

**PROCEEDING OF SPECIAL BOARD MEETING OF THE JALANDHAR CANTONMENT BOARD HELD ON 23<sup>rd</sup> DECEMBER, 2015 AT 1100 HOURS IN THE OFFICE OF THE CANTONMENT BOARD, JALANDHAR CANTT.**

**PRESENT**

Brig. RPS Sandhu, SM	President
Smt. Sneh Gupta	Vice-President
Brig. M.J. Jacob	Health Officer
Sh. Parshotam Lal	Member Secretary
Sh. SC Somani, SE	Commander Works Engineer
Sh. Suresh Kumar	Elected Member
Smt. Puneet Kaur	Elected Member
Sh. Rajinder Kumar Sonkar	Elected Member
Sh. Rajinder Sharma	Elected Member

**NOT PRESENT**

Sh. Girish Dayalan, IAS	Add. Deputy Commissioner
Col. Saqib Hussain	Nominated Member
Col. Raj Vijay Rai	Nominated Member
Sh. Sanjeev Trehan	Elected Member
Sh. Bharat Atwal	Elected Member

**ITEM NO. 01**

**PROPOSAL REGARDING INSTALLATION OF MOBILE TOWERS/PARKING OF CELL ON WHEEL TO IMPROVE THE QUALITY OF CELLULAR MOBILE PHONE COVERAGE IN THE AREA OF JALANDHAR CANTONMENT : DISPOSAL OF RIGHTS UNDER LICENSE THROUGH OPEN TENDERING.**

Reference Spl. CBR No.01 dated 14.08.2015, DG DE letter No.718/179/L/DE/C/2015 dated 27.12.2015 and request dated 22.12.2015 submitted by all the Elected Members to review the issue.

The Board is informed that in pursuance to the decision taken vide referred resolution a proposal in prescribed format was submitted to the Directorate, DE vide letter No.JCB/Tax/Mob.BTS/2014/53/66 dated 17.08.2015 requesting for obtaining sanction of the GOC in C of the Command under section 267(2) of the Cantonments Act, 2006 for installation of towers on defence land placed under the management of Cantt Board, Jalandhar. The proposal was examined by the Directorate and recommended to the Directorate General, DE for obtaining approval of the Ministry of Defence vide their letter No.4/25/Misc/Mobile Tower/L/DE/WC dated 04-09-2015.

The Directorate General, DE vide their letter No.718/179/L/DE/C/2015 dated 27-11-2015, have intimated that the proposal for approval of the Ministry be forwarded getting the terms and conditions approved by the GOC in C or in his absence the PDDE the Command under section 267(2) of the Cantonments Act, 2006. For this purpose the Board has to establish that the lands on which these towers are to be installed are classified as Class 'C'. The Director General DE has further advised that the Board in alternative, may consider the issue of allowing Cell on Wheels on class 'C' land under rule 39 of CLAR

1937 for a period of one year. The proposal submitted by the Cantt Board, Jalandhar has been returned by the Dte General DE with the said observations.

The Directorate Defence Estates, Western Command, Chandigarh vide their letter No.4/25/Misc/Mobile Tower/L/DE/WC/2015/RMS-27863 dated 07.12.2015 required the Cantt Board to consider and submit proposal along with GLR extracts.

The Board is informed that all the sites proposed for erection of towers are classified as 'C' land and placed under the management of Cantt Board, Jalandhar except Survey No.348(P) which is even under occupation of Cantt Board but the same is recorded as Class A-2 under the management of DEO in the General Land Register maintained by Defence Estate Officer Jalandhar.

It is suggested that the Board may consider the issue of installation of cell on wheels either under the provision of section 267(2) of the Cantt Act 2006 or under the provision of Rule 39 of the CLA Rules-1937.

In this regard a detailed office report alongwith all the relevant documents is placed on table for consideration of the Board.

**01. Resolution:-** The CEO brought to the notice of the Board that in view of the advice of the DG DE and PD DE the Board has option of either licencing under Section 267(2) of the Cantonments Act, 2006 or to licence under Rule 39 of the CLA Rules 1937. He further brought out that the option of licencing the sites classified as class 'C'; and placed under the management of Cantt Board Jalandhar may not be exercised under Rule 39 read with rule 47 (c) of the Cantonment Land Administration Rules 1937 as only Class A2 and B-4 lands could be licenced under these provisions for a period not exceeding one year and under the provisions of Section 267 the licence may be upto 5 years under which any immoveable property under management and control of the Board can be put to remunerative use. Further he brought into the notice of the Board that as per terms of the tender the duration of licence agreement is to be for a period of one year further extendable for a period of one year under Section 267 of the Cantonments Act, 2006.

The CEO brought to the notice of the Board that out of the eight sites selected by the Board of Officers for Parking of Cell on Wheels one plot bearing Survey No.348 (P) abutting B.I. Bazar and part of B.I. Bazar Primary School is recorded as A-2 land under the management of DEO Jalandhar. He further brought to the notice of the Board that as per records held by DEO Survey No.348(P) does not exist and it is part of Survey No.348. He informed the Board that even if the same is a part of school and being used for the same purpose for the last more than 50 years but the papers relating to sub-division of land and reclassification of land are not forthcoming from the records.

The CEO suggested the Board that instead of installing this particular tower (COW) on Survey No.348 (P) the Board may consider parking this Cell on wheel on the adjoining land bearing Survey No.389/316 classified as B-4 and placed under the management of Cantt Board Jalandhar and is also part of school complex but for the purpose the same NOC from local military authorities may be required so the same may be dealt separately.

So he suggested that the Board should opt for licencing under Section 267(2) of the Cantonments Act 2006 for a period of one year for 07 site at first instance and for the site bearing GLR Survey No.389/316 separate request may be made on receipt of NOC from the Local Military authorities. The

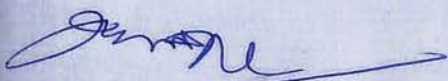


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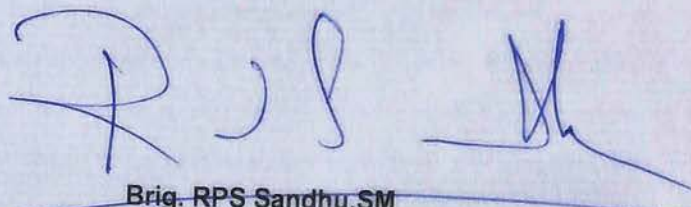
Board considered the issue in detail and resolved that the 07 sites already identified for parking of cell on wheels are classified as Class 'C' land and an under occupation of Cantt Board, Jalandhar so the same be licenced under Section 267(2) of the Cantonments Act 2006 with the prior approval of the terms and conditions by the GOC-in-C the command and sanction of the competent authority.

The Board further resolved that NOC from the Local Military Authority for shifting the site for the COW from Survey No.348 (P) to Survey No.389/316 classified as B-4 land under the management of Cantt Board, Jalandhar may be obtained and on receipt of the same, sanction of the competent authority be obtained for licencing that site under the provisions of Section 267(2) of the Cantonments Act, 2006 separately.

The Board further resolved that the proposal complete in all respect be submitted to the Principal Director Defence Estates, Chandigarh for approval of the terms and conditions by the GOC-in-C the Command as required under Section 267 (2) of the Cantonments Act and obtaining sanction of the competent authority. The Board further resolved that an advance copy of the same should also be forwarded to Station Commander, the GOC-in-C, HQ, Western Command and the Directorate General Defence Estates for necessary action at their end.



Member Secretary,  
Cantonment Board, Jalandhar Cantt.  
(Parshotam Lal)  
23.12.2015



Brig. RPS Sandhu, SM  
President,  
Cantonment Board, Jalandhar Cantt.  
23.12.2015