along the common boundary wall between the house No. 2038 & House No. 2037, Jan mohammad street. This rain tree is in misbalanced condition & slightly uprooted & rested on the adjacent house bearing No. 2037. Due to this uprooted condition adjacent boundary wall & part of this house has been badly damaged.

Applicant No. 1 Shri. Suredra Premveer Pardeshi is the co-owner of the property bearing No. 2038, Jan mohammad street. However applicant No. 2 Shri. Anilkumar G. Bhavsar is claiming as a tenant (non residing on site) in the property bearing No. 2037, Jan mohammad street. There are many other tenants residing within this property, out of which one tenant, Shri. Anilkumar Bhawsar had placed request application for removal of said rain tree from site. The application is not attached with NOC from owner ( Smt. Chaturbai N. Vaswani, Smt. Krishma Deepak Khaltani, Master. Dhiraj D. khaltani & Miss. Pooja D. khaltani) nor with the letter of power of Attorney in the name of applicant.

As per CRS :Property No. 2037 –Property tax not paid for 2016-17.

Property No. 2038 - Property tax not paid for till date.

As per CEE : House No. 2037 No unauthorized construction in said property. & in case of House No. 2038, it is noticed that there is unauthorized construction carried out by the lessee for which u/s 185 of C.A 1924 was issued in January, 1992.



As per GLR: House No. 2037 – lease property & House No. 2038 - old grant

**RESOLUTION NO. 36 :** Considered. The Board viewed the photographs of the subject site. Matter discussed. Resolved to remove the entire Rain tree from the subject site through auction procedure.

**37. REMOVAL OF RAIN TREE, FATIMA NAGAR, PUNE CANTT.**

To consider the application dated 2.03.2017 received from Shri. Prakash Alimchandani, Chairman, Manashree Co-op Hsg Society Ltd, fatimanagar, requesting to grant permission for removal of rain tree

Connected papers are placed on table.

**Note :** One huge rain tree situated along the road side and the boundary wall of Manashree Co-op Hsg. Society Ltd. One of the small dried up portion of the branch had fallen down on 5.09.2016 & hence the Society has now requested to remove the entire tree from the site.

**RESOLUTION NO. 37 :** Considered. Board viewed the photographs of the subject site. The Board felt that the tree is in a good and balance condition, hence it is not necessary to remove the entire tree. Matter discussed. Resolved that only overlapping branches may be removed.

**38. REMOVAL OF TREES FROM THE PREMISES OF OLD STORE YARD, BABAJAN CHOWK .**

To consider the office note from Engg. Department dated 10.03.2017 for removal of following mentioned 8 Nos. (eight trees) from the premises of Old Store yard, Babajan chowk for the proposed work of construction of Working Women's Hostel.

<b>Sr. No</b>	<b>Kind of Trees</b>	<b>No. of Trees</b>
1	Mango tree	One tree
2	Ashoka tree	Two trees
3	Peepal tree	Two trees
4	Umber (Ficus) tree	Two trees
5	Jamun tree	One tree
	<b>Total trees</b>	<b>Eight trees</b>

Connected papers along with photographs are placed on table.

**Note :** The work of construction of Working Women's Hostel is to be commenced at the site bearing GLR Sy. No.390/945, Old store yard, Babajan chowk. In this premises the aforesaid trees are becoming an obstruction & needs to be removed.

**RESOLUTION NO. 38 :** Considered. Board viewed the photographs of the subject site. Resolved to remove all eight trees as shown on the agenda side through auction procedure. Shri. Ashok D Pawar, Elected Member stated that these trees may be removed only if it is creating an obstruction to the proposed construction work.

### 39. PRUNING OF TREE BRANCHES

To consider the following applications received regarding pruning/chopping of tree branches. The details are as under:-

Connected papers are placed on table.

Sr. No.	Name of applicant & site address.	Kind of tree	Situation	Opinion/ Recommendation
1	Jaffer Canteenwala, 131, M.G. Road, Pune camp	Rain tree -1	One Rain tree is situated along the M.G. Road in front of house No. 131, M.G Road. The branches of this rain tree are grown up towards roof top of this building. Due to oscillation of this branches roof is getting damaged.	Pruning of small branches may be permitted.
2	Smt. Jayawanti k. Dalaya, 236, Sholapur bazar, Opp. Jain mandir.	Rain tree	One Rain tree is situated adjacent to house No. 236, Sholapur bazar, The branch of this rain tree is growing up towards roof top of this building.	Pruning of one major branch may be permitted.
3	M/s. Monafod, 316, M.G.road, Pune-01	Cassia tree	one cassia tree situated near the hotel, Mona Food (house No. 316) along M.G.road. The applicant requested to trim the branches of cassia tree on account of obstruction for name board of shop.	Pruning of small branches may be permitted.
4	Paramount Co-Op. Hsg. Society Ltd, 1981, Convent street, Pune-01	walavi tree	One walavi tree situated within the premises of Paramount Co-Op. Hsg. Society Ltd, 1981, Convent street. The applicant requested to grant	Pruning of twigs may be permitted.

			permission to trim the twigs that are touching the window area of this society	
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**RESOLUTION NO. 39** : Considered. Matter discussed. Resolved to grant permission to the applicants as per the recommendations shown on the agenda side.

**40. ENHANCEMENT IN PROFESSIONAL FEES OF M/S MULLA AND MULLA, AND CRAIGIE BLUNT AND CAROE, ADVOCATES & SOLICITORS ON THE PANEL OF THE BOARD.**

Reference CBR No. 14 dated 18.12.2013 & CBR No. 67 dated 25.01.2017.

To consider the letter No.DJK/SG/2331 dated 03.03.2017 received from M/s. Mulla and Mulla, and Craigie Blunt and Caroe, Advocates and Solicitors on the panel of the Board wherein they have submitted the revised Schedule of Fees stating that they would be levying the fees as per the said schedule for contesting the matters on behalf of the Board.

Connected papers regarding levy of professional fees are placed on the table.

**Note** : The Board vide CBR No. 67 dated 25.01.2017 had resolved to pend the matter for detailed discussion on levy of professional fees after obtaining the reasonability from M/s. Mulla & Mulla Craigie Blunt & Caroe. After obtaining the reasonability from M/s. Mulla & Mulla Craigie Blunt & Caroe, the agenda be put up in the next Board Meeting.

The Board accordingly informed the same to the Solicitors vide this office letter dated 01.03.2017 to reevaluate and reschedule the fees regarding its reasonability and to resubmit the same to this office, so that the rescheduled reasonable schedule of fees can be referred to the Board for detailed deliberation. The solicitors now vide letter dated 03.03.2017 have sent the revised schedule of fees.

**RESOLUTION NO. 40** : Considered. The Board viewed the revised schedule of fees submitted by M/s. Mulla and Mulla, and Craigie Blunt and Caroe, Advocates and Solicitors. The Members opined that the rates are still on the higher side. After going through the revised schedule of fees, resolved that the professional fees to be paid to M/s. Mulla and Mulla, and Craigie Blunt and Caroe, Advocates and Solicitors are approved as under –

<b>Points w.r.to letter dated 24.06.2016</b>	<b>Description as per Schedule of fees</b>	<b>Rates approved by the Board vide CBR No. 14 dated 18.12.2013</b>	<b>Demand by M/s. Mulla &amp; Mulla</b>	<b>Rates approved by the Board</b>
1	Reading / perusing / settling documents / replies	20,000/-	30,000/-	25,000/-
2	Drafting, pleading, statement of claims, appeals etc	20,000/-	35,000/-	30,000/-
3	For preparing replies to the notices of Advocates	10,000/-	15,000/-	12,000/-
4	For conference in MUMBAI	7,500/-	10,000/-	10,000/-
5	For conference outside Mumbai	10,000/-	20,000/-	15,000/-
6	For attending before Quasi Judicial Authority, Government Departments, <b><u>IN MUMBAI</u></b>			
	For adjournment	7,500/-	10,000/-	10,000/-
	For per appearance	10,000/-	15,000/-	13,000/-
7	For attending before Quasi Judicial Authority, Government Departments, <b><u>OUTSIDE MUMBAI</u></b>			
	For adjournment	10,000/-	-	-
	For per appearance	20,000/-	40,000/-	35,000/-
8	For attending before any Courts, Tribunals, Arbitrator, <b><u>IN MUMBAI</u></b>			
	For adjournment	10,000/-	15,000/-	13,000/-
	For per appearance	20,000/-	35,000/-	30,000/-

9	For attending before any Courts, Tribunals, Arbitrator, <b>OUTSIDE MUMBAI</b>			
	For adjournment	15,000/-	-	-
	For per appearance	30,000/-	45,000/-	40,000/-
10	For written opinion	20,000/-	35,000/-	30,000/-
11	For preparing compilation of judgment/Documents on behalf of the Clients.	-	15,000/-	10,000/-

#### Regarding Counsel Fees -

Points w.r.to letter dated 24.06.2016	Description as per Schedule of fees	Rates approved by the Board vide CBR No. 14 dated 18.12.2013	Demand by Sr. Counsel, Presswalla	Rates approved by the Board
a.	For drafting	35,000/-	75,000/-	55,000/-
b.	For conference	15,000/-	-	-
c.	For non-effective hearing	35,000/-	45,000/-	40,000/-
d.	For effective hearing	55,000/-	90,000/-	70,000/-
e.	For appearance before any court or quasi judicial authority or before an Arbitrator outside Mumbai	1,10,000/-	1,50,000/-	1,30,000/-

#### 41. CIVIL APPEAL NO. 9730-9731

To note the order 27.09.2016 passed by the Hon'ble Supreme Court in Civil Appeal No.9730-9731 (arising out of SLP(c) No.20687-20688 of 2016 titled Cantonment Board Pachmarhi Versus Gopal Das Kabra & Ors.

Connected papers are placed on the table.

**Note :** The Office of the Principal Director, Defence Estates, Southern Command, Pune vide their letter bearing No.3047/DE/SC/L/court/Gen dated 01<sup>st</sup> March,2017 in pursuance to the DG DE letter bearing No.76/38/Pachmari/C/DE/2015/FMS 53733 dated 03.02.2017 has

intimated that the Hon'ble Supreme Court of India has delivered a Judgment dated 27.09.2016 in the subject appeals which has an important bearing on preparation of electoral under the Cantonment Electoral Rules,2007. The DG DE has directed to take further action in accordance with the aforesaid Judgment of the Hon'ble Supreme Court of India while preparing electoral rolls and to take prompt action for removal of illegally constructed buildings and encroachments on defence lands.

The Office of the Principal Director, Defence, Estates, Southern Command, Pune has instructed to ensure that the names of the encroachers on land under their management are deleted from Electoral of Cantonment Boards.

Copy of the Judgment of the Hon'ble Supreme Court of India, letters of the PD,DE,SC,Pune and CBLA's noting with connected papers are placed on the table.

**RESOLUTION NO. 41 :** Considered and noted. Resolved to initiate necessary action for implementation of the orders of Hon' ble Supreme Court. Further resolved that while revision of voters list, the enumerators should be given guidance regarding such encroachment / unauthorized constructions within the Cantonment area in order to ensure that such names are not entered in the voters list. Office Supdt. to initiate action in consultation with Engineering Department.

#### **42. EMPANELMENT OF SR. COUNSELS / ADVOCATES FOR PUNE CANTONMENT BOARD**

Reference, CBR bearing No.67 dated 25.01.2017

To note applications received from various Advocates and Solicitors in pursuance to the Advertisement published on 5<sup>th</sup> March,2017 in the Times of India, Mumbai Edition inviting Applications for empanelment of Sr.Counsels /Advocates for Pune cantonment Board. The following Applications are received -

<b>Sr. No.</b>	<b>Name of the Applicant</b>	<b>Profile</b>	<b>Qualification &amp; Experience</b>
1	ASWANI & ASSOCIATES, ADVOCATES, Consultants and Financial Advisors, Ulhasnagar.	Taxation(corporate & Personal),Criminal Tax Consulting, financial investigation, search seizure & survey cases, international taxation, Tax resolution and Management Services, litigation support	B.Com, LLB and allied Education. Practice not mentioned.

		accounting, business financial and Gold valuation, trade mark, copyright and Patent, Cyber law Policies and Implementation ,Corporate Care etc	
2	UPADHYAY LEGAL ADVOCATES, Kandivali, Mumbai.	Practice in Civil and Criminal sites in High Court, Mumbai and appeared for several Central and State Government organizations like Air India, Airport Authority of India, NHAI, Several Public Sector Banks, SBI, Bank of Baroda, Corporation Bank etc, MSEDCL, Bombay Port Trust	MA,LLB 20 years Experience
3	SAMIR ASHOK KUMBHKONI Advocate, High Court, Thane	Experience in handling all types of cases, Civil, Criminal, Co-operative, Revenue, Company in High Court.	LLB Graduate. Enrolled as an Advocate since 02.03.2000. 17 years Experience
4	SUBHASH CHANDRA PAL Advocate, High Court, Mumbai	Practicing in High Court, Mumbai in original and appellate sides. Appeared in Civil and Sessions Court, Co-operative Court, Appellate Court, Small Cause Court, Motor Accident claims, Tribunal, Debt recovery tribunal, Debt recovery Appellate, Tribunal Consumer District Redressal Forum, State Consumer Commissioner, Industrial Court and Labour Court etc. Appointed as a Senior Counsel Group -II in the panel of Mumbai High Court for 2 years. Represented Union of India, Central Excise, Customs, Navy, Army,	BA, LLB. Practicing since 17.04.1987

		Defence Dept., Company Petitions, Labour and Service matters.	
5	ANAMIKA MALHOTRA, Advocate High Court, Mumbai	Practicing in Civil and Criminal matters, Arbitrations matters, Panel Advocate for Union of India as a Junior Counsel, FERA matters, service matters, Customs and Excise appeals, Writ Petitions in Constitutional matters, Company Petitions, Arbitration Petitions, suits, original and Appellate Side Writ Petitions etc	B.Sc. Graduate and LLB Graduate. Practicing since 27 <sup>th</sup> March,1999.
6	LATIKA HARISH BELINDAGE	Practicing since 1998 in Civil Matters, Criminal matters	BA, LLM.
7	DASHRATH A DUBE, Advocate and Notary High Court, Mumbai.	On panel of central Government, Senior Panel Counsel of High Court, Bombay Sr.Panel Counsel of CAT and recently appointed as Additional Public Prosecutor of Central Government of India for criminal case.	BA, LLM and High Court Notary.
8	M V KINI LAW FIRM, ADVOCATES AND SOLICITORS	Largest litigation law firm in India with 14 offices. Represented all government undertaking and Government of Maharashtra. Advocates on record of Hon' Supreme Court of India.	
9	DR.G.R.SHARMA Advocate, High Court, Panji GOA	Practicing as an Advocate since 30 <sup>th</sup> June,1983 with the Bar Council of Goa and Maharashtra at Mumbai and have practiced over 33 years. Practicing as an Advocate in CAT and SC of India and also held positions as Addl Central Govt Standing Counsel and	BA,LLB,LLM, Post Graduate in Administrative Law, Post Graduate in Journalism, Post Graduate



		Senior Government Counsel for 9 years. Expertise in Arbitration, Banking, Company, Central Compensation, Tax Civil and Service, Constitutional etc.	Central Standing for 9 years. Arbitration, Revenue, Customs, Excise, Service and criminal Insurance, Writs etc.	in Corporate laws and PHD in law.
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Connected papers are placed on the table.

**RESOLUTION NO. 42 :** Considered. The Board perused the list of Sr. Counsels / Advocates as shown on the agenda side. Cantonment Board Legal Advisor opined that as per the profile, qualification and experience, Dr. G R Sharma & Shri. Dashrath A Dube may be considered for empanelment of Sr. Counsels / Advocates for the Board. Matter discussed. After detailed discussion resolved to empanel Dr. G R Sharma & Shri. Dashrath A Dube as Sr. Counsels / Advocates for Pune Cantonment Board. The schedule of fees to be paid to these Sr. Counsels / Advocates are approved as under –

<b>Sr. No.</b>	<b>Description as per Schedule of fees</b>	<b>Rates approved by the Board</b>
1	Reading / perusing / settling documents / replies	10,000/-
2	Drafting, pleading, statement of claims, appeals etc	20,000/-
3	For preparing replies to the notices of Advocates	10,000/-
4	For conference in MUMBAI	7,500/-
5	For conference outside Mumbai	10,000/-
6	For attending before Quasi Judicial Authority, Government Departments, <u>IN MUMBAI</u>	
	For adjournment	7,500/-
	For per appearance	10,000/-
7	For attending before Quasi Judicial Authority, Government Departments, <u>OUTSIDE MUMBAI</u>	
	For adjournment	10,000/-
	For per appearance	20,000/-
8	For attending before any Courts, Tribunals, Arbitrator, <u>IN MUMBAI</u>	

	For adjournment	10,000/-
	For per appearance	30,000/-
9	For attending before any Courts, Tribunals, Arbitrator, <b><u>OUTSIDE MUMBAI</u></b>	
	For adjournment	10,000/-
	For per appearance	40,000/-
10	For written opinion	20,000/-

**43. COMPOSITION OF UNAUTHORIZED CONSTRUCTION : HOUSE NO. 1970 GAFFARBEG STREET : PUNE CANTT.**

Reference CBR No. 34 dated 23.08.2016.

To consider application dated 25.04.2016 alongwith composition plans from Shri. Shailesh Motilal Muttha, Partner, Tejas Developers requesting for regularization of unauthorized construction carried out at property bearing House No. 1970 Gaffarbeg Street, Pune Cantt.

Notice bearing No. CEE/50/2006 dated 27.11.2006 was issued under Section 185 of the Cantonments Act, 1924 in respect of following unauthorized construction :-

'Demolition of the existing walls portion measuring 46'3" x 35'5" on ground floor, first floor and portion measuring 37'6" x 35'5" on second floor and reconstructed the same in mild steel column and beams framed structure, BB masonry walls and Shahabad stone slab flooring on mild steel section on ground, first and second floor.

Area, FSI Statement is as under –

i.	Area of plot as per GLR	2449.00 sq.ft.
ii.	Builtup area of old existing building before Unauthorized construction	6091.75 sq.ft.
iii.	FSI before unauthorized construction	2.48
iv.	Builtup area after unauthorized construction	5970.06 sq.ft.
v.	FSI after unauthorized construction	2.44

Cost of unauthorized construction is calculated to Rs. 10,47,882/- approx.

The site bearing GLR Sy. No. 390/1032 is class B land held on Old Grant and is situated within the notified civil area of Pune Cantt.

Connected papers alongwith CBLA report are placed on the table.

**Note :** The building plans of the subject property were sanctioned by CEO on 16.02.2006 for addition and alteration for raising of roof of attic / second floor and construction of staircase and lift room as shown on plan. The HOR however, deviated from sanction plan and carried out unauthorized construction as under –

‘Demolition of existing walls portion measuring 46’3” x 35’5” on ground floor, first floor and portion measuring 37’6” x 35’5” on second floor and reconstructed the same in mild steel columns and beams framed structure, BB masonry walls and Shahabad stone slab flooring on mild steel sections on ground floor, first floor and second floor.’

Notice bearing No. CEE/50/2006 dated 27.11.2006 was issued under Section 185 of the Cantonments Act, 1924 against which the HOR filed Appeal under Section 340 of the Cantonments Act, 2006 dated 05.01.2007 before the Principal Director, Defence Estates, Southern Command, Pune. The Appellate Authority heard both the parties and given order dated 10.04.2014 as under –

‘I therefore accept the Appeal in part. This is so as the Appellant carried out works without properly indicating those in the plan with proper colour scheme and without requiring the Respondent to indicate what alterations were asked to be made as per the notice dated 27.11.2006. Moreover, the sanctions already given for addition / alteration in 2004 & 2006 were not revoked. Respondent is, therefore, directed not to order demolition of the structure. As the notice ordered the Appellant to do alterations also and all works got completed, the Appellant shall submit proper plans of the works so completed in terms of the works shown as existing at site in the plan submitted by the Respondent on 30.09.2006 within one month of receipt of this order. Due to the omissions on the part of both the Appellant and the Respondent, as brought out above clearly, these plans be considered for composition. It is made very clear that the works already sanctioned will be excluded from the purview of composition. In parting, the Respondent is directed to be very specific and clear in giving such notices in future’.

As per order of Appellate Authority, the HOR submitted composition plan on 21.04.2014. The building plans sanctioned on 16.02.2006 shows the uses of ground floor partly for commercial purpose & remaining area of ground floor, first floor and second floor for residential purpose. However, the composition plans submitted on 21.04.2014 were showing entire building for commercial purpose. The said application alongwith composition plans were referred to the Board and the Board vide CBR No. 34 dated 13.10.2015 resolved to dispose off the composition plan submitted by the applicant as

rejected. The rejected composition plans were returned to the applicant vide this office letter dated 21.12.2015.

Now, the composition plan submitted on 25.04.2016 shows the following :-

On ground floor, sitting, parlour, preparation room, room etc shown without partition in area measuring 35'3" x 43'0". Rest of the portion on ground floor is shown for residential purpose.

On First floor, two separate rooms and toilet is shown and area measuring 35'3" x 43'0" is shown as master Bedroom.

On Second floor, one room and a bedroom of size 35'3" x 33'3" is shown.

At present, the building is not in use however, the building was in use for commercial purpose and the type of construction of building is for commercial purpose. Merely, the portions of building are named as room, Bedroom, master Bedroom etc for showing it for Residential purpose.

The Board vide CBR No. 34 dated 23.08.2016 had resolved as under -

'Considered. CEO asked the Engineering Branch regarding the old sanctioned plan. CEE stated that the plan for the subject property was sanctioned for addition and alteration for raising of roof of attic / second floor and construction of staircase and lift room, ground floor for partly commercial and partly residential and two upper floor for residential purpose. He further stated that as per the report of the Engineering Section, the building is not in use however, the building was in use for commercial purpose and the type of construction of building is for commercial purpose. Matter discussed. Shri. Ashok D Pawar, Elected Member stated that since the building is not in use and also as per the order of the Appellate Authority, the case may be considered for composition. After detailed deliberations and discussion, resolved to pend the matter.'

**RESOLUTION NO. 43 :** Considered. Board once again reviewed the orders of the Appellate Authority. CEO informed the Board that as per the FSI statement, the FSI consumed after unauthorized construction is 2.44 whereas the authorized FSI before the unauthorized construction is 2.48. Matter discussed. The Board found that the plan submitted by the applicant seems of commercial nature. Resolved that the subject site will be inspected by CEO and CEE and thereafter the matter will be referred to the Board for further decision in the matter.

**44. PROPOSED CONSTRUCTION OF CLASS IV QUARTERS BUILDING AT GLR SY. NO. 390/3048 SHOLAPUR BAZAR : PUNE CANTT.**

Reference CBR No. 1(c) dated 20.07.2016.

To consider letter dated 07.11.2016 received from the residents of Sholapur Bazar quarters and letter dated 02.12.2016 received from Shri. Vivek M Yadav, Elected Member regarding not to construct new Class IV quarter building in the open space of existing class IV quarters premises as this space is being present used by the residents of the quarters for various activities such as Ganpati festival, Janmashtami, marriages, social events & by the children of staff quarters for playing. It has been further stated that the open space is used by the residents and visitors for parking. It has been also stated that the Building A & C are very old and are in bad condition and required to be demolished and reconstructed and the present staff residing in these quarters may be temporary accommodations by constructing sheds.

Connected papers are placed on the table.

**Note :** the proposal for construction of one Class IV quarters building have been accorded by HQSC letter bearing No. 100444/Appeal/Budget/SEC/Q (c) dated 10.11.2016. The lowest tender of M/s. Rutu Enterprises @ 27% above MES SSR, 2010 for the subject work has been accepted by the Board vide CBR No. 5 dated 28.02.2017. The said contractor had deposited security deposit and submitted Contract Agreement duly signed by him.

It is submitted that there are two options for reconstruction – (i) to construct the building in middle open space & (ii) to demolish and reconstruct one building. Building D is in more dilapidated condition compared to other buildings. However, there is opposition from the residents of quarters for construction of building in middle open space. If D building is to be demolished and reconstructed the occupants of building are required to be vacated till the completion of building i.e. for a period of atleast 18 months from the date of issue of work order. There is open space at GLR Sy. No. 390/3047 adjacent to the existing quarters, which is Class B-4 land, where temporary shelter can be erected. However to provide all minimum facilities with toilet, bathrooms, electricity, drainage line, flooring etc will cost approx. Rs. 25.00 lakhs. The decision is therefore required to be taken in the matter immediately since the time is essence of the contract.

**RESOLUTION NO. 44 :** Considered. CEO informed the Board that the sanction of the GOC-in-C have been accorded for construction of Class IV quarters building at GLR Sy. No. 390/3048 and the Board has completed the tendering procedure and the agency finalized for carrying out the subject work. CEO further informed that the existing 'D' building is in dilapidated condition as compared to the other buildings therefore the said building has to be reconstructed after

demolition of the existing structure on priority. Further he also informed that there are around 12 occupants in the said building out of which two are retired employees but not yet vacated. The building can be demolished only if these occupants are shifted / vacated. The Elected Members suggested that a temporary arrangement should be made by the Board for these occupants before demolition of the building. Matter discussed. CEO informed that a piece of Cantonment Board land adjoining to the said quarters is vacant and prone to encroachment and the office has been removing the illegal occupant / encroachments time to time. It is found appropriate and necessary to make temporary arrangement at the said site. After detailed deliberations, resolved that the 'D' building will be demolished after relocation of the existing occupants of the building and thereafter to start the work. CEO is authorized to incur the expenditure of Rs. 25.00 lakhs towards the same.

**45. RECLASSIFICATION OF LAND AT GLR SY. NO. 390/3047 FROM CLASS B-4 TO CLASS C : PUNE CANTT.**

To consider the question of forwarding proposal for reclassification of land from Class B-4 to Class C in respect of GLR Sy. No. 390/3047 area admeasuring 19371.18 sq.ft. for municipal purpose of Pune Cantonment. Presently, the said site is under the Management of Cantonment Board located in notified civil area. The description as per the GLR maintained by this Board is Vacant, but the site has been under different occupation illegally and the Board has been removing the illegal occupation and encroachments from time to time. If the land is not put on immediate use by the Board, this piece of Class B-4 land costing Rs. 1.62 crores approx. may be encroached upon or occupied permanently by the unauthorized elements.

Connected papers are placed on the table.

**RESOLUTION NO. 45 :** Considered. Resolved to reclassify the land bearing GLR Sy. No. 390/3047 area admeasuring 19371.18 sq.ft. from Class B-4 to Class C for municipal purpose of Pune Cantonment. Necessary proposal be forwarded to the Competent Authority for obtaining necessary sanction.

**46. IMPOSITION OF WATER CHARGES FOR WATER ATMs INSTALLED IN THE VARIOUS WARDS OF PUNE CANTONMENT**

To consider the question of imposition of water charges @ Rs. 1/- per litre for drawing the water from the water ATM installed in the various wards of Pune Cantonment.

Connected papers are placed on the table.

**Note :** The Board has installed 6 Nos. of Water ATMs in the wards of the Pune Cantonment Viz. Ward No. I, III, IV, VI, VI & VIII. The Water

ATMs in the remaining wards i.e. Ward No. II & V will be installed shortly.

**RESOLUTION NO. 46 :** Considered. CEE informed the Board that 6 Nos. of water ATMs has been installed in the various wards of the Board and the remaining two ATMs will be installed shortly. CEO informed the Board that in order to maintain the water ATMs, it is necessary to impose nominal charges. Elected Members stated that at present no charges may be levied in public interest. Further they also stated that additional eight Water ATMs be procured for all the wards of the Board. Board noted the same. Resolved that the matter for levying charges may be referred to the Board after installation of remaining two water ATMs.

**47. DESIGN, CONSTRUCTION, SUPPLY, INSTALLATION & COMMISSIONING OF 20 MLD CAPACITY RAW SEWAGE PUMPING STATION AND SEWAGE TREATMENT PLANT INCLUDING OPERATION & MAINTENANCE OF FIVE YEARS AT PUNE CANTONMENT**

To consider letter bearing No. KIPL/PCB/35/2016-17 dated 06.03.2017 received from M/s. Khillari Infrastructure Pvt. Ltd. requesting to compensate the lapse of time more than 5½ month due to the reasons not attributed to them so that the work can be completed at the earliest.

Connected papers alongwith office report and progress / delay in chronological order is placed on the table.

**Note :** At present the civil work of SBR Basin No. 1 has been completed and raft of Basin No. 2 alongwith side wall upto 1.2 mtr. height has also been completed. Further 80% work of Sewage Pumping Station is also completed. Excavation, PCC and rock anchoring for administrative building has been completed. Further electro-mechanical equipments such as decanters, defusers, PLC panel etc have been supplied at the site. The contractor states that due to the overall dimensions, topographical site condition and space constraint, the construction work of four structure such as admin building, HP panel house, DG shed and security cabin could not be taken up until the entire work of major two structure such as SBR Basin and Sewage Pumping Station were completed. The delay caused due to the following issues –

**i. Issue of Change in Design**

As per the Tender Document, the Contract is a Turnkey Contract and the scope of work is including Design of every item of work which are considered required or necessary for the satisfactory completion and guaranteed performance of the

entire plant and further, the contractor shall be responsible for the safety of the structures, correctness of designs and drawings.

On the drawings attached with the tender document, it is clearly stated that “Drawing is Indicative and for Tendering Purpose Only”. However, even after approval of the Basic Engineering Package ( Basic Design ) on 29.07.2015, the contractor was directed to revise the design of the plant as it was revealed that the approved drawings did not match the indicative tender drawings with respect to the height and size of the SBR Basins.

The contractor thereafter prepared a couple of alternative designs to accommodate the plant in existing available land as per the scope and specifications mentioned in the tender document in order to save the demolition of school library and science laboratory. One of the designs had all the SBR Basins on ground floor with 4 Basins instead of 2, whereas, the other alternative design had one Basin over the other with changed orientation of the Basins (like a Plus ‘+’ sign). Thereafter various meetings were held in the office of CEO in presence of the then CEO, then CEE, Project Management Consultants, Engineers and Experts of Technology Provider and the Contractor to decide and finalise on the alternative designs. It may be noted that a period of approximately 2.5 months passed due to all the above mentioned changes in designs and discussions thereon. However, finally the contractor was asked to strictly stick with the indicative tender drawings with respect to its size, volume and height, and to prepare revised Design accordingly and submit it for approval. The Contractor removed the part of the school laboratory which was obstructing the RCC footings of the SBR Basins as per the final design to be revised. Thereafter, the contractor submitted the revised design on 04.01.2016 which was finally approved on 13.01.2016 and contractor restarted the excavation and further works.

**ii. Issue of Demolition of School library and Science laboratory**

The contractor removed the part of the School Laboratory, which was obstructing the RCC footings of the SBR Basins as per the final design to be revised.

**iii. Issue of Cutting of Trees**

The issue of cutting of big Tamarind tree and Ashoka tree was also a cause of delay. A report dated 16.06.2015 was submitted by Engineering Department regarding cutting of trees at STP Site which were coming in the middle of the layout of the plant.



The Board vide CBR No. 32 dated 02.07.2015 resolved to remove the trees as required. However, the trees were finally cut down on 15.10.2015 due to auctioning procedure, thinking of transplanting of those trees, various obstacles and opposition from local people, etc. the delay consumed almost 4 months.

As per the above points, the delay caused due to change in design is almost 2.5 months and due to cutting of trees is of 4 months and collectively, the period lapsed on account of these reasons is almost 6.5 months.

**RESOLUTION NO. 47 :** Considered letter dated 06.03.2017 of M/s. Khilari Infrastructure Pvt. Ltd. Board noted that the delay of 2.5 months caused due to time consumed for deciding the basic design / basic engineering package to match the indicative tender drawings with respect to the height and size of the SBR basins. Also the delay of 4.0 months caused due to time consumed for cutting of big Tamarind tree and Ashoka tree collectively. The period lapsed on account of these reasons is almost 6.5 months. Matter discussed. Resolved to compensate the lapse of period by granting 6.5 months extension in time apart from the extension granted as per Condition No. 13 of the Contract Agreement.

**48. LEASES UNDER CANTONMENT CODE 1899 / 1912 AND CANTONMENT LAND ADMINISTRATION RULES 1925 / 1937**

To note the policy letter received from Government of India, Ministry of Defence, New Delhi regarding (a) extension of expired / expiring leases under Cantonment Code 1899 / 1912 and Cantonment Land Administration Rules 1925 / 1937 (b) Renewal of Cantonment Code and Cantonment Land Administration Rules leases whose full term has not expired.

**Note :** Number of sites within notified Civil Area and outside notified Civil Area of Pune Cantonment are held on Leases under Cantonment Code 1899 / 1912 and Cantonment Land Administration Rules 1925 / 1937. Those leases already expired or are expiring shortly are to be dealt according to the policy letter issued by Government of India, Ministry of Defence, New Delhi letter No. 11013/2/2016/D(Lands) dated 10<sup>th</sup> March 2017. Gist of the said policy letter is as follows:

- (a) The leases under Cantonment code 1899 / 1912 and CLAR 1925 / 1937 whose full term either expired or expiring before 31.02.2018 are to be extended till 31.12.2018 subject to conditions –
  - (i) Where eviction orders are already issued or where litigations are pending such leases shall not be extended.

- (ii) No extension will be permitted where transfer or sub-leases or assignment has taken place after expiry of full term of lease.
- (iii) Lease Rent to be recovered on the basis of STR prevailing on the date of expiry of lease. Lease rent is to be revised by 100% after expiry of every 10 years. Rent is to be fixed according to usage of site i.e. residential, commercial, lucrative.  
Rent for commercial usage shall be two times of residential rate and in case of lucrative usage, it shall be four times.
- (b) Extension of Lease term up to 31.02.2018 shall not regularized the breach/breaches of lease Condition/Conditions.
- (c) The terms and conditions contained in expired lease deed shall continue to be in force till 31.12.2018 subject to the followings –
  - (i) rate of lease rent and arrears of rent shall be payable as above.
  - (ii) extension of lease till 31.12.2018 will not entitle the lessee to seek any greater rights
  - (iii) Wherever the usage of site or part thereof has changed, the lessee has to pay the rent from the date of change took place.
- (d) The lessees / unauthorized occupants who fail to deposit due arrears or rent within three months of demand shall be deemed as unauthorized occupants and action under Public Premises (Eviction of Unauthorized Occupants) Act 1971 will be initiated against them.
- (e) In case where original lessee is expired, has sub-leased, assigned or transferred lease hold rights the lease rent will be accepted from the successors-in-interest.
- (f) The lessees or successors-in-interest who are not agreed with the terms of extension will have to vacate and hand over the site to Government within three months, failing which action for eviction under Public Premises (Eviction of Unauthorized Occupants) Act 1971 will be initiated against them including recovery of arrears of rent. Those who vacate the site without payment of rent arrears shall be treated as per Section 324 of the Cantonments Act 2006.
- (g) Wherever renewal of lease under Cantonment Code / CLAR, is held up on account of breach of lease condition, such cases will be dealt as follows –
  - (i) Compounding of breach of lease condition on account of transfer, sub-lease or assignment of leasehold rights to individual as also Society without prior permission / intimation , is permissible.

- (ii) Compounding of breach on account of change in usage of site shall be dealt as follows –
- [A] commercial usage of site shall not be in violation of Section 244 and 277 of the Cantonments Act 2006
- [B] use of commercial purpose should not be nuisance of likely to be dangerous to life, health of property and security of troops.
- [C] commercial usage meant for livelihood of lessee, successors-in-interest or dependants can be compounded subject to [A] and [B] above and subject to payment of rent at STR rate of commercial usage.
- [D] commercial usage for gains can be regularized subject to [A] and [B] above and payment of additional compounding fee equal to 15% of cost of land calculated as per STR rates prevalent on the date of change in usage of site.
- (h) Compounding of breach on account of nonpayment of rent. following breaches will not be condoned –
- (i) if adjoining land has been encroached upon by the lessee.
- (ii) if there is unauthorized construction which is not within provisions of building bye-laws.
- (iii) If lessee fails to apply for condonation of breach of lease conditions despite issuance of public notice /individual notice and fails to pay the due lease rent depending upon the use of site within stipulated time period of 03 months, such cases will be processed for determination of lease.

Connected papers are placed on the table.

**RESOLUTION NO. 48 :** Considered and noted. The Land Section is instructed to submit all proposals of expired leases in time bound manner. The Elected Members are requested to make the lessee aware about the New Policy / Circular. The Board thanked the then Hon'ble Defence Minister Shri. Manohar Parrikarji & also Shri. J Sharma, DG DE for taking an appropriate decision in the interest of the public pertaining to lease matter. A letter of thanks be forwarded.

**49. HOUSE NO. 1829-1830, BHIMPURA , GLR SY. NO. 390/1227 : OLD GRANT.**

To consider letter dated 27.11.2015 submitted by Shri. Mohd. Jafar Abdul Hamid Qureshi requested to delete the name of present HOR viz. Smt. Khurshid Banu Hasan Sayyed on the basis of order passed by Hon'ble Civil Judge Jr. Division Pune in RCS No. 165/2009 and original M.A. No. 403/2008 dated 14-06-2010.

Connected papers are placed on the table.

**Note** :Name of Smt. Khurshid Banu Hassan Sayyed was recorded in GLR vide CBR No. 20 dated 25-06-2014 on the basis of Affidavit dated 15.01.2014, death certificate of late Aminabi Bacchumiya Badesaheb, marriage certificate issued by Jamatul Kubra Masjid Kamruddin Saheb, School leaving certificate and public notice. Subsequently, Shri. Mohd. Jafar Abdul Hamid Qureshi submitted letter dated 27.11.2015 stating that, Hon'ble court vide order dated 14.06.2010 in C.S. No. 165/2009 has rejected the heirship of present HOR viz. Smt. Khurshid Banu Hassan Sayyed. Shri. M. P. Bendre, Panel Advocate vide letter dated 26.02.2016 also opined that, Board should delete the name of Smt. Khurshid Banu Hassan Sayyed. As such name of earlier HOR Smt. Aminabi Bacchumiya Badesaheb will continue till her successor is proved through court of law. As per CEE's report there is no encroachment on Government land sub-division of site and unauthorized construction involved in the property.

**RESOLUTION NO. 49** : Considered. Resolved to delete the name of present HOR viz. Smt. Khurshid Banu Hasan Sayyed and enter the name of Smt. Aminabi Bacchumiya Badesaheb in the GLR maintained by the Board in respect of property bearing House No. 1829-30 Bhimpura on the ground of court order.

#### **50. MUTATION OF NAMES OF HOR IN GENERAL LAND REGISTER**

To consider mutation in GLR of following properties in the Civil Area notified under Section 47 of Cantonment Act 2006 by way of inheritance/Sale. Individual advertisement inviting objections, if any on the proposed mutation were published. But no objections have been received within the stipulated time.

1. House No. 35 Ghorpuri Bazar
2. House No. 763 Taboot Street
3. House No. 1417 Bhimpura
4. House No. 20 M G Road
5. House No. 494 VP Street
6. House No. 495 V P Street
7. House No. 1497 Bhimpura
8. House No. 16 Ghorpuri Bazar
9. House No. 18-A Sholapur Bazar
10. House No. 649 Sachapir Street
11. House No. 1755 Bhimpura
12. House No. 10 Ghorpuri Bazar
13. House No. 1619 Bhimpura

14. House No. 1750 Bhimpura
15. House No. 1292 Old Beef Market
16. House No. 1400-A Bhimpura
17. House No. 1682 R S Kedari Road
18. House No. 2062-B Sk. Jan Mohd. Street
19. House No. 588 Sachapir Street
20. House No. 1988 Convent Street
21. House No. 72 MG Road
22. House No. 73 MG Road

The detail statement is enclosed as Annexure 'A'

Connected papers are placed on the table.

**RESOLUTION NO. 50** : Considered. Resolved to carry out the mutation in the GLR maintained by the Board in respect of the properties as shown on the agenda side.

#### **51. ISSUE OF TRADE LICENCE FOR THE YEAR 2016-2017**

To consider the issuance of following Renewal of Trade Licence under section 277 of the Cantonment Act, 2006 for the financial year 2016-2017 to the establishments. The list of Trade Licence is as under -

Sr No.	Name of applicant & Address of the Establishment	Trade	Name of HOR as per GLR	Assessment being done as commercial or residential and change of purpose if involved w.r.t. GLR	Whether recommended or not recommended by the SHO/CHS.	Licence issued earlier in the year	Whether any unauthorized construction is involved.
<b>Sweet Mart</b>							
1	Kantilal M. Sethiya. Mulchand Sweets, 525, Centre St., Camp Pune-1	Sweets & Farsan	Smt. Ratanbai Champalal Sethiya & others	Commercial	Recommended	2015-2016	No
<b>Bakery/Dairy products/Coldrinks/Ice-Cream</b>							

2	Kishan T. Lawani. Vijay Laxmi Cold-Drink House. 2037, Jan Mohommod St, Camp, Pune-1	Sale of Ice-cream cold drinks	Chaturbai N. Waswani & others	Residential /Commercial	Recommended	2015-2016	No U/a Construction
3	Bhagwan R.Dodani. India Ice Cream, 2009/3-2009A, Jan Mohammed St, Camp, Pune-1	Sale of Ice cream candies/ Milk ice cream & snacks	Ms.Nilouf our Coover Bharucha & other	Commercial	Recommended	2015-2016	No U/A Construction

Connected papers are placed on the table.

**RESOLUTION NO. 51** : Considered. Resolved to renew the Trade Licence of the establishments as shown on the agenda side for the financial year 2016-17. CHS & CRS to initiate necessary action.

**52. FINANCIAL IMPLICATION IN RESPECT OF DOOR TO DOOR COLLECTION OF WASTE IN WARD NO. III, IV, VI & VII BY SWaCH PUNE SEVA CO-OP SOCIETY.**

Reference CBR No. 8 dtd. 25.01.2017.

To consider the financial implication in respect of door to door collection of waste by SWaCH Pune Seva Co-op Society.

The Board vide above CBR had approved the user fees submitted by SWaCH Pune Seva Co-op Society for door to door collection of waste in Ward Nos. III, IV, VI & VII @ Rs. 60/- per household (to be shared equally by the household & the Board respectively) & Rs.120/- for commercial establishment.

As per recent Census record, the calculation of user fees for the above wards are as follows -

Ward No.	No. of Household's x Rs.60.00	Total amount per	50% i.e. of Rs. 60/-to be	No. of Commercial
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		year	paid by Cantonment Board per month	x Rs.120.
III	1072 x 60 = 64,320.00	7,71,840.00	32,160.00	650 x 120 = 78,000.00
IV	1658 x 60 = 99,480.00	11,93,760.00	49,740.00	793 x 120 = 95,160.00
VI	1418 x 60 = 85,080.00	10,20,960.00	42,540.00	806 x 120 = 96,720.00
VII	1755 x 60 = 1,05,300.00	12,63,600.00	52,650.00	815 x 120 = 97,800.00
	Total = 3,54,180.00	42,50,160.00	1,77,090.00	3,67,680.00

If the user fees are not paid by the house holders Cantonment Board will have to pay full amount.

With respect to mail dtd.02.03.2017 from Smt. Priya Kathuria of SWaCH informed this office that they would require forty (40) pairs of waste pickers (total i.e. 80 waste pickers) for subject work. Also she has sent mail informing this board that they would require to engage staff for administration of subject work with their salary as follows-

<b>Sr. No.</b>	<b>Salary Personnel</b>	<b>No.</b>	<b>Per head</b>	<b>Monthly</b>	<b>Annual</b>
1	Ops Manager	1	35,000.00	35,000.00	4,20,000.00
2	Sr. Coordinator	2	25,000.00	25,000.00	6,00,000.00
3	Jr. Coordinator	2	17,200.00	34,400.00	4,12,800.00
4	Training	1	20,000.00	20,000.00	2,40,000.00
5	Outreach Sr.	1	25,000.00	25,000.00	3,00,000.00
6	Outreach Jr.	2	12,000.00	24,000.00	2,88,000.00
7	Admin	1	20,000.00	20,000.00	2,40,000.00
8	Accounts	1	20,000.00	20,000.00	2,40,000.00
9	Data	2	12,000.00	24,000.00	2,88,000.00
10	Total	13		2,52,400.00	30,28,800.00

Further mail has been sent informing this office about requirement of material with their prices as follows -

<b>Equipment</b>	<b>Quantity per Member</b>	<b>Frequency (years)</b>	<b>Waste pickers</b>		<b>Per unit Lower Range</b>	<b>Lower Range</b>
Push carts with PCB, SWaCH Logos	1 per pair(+15% Contingency)	3	80	46	12,000.00	5,52,000
Buckets	8 pair	0.5	80	640	800.00	5,12,000
Apron	2 per person	1	80	160	200.00	32,000
Raincoat	1 per person	1	80	80	450.00	36,000
Chappal	2 per person	1	80	160	200.00	32,000
Coloured Scarves	2 per person	1	80	160	125.00	20,000
Soap	24 per person	1	80	1920	20.00	38,400
Handgloves	36 per person	1	80	2880	30.00	86,400
Masks	24 per person	1	80	1920	10.00	19,200
Mother Bags	36 per person	1	80	2880	25.00	72,000
Jackets (Sweaters)	1 per person	1	80	80	500.00	40,000
<b>Total</b>						14,40,000

If the Board procures material with lower range, Board will have to pay Rs. 14,40,000/- yearly.

Thus we will have to make financial provisions for Rs. 87,18,960.00 per annum i.e. (User fees + Salaries + material), out of which amount Rs. 24,92,760/- receivable of user fee from household and commercial establishments.

However, on 18.03.2017 a meeting with Adar Poonawala Clean City Movements and Janwani was arranged in this office with CEO and



Health Department of the Board wherein it has been decided to proceed with further course of action with Janwani and Adar Poonawala Clean City by implementing door to door collection of waste in Ward No. III & VI. Further it has also been decided to provide sorting sheds in the said wards to segregate dry waste. Board will have to decide in detail user fee charges in respect of residential and commercial properties to pay waste pickers arranged by Janwani as discussed in meeting and also regarding procurement of push-carts and plastic buckets for the same

**RESOLUTION NO. 52 :** The Board considered the financial implication to be incurred by SWaCH Pune Co-op. Society and resolved to reject the same. Further Board resolved to implement the door to door collection through Janwani and also to provide 10 waste pickers through Janwani, for which the payment will be made by the Board through minimum wages for Ward No. III & VI. Further also resolved to purchase 10 Nos. of Push Carts from local market, which will facilitate door to door collection of waste in the respective wards.

**53. SANCTION FOR THE WORK OF REMODELLING & IMPROVEMENT OF THE SEWERAGE SYSTEM OF THE CIVIL AREA OF THE PUNE CANTONMENT : LAYING OF TRUNK SEWER LINES FROM DECCAN TOWER UPTO 900 BOOTTEE STREET AND SEWAGE PUMPING STATION AT SHOLAPUR BAZAR**

To note letter bearing No. 8119/OW/Sewage System/Pune/C/DE dated 24.03.2017 wherein the sanction of the Principal Director, Defence Estates, Southern Command, Pune has been conveyed under Section 188 (2) of the Cantonments Act, 2006 for the work of remodelling & improvement of the Sewerage System of the civil area of the Cantonment for laying of trunk sewer lines from Deccan Tower upto 900 Boottee Street and Sewage Pumping Station at Sholapur Bazar at an estimated cost of Rs. 5,96,29,150/-.

Connected letter is placed on the table.

**RESOLUTION NO. 53 :** Considered and noted. Resolved to invite e-tenders at the earliest and to start the work before monsoon.

With the permission of the Chair, the following supplementary items were taken -

**54. DISPOSAL OF UNSERVICEABLE ITEMS, SCRAP MATERIALS OF VARIOUS DEPARTMENTS OF THE BOARD**

Reference CBR No. 17 dated 28.02.2017.

To consider the list of unserviceable items from various departments of the Board viz. schools / stores / garden / workshop / PWD / Electrical / Office etc to be disposed through Government authorized auctioneers.

The list of unserviceable items to be disposed off is placed on the table.

**RESOLUTION NO. 54 :** Considered. The Board discussed the agenda in detail and found that it will be in favour of the Board to get more revenue to conduct auction at the site rather than e-tendering. For this purpose the Board constituted the committee of following –

- (a) Vice President
- (b) Office Supdt.
- (c) Chief Revenue Supdt.
- (d) Chief Accountant
- (e) Stores Supdt.

Before the conclusion of the meeting, a presentation was shown on the works being carried towards the renovation of the Mukti Dham. The Board appreciated the efforts taken by Shri. Atul V Gaikwad, Elected Member and the Engineering staff.

The Board Meeting concluded with the singing of National Anthem.

Sd/-  
MEMBER-SECRETARY  
PUNE CANTONMENT BOARD  
(**DR. D N YADAV**)  
Dated : 29.03.2017

Sd/-  
PRESIDENT  
PUNE CANTONMENT BOARD  
(**BRIG. A. K. TYAGI**)  
Dated : 29.03.2017