

**MINUTES OF PROCEEDINGS OF ORDINARY MONTHLY BOARD MEETING OF CANTONMENT
BOARD ALLAHABAD HELD AT 11:00 A.M. ON 01-09-2023 IN ITS OFFICE**

Members Present:-

1. Brig. Maninder Singh Sidhu, PCB.
2. Shri Mohd. Sameer Islam, Secretary/ Member/CEO.
3. Shri Vinod Kumar Valmiki, Nominated Member.

Special Invitees: – Nil

Board Meeting was scheduled to be held on 31.08.2023 at 11:00 am but due to some unavoidable circumstances Board meeting was rescheduled to be held on 01.09.2023 at 11:00 am

1. CONFIRMATION OF THE LAST BOARD PROCEEDING DATED 31.07.2023.

CBR NO. 1: Noted & approved by the Board. Further, The President Cantonment Board directed that:-

1.) All the products to be purchased in relation to agenda point 5, 7 & 8 must meet the requisite quality, specifications and delivery period with Consignee Receipt and Acceptance Certificate (CRAC).

2.) In reference to agenda point No.13 Board approved the expenditure incurred on one day lecture under Rajbhasha amounting to Rs.84,068/- plus GST as applicable.

2. MONTHLY ACCOUNT

Summary July, 2023

Receipts and Payment Account for the period 01/07/2023 to 31/07/2023

Opening Balance		
Cash Account Balance		0.00 Dr.
Bank Account Balance		9,70,54,878.73 Dr.
Receipts Account Head	Budgeted Amount (Rs.)	Actual Amount Received (Rs.)
13 - Revenue from property (other than taxation)	0	2,000.00
15 - Fees, User Charges and Fines	0	4,89,706.00
16 - Income from Sales and Hire Charges	0	600
32 - Grants, Contributions for Specific Purpose	0	1,50,000.00
36 - Supplier's and Contractor's Liability	0	81,000.00
37 - Liability to Public	0	2,91,600.00
38 - Amount payable to Government	0	21,600.00
46 - Sundry Debtors	0	16,25,97,043.00
49 - Other Assets	0	296.50
Total		16,36,33,845.50

Payments Account Head	Budgeted Amount (Rs.)	Actual Amount Paid (Rs.)
21 - Establishment Expenses	12,72,000.00	2,82,52,676.00
22 - Administrative Expenses/ Contingencies	0	7,04,588.00
23 - Interest and Finance Charges	0	12,855.96
24 - Purchases, Repairs, maintenance and Works Contracts	0	2,48,586.00
26 - Grants, Revenues and Subsidies	3,90,000.00	0
29 - Miscellaneous/Other Expenses	0	8,75,921.00
35 - Employers Liability	0	20,29,860.00
36 - Supplier's and Contractor's Liability	0	17,000.00
37 - Liability to Public	0	1,18,602.00
38 - Amount payable to Government	0	1,81,676.00
39 - Other Liabilities	0	2,132.00
41 - Fixed Assets	0	15,520.00
45 - Stock in Hand	0	1,63,049.00
48 - Cash and Bank Balance	1,35,000.00	0
Total		3,26,22,465.96
Closing Balance		
Cash Account Balance		0.00 Dr.
Bank Account Balance		22,80,66,258.27 Dr.

Statement of Cash and Cash Equivalents as on Date: 30/06/2023

Sr. No.	Particulars	Amount (Rs.)	Amount (Rs.)
1	Cash and Bank Balances		
i.	110 - 4811 - 0001 - Cash in Hand-CCB	0.00	
ii.	11 - 11 - 110 - 4821 - 0004 - STATE BANK OF INDIA - 10088645160 - SBI Current Account	0.00	
iii.	11 - 11 - 110 - 4821 - 0002 - STATE BANK OF INDIA - 10088647076 - Pension Fund Account	0.00	
iv.	11 - 11 - 110 - 4821 - 0003 - STATE BANK OF INDIA - 10088647087 - EPF Account	0.00	
v.	11 - 11 - 110 - 4821 - 0001 - STATE BANK OF INDIA - 10088647292 - Saving Account For Income and Expenditure	71184531.57	
vi.	12 - 11 - 110 - 4821 - 0005 - STATE BANK OF INDIA - 30564579387 - Cantt Development Fund	4115056.46	
vii.	12 - 11 - 190 - 4821 - 0007 - STATE BANK OF INDIA - 39343176545 - SBI 15TH CFC CB ALLAHABAD	20276359.00	
viii.	11 - 11 - 110 - 4821 - 0006 - UCO - 320100014986 - UCO BANK DEPRECIATION FUND ACCOUNT	1478931.70	
ix.	Cash in Post Office Account	0.00	
x.	Others	0.00	9,70,54,878.73
2	Total amount of Fixed Deposits	0.00	0.00
3	Other investments		
i.	Government Securities	0.00	
ii.	Bonds	0.00	
iii.	Other investments	0.00	0.00
	Total		9,70,54,878.73

Statement of Cash and Cash Equivalents as on Date: 31/07/2023

Sr. No.	Particulars	Amount (Rs.)	Amount (Rs.)
1	Cash and Bank Balances		
i.	110 - 4811 - 0001 - Cash in Hand-CCB	0.00	
ii.	11 - 11 - 110 - 4821 - 0004 - STATE BANK OF INDIA - 10088645160 - SBI Current Account	0.00	
iii.	11 - 11 - 110 - 4821 - 0002 - STATE BANK OF INDIA - 10088647076 - Pension Fund Account	0.00	
iv.	11 - 11 - 110 - 4821 - 0003 - STATE BANK OF INDIA - 10088647087 - EPF Account	0.00	
v.	11 - 11 - 110 - 4821 - 0001 - STATE BANK OF INDIA - 10088647292 - Saving Account For Income and Expenditure	202719596.11	
vi.	12 - 11 - 110 - 4821 - 0005 - STATE BANK OF INDIA - 30564579387 - Cantt Development Fund	4115056.46	
vii.	12 - 11 - 190 - 4821 - 0007 - STATE BANK OF INDIA - 39343176545 - SBI 15TH CFC CB ALLAHABAD	19752879	
viii.	11 - 11 - 110 - 4821 - 0006 - UCO - 320100014986 - UCO BANK DEPRECIATION FUND ACCOUNT	1478726.70	
ix.	Cash in Post Office Account	0.00	
x.	Others	0.00	228066258.27
2	Total amount of Fixed Deposits	0.00	0.00
3	Other investments		
i.	Government Securities	0.00	
ii.	Bonds	0.00	
iii.	Other investments	0.00	0.00
	Total		228066258.27

CBR NO. 2: Noted & approved by the Board.

3. PROCUREMENT OF ROLLER FOR PLAY GROUND SITUATED AT CANTT. HIGH SCHOOL, SADAR BAZAR, NEW CANTT. ALLAHABAD

Reference Circular Agenda No. 1 dated 14.08.2023.

Board vide Circular Agenda under reference approved the procurement of 01 No. Roller in at the estimated cost of Rs.1,10,000/-.

Board to note & confirm.

CBR NO. 3: Noted & confirmed by the Board.

4. SANCTION FOR RE-DESIGNATION & REVISION OF INITIAL GRADE PAY & AMENDMENT IN QUALIFICATION OF JUNIOR CLERK IN CANTONMENT BOARD ALLAHABAD

It is submitted PDDE, CC, Lko vide letter No. 9873/Agra/Estt/17/C-602 dated 29.03.2023 has accorded sanction regarding for re-designation, revision of initial pay scale and amendment in qualification of the post Junior Clerk w.e.f. **18.03.2011** as per provisions of UP Govt. GO No.Ve-Aa-2-401/Das-54(M)/2008 TC dated 18-03-2011.

Details of posts	Present	Revised
Name of Post	Junior Clerk	Junior Assistant
Pay scale	Pay Band-1 Rs. 5200-20200	Pay Band-1 Rs. 5200-20200
Grade pay	Rs. 1900	Rs. 2000
Minimum Qualification	Intermediate and Hindi & English typing.	Must have passed the Intermediate Examination of the Board of High School and Intermediate Education, Uttar Pradesh or an Examination recognized by the Government as equivalent thereto. Must possess a minimum speed of twenty five words per minute and thirty words per minute in Hindi Typewriting and & English Typewriting respectively. CCC certificate in computer operation awarded by the DOEACC society or a certificate equivalent thereto awarded by an Institution recognized by the Govt.
Authority	Present Establishment folder	UP Govt. GO No.Ve-Aa-2-401/Das-54(M)/2008 TC dated 18-03-2011 & Notification No. 189/x-2014-11-2013 dated 22-09-2014

It is further submitted that existing junior clerk(s) are also eligible for the aforesaid revision. The details are as follows:-

Sr. No	Name of Employee	Designation	Date of Appointment	Present Status	Financial Implication in Rs. (approx)
1.	Abhishek Mishra	Junior Clerk	26.05.2014	Resigned on 31.05.2018	Rs. 3,50,000/-
2.	Adesh Mishra	Junior Clerk	06.09.2016	Presently working in Accounts Section	Rs. 5,00,000/-
Total Financial Implication (Rs.)					Rs. 8,50,000/-

Relevant documents are placed on the table. Board to consider.

CBR NO. 4: Board decided to grant benefits to the concerned employee & ex-employee only after their pay fixation proforma is duly audited by the LAO (B).

5. FILLING OF POSTS ON ACCOUNT OF PROMOTIONS / RETIREMENTS IN CANTT BOARD ALLAHABAD

Reference Office Order No.148 Part II dated 01.08.2023

It is submitted that the post of Revenue Inspector, Accountant & Office Superintendent in Cantt Board Allahabad was vacated on 01/01/2017, 30/04/2023 and 31/07/2023 respectively due to promotion/retirements. Keeping in view the administrative exigencies the following promotions have been made on Seniority basis as per norms laid down in Establishment Folder of this Board and also under the provisions of Rule 5 sub rule 3(h) of The Cantonment Board Employees Service Rules, 2021. All promotions have been made on probation for a period of 06 months and without any financial benefits. The details are as follows:-

SI No	Name of Employee	Promotion Details (w.e.f. 01.08.2023)
1.	Shri Dilip Kumar Sen	Promoted from the post Senior Clerk to the post Accountant with additional charge of Office Superintendent
2.	Shri Hansraj	Promoted from the post of Revenue Collector to the post of Revenue Inspector
3.	Shri Srinivas Pandey	Promoted from the post of Junior Clerk to the post of Senior Clerk with additional charge of Stores

Board to Note.

CBR NO. 5: Board decided to conduct exam to ascertain merit for promotion after taking legal opinion.

6. PROMOTION OF SHRI ASHISH KUMAR YADAV FROM THE POST OF SAFAIWALA TO THE POST OF DRIVER

Reference Office Order No.157 Part II dated 23.08.2023.

It is submitted that 01 post of Driver was vacated on 01.03.2023 due to death of Shri Santosh Kumar S/o Nanhe Lal. Keeping in view the administrative exigencies Shri Ashish Kumar Yadav was already driving the garbage collection truck w.e.f. 01.01.2023. Sanitary Inspector vide his note sheet dated 22.08.2023 has informed that the services of Shri Ashish Kumar Yadav are very good and has also recommended that the said employee may be promoted from the post of Safaiwala to the post of Driver. It is pertinent to mention that office superintendent has also furnished his report that as per rules promotion can be done.

Board to note.

CBR NO. 6: Board considered and approved the promotion of Shri Ashish Kumar Yadav on the post of Driver.

7. VARY THE CONSTITUTION OF THE CANTONMENT BOARDS

Reference PDDE, CC, Lko letter No. 11034/Election/Cantt/Vol-VII/52 dated 11.08.2023 & Gazette Notification No. S.R.O. 21(E) of Ministry of Defence dated 03.08.2023.

In exercise of the powers conferred by clause (b) of sub-section (1) and sub-section (4) of section 13 of the Cantonments Act, 2006 (41 of 2006), the Central Government, on being satisfied that for the administration of certain Cantonments, it is desirable to vary the constitution of the Cantonment Boards relating thereto where the term of the members shall expire on 10th August, 2023, hereby makes a declaration to vary the constitution of Cantonment Boards as specified in the table in aforesaid gazette, with effect from 11th August, 2023, for a period of six months, or till such time the said Boards are constituted under section 12 of the said Act, whichever is earlier.

Matter is placed before the Board for kind information.

CBR NO. 7: Noted & confirmed by the Board.

8. INSTALLATION OF CCTV CAMERAS IN CANTONMENT HIGH SCHOOL, VICKER JR. HIGH SCHOOL AND R.A. BAZAR PUBLIC SCHOOL

Reference C.B. Res. No. 17 dated 26.07.2022.

The estimated cost sanctioned by the Board vide resolution mentioned under reference of installation of CCTV Cameras at Cantonment High School, Vicker Public School and R.A. Bazar Public School was Rs. 3,04,300/- which has now been increased by Rs. 30,000/- i.e. approximate 10% of the estimated cost. Reason for increase in cost is given below -

Sl. No.	Particular	Quantity	Rs. (Approx)
1	CAT6 Network Cable	300mtr	8,600.00
2	Rack 2U	02No.	4,400.00
3	Installation with Material Casing Patti, Pin etc	26No.	17,000.00

Board to note & confirm.

CBR NO. 8: Board noted & approved the approximate increase in cost amounting to Rs.30000/- for installation of CCTV Cameras in Cantt Board Schools.

9. PROPOSAL FOR IMPLEMENTATION OF JEEVAN PRAMAN PORTAL

In November 2014 the Prime Minister launched Aadhar based Biometric authentication system "Jeevan Pramaan" to enable pensioners to submit Digital Life Certificate (DLC) online. Jeevan Pramaan Portal is an online facility developed by the NIC for submitting digital Life Certificate to the pension disbursing agency (PDA) i.e. Cantonment Board.

Cantonment Board Allahabad has total 191 pensioners under which most of the pensioners are above the age of 70 years and lived in different districts and states due to which they are not able to visit the office to submit the Life Certificate. This facility is already used by Central and State departments, where the pensioners need not to visit the office for submitting the Life Certificate. The pensioners can easily submit their Life Certificate using the Jeevan Pramaan App through the smart phones. In this regard letters have been issued by the Director General Defence Estates letter no. 56/15/Misc/DGDE/Coord/2021/Vol-I dated 17.02.2021, letter no. 16373/Ruling/Adm/LCE dated 22.02.2021 and letter no. 43376/Gen/Cantt/LC8/136 dated 19.11.2019 for implementation of Jeevan Praman Life Certificate for Pensioners.

The implementation of Jeevan Pramaan Portal can be done only after the registration/on-boarding of Pension Sanctioning Authority (PSA) i.e. Principal Director, Defence Estates, Central Command Lucknow and Pension Disbursing Agency (PDA) i.e. Cantonment Board on Jeevan Pramaan Portal.

The file is placed before the Board.

CBR NO. 9: Board considered and decided to forward the proposal to the PDDE, CC, Lko because registering pensioners of this Board on Jeevan Pramaan Portal requires that final pension sanctioning authority i.e. PDDE, CC must register first on the above mentioned portal as pension sanctioning authority (PSA) & Cantonment Board as pension disbursing authority(PDA).

10. IMPLEMENTATION OF 'ONE-DAY ADMISSION (DAY CARE)' PACKAGE.

Shri Siddahrth Pandey (Project Director) PPP Partner, Cantonment General Hospital, Allahabad, vide letter dated 26/08/2023 has informed patients are suffering from high grade fever (inclusive of dengue positive cases) since the past month. Such patients require an observatory IPD admittance for a period of 24 hrs or less and the total cost of treatment (excluding bed charges) borne by them do not exceed Rs. 500/-. In such a scenario a bed charge/admittance fee of Rs. 425/- proves to be somewhat exorbitant and requested to allow the hospital to implement a 'One-Day Admission (Day Care) Package' which will be priced at Rs. 100/- for 24hrs aiming at the collective benefit of the general masses.

Board to consider.

CBR NO. 10: One-Day Admission (Day Care)' Package is considered and approved by the Board.

11. AUCTION OF TOILET/BATHROOM COMPLEX AT JAGDISH RAMP, BENI BUNDH, FORT CANTT, PRAYAGRAJ FOR OPERATION AND MAINTENANCE UNDER PAY & USE SYSTEM.

Tender for auction of Toilet/ Urinal/ Bathroom complex at Jagdish Ramp, Beni Bundh, Fort Cantt, Allahabad was invited vide Tender ID: 2023_DGDE_612999_1 dated 18.07.2023 through e-tender uploading complete tender documents on Govt. e-procurement portal <https://etenders.gov.in/eprocure/app>.

Since, two bidders were received in the first call, tender opening committee recommended for retendering as per Rule-173 (xx) of GFR 2017.

Tender for auction of Toilet/ Urinal/ Bathroom complex at Jagdish Ramp, Beni Bundh, Fort Cantt, Allahabad was invited for second call vide Tender ID: 2023_DGDE_612999_1 through e-tender uploading complete tender documents on Govt. e-procurement portal <https://etenders.gov.in/eprocure/app>. Tender notice dated 09.08.2023 was also uploaded on website of Cantt. Board.

Technical bid was opened on 17.08.2023 by the Tender Committee and two bids mention below were received:

Sr. No.	Bidder Name	Address
1	Agam Foundation	Plot No. -7B, Defence Enclave, Part-II, Mohan Garden, Uttam Nagar, New Delhi, 110059
2	Rashtriya Sahri Avam Gramin Vikas Sansthan	EWS 674, Avas Vikas Colony, Yajana No. 2, Jhunsi, Allahabad.

Tender opening committee perused the documents uploaded in technical bids by above mentioned bidders. It was found that both bidders did not upload few documents required in the technical bids. Hence, the bidders were requested through e-procurement portal on 17.08.2023 to submit short fall documents. In response to short fall documents, both bidders submitted their reply.

Based upon documents uploaded in Technical Bids and Short Fall documents, both bidders qualified in Technical Bidding.

Financial Bid of both technical qualified bidders has been opened on 24.08.2023 by tender opening committee. Financial bids have been downloaded from E-procurement system and details of financial bid received are as under:

Sr. No.	Bidder Name	Quoted Above Price	Bid Rank
1	Rashtriya Sahri Avam Gramin Vikas Sansthan	1,05,000.00	H-1
2	Agam Foundatiuon	96,805.00	H-2

Rashtriya Sahri Avam Gramin Vikas Sansthan contractor has quoted highest bids of Rs. 1,05,000/- and is reasonable in view of Prevailing Market Rate.

Relevant file is placed on the table.

Board to consider.

CBR NO. 11: Board considered & approved the auction of Toilet/ Urinal/ Bathroom complex at Jagdish Ramp, Beni Bundh, Fort Cantt, Allahabad in favour of Rashtriya Sahri Avam Gramin Vikas Sansthan, EWS 674, Avas Vikas Colony, Yajana No. 2, Jhunsi, Prayagraj at above quoted price of Rs. 1,05,000.00. Further, Board decided to fix and display the price of Latrine @ Rs.10/-, Bathing @ Rs.10/- and free of cost use of Urinal and mention the price in the agreement as well. Rate as above are approved being the lowest as per report submitted by Sanitary Inspector which contains comparative rates of Railways & Bus Stands.

12. MUTATION IN RESPECT OF HOUSE NO. SY NO. 111/2, KYDGANJ, FORT CANTT, ALLAHABAD.

Reference letter dated 08.06.2023 and 17.06.2023 of Shri Sumit Jaiswal S/o Santosh Kumar Jaiswal, resident of 884A/653A, Krishna Nagar, Kydganj, Praygaraj and CBR No. 19 dated 28.04.2023.

Board vide CBR No. 19 dated 28.04.2023 decided to issue no objection certificate to Smt. Geeta Kumari Jaiswal & Shri Sunil Kumar for transfer of leasehold rights in r/o Sy. No. 111/2, Kydganj, Fort Cantt, Allahabad from existing Holder of Occupancy Rights to Shri Sumit Jaiswal S/o Late Santosh Kumar Jaiswal, 884A/653A, Krishna Nagar, Kydganj, Praygaraj.

Accordingly, Cantonment Board vide letter No. Y-38/CBA/2023/731 dated 20.05.2023 granted no objection to Smt. Geeta Kumari Jaiswal & Shri Sunil Kumar for transfer of leasehold rights in r/o Sy. No. 111/2, Kydganj, Fort Cantt, Allahabad from existing Holder of Occupancy Rights to Shri Sumit Jaiswal S/o Late Santosh Kumar Jaiswal, 884A/653A, Krishna Nagar, Kydganj, Praygaraj.

Shri Sumit Jaiswal S/o Santosh Kumar Jaiswal, resident of 884A/653A, Krishna Nagar, Kydganj, Praygaraj vide letter dated 08.06.2023 and 17.06.2023 requested that Survey Number 111/2, Kydganj, Fort Cantt, Allahabad be mutated his name in Cantt Board Records and General Land Register. Applicant claimed that he has purchased the leasehold rights of Survey Number 111/2, Kydganj, Fort Cantt, Allahabad from the recorded lessees/ Holder of Occupancy Rights through Registered Deed executed on 02.06.2023. Registered Deed dated 02.06.2023 has been executed by Recorded Holder of Occupancy Rights of Sy. No. 111/2, Kydganj, Fort Cantt, Allahabad.(Smt. Geeta Kumari Jaiswal D/o Late Shri Kunwar Arvind Narain Singh and Shri Sunil Kumar S/o Sadanand).

Cantonment Board published a Public Notice in Hindi in Amar Ujala (Hindi) & Dainik Jagran (Hindi) on 07.07.2023 and Notice in English in Times of India (English) on 07.07.2023 for inviting objection/ claims against deletion of name of Smt. Geeta Kumari Jaiswal D/o Late Shri Kunwar Arvind Narain Singh and Shri Sunil Kumar S/o Shri Sadanand from "Holder of Occupancy Rights" and inclusion of name of Shri Sumit Jaiswal S/o Santosh Kumar Jaiswal, resident of 884A/653A, Krishna Nagar, Kydganj, Praygaraj as "Holder of Occupancy Rights in respect of site comprising Survey No. 111/2, Kydganj, Fort Cantt, Allahabad in writing along with supporting documents within 30 days from the date of publication of the notice.

Public Notice was also uploaded on the website of Cantonment Board Allahabad. It was also mentioned in the notice that If any objection/ claim as mentioned above are not received within the period specified in this notice, the name of Shri Sumit Jaiswal S/o Santosh Kumar Jaiswal, resident of 884A/653A, Krishna Nagar, Kydganj, Praygaraj will be entered as "Holder of Occupancy Rights" in place of Smt. Geeta Kumari Jaiswal D/o Late Shri Kunwar Arvind Narain Singh and Shri Sunil Kumar S/o Shri Sadanand in respect of site comprising Sy. No. 111/2, House No. 11, Kydganj, Fort Cantt, Allahabad.

No objections/ claims have been received against the said public notice in the stipulated period and till date.

Site is situated inside civil area under the management of Cantt Board Allahabad. Brief history in respect of Sy. No. 111/2, Kydganj, Fort Cantt, Allahabad is given below:

- i. Site admeasuring 4000 sqft comprising Sy. No. 111/2, Kydganj, Fort Cantt was leased out to Shri Kundan Jaiswal in Schedule VI of CLAR, 1925 for residential purpose for a period of 30 years renewable at option of the lessee upto 90 years w.e.f. 26.06.1935.
- ii. First term of lease expired on 25.06. 1965.
- iii. While initiating the proposal for renewal for further term of 30 years lessee had also requested for change of purpose as the site was being used for commercial purposes in violation of condition 1 (6) of the lease. The Cantonment Board vide C.B. Resolution No. 5 dated 25-06-1965 resolved that proposal for renewal of lease and change of purpose be submitted to GOC-in-Chief and accordingly necessary proposal was submitted to HQCC, Lucknow vide Cantt. Board letter No. Y-38/2458 dated 11-08-1965.
- iv. GOC-in-Chief, HQ, Central Command, Lucknow vide letter No.32847-LC3/11 dated 02-09-1968 returned the proposal for its re-submission for fresh lease and accordingly proposal was submitted for two fresh lease in respect of site comprising Sy. No. 111/2 and 111/3 for commercial purposes vide letter dated 21-11-1968.
- v. Govt. of India, Ministry of Defence, New Delhi vide letter No.7/3/L/L&C/69/7828/D (Lands) dated 23.08.1969 had conveyed the sanction of the President to the following measures -
 - a. Grant of lease of 4,000 Sqft of land comprising Sy. No. 111/2 for the purpose of a soap factory to Shri Kundan Lal Jaiswal in Schedule VIII CLAR, 1937 with effect from 26-06-1965, on payment of an annual rental of Rs. 120/- and an initial premium of Rs.1840/-
 - b. Grant of lease of 4,000 Sqft. of land comprising Sy. No. 111/3, for the purpose of Plastic factory to Shri Kundan Lal Jaiswal in Schedule VIII CLAR, 1937 with effect from 22-06-1965, on payment of an annual rental of Rs. 120/- and a premium of Rs.1840/-.
 - c. Payment of additional rent of Rs.42/- per annum by Shri Kundan Lal Jaiswal for the unauthorised use of premises w.e.f. August 1964 to the dates of expiry of the leases in Schedule VI of CLAR, 1925.
- vi. The sanction of the Govt. was communicated to Sri Kundan Lal Jaiswal vide letter dated 09-10-1969, 22-01-1970 and 08-06-1970 vide which he was required to deposit rent and premium as per Govt. sanction amounting to Rs.4937.22 but he had not deposited the rent, premium and made a representation dated 08-07-1970 that he has changed his mind and decided not to use the premises for commercial purposes

and requested that lease in respect of site comprising Sy. No. 111/2 be renewed for residential purposes and out of Sy. No. 111/3 an area measuring 1500 sqft be granted for commercial purposes and rest of the area 2500 Sqft for dwelling purposes.

- vii. Accordingly a proposal as requested by the lessee was submitted vide Cantt. Board letter dated 29-10-1971. After a long correspondence, since the change of purposes involved in the subject case was not discontinued after June 1965, the HQ, Central Command (ML&C) letter No. 32847-LC3/63 dated 29-06-1974 directed to ask the lessee to pay the site rent and premium immediately as per sanction of Govt. otherwise a self contained proposal for cancellation of Govt. sanction and resumption of sites may be initiated immediately. Accordingly a letter dated 17-07- 1974 was issued to the lessee for deposit of Rs. 5897.28 as rent up to 1974 and premium as Govt. sanction and after a long correspondence he has deposited all the dues. The lease as sanctioned by the Govt. letter dated 23-08-1969 could not be executed.
- viii. Legal heirs of Shri Kundan Lal Jaiswal, S/Shri Kunwar Narendra Naraiian Singh and Kunwar Arvind Naraiian Singh sons of late Kundan Lal Jaiswal vide letter dated 15.02.2016 requested for mutation of property in their favour, execution of lease as sanctioned by the Govt vide letter dated 23.08.1969 renewal of further term of lease as sanctioned by the Govt vide letter dated 23.08.1969.
- ix. Cantonment Board vide CBR No 1(xxi) dated 17.02.2016 considered the application dated 15.02.2016 of Kunwar Narendra Narain Singh and Kunwar Arvind Narain Singh sons of late Kundan Lal Jaiswal for mutation and renewal of lease In respect of site comprising Sy No 111/2 and 111/3, Kyed Ganj Fort Cantt, Allahabad and resolved to recommend that lease be renewed for final term of 30 years w.e.f. 26.06.1995 to 25.06.2025 in respect of site comprising Sy No 111/2 and w.e.f. 22.06.1995 to 21.06.2025 in respect of site comprising Sy No 111/3, necessary proposal be submitted to competent authority for obtaining necessary sanction for renewal of leases. The Board further resolved to process the cases of mutation by publishing public notice inviting claims and objections within 30 days from publication of notice in local news papers.
- x. No objection and claims were received. Hence, Cantonment Board Allahabad vide CBR No. 11 dated 28.03.2016 resolved that name of Kunwar Narendra Narain Singh and Kunwar Arvind Narain Singh sons of Late Kundan Lal Jaiswal be mutated in respect of site comprising Sy. No. 111/2, Kydganj and Sy. No. 111/3, Kydganj and resolved to recommend that leases be renewed for final term of 30 years.
- xi. Cantonment Board vide letter No. T-51/12/VOL.III/JPG/2015-16/255A dated 31.03.2016 requested Directorate, Defence Estates, Central Command that the sanction of competent authority may please be conveyed to the renewal of lease held in Schedule VIII of CLAR, 1937 in respect of site comprising 111/2 w.e.f. 26.06.1995 to 25.06.2025 on payment of annual rent of Rs 180/- and 111/3 w.e.f. 22.06.1995 to 21.06.2025 on payment of annual rent of Rs 180, for further term of 30 years in Schedule IV of CLAR, 1937, under the provisions of existing leases.
- xii. Directorate. Defense Estates, Central Command. Lucknow vide letter dated 27.04.2016 conveyed sanction for renewal of both leases for further period of two tenures of 30 years with effect from 26.06.1995 to 25.06.2025 in respect of Sy. No. 111/2, Kydganj and 22.06.1995 to 21.06.2025 in respect of Sy. No. 111/3, Kydganj. Renewal of lease as sanctioned by Directorate. Defense Estates, Central Command. Lucknow vide letter dated 27.04.2016 has not been executed yet.
- xiii. Further, Shri Sunil Kumar vide letter 11.02.2020 requested for mutation in respect of Sy, No. 111/2, Kydganj, Fort Cantt in favour of Smt. Geeta Kumari Jaiswal and Shri Sunil Kumar.
- xiv. Board vide CBR No. 24 dated 31.03.2022 approved the mutation in favour of Smt. Geeta Kumari Jaiswal and Shri Sunil Kumar in respect of Sy, No. 111/2, Kydganj, Fort Cantt.
- xv. Shri Sunil Kumar & Smt. Geeta Kumari Jaiswal, A/902, Nirala Eden Park, Indirapuram, Ghaziabad- 201 014 (Recorded Holder of Occupancy Rights of Sy. No. 111/2, Kydganj, Fort Cantt, Allahabad) vide application dated Nil (received in this

office on 01/12/2022) requested for grant of permission/ NOC for transfer of leasehold rights in favour of Shri Sumit Jaiswal S/o Late Santosh Kumar Jaiswal, 884A/653A, Krishna Nagar, Kydganj, Praygaraj in respect of Sy. No. 111/2, Kydganj, Fort Cantt, Allahabad.

- xvi. Matter was referred to Board. Board vide CBR No. 28 dated 28.03.2023 decided to take legal opinion regarding transfer of leasehold rights in r/o Sy. No. 111/2, Kydganj, Fort Cantt, Allahabad based on application of Shri Sunil Kumar & Smt. Geeta Kumari Jaiswal.
- xvii. Legal opinion was taken from Cantt Board Legal Adviser, Shri Bal Govind Mishra and matter was again referred to Board. Board vide CBR No. 19 dated 28.04.2023 decided to issue no objection certificate to Smt. Geeta Kumari Jaiswal & Shri Sunil Kumar for transfer of leasehold rights in r/o Sy. No. 111/2, Kydganj, Fort Cantt, Allahabad from existing Holder of Occupancy Rights to Shri Sumit Jaiswal S/o Late Santosh Kumar Jaiswal, 884A/653A, Krishna Nagar, Kydganj, Praygaraj.
- xviii. Accordingly, Cantonment Board vide letter No. Y-38/CBA/2023/731 dated 20.05.2023 granted no objection to Smt. Geeta Kumari Jaiswal & Shri Sunil Kumar for transfer of leasehold rights in r/o Sy. No. 111/2, Kydganj, Fort Cantt, Allahabad from existing Holder of Occupancy Rights to Shri Sumit Jaiswal S/o Late Santosh Kumar Jaiswal, 884A/653A, Krishna Nagar, Kydganj, Praygaraj.

Approval of the Board is solicited for deletion of name of Smt. Geeta Kumari Jaiswal D/o Late Shri Kunwar Arvind Narain Singh and Shri Sunil Kumar S/o Shri Sadanand from “Holder of Occupancy Rights” and updation of name of Shri Sumit Jaiswal S/o Santosh Kumar Jaiswal, resident of 884A/653A, Krishna Nagar, Kydganj, Praygaraj as “Holder of Occupancy Rights in respect of site comprising Survey No. 111/2, Kydganj, Fort Cantt, Allahabad.

Relevant file is placed on the Table.

Board to consider.

CBR NO. 12: Board considered and approved the deletion of name of Smt. Geeta Kumari Jaiswal D/o Late Shri Kunwar Arvind Narain Singh and Shri Sunil Kumar S/o Shri Sadanand from “Holder of Occupancy Rights” in respect of site comprising Survey No. 111/2, Kydganj, Fort Cantt, Allahabad and updation of name of Shri Sumit Jaiswal S/o Santosh Kumar Jaiswal as “Holder of Occupancy Rights in respect of site comprising Survey No. 111/2, Kydganj, Fort Cantt, Allahabad in the General Land Register of Cantonment Board Allahabad.

13. PREPARATION OF DETAILED PROJECT REPORT (DPR) INCLUDING SOIL TESTING, DETAILED ESTIMATES, ARCHITECTURAL DRAWINGS, AND STRUCTURAL DRAWINGS FOR CONSTRUCTION OF NEW BUILDING IN VICKER PUBLIC JUNIOR HIGH SCHOOL, NEW CANTT, ALLAHABAD

Reference CBR No. 12 dated 31.07.2023 and CBR No. 03 dated 28.10.2022.

Tender for Preparation of Detailed Project Report (DPR) including Soil Testing, Detailed Estimates, Architectural Drawings, and Structural Drawings for construction of New Building in Vicker Public Junior High School, New Cantt, Allahabad was invited vide Tender Notice No. ENGG/2022-23/CBA/2022/1527 dated 24.11.2022 and Tender ID: 2022_DGDE_565331_1 through e-tender uploading complete tender documents on Defence e-Procurement Portal <https://defproc.gov.in/nicgep/app>. Tender notice dated 24.11.2022 was also published in daily news papers “Dainik Jagran” and “Hindustan Times”. However, only two bids were received on the in the first call

Hence, in pursuance of CBR No. 12 dated 31.07.2023, Tender for Preparation of Detailed Project Report (DPR) including Soil Testing, Detailed Estimates, Architectural Drawings, and Structural Drawings for construction of New Building in Vicker Public Junior High School, New Cantt, Allahabad was invited for Second Call on Short Term vide Tender Notice Advt. No. ENGG/2023-24/CBA/2023/1131 dated 03.08.2023 and Tender ID: 2023_DGDE_608616_1 through e-tender uploading complete tender documents on Govt. e-procurement portal

<https://defproc.gov.in/nicgep/app>. Tender notice dated 03.08.2023 was also published in daily news papers “Amar Ujala” and “Times of India”.

In response to e-tender notice, only two (02) bids were received and opened on 14.08.2023/22.08.2023 by Tender Opening Committee. Details of bidders are given below:-

Sr. No.	Firm	Address
1.	Mathur Ugam and Associates	A1/294, Second Floor, Safdargunj Enclave, New Delhi- 110029
2.	RK Enterprises	4/327, Vijayant Khand, Gomti Nagar, Lucknow-226010

Tender Opening Committee perused the documents uploaded in technical bids by above mentioned two bidders. It was found that both bidders did not upload few documents required in the technical bids. Hence, the bidders were requested through Defence e-Procurement Portal on 22.08.2023 to submit reply against short fall documents by 24.08.2023. In response to shortfall document, Mathur Ugam and Associates submitted his reply to the shortfall documents. Mathur Ugam and Associates intimated that for ITR of FY 2022-23, Audit is under process and will be submitted in month of September, 2023 and on filing of ITR of FY 2022-23, Solvency Certificate and Turnover Certificate will be issued. Mathur Ugam and Associates also submitted that last date for submission of ITR is 31.10.2023. As time period is available for filing of ITR of FY 2022-23 and ITR of FYs 2019-20, 2020-21 & 2021-22, Bank Solvency Certificate of Rupees One Crore dated 24.02.2022 and Turnover Certificate of FYs 2019-20, 2020-21 & 2021-22 have been submitted by Mathur Ugam and Associates, reply of Mathur Ugam and Associates has been accepted by the Committee. Committee noted that RK Enterprises has not submitted the hardcopy of Demand Draft for Tender Fee and Bank FDR for EMD.

In view of Rule No. 173 (xx) of General Financial Rules, 2017 and documents uploaded in Technical Bids and Shortfall Documents, only one bidder namely Mathur Ugam and Associates, A1/294, Second Floor, Safdargunj Enclave, New Delhi- 110029 qualified in Technical Bidding.

Financial bid of technical qualified bidder has been opened on 25.08.2023 by Tender Opening Committee. Financial bid has been downloaded from e-procurement system and details of financial bid received are as under:-

Sr. No.	Bidder Name	Percentage quoted in figures of the project cost approved by the Competent Authority	Bid Rank
1.	Mathur Ugam and Associates, A1/294, Second Floor, Safdargunj Enclave, New Delhi- 110029	0.99 % (Zero Point Nine Nine Percent)	L1

Relevant file is placed on the table.

Board to consider.

CBR NO. 13: Board approved the bid of 0.99 % (Zero Point Nine Nine Percent) of project cost quoted by Mathur Ugam and Associates, A1/294, Second Floor, Safdargunj Enclave, New Delhi- 110029 as L1 bidder for Preparation of Detailed Project Report (DPR) including Soil Testing, Detailed Estimates, Architectural Drawings, and Structural Drawings for construction of New Building in Vicker Public Junior High School, New Cantt, Allahabad.

Further, Board decided that DPR of following projects (which are to be executed under Equal Value Infrastructure as per CBR No. 12 dated 31.07.2023) be also included in the subject tender:

- a) **Provision of additional rooms in RAB Public School**
- b) **Provision of Gate and allied structures on Akbar Road (near Ponappa Road crossing)**

14. APPLICATION FOR NOC FOR TRANSFER OF LEASEHOLD RIGHTS IN RESPECT OF SY NO. 111/3, KYDGANJ, FORT CANTT, ALLAHABAD

Reference Shri Kunwar Narendra Narain Singh application dated 18.08.2023.

Shri Kunwar Narendra Narain Singh application dated 18.08.2023 (Recorded Holder of Occupancy Rights of Sy. No. 111/3, Kydganj, Fort Cantt, Allahabad) vide application under reference has requested for grant of permission/ NOC for transfer of leasehold rights in favour of Shri Praveen Kumar Jaiswal S/o Late Surendra Kumar Jaiswal, 162, Sadar Bazaar, New Cantt, Allahabad in respect of Sy. No. 111/3, Kydganj, Fort Cantt, Allahabad.

Site is situated inside civil area under the management of Cantt Board Allahabad. Brief history in respect of Sy. No. 111/3, Kydganj, Fort Cantt, Allahabad is given below:

- i. Site admeasuring 4000 sqft comprising Sy. No. 111/3, Kydganj, Fort Cantt was leased out to Shri Kundan Jaiswal in Schedule VI of CLAR, 1925 for residential purpose for a period of 30 years renewable at option of the lessee upto 90 years w.e.f. 26.06.1935.
- ii. First term of lease expired on 21.06. 1965.
- iii. While initiating the proposal for renewal for further term of 30 years lessee had also requested for change of purpose as the site was being used for commercial purposes in violation of condition 1 (6) of the lease. The Cantonment Board vide C.B. Resolution No. 5 dated 25-06-1965 resolved that proposal for renewal of lease and change of purpose be submitted to GOC-in-Chief and accordingly necessary proposal was submitted to HQCC, Lucknow vide Cantt. Board letter No. Y-38/2458 dated 11-08-1965.
- iv. GOC-in-Chief, HQ, Central Command, Lucknow vide letter No.32847-LC3/11 dated 02-09-1968 returned the proposal for its re-submission for fresh lease and accordingly proposal was submitted for two fresh lease in respect of site comprising Sy. No. 111/2 and 111/3 for commercial purposes vide letter dated 21-11-1968.
- v. Govt. of India, Ministry of Defence, New Delhi vide letter No.7/3/L/L&C/69/7828/D (Lands) dated 23.08.1969 had conveyed the sanction of the President to the following measures –
 - a. Grant of lease of 4,000 Sqft of land comprising Sy. No. 111/2 for the purpose of a soap factory to Shri Kundan Lal Jaiswal in Schedule VIII CLAR, 1937 with effect from 26-06-1965, on payment of an annual rental of Rs. 120/- and an initial premium of Rs.1840/-
 - b. Grant of lease of 4,000 Sqft. of land comprising Sy. No. 111/3, for the purpose of Plastic factory to Shri Kundan Lal Jaiswal in Schedule VIII CLAR, 1937 with effect from 22-06-1965, on payment of an annual rental of Rs. 120/- and a premium of Rs.1840/-.
 - c. Payment of additional rent of Rs.42/- per annum by Shri Kundan Lal Jaiswal for the unauthorised use of premises w.e.f. August 1964 to the dates of expiry of the leases in Schedule VI of CLAR, 1925.
- vi. The sanction of the Govt. was communicated to Shri Kundan Lal Jaiswal vide letter dated 09-10-1969, 22-01-1970 and 08-06-1970 vide which he was required to deposit rent and premium as per Govt. sanction amounting to Rs.4937.22 but he had not deposited the rent, premium and made a representation dated 08-07-1970 that he has changed his mind and decided not to use the premises for commercial purposes and requested that lease in respect of site comprising Sy. No. 111/2 be renewed for residential purposes and out of Sy. No. 111/3 an area measuring 1500 sqft be granted for commercial purposes and rest of the area 2500 Sqft for dwelling purposes.

- vii. Accordingly a proposal as requested by the lessee was submitted vide Cantt. Board letter dated 29-10-1971. After a long correspondence, since the change of purposes involved in the subject case was not discontinued after June 1965, the HQ, Central Command (ML&C) letter No. 32847-LC3/63 dated 29-06-1974 directed to ask the lessee to pay the site rent and premium immediately as per sanction of Govt. otherwise a self contained proposal for cancellation of Govt. sanction and resumption of sites may be initiated immediately. Accordingly a letter dated 17-07- 1974 was issued to the lessee for deposit of Rs. 5897.28 as rent up to 1974 and premium as Govt. sanction and after a long correspondence he has deposited all the dues. The lease as sanctioned by the Govt. letter dated 23-08-1969 could not be executed.
- viii. Legal heirs of Shri Kundan Lal Jaiswal, S/Shri Kunwar Narendra Naraiian Singh and Kunwar Arvind Naraiian Singh sons of late Kundan Lal Jaiswal vide letter dated 15.02.2016 requested for mutation of property in their favour, execution of lease as sanctioned by the Govt vide letter dated 23.08.1969 renewal of further term of lease as sanctioned by the Govt vide letter dated 23.08.1969.
- ix. Cantonment Board vide CBR No 1(XXI) dated 17.02.2016 considered the application dated 15.02.2016 of Kunwar Narendra Narain Singh and Kunwar Arvind Narain Singh sons of late Kundan Lal Jaiswal for mutation and renewal of lease In respect of site comprising Sy No 111/2 and 111/3, Kyed Ganj Fort Cantt, Allahabad and resolved to recommend that lease be renewed for final term of 30 years w.e.f. 26.06.1995 to 25.06.2025 in respect of site comprising Sy No 111/2 and w.e.f. 22.06.1995 to 21.06.2025 in respect of site comprising Sy No 111/3, necessary proposal be submitted to competent authority for obtaining necessary sanction for renewal of leases. The Board further resolved to process the cases of mutation by publishing public notice inviting claims and objections within 30 days from publication of notice in local news papers.
- x. No objection and claims were received. Hence, Cantonment Board Allahabad vide CBR No. 11 dated 28.03.2016 resolved that name of Kunwar Narendra Narain Singh and Kunwar Arvind Narain Singh sons of Late Kundan Lal Jaiswal be mutated in respect of site comprising Sy. No. 111/2, Kydganj and Sy. No. 111/3, Kydganj and resolved to recommend that leases be renewed for final term of 30 years.
- xi. Cantonment Board vide letter No. T-51/12/VOL.III/JPG/2015-16/255A dated 31.03.2016 requested Directorate, Defence Estates, Central Command that the sanction of competent authority may please be conveyed to the renewal of lease held in Schedule VIII of CLAR, 1937 in respect of site comprising 111/2 w.e.f. 26.06.1995 to 25.06.2025 on payment of annual rent of Rs 180/- and 111/3 w.e.f. 22.06.1995 to 21.06.2025 on payment of annual rent of Rs 180, for further term of 30 years in Schedule IV of CLAR, 1937, under the provisions of existing leases.
- xii. Directorate. Defense Estates, Central Command. Lucknow vide letter dated 27.04.2016 conveyed sanction for renewal of both leases for further period of two tenures of 30 years with effect from 26.06.1995 to 25.06.2025 in respect of Sy. No. 111/2, Kydganj and 22.06.1995 to 21.06.2025 in respect of Sy. No. 111/3, Kydganj. Renewal of lease as sanctioned by Directorate. Defense Estates, Central Command. Lucknow vide letter dated 27.04.2016 has not been executed yet.
- xiii. Further, Shri Kunwar Narendra Narain Singh application dated 11.02.2020 requested for mutation in respect of Sy, No. 111/3, Kydganj, Fort Cantt.
- xiv. Board vide CBR No. 24 dated 31.03.2022 approved the mutation in favour of Shri Kunwar Narendra Narain in respect of Sy, No. 111/3, Kydganj, Fort Cantt.

Cantonment Board vide letter No. Y-38/CBA/2023/1331 dated 25.08.2023 requested Cantt Board Legal Adviser, Shri Aslam Azim to furnish his opinion on point that whether Cantonment Board can issue permission/ No Objection Certificate to Shri Kunwar Narendra Narain Singh for transfer of lease hold rights of Sy. No. 111/3, Kydganj, Fort Cantt, Allahabad to Shri Praveen Kumar Jaiswal S/o Late Surendra Kumar Jaiswal in view of extant rules and policy.

Shri Aslam Azimm, Cantt Board Legal Adviser vide letter dated 28.08.2023 has furnished his legal opinion and relevant paras of his Legal opinion dated 28.08.2023 are reproduced below:

”..... आप के द्वारा मेरी राय मांगी गयी है कि क्या छावनी परिषद सर्वे संख्या 111/3, कीडगंज, फोर्ट कैंट, इलाहाबाद के लीज होल्ड अधिकार के लिए श्री कुंवर नरेन्द्र नारायण सिंह (Recorded Lease Holder) से श्री प्रवीण कुमार जायसवाल पुत्र स्वर्गीय सुरेंद्र कुमार जायसवाल को हस्तांतरण करने के लिए श्री कुंवर नरेन्द्र नारायण सिंह को परमीशन व अनापत्ति प्रमाण पत्र जारी कर सकते हैं।

मेरी राय में छावनी परिषद श्री कुंवर नरेन्द्र नारायण सिंह पुत्र स्व० कुन्दन लाल जायसवाल को सर्वे संख्या 111/3, कीडगंज, फोर्ट कैंट, इलाहाबाद के लीज होल्ड अधिकार (Lease Hold Rights) श्री प्रवीण कुमार जायसवाल पुत्र स्व० सुरेंद्र कुमार जायसवाल को हस्तांतरण करने के लिए परमीशन व अनापत्ति प्रमाण पत्र जारी कर सकता है.....”

Relevant file is placed on the Table.

Board to consider.

CBR NO. 14: Board decided to issue no objection certificate to Shri Kunwar Narendra Narain Singh for transfer of leasehold rights in r/o Sy. No. 111/3, Kydganj, Fort Cantt, Allahabad from existing Holder of Occupancy Rights to Shri Praveen Kumar Jaiswal S/o Late Surendra Kumar Jaiswal, 162, Sadar Bazaar, New Cantt, Allahabad.

15. REGARDING COMPOUNDING OF UNAUTHORISED CONSTRUCTION CARRIED OUT BY UNIVERSITY OF ALLAHABAD, ALLAHABAD ON DEFENCE LAND COMPRISING SY. NO. 129/1/2, OLD CANTT, ALLAHABAD AND CONSTRUCTION OF OVER HEAD WATER TANK INSIDE CHAITHAM LINES CAMPUS

Reference CBR No. 12 dated 29.05.2023, CBR No. 27 dated 26.07.2022 and CBR No. 14 dated 31.08.2021.

University of Allahabad, Allahabad vide letter No. R/UE/5769/21 dated 02.06.2021 requested Cantonment Board for compounding of unauthorized construction carried out by University of Allahabad on defence land comprising Sy. No. 129/1/2, Chaitham Lines, Old Cantt, Allahabad.

Matter was referred to Board and Board vide CBR No. 14 dated 31.08.2021 decided to forward the proposal for compounding of unauthorised construction involved in Sy. No. 129/1/2, Old Cantt, Allahabad to GOC-in-C, Central Command, Lucknow through Principal Director, Defence Estates, Central Command, Lucknow. Board decided to accept composition fee of Rs. 20 Lacs from HOR (Allahabad University)

Cantonment Board vide letter No. 73/CBA/2022/432 dated 10.03.2022 requested Principal Director, Defence Estates, Central Command, Lucknow to obtain the necessary concurrence of GOC-in-C, Central Command, Lucknow as required under proviso of Section 248 (1) of the Cantonments Act, 2006 for compounding of unauthorised constructions on payment of compounding fee of Rs. 20 Lacs as the Allahabad University is a Central University engaged in imparting quality education to students.

In the meantime, University of Allahabad, Allahabad vide letter No. R/UE/7454/22 dated 22.03.2022 requested for the construction of new Overhead Water Tank at site of existing Overhead Water Tank in Chaitham Lines campus of University of Allahabad, on defence land comprising Sy. No. 129/1/2, Old Cantt, Allahabad.

Matter was referred to Board and Board vide CBR No. 23 dated 31.03.2022 decided to check sanctioned map to ascertain if over head tank (OHT) was existing prior to its demolition.

In Ordinary Meeting held on 30.04.2022, Board noted that as per records available in the concerned file, no overhead tank was sanctioned by the Board. Board vide CBR No. 10 dated 30.04.2022 decided to ask Allahabad University to provide details of the over head tank for veracity of their claim and subsequently, it should be processed as per rule.

Accordingly, Cantonment Board vide letter No. X-73/Vol. III/CBA/2022/854 dated 27.05.2022 requested University of Allahabad, Allahabad to provide details of the over head tank for veracity of their claim that University of Allahabad had an Over Head Water Tank at Chaitham Lines Campus.

University of Allahabad, Allahabad vide letter No. R/UE/8152/22 dated 27.06.2022 forwarded following documents:

- i. Report submitted by Civil Engineering Department, MNNIT Allahabad regarding dilapidated over head water tank.
- ii. Survey plan of University of Allahabad Chaitham Lines Campus showing the location of over head water tank.
- iii. Minutes of Building Committee Meeting dated 11.06.2010.
- iv. Minutes of Building Committee Meeting dated 21.11.2012.
- v. Letter issued to Executive Engineer, CPWD for demolition of existing over head water tank.

University of Allahabad also stated that the above documents are sufficient for the veracity of their claim that University of Allahabad had an over head water tank at Chaitham Lines Campus. University of Allahabad has requested to accord permission for the c/o Over Head Water Tank at the site of existed Over Head Water Tank, Chaitham Lines Campus to maintain proper water supply to the residents of the campus which comprises of hostels, academic buildings, residential colony etc.

Matter was placed before Board and Board vide CBR No. 27 dated 26.07.2022 decided to permit construction of Overhead Water Tank at site of existing Overhead Water tank in Chaitham Lines campus of University of Allahabad, on defence land comprising Sy. No. 129/1/2, Old Cantt, Allahabad.

Hence, Cantonment Board Allahabad vide letter No. X-73/Vol.III/CBA/2022/1050 dated 04.08.2022 conveyed sanction of Board to University of Allahabad for construction of Overhead Water Tank at site of existing Overhead Water Tank in Chaitham Lines campus of University of Allahabad, on defence land comprising Sy. No. 129/1/2, Old Cantt, Allahabad.

In the meantime, Directorate, Defence Estates, Central Command, Lucknow vide letter No. 17903/LC-2/V dated 20.03.2023 has raised observations/ shortcomings in the proposal of compounding of unauthorized construction carried out by University of Allahabad on defence land comprising Sy. No. 129/1/2, Chaitham Lines, Old Cantt, Allahabad.

Hence, Cantonment Board Allahabad vide letter No. X-73/Vol-III/CBA/2023 dated 15.05.2023 also requested University of Allahabad to submit their reply on Para 2 (i), 2 (iii), 2 (a), 2 (b) & 2 (c) of Directorate, Defence Estates, Central Command, Lucknow letter No. 17903/LC-2/V dated 20.03.2023.

However, no reply of University of Allahabad was received.

Entire matter was referred to Board in Ordinary Meeting held on 29.05.2023.

Board noted that University of Allahabad has not furnished any reply to Cantonment Board letter dated 15.05.2023 regarding observations raised by Directorate, Defence Estates, Central Command, Lucknow vide letter dated 20.03.2023 in connection to the compounding of unauthorized buildings involved in Chaitham Lines Campus, Sy. No. 129/1/2, Old Cantt, Allahabad.

Since permission given by Cantonment Board vide letter No. X-73/Vol.III/CBA/2022/1050 dated 04.08.2022 to University of Allahabad for construction of Overhead Water Tank also comprises Chaitham Lines campus, Sy. No. 129/1/2, Old Cantt, Allahabad, Board vide CBR No. 12 dated 29.05.2023 decided to withhold the said sanction for construction of Overhead Water Tank in Chaitham Lines Campus till the finalization of compounding of unauthorized buildings in Chaitham Lines Campus, Sy. No. 129/1/2, Old Cantt, Allahabad.

In view of the above, Cantonment Board vide letter No. X-73/Vol.III/CBA/2023/928 dated 14.06.2023 intimated University of Allahabad, Allahabad that the said sanction dated 04.08.2022 of Cantonment Board for construction of Overhead Water Tank in Chaitham Lines Campus is withhold till the finalization of compounding of unauthorized buildings in Chaitham Lines Campus, Sy. No. 129/1/2, Old Cantt, Allahabad.

Cantonment Board also directed University of Allahabad, Allahabad that no construction activity be carried out in Chaitham Lines Campus, Sy. No. 129/1/2, Old Cantt, Allahabad for construction of Overhead Water Tank.

In reference to Cantonment Board Allahabad letter No. X-73/Vol-III/CBA/2023 dated 15.05.2023 (regarding observations/ shortcomings raised by Directorate, Defence Estates, Central Command, Lucknow vide letter No. 17903/LC-2/V dated 20.03.2023 in the proposal of compounding of unauthorized construction carried out by University of Allahabad on defence land comprising Sy. No. 129/1/2, Chaitham Lines, Old Cantt, Allahabad), University of Allahabad, Allahabad vide letter No. R/UE/1272/23 dated 04.08.2023 intimated that submission of required documents will need some time and requested to allow some time so that University will be able to submit the documents. University of Allahabad, Allahabad also requested to kindly have lenient view in the matter considering the precarious financial condition of the University and its obligation towards society in imparting education.

In reference to Cantonment Board Allahabad letter No. X-73/Vol-III/CBA/2023/928 dated 14.06.2023 (regarding withholding of sanction dated 04.08.2022 of Cantonment Board for construction of Overhead Water Tank in Chaitham Lines Campus till the finalization of compounding of unauthorized buildings in Chaitham Lines Campus, Sy. No. 129/1/2, Old Cantt, Allahabad), University of Allahabad, Allahabad has submitted their reply vide letter No. R/UE/1268/23 dated 04.08.2023. Body of University of Allahabad, Allahabad letter No. R/UE/1268/23 dated 04.08.2023 is reproduced below:

“..... In view of the letter no: X-73/Vol.III/CBA/2022/1050 dated 04 August, 2022 conveying the sanction of the board for the construction of Overhead Water Tank at the site of existing Overhead Water Tank in Chatham Line Campus of University of Allahabad, on Defence Land comprising Sy.No.129/1/2.Old Cantt. Allahabad, the University proceeded further for the construction of Overhead Water Tank. Requisite amount as released by Ministry of Education, New Delhi has been deposited to CPWD. CPWD has initiated the process for the construction of Overhead Water Tank.

However at this juncture when the University has reached at advance stage of initiating the construction work, intimation of Cantonment Board that no construction activity be carried out in Chatham Lines Campus, Sy. No. Old Cantt. Allahabad for construction of Overhead Water Tank will not only result into unfruitful expenditure of Govt. money but also deprive the users of the various buildings the basic need of proper drinking water facility.

As far as letter no: X-73/Vol.III/CBA/2023 dated 15 May, 2023 received to the Office of the Registrar on 26.05.2023 is concerned, it is kindly informed that the university submitted the drawings after several amendments as per the requirement of Cantonment Board. Since the revised requirement of drawings will require sometime due to its nature of printing the university has not reciprocated back. The university was not at all informed with the resolution of Cantonment Board CBR No. 14 dated: 31.08.2021 till the letter no: X-73/Vol.111/CBA/2023 dated 15 May. 2023.

In view of above it is once again requested to kindly look into the matter and allow us for the construction of Overhead Water Tank.

It is pertinent to mention that Allahabad University is a Central University fully funded by Central Government and its basic motto is to provide quality education/research facilities for the benefit of the society.....”

Relevant file is place on table.

Board to consider further course of action.

CBR NO. 15: Board considered the reply of University of Allahabad, Allahabad submitted vide letter No. R/UE/1272/23 dated 04.08.2023 and letter No. R/UE/1268/23 dated 04.08.2023.

Board noted that University of Allahabad, Allahabad has still not submitted the building plans/ drawings & requisite information as per observations raised by Directorate, Defence Estates, Central Command, Lucknow letter dated 20.03.2023 in connection to the compounding of unauthorized buildings involved in Chaitham Lines Campus, Sy. No. 129/1/2, Old Cantt, Allahabad.

Since compounding of unauthorized constructions is still pending, Board decided to continue the withholding of Sanction No. X-73/Vol.III/CBA/2022/1050 dated 04.08.2022 for construction of Overhead Water Tank in Chaitham Lines Campus till the finalization of compounding of unauthorized buildings in Chaitham Lines Campus, Sy. No. 129/1/2, Old Cantt, Allahabad.

16. REGARDING CONSTRUCTION OF BOUNDARY WALL ALONG THE VARIOUS PARCELS OF LAND AT CHAITHAM LINE CAMPUS OF ALLAHABAD UNIVERSITY ON DEFENCE LAND COMPRISING SY. NO. 129/1/2, OLD CANTT, ALLAHABAD

Reference University of Allahabad, Allahabad letter No. R/UE/1290/23 dated 08.08.2023.

University of Allahabad, Allahabad vide letter No. R/UE/1290/23 dated 08.08.2023 has intimated that various parcels of land at Chatham Line Campus, Allahabad University is still open. University of Allahabad also intimated that University has approached the Ministry of Education for release of funds for construction of boundary wall at various campuses including Chatham Line Campus as per proposal prepared by the CPWD.

University of Allahabad also intimated that at Chatham line Campus the open land by the side of NCC building, front of NCC Building, backside of Pravesh Bhavan up to Pant Hostel and area between hostels and department buildings are still without boundary wall and due to lack of boundary wall these parcels of land are vulnerable to trespass and at open land by the side of NCC building outsiders often used to dump garbage.

University of Allahabad requested to accord permission for construction of boundary wall along with gates to protect these parcels of land from trespassers and safety for the surrounding area and also requested to provide the physical dimensions and any other specification as per Cantonment rule for the construction of boundary wall.

Relevant file is place on table.

Board to consider further course of action.

CBR NO. 16: Board decided that University of Allahabad, Allahabad shall submit building application along with drawings/ plans for construction of boundary wall. Further action will be decided as per their submission in ensuing Board meeting

17. ONE DISTRICT ONE PRODUCT PROGRAMME IN ALLAHABAD CANTT.

One District One Product (ODOP) is an initiative by the Government of Uttar Pradesh to encourage state's domestic production of various handicrafts, readymade clothes, leather products etc. The aim of state government is to encourage indigenous and specialized products district wise.

The main objectives of the One District One Product Programme are as follows:

- Preservation and development of local crafts / skills and promotion of the art.
- Increase in the incomes and local employment (resulting in decline in migration for employment).
- Improvement in product quality and skill development.
- Transforming the products in an artistic way (through packaging, branding).
- To connect the production with tourism (Live demo and sales outlet – gifts and souvenir).
- To resolve the issues of economic difference and regional imbalance.

It is hereby proposed to create one hub inside Allahabad Cantt for promoting and selling ODO Product, Geographical Indication (GI) - tag articles and other indigenous handicrafts that are synonymous with the respective districts of the state across 75 districts of Uttar Pradesh.

Board to consider.

CBR NO. 17: Board directed to make DPR of the project and approach suitable government agencies for funding of project.

18. UNAUTHORIZED CONSTRUCTION IN BUNGALOW NO. 10, CARIAPPA ROAD COMPRISING SY. NO. 211, NEW CANTT, ALLAHABAD

Reference CBR No. 11 dated 31.07.2023 and CBR No. 09 dated 24.02.2023.

Site comprising Sy. No. 211, Bungalow No. 10, Cariappa Road, New Cantt, Allahabad was inspected by the Engineering section of this office and vide report dated 25.09.2019 reported that the occupier has made unauthorised constructions by constructing two rooms in an area 310.625 Sq. ft without necessary permissions from competent authority.

As per the General Land Register (G.L.R.) maintained by Defence Estates Officer, Allahabad Circle comprises Sy. No. 211, Cariappa Road, New Cantt which has been described as Bungalow No. 10 classified as B-3 land situated outside notified civil area under the management of Defence Estates Officer, Allahabad Circle. Subject land admeasuring 4.260 acres is held on Lease on Form B of Cantt Code, 1912 for perpetuity. Holder of Occupancy Rights is recorded in name of Shri Radhey Shyam S/o Shri Pitamber Nath.

Based on site inspection report dated 25.09.2019, stop erection notice (SEN) was issued to Shri Radhey Shyam (Recorded HOR), B. No. 10, Cariappa Road, New Cantt, Allahabad on 25.09.2019 mentioning therein that you are making unauthorised construction attracting provisions of Section 235 and 238 of the Cantonments Act, 2006 within premises of Bungalow No. 10, Cariappa Road, New Cantt, Allahabad to stop further construction.

In response to the said notice, Shri Naresh Chandra Agrawal S/o Late Shri Radhey Shyam Agrawal vide letter dated 28.10.2019 intimated that Shri Radhey Shyam Agrawal has expired and he is son & one of legal heirs of Late Shri Radhey Shyam Agrawal. Further, he claimed that construction referred to in notice dated 25.09.2019 is a Kothari (Quarter type structure) as outhouse of Bungalow. He further claimed that there is no increase or decrease in original area of structure and there is no change in length, breadth & height of structure.

Since, the premises is situated outside the notified civil area, the matter was placed before the Cantonment Board for consideration. Board vide Cantt Board Resolution (CBR) No. 28 dated 27.11.2019 approved that for unauthorised construction, notice under Section 248 of the Cantonment Act, 2006 be issued to HOR/ Occupier of B. No. 10, Cariappa Road, New Cantt, Allahabad. Accordingly, a notice under Section 248 of the Cantonment Act, 2006 dated 24.12.2019 was issued to Shri Naresh Chandra Agrawal (Occupier), B. No. 10, Cariappa Road, New Cantt, Allahabad by enclosing copy of GLR extract, site inspection report, site photographs and CBR No. 28 dated 27.11.2019.

Shri Naresh Chandra Agrawal (Occupier), B. No. 10, Cariappa Road, New Cantt, Allahabad vide letter dated 20.01.2020 preferred an appeal under Section 340 of Cantonments Act, 2006 against notice under section 248 (1) of Cantonments Act, 2006 dated 24.12.2019 issued by the Cantonment Board.

Appeal was considered by the Appellate Authority and Appeal was designated as Appeal No. 01 of 2020. After following the due process, the appeal has been disposed in the favour of the appellant vide order dated 11.01.2023. However, Appellate Authority vide Order dated 11.01.2023 gave liberty to Cantonment Board to start afresh in the case.

Entire matter was referred to the Board and Board vide CBR No. 09 dated 24.02.2023 decided to issue fresh notice in the subject case.

In compliance of CBR No. 09 dated 24.02.2023, Cantonment Board vide letter No. Z-104/CBA/2023/579 dated 26.04.2023 requested Shri Naresh Chandra Agrawal S/o Late Shri Radhey Shyam to show cause within 30 days, as to why the unauthorized structure erected by him, which is detailed in the said show cause notice, may not be demolished.

Shri Naresh Chandra Agrawal S/o Late Shri Radhey Shyam vide letter dated 23.05.2023 submitted his reply against the subject show cause notice. Each para of the said letter is reproduced below:

1. *That your captioned show cause notice dated April 26, 2023 is defective and invalid as it does not mention the provisions of the Cantonments Act, 2006 under which it has been issued.*
2. *That structure under the Show Cause notice is very old existing since the time immemorial and undersigned has not made any construction as alleged in the Captioned notice and in any view of the matter the construction existing at the site did not attract any provision or could be said to be in violation of Cantonment Act, 2006.*
3. *That with the passage of time, the room in question, covered with Khapadas (Earthen Tiles) was in the advanced stage of dilapidation and deterioration and could collapse any time causing loss of life and limb and therefore undersigned undertook repairing, on an emergency basis, of roof of the existing structure by putting up some old Khapadas, bamboos and pieces of old Asbestos Sheet in part of the Kothari. No RCC slab or brick slab was laid on the roof of the structure. The roof was just restored to its original condition. Repairing of badly cracked walls and replacement of the fallen wall bricks was also done. Thus no change was made in the original structure whatsoever.*

Please refer judgment of Hon'ble Allahabad High Court in the case of: Ram Swaroop Gupta VS Cantonment Board, Lucknow, AIR 1961, Ald 263, Lucknow Bench. Copy of the judgment is attached herewith.

4. *That aforesaid repair neither increased nor diminished the original area of the structure. Thus there is no change in the length, breadth and height of the structure. Also there is no change or alteration of any kind in the original shape of the structure.*
5. *That thus no unauthorized construction has been made on the open land or otherwise in our premises in violation of The Cantonments Act, 2006.*
6. *That two pictures of the Kothari / quarter in question is attached herewith. It shows that back portion of the existing Kothari/ quarter was repaired while front portion remains as it is. Thus no change was made in the original structure whatsoever. Undersigned has not constructed any new room/new construction as alleged in the notice.*
7. *The Site Inspection as described in the "Site Inspection Report" dated 25/09/2019, attached with impugned Show Cause notice dated 26-04-2023 contains erroneous information. There was no new construction in the premises, this was repair of the existing Quarter (room). Moreover, inspection was done in absence of undersigned or other legal heirs. Had inspection been done in the presence of the undersigned he could have clarified the matter to the inspecting team then and there.*
8. *That no new construction was made over and above the bungalow No.10, Cariappa Road, New Cantt, Allahabad 211001. The structure in question was a dilapidated old Kothari existing since last several decades part of which was likely to collapse in the rainy season during the month of July and August 2019. This fact even could be verified from the residents of the nearby areas. Statement to this effect have been obtained from residents of the nearby area and also from the resident of the Kothari (Quarter) in question in the form of affidavit. Original affidavits has already been filed with the Appellate Authority GOC-in-Chief, the Command Central Command, Lucknow along with my "Written Argument" dated January 27, 2021 during Appeal Proceeding. Copy of these affidavits was simultaneously forwarded to you too at that time. However, copy of these affidavits is again enclosed herewith for your ready reference.*

Please refer the Judgment of Hon'ble Allahabad High Court in the case of: Ram Swaroop Gupta VS Cantonment Board, Lucknow, AIR 1961, Ald263, Lucknow Bench. Copy of the judgment is attached herewith.

9. *That Deputy Director (Q&C), Ministry of Defence, vide instructions / Guidelines bearing No. 2 (2) 2018-D (Q&C) dated 10/12/2019 has furnish clarification on the Section 235 of the Cantonments Act, 2006 which deals with circumstances where permission is to be sought for erection and re-erection. This notification lists out the nature of work for which*

notice for sanction of erection or re-erection u/s 235 of the Cantonments Act, 2006 is not required. The list inter alia includes:

- "(e) minor repairs and recasting of an existing damaged roof, without changing the character and dimension of such roof;
- (i) replacing of fallen bricks and stones;"

The repair work undertaken by the undersigned falls into the above categories and as such no notice under section 235 was required to be given by the appellant. Copy of this guideline is enclosed herewith for your ready reference.

10. That undersigned was not afforded any opportunity of being heard personally before the issuance of notice dated 24-12-2019 under section 248(1) of the Cantonments Act, 2006 to him. In the interest of natural justice such opportunity should have been afforded.

11. That in any view of the matter the alleged construction /repair cannot be construed to be an unauthorized construction and as such does not constitute any offence attracting the provisions of the Cantonments Act, 2006. No permission whatsoever is required for such erection or re-erection in the facts and the circumstances of the submission made in the preceding paragraphs. Therefore, there was no occasion to give a notice under section 235 of the Cantonments Act, 2006 seeking sanction for erection or re-erection. Thus, the repair work undertaken by the appellant is not coming within the definition of the erection or re-erection as provided in the Cantonments Act, 2006.

Thus no offence under section 247 and other provisions of the Cantonments Act, 2006 is made out against the undersigned.

12. That undersigned in the preceding paragraphs of this reply has invariably stated that no new construction/erection/re-erection has been done in the premises of 10, Cariappa Road, Allahabad. However, if still it is felt by the Board that there is some element of erection or re-erection in aforesaid repair then a sum as the Board thinks reasonable by way of composition under section 248 of the Cantonments Act, 2006 may please be accepted from the undersigned, instead of issuing direction for demolition.

Cantonment Board vide letter No. Z-104/CBA/2023/1101 dated 26.07.2023 submitted para wise reply on letter dated 23.05.2023 of Shri Naresh Chandra Agrawal. Comments of Cantonment Board on each para of letter dated 23.05.2023 of Shri Naresh Chandra Agrawal have been reproduced below:

- I. That, the contents of Para 1 of letter dated 23.05.2023 of Shri Naresh Chandra Agrawal are totally misconceived and incorrect, hence denied. In reply thereto, it is stated that show cause notice dated 26.04.2023 has been issued in accordance with provisions Cantonments Act, 2006, directions of Hon'ble Supreme Court, Hon'ble High Court in Afzal Case and Hon'ble Appellate Authority (GOC-in-C, CC, Lucknow) Order dated 11.01.2023. It is submitted that show cause notice dated 26.04.2023 is legal and valid.
- II. That, the contents of Para 2,3,4,5 and 6 of letter dated 23.05.2023 of Shri Naresh Chandra Agrawal are totally misconceived and incorrect, hence denied. In reply thereto, it is stated that unauthorized construction involved in the present controversy is fresh construction carried out by Shri Naresh Chandra Agrawal on vacant defence land and it is not a repair work.

It is submitted that a bare perusal of the site inspection report dated 25.09.2019 and the site photographs itself clarify the extent of unauthorized construction at the site. Photograph of unauthorized construction taken during course of site inspection on 25.09.2019 clearly shows that it is a fresh construction.

It is wholly misconceived to say that construction made by Shri Naresh Chandra Agrawal does not attract any provision or violation of Cantonments Act, 2006. It is submitted that prior permission of Competent Authority is required for carrying out fresh construction on defence land as per Cantonments Act, 2006 and extant rules/ policy.

The citation of the case of “Ram Swaroop Gupta vs. Cantonment Board” is not applicable in the subject case as in the present case fresh construction has been carried out by Shri Naresh Chandra Agrawal.

Unauthorized construction involved in present controversy is fresh construction made by Shri Naresh Chandra Agrawal in premises of Bungalow No. 10, Sy. No. 211, Cariappa Road, New Cantt, Allahabad without taking necessary permission of the Competent Authority i.e. Cantonment Board. As such section 235 of the Cantonments Act, 2006 is fully applicable in the present case and proceedings initiated against Shri Naresh Chandra Agrawal is just and legal.

- III. That, the contents of Para 7 of letter dated 23.05.2023 of Shri Naresh Chandra Agrawal are totally misconceived and incorrect, hence denied. In reply thereto, it is stated that an inspection of the site was made by the Engineering Section of Cantonment Board Allahabad on 25.09.2019 and a report was submitted on the same date with regard to the site in question and it was reported that in an area of 310.625 square feet unauthorized construction (one room measuring 11’9” X 13’1.5” and one room measuring 11’11” X 13’1.5”) has been made by Shri Naresh Chandra Agrawal. It is submitted that the said site inspection was carried out in the presence of occupiers present at the site.
- IV. That, the contents of Para 8 of letter dated 23.05.2023 of Shri Naresh Chandra Agrawal are totally misconceived and incorrect, hence denied. In reply thereto, it is stated that unauthorized construction involved in present controversy is fresh construction made by Shri Naresh Chandra Agrawal in premises of Bungalow No. 10, Sy. No. 211, Cariappa Road, New Cantt, Allahabad without taking necessary permission of the Competent Authority i.e. Cantonment Board.

With respect to the Affidavits of five persons (residents of nearby area) submitted by Shri Naresh Chandra Agrawal, it is submitted that all five persons are closely connected with Shri Naresh Chandra Agrawal and have not given the correct version regarding construction of two rooms as photographs of unauthorized construction taken during course of site inspection on 25.09.2019 clearly show that it is a fresh construction. As such, statements of said five persons are not trustworthy.

- V. That, the contents of Para 9 of letter dated 23.05.2023 of Shri Naresh Chandra Agrawal are totally misconceived and incorrect, hence denied. In reply thereto, it is stated that Government Policy, Ministry of Defence ID. No.2(2)/018-D(Q&C) dated 10.12.2019 regarding repairs to authorized buildings in Cantonment Area is not applicable in the present case because unauthorized construction carried out by the appellant is not a repair work rather it is a fresh construction. As such, Section 235 of the Cantonments Act, 2006 is fully applicable in the present case. Photographs of unauthorized construction taken during course of site inspection on 25.09.2019 clearly show that it is a fresh construction.
- VI. That, the contents of Para 10 of letter dated 23.05.2023 of Shri Naresh Chandra Agrawal are totally misconceived and incorrect, hence denied. In reply thereto, it is submitted that opportunity for personal hearing may be provided to Shri Naresh Chandra Agrawal in the instant proceedings.
- VII. That, the contents of Para 11 of letter dated 23.05.2023 of Shri Naresh Chandra Agrawal are totally misconceived and incorrect, hence denied. In reply thereto, it is stated that it is wholly misconceived to say that construction made by Shri Naresh Chandra Agrawal does not attract any provision or violation of Cantonments Act, 2006. It is submitted that prior permission of Competent Authority is required for carrying out fresh construction on defence land as per Cantonments Act, 2006 and extant rules/ policy. Unauthorized construction involved in present controversy is fresh construction made by Shri Naresh Chandra Agrawal in premises of Bungalow No. 10, Sy. No. 211, Cariappa Road, New Cantt, Allahabad without taking necessary permission of the Competent Authority i.e. Cantonment Board as per Section 235 of the Cantonments Act, 2006.

Further, as per Section 247 (a) of the Cantonments Act, 2006, whoever begins, continues or completes the erection or re-erection of a building without having given a valid notice as required by sections 235 and 236, or before the building has been

sanctioned or is deemed to have been sanctioned shall be punishable with fine which may extend to fifty thousand rupees and the cost of sealing the illegal construction and its demolition.

As such Section 247 of the Cantonments Act, 2006 is fully applicable in the present case and proceedings initiated against Shri Naresh Chandra Agrawal are just and legal.

VIII. That, the contents of Para 12 of letter dated 23.05.2023 of Shri Naresh Chandra Agrawal are totally misconceived and incorrect, hence denied. In reply thereto, it is reiterated that construction in question is a fresh construction which constitutes violation of provisions of the Cantonments Act, 2006. It is submitted that no application for compounding of unauthorized construction along with requisite plans and documents has been submitted by Shri Naresh Chandra Agrawal.

Cantonment Board vide letter No. Z-104/CBA/2023/1101 dated 26.07.2023 called upon Shri Naresh Chandra Agrawal to appear before Board in person or through a duly authorized representative capable to answer all material questions connected with the matter along with any supporting evidence on 31.07.2023 at 10:00 Hours.

However, Shri Naresh Chandra Agrawal vide letter dated 28.07.2023 requested to grant additional 15 days time for hearing.

Board in meeting held on 31.07.2023 considered letter dated 28.07.2023 of Shri Naresh Chandra Agrawal and vide CBR No. 11 dated 31.07.2023 decided to provide another opportunity to Shri Naresh Chandra Agrawal for the hearing on 18.08.2023 and in case of non-appearance by Shri Naresh Chandra Agrawal on next hearing date, Board will decide the case on merit.

In pursuance of CBR No. 11 dated 31.07.2023, Cantonment Board vide letter No. Z-104/CBA/2023/1236 dated 11.08.2023 provided another opportunity to Shri Naresh Chandra Agrawal to appear before Board in person or through a duly authorized representative capable to answer all material questions connected with the matter along with any supporting evidence on 18.08.2023 at 11:00 Hours.

Cantonment Board vide letter No. Z-104/CBA/2023/1279 dated 16.08.2023 intimated Shri Naresh Chandra Agrawal that due to administrative reasons, date of hearing has now been scheduled on 21.08.2023 and requested Shri Naresh Chandra Agrawal to appear before Board in person or through a duly authorized representative capable to answer all material questions connected with the matter along with any supporting evidence on 21.08.2023 at 11:00 Hours.

Accordingly, a hearing was organized at Office of Cantonment Board Allahabad on dated 21.08.2023 at 11:00 Hours. Shri Naresh Chandra Agrawal vide letter dated 17.08.2023 (received in this Office on 21.08.2023) intimated that he is aged about 75 years and suffering from serious illness and therefore, he is not in a position to appear before the Board for personal hearing. However, he authorized Shri Harsh Gupta, Advocate to represent him in the aforesaid hearing before Board on 21.08.2023.

Shri Harsh Gupta was present on behalf of Shri Naresh Chandra Agrawal in the hearing. During the said hearing, Shri Harsh Gupta stated that repair of the existing structures in Bungalow No. 10, Cariappa Road, New Cantt, Allahabad has been carried out.

Rep of Cantonment Board, Shri Manvender Singh, A.E. stated that the construction in question is fresh and submitted that Building Application with Plan dated 11.06.1962 submitted by Late Shri Radhey Shyam Agrawal for construction of boundary wall with gate pillar in Bungalow No. 10, Cariappa Road, New Cantt, Allahabad clearly shows that structures in question did not exist at the site.

Shri Harsh Gupta also requested to permit him to submit an application of Shri Naresh Chandra Agrawal dated 14.08.2023 (received in this Office on 21.08.2023) for composition of alleged unauthorized construction and he was permitted to submit the said compounding application.

Shri Naresh Chandra Agrawal vide letter dated 14.08.2023 (received in this Office on 21.08.2023) has also made the following submission in continuation of his reply dated 23.05.2023:

1. That in my aforesaid reply dated 23 May, 2023 I submitted that I had not raised any unauthorised construction as alleged. However, I further submitted that if authorities found that there

was any erection or re-erection then a sum as the Board thought reasonable by way of composition under section 248 (1) of the Cantonments Act, 2006 may be accepted from me.

2. That against my aforesaid letter dated 23 May, 2023, your reply dated 26 July 2023 has now been received by me wherein it has been mentioned in the paragraph VIII that no application for compounding had been submitted by Naresh Chandra Agrawal.

3. That in response to your above observation in your letter dated 26 July 2023, an application for composition is being filed herewith praying for composition of the alleged unauthorised construction.

4. That no prejudice shall be caused to the Cantonment Board, Allahabad in allowing the application for composition of the alleged construction

Relevant files are placed on the Table.

Board to consider.

CBR NO. 18: Board decided that a joint inspection of Sy. No. 211, Bungalow No. 10, Cariappa Road, New Cantt, Allahabad be carried out by Rep of Cantonment Board, Defence Estates Office, Allahabad Circle, Allahabad and Station Cell, HQ Purva UP & MP Sub Area, New Cantt, Allahabad and joint inspection report be put up in next Board meeting.

19. APPEAL NO. 03 OF 2020 U/S 340 OF CANTONMENTS ACT, 2006 (SMT. CHAMELI DEVI AND TEN OTHERS, HOUSE NO. 8/7, SHAMBHOO BARRACK, NEW CANTT, ALLAHABAD VERSUS CANTONMENT BOARD ALLAHABAD)

Reference Legal Opinion dated 29.08.2023 of Shri SK Rai, Cantt Board Legal Adviser, Appellate Authority Final Order dated 10.06.2023 in respect of Appeal No. 03 of 2020 and CBR No. 02 dated 31.01.2019.

In the instant appeal, the appellants i.e. Smt. Chameli Devi & 10 Others, 8/7, Shamboo Barrack, New Cantt, Allahabad have challenged the notices dated 31.01.2019 issued under Section 248 (1) of the Cantonment Act, 2006 and notices dated 09.05.2019 issued under Section 320 of the Cantonment Act, 2006. The notice dated 31.01.2019 was issued to Chameli Devi & 10 Others, H. No. 8/7, Shambhoo Barrack New Cantt, Allahabad for erection or re-erection of unauthorized construction in the premises of land comprising Survey No.234/3, BP Jain Road, Shambhoo Barrack, New Cantt, Allahabad. The appellant has erected/re-erected unauthorized construction on land comprising Survey No.234/3, BP Jain Road, Shambhoo Barrack, New Cantt, Allahabad.

The premises in question as per the entry of the General Land Record (G.L.R.) maintained by DEO Allahabad Circle, Allahabad, site comprising Sy. No. 234/3, Shamboo Barrack, New Cantt has been classified as B-3 having landlord Government of India and the occupancy right have been given to Smt. Mainavati Jain W/o Late Lala Bimal Prasad Jain. The area of House No.8/5B, Bemal Prasad Jain Road, Allahabad is 0.212 Acre. Site is held on lease in Schedule VIII of C.L.A. Rules, 1937 which will expire on 24.07.2022. The landlord is Government of India. Site is situated outside the notified civil area and is placed under the Management of Defence Estate Officer, Allahabad.

That, an inspection was made by the Engineering Section on 01.12.2014 and a report was submitted on dated 03.12.2014 with regard to the site in question and it was reported, which was found in inspection, that in an area 2331.82 Sq. ft. unauthorized construction has been made by Shri Magan Chand Jain.

That, the show cause notice was given to Shri Magan Chand Jain S/o Late Dhoom Chand Jain, H. No. 8/5A, Shamboo Barrack, New Cantt, Allahabad on 05.12.2014 mentioning therein that without giving any valid notice as required under Section 235 of the Cantonments Act, 2006 and without having received proper sanction from the Cantonment Board, he has started raising unauthorized construction on land comprising Sy. No. 234/3, Shambhoo Barrack, New Cantt., Allahabad, which is an offence under Section 247 of the Cantonments Act, 2006. He was stopped for further construction on the defence land and a show cause notice was issued as to why action should not be taken under the provisions of the Cantonments Act, 2006 within 7 days.

That, in response to the said notice, Shri Magan Chand Jain vide letter dated 09.12.2014 intimated this office that unauthorised constructions have been raised by the tenants and not by him and requested to take action against the tenants.

Shri Magan Chand Jain filed a WRIT petition No. 20156 of 2015 in which the Hon'ble High Court vide order dated 10.04.2015 while disposing the writ petition directed respondent Nos. 3 & 4 (Chief Executive Officer, Cantt. Board and Cantonment Board Allahabad respectively) to take appropriate decision in accordance to law on proceedings initiated vide notice dated 05-12-2014 within a period of six weeks from the date of production of certified copy of this order.

Cantonment Board vide Resolution No. 12 dated 08-06-2015 considered the matter along with Hon'ble High Court order dated 10.04.2015 and resolved to issue notice U/S 248 of Cantts. Act, 2006 to Shri Magan Chand Jain as he is the HOR and responsible for any unauthorised construction in the premises and suitable reply be filed to the Court. Accordingly, Notice U/S 248 (1) of Cantonments Act,2006 dated 15-07-2015 was issued to Shri Magan Chand Jain and simultaneously he was also prosecuted under section 247 of Cantonments Act, 2006 in the Court of Chief Judicial Magistrate, District Court, Allahabad.

In response to notice under section 248 (1) dated 15.07.2015, Shri Magan Chand Jain again vide letter dated 13.08.2015 intimated this office that unauthorized construction as detailed in notice dated 15.07.2015 has been raised by the tenants/ occupants and not by him and no notice under sub section (1) of section 248 is liable to be issued against him and instead of concluding the proceeding initiated vide notice dated 05.12.2014, illegally notice has been issued to him under section 248 (1) of Cantonment Act,2006 and requested to withdraw the notice dated 15.07.2015 issued to him and issue notice to such occupiers who have raised the unauthorized construction over the land in question and take appropriate action against those persons in accordance with law.

Since, Shri Magan Chand Jain did not removed/ demolished the unauthorised construction and reply dated 13-08-2015 was not found appropriate, hence, notice under section 320 of Cantonments Act, 2006 was issued to Shri Magan Chand Jain bearing No. ENGG/LC/SKS/15-16/590 dated 07.09.2015 directing him to demolish /remove the said unauthorised construction within 10 days of receipt of the notice, failing which the same shall be demolished at the risk and cost of Shri Magan Chand Jain.

In response to notice U/S 320 of Cantonments Act, 2006 dated 07-09-2015, Shri Magan Chand Jain vide letter dated 09-09-2015 stated that he is an old man of approx 74 years old and shall not be able to demolish and clear the site in question and requested to get the same demolished at the earliest and in response, this office vide letter dated 16.10.2015 intimated him to remove the unauthorized construction and confirm to this office within 7 days.

In response to this office letter dated 16.10.2015, Shri Magan Chand Jain vide letter dated 02.11.2015 intimated this office that the unauthorized construction has been raised by the occupiers, thus he cannot be made responsible in any manner and notice issued to him is liable to be withdrawn and requested to demolish unauthorised construction raised by the occupiers who are residing over the plot No 234/3 as mentioned in notice dated 05.12.2014.

Thereafter, Shri Magan Chand Jain filed Contempt Application (Civil) No. 7686 of 2015 in which Hon'ble High Court vide order dated 21.12.2015, considering the facts of the case, given one more opportunity to comply with the Hon'ble High Court order dated 10.04.2015 within a further period of six weeks from the date of production of a certified copy of the order.

In the mean time Smt Chameli Devi and 10 others, the occupiers of the premise, filed a Civil Misc Writ Petition No 6050 of 2016 in which the Hon'ble High Court vide order dated 12.02.2016 disposed of the petition with direction that if the petitioners file a reply to the notice dated 05.12.2014 within a period of two weeks, the Cantonment Board shall take a decision, however, till a decision is taken by the Cantonment Board, the respondents shall not demolish the constructions. The petitioners of the said Writ Petition No 6050 of 2016, vide letter dated 29.02.2016, filed their objections against show cause notice dated 05.12.2014 in which they have requested to drop the show cause notice dated 05.12.2014 and also to drop further proceedings. In their reply they accepted that the unauthorized construction have been raised by them and stated that these are temporary in nature and cannot be termed to a unauthorized constructions. And in absence of any opportunity of hearing their rights are being infringed without any opportunity of hearing. They have requested to send an inspection team to verify the correctness of things in presence of applicant. The objection filed by the petitioners was referred to Defence Estates Office, Allahabad Circle vide Cantonment Board letter dated 06.05.2016 being the site under their management and for necessary action by them and sought advice for further course of action by this office.

Legal opinion on the matter was also obtained from the CBLA who vide letter dated 04.03.2016 advised that notices should be given to all the illegal occupants who are residing in the premises in question and have erected the unauthorized construction, which also comes in the definition of the building as per Cantonments Act, 2006, fixing the date of spot inspection by the department and notice may also be given to Shri Magan Chand Jain about the date and time of said spot inspection so as to ascertain the correct position on the spot as to what extent the encroachment has been made by the illegal occupants or erection of the building have been made by them without proper sanction under the provisions of the Cantonments Act, 2006 and supply the copy of inspection report to all the occupants who have made erection including Shri Magan Chand Jain as well as seek their reply thereon, so that matter may be placed before the Court for taking decision.

A joint inspection of the site was carried out by the Cantonment Board and Defence Estates Office, Allahabad Circle on 04.01.2019.

Then, the matter was placed before the Board, Board vide Resolution No. 02 dated 10-01-2019 resolved to issue notice U/s 248 of Cantt. Act, 2006 to occupants. In case of failure on part of offenders, a final notice U/s 320 of Cantt. Act, 2006 shall be issued. Subsequently, notice U/s 248 of Cantt. Act, 2006 was issued on 31-01-2019 to occupants and in pursuance of non-compliance of notice, a final notice U/s 320 of Cantt. Act, 2006 was issued on 09-05-2019.

That, Smt Chameli Devi and 10 others, the occupiers of the premise, filed a Civil Misc Writ Petition No 16864 of 2019 in which the Hon'ble High Court vide order dated 21.05.2019 disposed of the petition with direction that if the petitioners file an appeal before the appropriate authority as provided under Section 340 of the Act, 2006 within a period of 15 days, the Appellate Authority shall consider and decide the appeal in accordance with law within a further period of three months, however, till a decision is taken by the Cantonment Board, the respondents shall not demolish the constructions.

Smt. Chameli Devi & 10 Others, 8/7, Shamboo Barrack, New Cantt, Allahabad, vide letter dated 02.07.2019 preferred an appeal under section 340 of Cantonments Act, 2006 against the notices dated 31.01.2019 issued under Section 248 (1) of the Cantonment Act, 2006.

Cantonment vide letter No. No. G-29/APPEAL/340/CD/2019/CB/ALD/2262 dated 16.08.2019 forwarded the Appeal in original to Appellant Authority, General Officer in Chief, Headquarter, Central Command, Lucknow Cantt, Lucknow.

Headquarter, Central Command, Lucknow Cantt, Lucknow vide letter No. 260506/Appeal/Smt. Chameli Devi/ Q-3L-2 dated 17.01.2021 directed Cantonment Board to submit the requisite documents for initiating the proceedings of the Appeal.

Cantonment Board vide letter dated 05.03.2020 forwarded the requisite documents to the Appellant Authority.

Appeal was designated as Appeal No. 03 of 2020.

Appeal has been disposed of vide Appellate Authority Final Order dated 10.06.2023. Decision of the Appellate Authority is reproduced below:

“For the foregoing reasons, I find that none of the grounds raised by the Appellants have any substance. The impugned action taken by the Respondent Cantonment Board was strictly in accordance with law. The Appeal is therefore dismissed. The Interim Order dated 19 January 2021 passed under Section 342 of the Cantonments Act 2006 holding in abeyance the action pursuant to the impugned notice stands vacated. The Respondents are at liberty to take further action, strictly in accordance with law. No costs. “

Smt. Chameli Devi & 10 Others, 8/7, Shamboo Barrack, New Cantt, Allahabad has submitted Civil Misc Recall Application No. of 2023 bearing date as 25.06.2023 (received in this office on 03.07.2023) of Smt. Chameli Devi & 10 Others for recalling the Order dated 10.06.2023 in respect of Appeal No. 03 of 2020 and Civil Misc Substitution Application No. of 2023 bearing date as 25.05.2023 (received in this office on 03.07.2023) of Smt. Chameli Devi & 10 Others for the death of Appellant No. 01 in respect of Appeal No. 03 of 2020.

Cantonment Board vide letter No. APPEAL/02/2020/CD/CBA/2023/1049 dated 13.07.2023 forwarded the Civil Misc Recall Application No. of 2023 of the Smt. Chameli Devi & 10

Others and Civil Misc Substitution Application No. of 2023 of Smt. Chameli Devi & 10 Others for the death of Appellant No. 01 to Appellate Authority, GOC-in-C, Headquarters, Central Command, Lucknow for information. However, no further directions of Appellate Authority on Recall Application have been received in this office.

Cantonment Board vide letter No. APPEAL/02/2020/CD/CBA/2023/1059 dated 15.07.2023 also requested Shri Satish Kumar Rai, Cantt Board Legal Adviser to furnish his legal opinion on the issue that whether Cantonment Board can take action for demolition of unauthorized construction as per notice u/s 248 of Cantonments Act, 2006 issued on 31-01-2019 and notice u/s 320 of Cantonments Act, 2006 issued on 09-05-2019.

Shri Satish Kumar Rai, Advocate vide letter dated 29.08.2023 stated that in his considered opinion, once again notices U/S 320 of Cantonments Act, 2006 may be issued to the occupants after final decision of Appellate Authority vide Order dated 10/06/2023, if the same is not recalled by appellate authority.

Relevant files are placed on the Table.

Board to consider.

CBR NO. 19: Board decided to send a reminder to the Appellate Authority, GOC-in-C, Central Command, Lucknow for decision on the Recall Application of the Appellant. Board also decided that if Recall Application is rejected by the Appellate Authority, Notice u/s 320 of the Cantonments Act, 2006 be issued to the Appellant for removal of unauthorized constructions mentioned in the Notice u/s 248 of Cantonments Act, 2006 issued on 31.01.2019.

20. APPEAL NO. 02 OF 2020 U/S 340 OF CANTONMENTS ACT, 2006 (SHRI PRAVEEN MALVIYA VERSUS CANTONMENT BOARD ALLAHABAD & ANOTHER)

Reference Appellate Authority Final Order dated 17.07.2023 in respect of Appeal No. 02 of 2020 and CBR No. 16 dated 31.01.2018.

Site comprising Sy. No. 2 (Bungalow No. 31, Stanley Road), Old Cantt, Allahabad was inspected by the Engineering section of this office and vide report dated 06.06.2015 reported that besides the building of Bungalow, the occupier has made unauthorised constructions for using the same as Godown for the purpose of putting a huge quantity of refrigerators, televisions, air-conditioners, P.A. system etc. Premises are also being used as a goods carrier agency and numbers of heavy vehicles were parked in the open land of the premises. Since, the premises is situated outside the notified civil area, the matter was placed before the Cantonment Board for consideration. The Board vide its Resolution No. 16 dated 08.06.2015 resolved as following:

- i. Notice u/s 248 of Cantts Act be issued to Pt. Nitya Nand Malviya occupant of B. No. 31, Stanley Road, Old Cantt. to remove all unauthorised construction from B. No. 31, Stanley Road, Old Cantt. within the stipulated time.
- ii. To issue notice under section 244, for commercial use of the B. No. 31, Stanley Road, Old Cantt.

Accordingly, a notice under sub section (1) of Section 248 of Cantts Act, 2006 was issued vide letter No. U/S 244/31 St./OC/2014-15/439 dated 20.07.2015 under the authority of CBR No. 16 dated 08.06.2015. Further, a notice under section 244 of Cantts Act, 2006 was issued vide letter No. U/S 244/31 St./OC/2014-15/438 dated 21.07.2015. Further, a notice under section 320 of the Cantts Act, 2006 was issued vide letter No. U/S 244/31 St./OC/2014-15/588 dated 07.09.2015. Shri Praveen Malviya filed an appeal under Section 340 of the Cantonments Act, 2006 against the notice under Section 248 of Cantts Act, 2006.

Appeal was considered by the Appellate Authority and after following the due process, the appeal was disposed off in the favour of the appellant vide order dated 17.11.2017. However, Appellate Authority vide order dated 17.11.2017 gave liberty to Cantonment Board to start afresh in the case.

Entire case history along with Appellate Authority order dated 17.11.2017 was placed before the Board on dated 31.01.2018. Board vide CBR No. 16 dated 31.01.2018 resolved to issue a notice u/s 248 of Cantts Act, 2006 to Shri Praveen Malviya, occupant of Bungalow No. 31, Stanley Road, Old Cantt, Allahabad in continuation of earlier notices. Accordingly, in compliance of

Hon'ble Appellate Authority order dated 17.11.2017 and CBR No. 16 dated 31.01.2018, a notice under section 248 of Cantonments Act, 2006 dated 15.02.2018 was issued to Shri Pravin Malviya in continuation of earlier notice u/s 248 of Cantts Act, 2006 dated 20.07.2015. Copy of CBR No. 16 dated 31.01.2018 and notice under section 248 of Cantts Act, 2006 dated 15.02.2018. Shri Pravin Malviya, Bungalow No. 31, Stanley Road, Old Cantt, Allahabad vide letter dated 15.03.2018 preferred an appeal under section 340 of Cantonments Act, 2006 against notice under section 248 (1) of Cantonments Act, 2006 issued by the Cantonment Board dated 15.02.2018

As per G.L.R. maintained by the D.E.O., site comprising Sy. No. 2 (Bungalow No. 31, Stanley Road), Old Cantt, Allahabad is classified as 'B-3', held on 'Old Grant', holder of occupancy rights shown in the name of Pt Nitya Nand Malviya s/o Pt Shiva Shankar Malviya. The description of the site is Bungalow No. 31. The survey number in question is situated outside notified civil area.

Cantonment vide letter No. U/s 244/31 St./OC/2018-19/CBA/2019/66 dated 01.11.2019 forwarded the Appeal in original to Appellant Authority, General Officer in Chief, Headquarter, Central Command, Lucknow Cantt, Lucknow.

Headquarter, Central Command, Lucknow Cantt, Lucknow vide letter No. 260506/Appeal/Shri Praveen Malviya/Q3L2 dated 17.01.2020 directed Cantonment Board to submit the requisite documents for initiating the proceedings of the Appeal.

Cantonment Board vide letter No. U/s 244/31 St./OC/CBA/2020/373 dated 29.02.2020 forwarded the requisite documents to the Appellate Authority.

Appeal has been designated as Appeal No. 02 of 2020.

Headquarters, Central Command, Lucknow vide letter No. 260506/Appeal/02/2020/Order/Q3L2 dated 19.07.2023 forwarded the Final Order of the Appellate Authority dated 17.07.2023 in respect of Appeal No. 02/2020. Order of the Appellate Authority is reproduced below:

1. Late Shri Praveen Malviya S/o Late Shri Bal Krishna (hereinafter referred to as the Appellant), resident of Bungalow Number 31, Stanley Road, Allahabad (Prayagraj) Cantonment, has filed the present appeal impugning the Notice under Section 248 (1) of the Cantonments Act, 2008 (hereinafter referred as the Act) dated 15 February 2018 issued by Cantonment Board, Prayagraj.

2. This is a second round of Appeal. In Appeal No 02/2016, the Appellant had assailed Notice dated 20 July 2015 directing the Appellant to stop further erection and demolish the seven sheds noted in the Notice. The said Appeal was allowed by Order dated 17 November 2017 on the ground that the impugned notice was issued to father of the present Appellant, who passed away as early as in 1977, which was in the knowledge of the Respondent Defence Estate Officer. It was also noted that in terms of the law settled in Afzal and others v. Cantonment Board, Meerut and another, (2014) ALJ 696, the mandatory condition of affording the Appellant an opportunity to Show Cause was not followed before directing demolition. Accordingly, the Appellate Authority set aside the impugned notice with liberty granted to the Respondent to proceed in the case afresh.

3. The notice dated 15 February 2018 was issued pursuant to the aforesaid Order of the Appellate Authority. The relevant portion of the impugned notice reads as under-

"As per the principles laid down by Hon'ble High Court Allahabad (Prayagraj) in Civil Misc Writ Petition No 54929 of 2012 titled Afzal v/s Cantonment Board Meerut and others, you are hereby directed to Show Cause within 30 days, as to why the unauthorized structure erected/re-erected by you, which is detailed above, may not be demolished/ altered. Further, the following documents are enclosed herewith which form evidence that you have carried out the said unauthorised construction:

1. *Site inspection report dated 06 June 2015 of technical staff of this office.*

2. *Photographs taken during the unauthorised construction.*

3. *The decision of the Board taken vide CBR No. 16 dated 06 June 2015 regarding the unauthorised construction made by you and subsequent CBR No. 16 dated 31 January 2018 for initiating fresh proceedings."*

4. *It is apposite to extract the relevant directions passed by the Hon'ble Allahabad High Court in Afzal's case (supra), which reads as under:*

"Therefore, Article 14 of the Constitution has to be read in Section 248 of the Act and a harmonious construction of the provision is required to be made, namely, where the Board considers such erection or re-erection is an offence under Section and a harmonious construction of the provision is required to be made, namely, 247 of the Act, it may issue a notice to stop the construction. For stopping the construction and for demolition or alteration such notice should be accompanied by an inspection report and such other evidence as is relevant for the purpose of the case along with a resolution of the Board indicating that such erection or re-erection is an offence under Section 247 of the Act Upon receipt of such notice, the person concerned would be given an opportunity to reply to such notice The person concerned will reply to the said notice as to why it cannot be demolished and why the alleged constructions are legal or valid, etc If the Board accepts such explanation, the notice would be discharged and the matter would come to an end. If the Board rejects the reply, it would be obligatory upon the Board to pass at speaking order giving reasons for rejecting the objections of the occupier/owner of the building and would further pass such orders as it thinks fit and proper directing alteration or demolition of the building. Such order/notice would be served upon the person concerned to enable such person to file an appeal, if any, as provided under the Act."

5. *The Hon'ble Supreme Court in Cantonment Board Meerut and another v. Afzal (2019) 6 SCC 150 has upheld the aforesaid judgment, thus making it the law of the land*

6. *The present Appeal has been filed against the impugned Notice calling upon the Appellant to show cause against the proposed action. The Appellant has not filed his reply to the Notice in this situation, the preliminary question that arises is whether the Appeal against a notice to show cause is maintainable under Section 340 of the*

7. *Cantonments Act, 2006. Accordingly, by Order dated 31 May 2023 The Appellant was specifically provided opportunity to address on this question of maintainability. Pursuant to the aforesaid order, the Appellant and the Respondents have filed their respective written submissions.*

8. *I have heard the Learned counsels appearing for the Appellant and Respondent Board and have also perused the records and written submissions.*

9. *The written submissions on maintainability of the Appeal filed by the Appellant is styled 'objection/reply against alleged show cause notice dated 15 February 2018' In the said written submission, only ground concerning the question of maintainability is that the extent of power to be exercised by the Appellate Authority under Section 340 of the Act is not provided for in the statute nor any rules have been framed there under. The Appellant has contended that there is no power with the Appellate Authority to remand the matter for afresh hearing by the Cantonment Board. He has in turn challenged the earlier final order dated 17 November 2017 passed by the Appellate Authority disposing Appeal No 02/2016 passed by the Appellate Authority as non-est, void abinitio and erroneous.*

10. *The Respondents have filed written submissions dated 01 June 2023, where they have commented upon the factual aspects and the question of maintainability. It has been contended that the Appellant was issued Notice to show cause dated 15 February 2018 (impugned notice) to which he has not submitted any reply but preferred the instant appeal.*

11. *Section 340 of the Act provides for appeals against executive orders and state that a person aggrieved by any order described in the third column of Schedule V may file appeal to the appellate authority so specified. Schedule V of the Act at serial No 14 (b) provides that against a notice to stop erection or re-erection of, or to alter or demolish, a building in a Cantonment (Other than a civil area), the aggrieved person can file appeal before the General Officer Commanding-in Chief, the Command within thirty days from service of communication. As is clear from the judgment of the Hon'ble Allahabad High Court in Afzals' case (supra), Section 248 per se does not provide a notice to show cause. However, the Hon'ble Court held that the law must supply the omission to make it in consonance with Article 14 of the Constitution and therefore, Article 14 of the Constitution must be read in Section 248 of the Act and a harmonious construction of the provision is required to be made. Thus, the Hon'ble Court provided for an opportunity to the aggrieved person to reply to the Notice at the first instance. On receipt of the reply, if the Cantonment Board decides to reject the reply submitted, if any, then they are bound to pass a speaking order. This is the final order/notice which is appealable under Section 340 read with Schedule V of the Act.*

12. *The Appellant, for reasons best known to him, did not avail the opportunity to show cause but preferred the Appeal. In terms of the judgment discussed above, issuance of notice affording opportunity to show cause is an interlocutory stage, where no final order/notice as contemplated under Section 248 has been issued and therefore in my view, is not appealable. Even as per the*

judgment in Afzal's case, the Hon'ble High Court referred to such final order/notice that should be served upon the person concerned to enable such person to file an appeal, if any, as provided under the Act.

13. In view of the foregoing consideration, I have no hesitation to hold that the appeal without filing reply to notice and the Board having passed speaking order under Section 248 of the Act is not maintainable being premature and such pre-emptive strike without conforming to the procedure established by law cannot be countenanced.

14. Thus, without entering into the merits of the case, I dismiss the present appeal as not maintainable. Since the Appellant, on being afforded opportunity, has submitted his written submissions as a reply to the show cause notice, I direct the Respondent Cantonment Board to consider the same as the reply by the Appellant to the Notice dated 15 February 2018 and take appropriate decision strictly in accordance with law, through a detailed speaking order as laid down in Afzal and others v. Cantonment Board, Meerut and another, (2014) ALJ 696, and extracted at Para 4 of this Order."

It is submitted that Cantonment Board vide letter No. APPEAL/02/2020/PM/CBA/2023/1093 dated 25.07.2023 forwarded Para wise reply of Cantonment Board to Appellate Authority on Objection letter dated Nil (received in this office on 01.06.2023) of Shri Yasharth Malviya, Legal Representative of Late Shri Pravin Malviya against the Show Cause Notice dated 15.02.2018.

Relevant files are placed on the Table.

Board to consider.

CBR NO. 20: Board decided to seek legal opinion of Cantt Board legal advisor on the Final Order dated 17.07.2023 of the Appellate Authority in respect of Appeal No. 02/2020.

21. AUCTION FOR SHOP NO. 11, 17, 25, 27 & 31 TRIVENI COMPLEX GROUND FLOOR SADAR BAZAR NEW CANTT. ALLAHABAD

For auction of Shop No. 11, 17, 25, 27 & 31 Triveni Complex ground floor Sadar Bazar, New Cantt. Allahabad for three years, bids were called vide Advertisement Notice No. T-51/Market/CBA/2023/1296 dated 18-08-2023 published in daily news paper Nyayadhish (Hindi) on 19-08-2023. Reserved bid price was fixed at Rs.5,000/- per month.

Bids were opened on 28-08-2023 in presence of Chief Executive Officer, Office Superintendent, Assistant Engineer, Accountant and Revenue Inspector Cantonment Board and the bidders.

(i) Shop No. 11 Triveni complex ground floor

Details of two (02) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Shri Ambar Jaiswal 162, Sadar Bazar, Alld.	Rs.5100.00	H1
2.	Shri Shailendra Kumar Jaiswal 162, Sadar Bazar, Alld.	Rs.5050.00	H2

Shri Ambar Jaiswal, 162, Sadar Bazar, Alld. quoted the highest bid of Rs.5100/- per month which is significantly higher than reserved bid price of Rs.5000/- and reasonable in view of prevailing market conditions.

(ii) Shop No. 17 Triveni complex ground floor

Details of Three (03) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Shri Kamlesh Prasad Chaudhary 163, R.A. Bazar, Alld.	Rs.6000.00	H1
2.	Shri Sunil Kumar Chaudhary Bihari Mohalla, Arjun Nagar, Pateri Satna, M.P.	Rs.5200.00	H2
3.	Smt. Sarita Chaudhary Vill. & Post- Sijatha, Rampur Baghelan, Satna, M.P.	Rs.5100.00	H3

Shri Kamlesh Prasad Chaudhary, 163, R.A. Bazar, Alld quoted the highest bid of Rs. Rs.6000/- per month which is significantly higher than reserved bid price of Rs.5000/- and reasonable in view of prevailing market conditions.

(iii) Shop No. 25 Triveni complex ground floor

Details of two (02) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Shri Shaphiq Ahmad 224, Sadar Bazar, Alld.	Rs.5500.00	H1
2.	Shri Amit Jaiswal 55A, Sadar Bazar. Alld.	Rs.5200.00	H2

Shri Shaphik Ahmad, 224, Sadar Bazar, Alld quoted the highest bid of Rs. Rs.5500/- per month which is significantly higher than reserved bid price of Rs.5000/- and reasonable in view of prevailing market conditions.

(iv) Shop No. 27 Triveni complex ground floor

Details of Three (03) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Shri Rama Shankar Yadav 21, Muir Road, opp. Officer Hostel Alld.	Rs.5500.00	H1
2.	Amita Singh 78/1, Stainly Road, Mumfordganj Alld.	Rs.5300.00	H2
3.	Shri Chandan Kumar 58E/7D/2, Circular Road, Alld.	Rs.5100.00	H3

Shri Rama Shankar Yadav, 21, Muir Road, opp. Officer Hostel Alld quoted the highest bid of Rs.5500.00 per month which is significantly higher than reserved bid price of Rs.5000/- and reasonable in view of prevailing market conditions.

(v) Shop No. 31 Triveni complex ground floor

Details of Two (02) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Smt. Punam Jaiswal 1/1, Karailabag Colony, G.T.B. Nagar Alld.	Rs.5100.00	H1
2.	Shri Sandeep Kumar S-208, Saraswati Appartment, S.N. Marg, Alld.	Rs.5050.00	H2

Smt. Punam Jaiswal, 1/1, Karailabag Colony, G.T.B. Nagar Alld quoted the highest bid of Rs.5100.00 per month which is significantly higher than reserved bid price of Rs.5000/- and reasonable in view of prevailing market conditions.

All relevant documents and file are placed on the table.

Board may consider and decide further course of action.

CBR NO. 21: Board observed that shops were being allotted for 03 years at the same price, therefore, Board decided to cancel the tenders for allotment of shops. Board further decided that shops shall be allotted for 03 years with annual increment of 5% on the bid price for every subsequent year. Board also directed that option for auction should also be explored.

22. AUCTION FOR SHOP NO. 13 & 28 AKASH GANGA COMPLEX SADAR BAZAR NEW CANTT. ALLAHABAD

For auction of Shop No. 13 & 28 Akash Ganga Complex Sadar Bazar, New Cantt. Allahabad for three years, bids were called vide Advertisement Notice No.T-51/Market/CBA/2023/1296 dated 18-08-2023 published in daily news paper Nyayadhish (Hindi) on 19-08-2023. Reserved bid price was fixed at Rs.5,000/- per month.

Bids were opened on 28-08-2023 in presence of Chief Executive Officer, Office Superintendent, Assistant Engineer, Accountant and Revenue Inspector Cantonment Board and the bidders.

(i) Shop No. 13 Akash Ganga Complex

Details of Three (03) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Shri Shailendra Singh 273C/15R/3N, Sulem Sarai Alld.	Rs.7525.00	H1
2.	Shri Ravindra Kumar 147, Sadar Bazar, Alld.	Rs.5500.00	H2
3.	Shri Ravi Kumar Kanojiya 18/22, Taskand Marg, Civil Lines Alld.	Rs.5300.00	H3

Shri Shailendra Singh, 273C/15R/3N, Sulem Sarai Alld quoted the highest bid of Rs.7525.00 per month which is significantly higher than reserved bid price of Rs.5000/- and reasonable in view of prevailing market conditions.

(ii) Shop No. 28 Akash Ganga Complex

Details of two (02) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Mohd. Farooq 137, Sadar Bazar, New Cantt. Alld.	Rs.5500.00	H1
2.	Mohd. Junaid 120, Sadar Bazar, New Cantt. Alld.	Rs.5300.00	H2

Shri Mohd. Farooq, 137, Sadar Bazar, New Cantt. Alld quoted the highest bid of Rs.5500.00 per month which is significantly higher than reserved bid price of Rs.5000/- and reasonable in view of prevailing market conditions.

All relevant documents and file are placed on the table.

Board may consider and decide further course of action.

CBR NO. 22: Board observed that shops were being allotted for 03 years at the same price, therefore, Board decided to cancel the tenders for allotment of shops. Board further decided that shops shall be allotted for 03 years with annual increment of 5% on the bid price for every subsequent year. Board also directed that option for auction should also be explored.

23. AUCTION FOR SHOP NO.34 AKASH GANGA COMPLEX, SADAR BAZAR NEW CANTT. ALLAHABAD

For auction of Shop No. 34 Akash Ganga Complex Sadar Bazar, New Cantt. Allahabad for three years, bids were called vide Advertisement Notice No.T-51/Market/CBA/2023/1296 dated 18-08-2023 published in daily news paper Nyayadhish (Hindi) on 19-08-2023. Reserved bid price was fixed at Rs.12,000/- per month.

Bids were opened on 28-08-2023 in presence of Chief Executive Officer, Office Superintendent, Assistant Engineer, Accountant and Revenue Inspector Cantonment Board and the bidders.

(i) **Shop No. 34 Akash Ganga Complex**

Details of two (02) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Shri Satish Kumar 33/7H/2A, Rajapur, Alld.	Rs.12500.00	H1
2.	Shri Santosh Kumar 33/7H/2A, Rajapur, Alld.	Rs.12200.00	H2

Shri Satish Kumar, 33/7H/2A, Rajapur, Alld quoted the highest bid of Rs. 12500.00 per month which is significantly higher than reserved bid price of Rs.12,000/- and reasonable in view of prevailing market conditions.

All relevant documents and file are placed on the table.

Board may consider and decide further course of action.

CBR NO. 23: Board observed that shops were being allotted for 03 years at the same price, therefore, Board decided to cancel the tenders for allotment of shops. Board further decided that shops shall be allotted for 03 years with annual increment of 5% on the bid price for every subsequent year. Board also directed that option for auction should also be explored.

24. AUCTION FOR SHOP NO.40 AKASH GANGA COMPLEX, SADAR BAZAR NEW CANTT. ALLAHABAD

For auction of Shop No. 40 Akash Ganga Complex Sadar Bazar, New Cantt. Allahabad for three years, bids were called vide Advertisement Notice No.T-51/Market/CBA/2023/1296 dated 18-08-2023 published in daily news paper Nyayadhish (Hindi) on 19-08-2023. Reserved bid price was fixed at Rs.10,000/- per month.

Bids were opened on 28-08-2023 in presence of Chief Executive Officer, Office Superintendent, Assistant Engineer, Accountant and Revenue Inspector Cantonment Board and the bidders.

(i) **Shop No. 40 Akash Ganga Complex**

Details of Three (03) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Smt. Riya Sony 5A-1, Napiyar Road, Prayagraj	Rs.10,100.00	H1
2.	Nishi 5A-1, Napiyar Road, Prayagraj	Rs.10,050.00	H2
3.	Shri Vishal Sony 5A-1, Napiyar Road, Prayagraj	Rs.10,020.00	H3

Shri Mati Riya Sony, 5A-1, Napiyar Road, Prayagraj quoted the highest bid of Rs.10,100.00per month which is significantly higher than reserved bid price of Rs.10,000/- and reasonable in view of prevailing market conditions.

All relevant documents and file are placed on the table.

Board may consider and decide further course of action.

CBR NO. 24: Board observed that shops were being allotted for 03 years at the same price, therefore, Board decided to cancel the tenders for allotment of shops. Board further decided that shops shall be allotted for 03 years with annual increment of 5% on the bid price for every subsequent year. Board also directed that option for auction should also be explored.

25. AUCTION FOR SHOP NO.01 SARASWATI GHAT FORT CANTT. ALLAHABAD

For auction of Shop No. 01 Saraswati Ghat, Fort Cantt. Allahabad for three years, bids were called vide Advertisement Notice No.T-51/Market/CBA/2023/1295 dated 18-08-2023 published in daily news paper Nyayadhish (Hindi) on 19-08-2023. Reserved bid price was fixed at Rs.4200/- per month.

Bids were opened on 28-08-2023 in presence of Chief Executive Officer, Office Superintendent, Assistant Engineer, Accountant and Revenue Inspector Cantonment Board and the bidders.

(i) Shop No. 01 Saraswati Ghat Fort Cantt.

Details of Three (03) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Smt. Kamini Pandey Samaspur, Charwa, Kaushambi	Rs.4700.00	H1
2.	Shri Ajay Kumar Pandey Samaspur, Charwa, Kaushambi	Rs.4400.00	H2
3.	Shri Atul Kumar Pandey Samaspur, Charwa, Kaushambi	Rs.4300.00	H3

Smt. Kamini Pandey, Samaspur, Charwa, Kaushambi quoted the highest bid of Rs. 4700.00 per month which is significantly higher than reserved bid price of Rs.4200/- and reasonable in view of prevailing market conditions.

All relevant documents and file are placed on the table.

Board may consider and decide further course of action.

CBR NO. 25: Board observed that shops were being allotted for 03 years at the same price, therefore, Board decided to cancel the tenders for allotment of shops. Board further decided that shops shall be allotted for 03 years with annual increment of 5% on the bid price for every subsequent year. Board also directed that option for auction should also be explored.

26. AUCTION FOR SHOP NO.02 SARASWATI GHAT FORT CANTT. ALLAHABAD

For auction of Shop No. 02 Saraswati Ghat, Fort Cantt. Allahabad for three years, bids were called vide Advertisement Notice No.T-51/Market/CBA/2023/1295 dated 18-08-2023 published in daily news paper Nyayadhish (Hindi) on 19-08-2023. Reserved bid price was fixed at Rs.5000/- per month.

Bids were opened on 28-08-2023 in presence of Chief Executive Officer, Office Superintendent, Assistant Engineer, Accountant and Revenue Inspector Cantonment Board and the bidders.

(i) Shop No. 02 Saraswati Ghat Fort Cantt.

Details of two (02) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Shri Shaurabh Nishad Chaukhandi, Kydganj, Alld.	Rs.6000.00	H1
2.	Shri Rajesh Nishad Chaukhandi, Kydganj, Alld.	Rs.5500.00	H2

Shri Shaurabh Nishad, Chaukhandi, Kydganj, Alld quoted the highest bid of Rs. 6000.00 per month which is significantly higher than reserved bid price of Rs.5000/- and reasonable in view of prevailing market conditions.

All relevant documents and file are placed on the table.

Board may consider and decide further course of action.

CBR NO. 26: Board observed that shops were being allotted for 03 years at the same price, therefore, Board decided to cancel the tenders for allotment of shops. Board further decided that shops shall be allotted for 03 years with annual increment of 5% on the bid price for every subsequent year. Board also directed that option for auction should also be explored.

27. AUCTION FOR SHOP NO.04 SARASWATI GHAT FORT CANTT. ALLAHABAD

For auction of Shop No. 04 Saraswati Ghat, Fort Cantt. Allahabad for three years, bids were called vide Advertisement Notice No.T-51/Market/CBA/2023/1295 dated 18-08-2023 published in daily news paper Nyayadhish (Hindi) on 19-08-2023. Reserved bid price was fixed at Rs.17000/- per month.

Bids were opened on 28-08-2023 in presence of Chief Executive Officer, Office Superintendent, Assistant Engineer, Accountant and Revenue Inspector Cantonment Board and the bidders.

(i) Shop No. 04 Saraswati Ghat Fort Cantt.

Details of three (03) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Shri Ajay Kumar Pandey Samaspur, Charwa, Kaushambi	Rs.18500.00	H1
2.	Smt. Kamini Pandey Samaspur, Charwa, Kaushambi	Rs.17500.00	H2
3.	Shri Atul Kumar Pandey Samaspur, Charwa, Kaushambi	Rs.17100.00	H2

Shri Ajay Kumar Pandey, Samaspur, Charwa, Kaushambi quoted the highest bid of Rs. 18500.00 per month which is significantly higher than reserved bid price of Rs.17000/- and reasonable in view of prevailing market conditions.

All relevant documents and file are placed on the table.

Board may consider and decide further course of action.

CBR NO. 27: Board observed that shops were being allotted for 03 years at the same price, therefore, Board decided to cancel the tenders for allotment of shops. Board further decided that shops shall be allotted for 03 years with annual increment of 5% on the bid price for every subsequent year. Board also directed that option for auction should also be explored.

28. AUCTION FOR SHOP NO. 05, 06 & 09, I.N. MULLA MARKET R.A. BAZAR NEW CANTT. ALLAHABAD

For auction of Shop No. 05, 06 & 09, I.N. Mulla Market, R.A. Bazar, New Cantt. Allahabad for three years, bids were called vide Advertisement Notice No.T-51/Market/CBA/2023/1296 dated 18-08-2023 published in daily news paper Nyayadhish (Hindi) on 19-08-2023. Reserved bid price was fixed at Rs.3,000/- per month.

Bids were opened on 28-08-2023 in presence of Chief Executive Officer, Office Superintendent, Assistant Engineer, Accountant and Revenue Inspector Cantonment Board and the bidders.

(i) Shop No. 05 I.N. Mulla Market

Details of two (02) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Smt. Sarita Chaudhary Vill.- Sijatha, Distt. Satna, M.P.	Rs.3300.00	H1
2.	Shri Sunil Kumar Chaudhary Bihari Muhalla, Arjun Nagar Pateri, Satna, M.P.	Rs.3100.00	H2

Smt. Sarita Chaudhary, Vill.- Sijatha, Distt. Satna, M.P. quoted the highest bid of Rs.3300/- per month which is significantly higher than reserved bid price of Rs.3000/- and reasonable in view of prevailing market conditions.

(ii) Shop No. 06 I.N. Mulla Market

Details of two (02) bids received are below:

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Shri Bhupendra Pandey 16, Carriappa Road, New Cantt. Alld.	Rs.3050.00	H1
2.	Shri Bhupendra Pandey 16, Carriappa Road, New Cantt. Alld.	Rs.3005.00	H2

Shri Bhupendra Pandey, 16, Carriappa Road, New Cantt. Alld quoted the highest bid of Rs. Rs.3050/- per month which is significantly higher than reserved bid price of Rs.3000/- and reasonable in view of prevailing market conditions.

All relevant documents and file are placed on the table.

Board may consider and decide further course of action.

CBR NO. 28: Board observed that shops were being allotted for 03 years at the same price, therefore, Board decided to cancel the tenders for allotment of shops. Board further decided that shops shall be allotted for 03 years with annual increment of 5% on the bid price for every subsequent year. Board also directed that option for auction should also be explored.

29. TENDER OF HALL FOR MULTIPURPOSE SHOP SITUATED AT THE CROSSING OF AUCKLAND ROAD AND PONAPPA ROAD NEW CANTT. ALLAHABAD

Tender of hall for multipurpose shop situated at the crossing of Auckland road and Ponappa road New Cantt. Allahabad bids were called vide Advertisement Notice No.T-51/CBA/2023/1274 dated 07-08-2023 published in daily news paper Aaj (Hindi) and Indian Express on 08-08-2023. Reserved bid price was fixed at Rs.45,000/- per month.

Bids were opened on 21-08-2023 in presence of Chief Executive Officer, Office Superintendent, Assistant Engineer, Accountant and Revenue Inspector Cantonment Board and the bidders.

Details of Three (03) bids received are below:-

Sl. No.	Name of Firm	Quoted Amount per month	Bid Rank
1.	Shri Mridul Raj Singh, 36/22A/3A, Strachey Road, Civil Lines Alld.	Rs.46,500/-	H1
2.	Shri Ahsan Ishtiyag, 131 Mehndaury, Jondhwal, Prayagraj	Rs.45,900/-	H2
3.	Shri Sher Bahadur Singh, Vill.- Badgadi, The.-Bara, Prayagraj	Rs.45,550/-	H3

Shri Mridul Raj Singh R/o 36/22A/3A, Strachey Road, Civil Lines Alld. quoted the highest bid of Rs. 46,500/- per month which is significantly higher than reserved bid price of Rs.45,000/- and reasonable in view of prevailing market conditions.

All relevant documents and file are placed on the table.

Board may consider and decide further course of action.

CBR NO. 29: Board considered and approved the highest bid amount of Rs. 46,500/- quoted by Shri Mridul Raj Singh R/o 36/22A/3A, Strachey Road, Civil Lines Alld for multipurpose shop situated at the crossing of Auckland road and Ponappa road New Cantt Allahabad with annual increment of 5% on the bid price for every subsequent year.

30. REGARDING BOUNDARY WALL OF KYDGANJ PLOT, FORT CANTT. ALLAHABAD

During the periodic visit of Kydganj plot Fort Cantt. Allahabad it has been observed that boundary wall has been broken/demolished at various location thereby causing loss of the Government property.

In view of the above, it is proposed to deploy Armed Gaurds for the safety of Kydganj plot Fort Cantt. Allahabad.

Board to consider further course of action.

CBR NO. 30: Board considered and decided to float tender for acquiring armed security guards. Board directed to invite firms which shall specially provide armed guard preferably ex-servicemen/Army men.

31. PARKING FEE COLLECTION RIGHTS IN FORT CANTONMENT NEAR BADE HANUMAN MANDIR AND RAM GHAT CHAURAHA BENI BUNDH

Tender for Parking Fee Collection Rights in Fort Cantonment near Bade Hanuman Mandir and Ram Ghat Chauraha Beni Bundh Allahabad tender were called invited vide e-tender notice No.T-51/Parking Fee/CBA/2023/1168 dt. 10-08-2023 Tender ID: 2023_DGDE_613208_1 through Govt. e-procurement portal <https://defproc.gov.in/nicgep/app>. The tender notice was also uploaded on Cantt. Board website on 10-08-2023 and published in daily news Paper Hindustan (Hindi) and Indian Express (English) on 11-08-2023. Reserve bid cost of the work is Rs.40.00 lacs. Technical bids have been opened on 30-08-2023 by a Tender Opening Committee.

Total 05 bids mentioned below have been received:-

S. No.	Firm Name	Address
1.	Balaji Enterprises	B. No. 1 Nagar-Pathardi Road, Near Rajputra dhaba, Bhingar Ahmednagar Maharashtra
2.	Ms Bhole Raj Enterprises	Samaspur, Charwa, Kausambi
3.	Ms L.N. Constructions	7,Supriya Appartment Moti Nagar Market yard, Ahmednagar Maharashtra 414001
4.	Saudagar Agency	New Road, Shah Bazar, Faizilpura, S. T. Colony, Aurangabad.
5.	Vinod Kumar	6/40, Ambedkar Puram, Kalyanpur, Kanpur.

Out of five bidders, only two bidders qualified in Technical Bidding. Financial Bid of two technically qualified bidders are opened by Tender Opening Committee on 30-08-2023 and downloaded from e-procurement system. The details of Financial Bids received are as under :-

Sl. No.	Firm Name	Quoted Bid Amount (Rs.)	Bid Rank
1.	Balaji Enterprises	45,00,999.00	H1
2.	Ms L. N. Constructions	43,00,000.00	H2

Balaji Enterprises has quoted highest bid of **Rs.45,00,999.00** (Rupees forty five lacs nine hundred ninety nine only) which is more than reserved bid amount of Rs.40.00 lacs and reasonable in view of prevailing market situation.

Relevant documents are placed on the table.

Board to consider.

CBR NO. 31: Board decided to cancel the tender and directed to float fresh tender where it shall be explicitly mentioned that period of Magh Mela shall not be included in the tender duration. Board also directed that previous contract price would be considered before arriving at the base price and option for auction should also be explored.

**SD/-
Mohd. Sameer Islam
Secretary/Member/Chief Executive Officer
Cantonment Board, Allahabad**

**SD/-
Brig. Maninder Singh Sidhu
President
Cantonment Board, Allahabad**

True Copy

**Office Superintendent
Cantonment Board, Allahabad**