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No. 167/G/ 118
Office of the Chief Executive Officer
CANTONMENT BOARD
Govt of India, Min of Def
Meerut Cantt (U.P.)
Pin-250001.
Dated 14 Mar'16

To,

1. The Director General, DE
Govt of India, Min. of Defence,
Raksha Samapada Bhawan,
Ullanbattar Marg, Delhi Cantt-10.
2. The GOC-in-Chief, CC
1, Mahatma Gandhi Marg, Lucknow Cantt.
3. The Principal Director, DE
Central Command, 17, Cariappa Street,
Lucknow Cantt.
4. The GOC, Meerut Sub Area, Meerut Cantt.
5. Smt Beena Wadhwa, Vice President
6. Brig JS Bishnoi, SEMO/Health Officer, Ex-Officio Member
7. Shri Gaurav Verma, ADM
8. The DEO, Meerut Circle, Meerut.
9. Col Subodh Garg, Nominated Member
10. Col AK Vaid, Nominated Member
11. Lt. Col Atul Puthia, Nominated Member
12. Shri Rakesh Tyagi, GE (S), Ex-Officio Member
13. Smt Rinni Jain, Elected Member
14. Smt Bushra Kamal, Elected Member
15. Shri Neeraj Rathore, Elected Member
16. Shri Anil Jain, Elected Member
17. Smt Manju Goel, Elected Member
18. Shri Dharmendra Sonkar, Elected Member
19. Shri Vipin Sodhi, Elected Member

Shri Rajeev Shrivastava, CEO/Member Secretary.

Special Invitees :

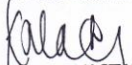
1. Shri Rajendra Agarwal, Hon'ble MP
2. Shri Munquad Ali, Hon'ble MP
3. Shri Satya Prakash Agarwal, Hon'ble MLA

Subject: **MINUTES OF CIRCULAR AGENDA OF CANTT BOARD, MEERUT.**

Sir/Madam,

In accordance with provision of section 43(2) of Cantonments Act, 2006, minutes of Circular Agenda of Cantt Board, Meerut circulated through letter No. 167/G/ dated 27 Feb 2016 is hereby forwarded please.

Yours faithfully,


(RAJEEV SHRIVASTAVA) I.D.E.S
CHIEF EXECUTIVE OFFICER
MEERUT CANTT.

Encl : As above

Posted on website of CB Meerut - cbmrt.org.in
Sent by e-mail to all members.

Tel: 0121-2643400 (C)
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No. 167/G/
Office of the Chief Executive Officer
Cantonment Board
Govt of India, Min of Def
Meerut Cantt (U.P.)
Pin – 250001.
Dated 27 Feb'2016.

To,

1. Maj Gen Sunil Yadav, YSM, GOC
2. Smt Beena Wadhwa
3. Brig JS Bishnoi, SEMO/Health Officer
4. Shri Gaurav Verma, ADM
5. Col Subodh Garg
6. Col AK Vaid
7. Lt. Col Atul Puthia
8. Shri Rakesh Tyagi, GE (S) – Executive Engineer
9. Smt Rinni Jain
10. Smt Bushra Kamal
11. Shri Neeraj Rathore
12. Shri Anil Jain
13. Smt Manju Goel
14. Shri Dharmendra Sonkar
15. Shri Vipin Sodhi

President
Vice President
Ex-Officio Member
Member
Nominated Member
Nominated Member
Nominated Member
Ex-Officio Member
Elected Member
Elected Member
Elected Member
Elected Member
Elected Member
Elected Member
Elected Member

Shri Rajeev Shrivastava

CEO/Member Secretary

Subject: **CIRCULAR AGENDA.**

Sir/Madam,

It is informed that the Govt. of India has decided to dispose off all pending cases of renewal of leases in a time bound manner as all the cases are being monitored by the Public Accounts Committee of the Ministry of Defence. The following pending cases of expired leases has accordingly been processed so far, and remaining are in process. The proposals are to be sent to the higher authorities as per direction, in a time bound manner by the Cantonment Board. Therefore, following agenda points are circulated under clause 41 of Business Regulations for opinion of the Members of the Board in respect of cases processed till now. Regarding other pending cases, Board shall be informed subsequently in due course.

Yours faithfully,

Encl: As above

Sd/-xxx
(RAJEEV SHRIVASTAVA , I.D.E.S)
CHIEF EXECUTIVE OFFICER
MEERUT CANTT

AGENDA

165. **DETERMINATION OF LEASE OF PROPERTY UNDER SY. NO. 357/1722.**

To consider issue of determination of lease in r/o Property No. 85/B, Ganj Bazar, Sadar, Meerut Cantt.

As per GLR property described as House and Garrage No. 85/B, Ganj Bazar, Sadar, Meerut Cantt comprising Sy. No. 357/1722 having an area of 3832.50 sq ft. under Schedule VI of CLA Rules 1925 is held on

lease & recorded in the name of S/Shri Jai Narain Jain & Others as lessees. The lease has already expired on 14.04.1996.

Regarding lease it is informed that originally the lease was granted in the year 1936 for 90 years & was renewed after 30 years w.e.f. 15.04.1936 to 14.04.1966 as first term. Thereafter the competent authority accorded sanction for further renewal of 30 years w.e.f. 15.04.1966 to 14.04.1996 as second term. Now the third and final term w.e.f. 15.04.1996 to 14.04.1926 is due for renewal.

On 23.12.2001 and 08.01.2002, Shri Jai Narain Jain & Others submitted application for further renewal of lease. The Cantonment Board vide letter dated 23.08.2003 informed the applicant that he had opened a shop in residential place which was a change of purpose and was directed to close the shop otherwise action for determination of lease would be taken. A letter dated 09.01.2008 in this regard was also sent to the applicants. On the same, one Shri Pramod Kumar Jain submitted objection that there was no change of purpose and notice was wrong etc.

That Cantonment Board Meerut vide letter dated 02.04.2008 directed the lessee to submit necessary information/documents for mutation/renewal and also rectify the change of purpose. On the same, one Smt Kamal Kumari Jain W/o Shri Jai Narain Jain one of the recorded HOR applied for mutation alongwith affidavit and also submitted an application for renewal of lease on 23.04.2008.

A letter dated 17.05.2008 to Shri Viveksheel Agarwal of Delhi, occupant of site at that time, was also sent asking to submit necessary information/documents but he failed to submit any information/document in this regard.

On 02.09.2014, a letter was again sent to the lessees to submit necessary information/documents for further renewal but they failed to submit any information/documents. A letter to Smt Kamal Kumari Jain was also sent on 02.09.2014 to submit necessary information/documents with regard to her mutation/renewal as per lease application but she failed to comply with the directions contained in the notice and did not submit any information/documents for taking further necessary action in the matter.

Necessary newspaper publication was made on 01.02.2016 in the newspaper inviting attention of the lessees/legal heirs of the lessee/occupier of leased site to submit information/documents regarding mutation/renewal of lease with the office of Cantonment Board and a notice dated 02.02.2016 was also served upon the occupier.

As per technical staff report, at present the site is under possession of one Shri Sher Mohd S/o Shri Mohd Shafi and Shri Prakash Chand Jain and Shri Rajender Kumar Jain (Co-recorded HOR). The site is also being used for commercial purpose committing change of purpose at site & no one has come forward for mutation/renewal of lease despite repeated reminders/publication in leading newspapers of Meerut.

In this case, it seems that illegal sale/purchase without prior permission of the competent authority is involved and present occupants have not submitted legal and valid documents regarding possession over the property in question and the site is being used for commercial purpose also.

The Engineering staff of this office have submitted their report that there is no encroachment on Govt land and unauthorized construction but sub-division of site and change of purpose are involved.

In view of the above, it seems that the present occupants of the premises in question are not interested in mutation/renewal of lease. Sufficient opportunity has also been given to lessee etc to come forward for renewal but they have failed to do so. As such it is recommended that a proposal/case for determination of lease, in the absence of necessary information/documents and for violation of terms of lease be forwarded to the Dte DE, Central Command through prescribed channel.

Board is requested to consider and take a decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) and (8) of lease deed dated 15.04.1936 not submitted information/documents for mutation/renewal despite of reminders and news publications, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

166. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/426.**

To consider issue of determination of lease in r/o Property No. 14, Patel Puri, Sadar, Meerut Cantt.

As per GLR property described as House No. 14, Patel Puri, Sadar, Meerut Cantt comprising Sy. No. 357/426 having an area of 739 sq ft. under Schedule VIII of CLA Rules 1937 is held on lease and recorded in the name of Smt Gurbachan Kaur W/o Shri Jagat Ram as lessee. The lease has already expired on 28.11.2005.

Regarding lease it is informed that originally the site was held on old grant terms, thereafter the competent authority accorded sanction vide letter dated 18.08.1973 for lease measuring area of 739 Sq.ft. comprising Sy. No. 357/426 to Shri Om Prakash Bhandari under schedule VIII of CLAR, 1937 for 90 years & was renewed after 30 years on annual rent of Rs. 88.70. The 1st term of the lease w.e.f. 29.11.1975 to 28.11.2005 was executed and registered by the then lessee at that time. Thereafter, no application for renewal of lease was submitted by the lessee/occupier of the premises in question.

The Cantonment Board Meerut vide letter dated 08.09.2014 requested the lessee to submit information/documents for further renewal of lease but she failed to comply the direction contained in the notice. A reminder dated 06.01.2015 was also sent to the lessee to submit necessary information/documents but no reply to the same received by this office.

Necessary newspaper publication was published on 01.02.2016 in the newspaper inviting attention of the lessee/legal heir of the lessee/occupier of lease site to submit information/documents regarding mutation/renewal of lease with the office of Cantonment Board and a notice dated 02.02.2016 was also served upon the lessee/occupier.

On the same, one Shri Kastoori Lal S/o Late Smt Gurbachan Kaur (Recorded HOR) submitted application dated 09.02.2016 stating therein that his mother had already expired on 30.06.1997 and requested for renewal of lease only without supporting any documentary evidence regarding possession in favour of him despite of earlier letters issued by the Cantonment Board in this regard.

As per technical staff report, there is no encroachment, unauthorized construction, sub-division of site and change of purpose are involved.

In view of the above, it seems that the present occupants of the premises in question are not interested in mutation/renewal of lease. Sufficient opportunity has also been given to lessee etc to come forward for renewal but they have failed to do so. As such it is recommended that a proposal/case for determination of lease, in the absence of necessary information/documents and for violation of terms of lease be forwarded to the Dte DE, Central Command through prescribed channel.

Board is requested to consider and take a decision in the matter.

Resolution

Considered & Resolved that due to non-submission of necessary information/documents for mutation/renewal despite of reminders and news publications, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

167. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 183/735/3.**

Reference CBR No. 268(198) dated 09.06.2014.

To consider application dated 03.10.2008 & 11.01.2011 for mutation and renewal of lease submitted by Shri Madan Lal S/o Shri Matru Lal, Shri Subhash Yadav, Shri Ramesh Chand and Shri Pyare Lal Yadav sons of Shri Braj Mohan Yadav requesting for mutation & renewal of lease in respect of property No. 65A, Jublee Ganj, BC Bazar, Meerut Cantt.

As per GLR House No. 65A, Jublee Ganj, BC Bazar, Meerut Cantt comprising Survey No. 183/735/3 having an area of 595 sqft. and recorded in the name of Shri Magharia Ram S/o Shri Gokul Ram on lease under Schedule VI of CLA Rules, 1925 on annual rent of Rs. 6.66 paisa. The lease has already expired on 14.02.1993. The site is situated in the notified Civil area under the management of Cantonment Board Meerut.

Originally the lease was granted in the year 1933 for a period of 30 years on the option of renewal every 30 years total period for 90 years w.e.f. 15.02.1933 to 14.02.1963, thereafter, the Govt of India accorded sanction for further 30 years w.e.f. 15.02.1963 to 14.02.1993. Now the last and final terms w.e.f. 15.02.1993 to 14.02.2023 on the enhance rent of Rs. 10/-is under consideration.

The applicant became the owner of the property in question through inheritance as stated in affidavit dated 23.09.2008 & 01.01.2011 that their mother/grand mother has purchased the said property from Shri Magharia Ram (recorded HOR) through registered sale deed dated 24.09.1962 and after her death he became the owner of the property being legal heirs. On perusal of documents submitted by the applicant, it seems that there are no sale deed and the same is agreement to sale which is clear violation of terms and condition of lease deed.

A thirty days proclamation notice inviting objection was got published in local News paper named Hindustan on 20.05.2012 inviting objection but no objection received.

The Engineering Staff Cantonment Board Meerut has reported that there is no change of purpose and sub-division of site but encroachment and unauthorized constructions is involved.

The matter was placed before the Board and the Board vide CBR under reference resolved that matter be pended for scrutiny of record.

The higher authorities has directed that wherein the violation of lease deed is involved, the same be removed & the lessee/legal heirs be directed to remove the said violation otherwise matter for determination of lease will be forwarded to the higher authorities. In such case, u/a construction and encroachment on Govt land are involved & the present occupant has been directed to remove the said violations within 10 days from the receipt of the notice otherwise the matter for determination of lease will be forwarded to the higher authorities.

Board is requested to consider and take a decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) and (8) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

168. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 183/681**

Reference CBR No. 329(210) dated 27.09.2014.

Shri Lalit Mohan Pawha S/o Late Shri Dwarka Nath vide application dated 19.10.2012 applied for mutation/renewal of lease in r/o Property No. 302, 303, 303/A, 303-A/1, 303B & 303B/1, Tandel Mohalla, BC Bazar, Meerut Cantt.

The matter was placed before the Board and the board vide CBR under reference considered and recommended that the name of the applicant be entered in GLR and Tax register on recorded area subject to payment of necessary formalities and a proposal for renewal of lease w.e.f. 17.12.02 to 16.12.32 be forwarded to the higher authorities. In the subject site, ench. On Govt land is involved and the Board resolved that the applicant be directed to remove the encroachment to facilitate the mutation process.

In compliance of CBR, a letter dated 18.10.2014 was sent to the applicant for removal of encroachment on Govt land. On the same, the applicant vide letter dated 19.11.2014 has stated that there are no encroachment on Govt land. Only a temporary gate for safety purpose and to protect from the animals like cow, pig etc has been made and the applicant has no intention to encroach the Govt land in any way. The land belongs to Govt of India and am only the care taker of the same as a resident of Cantt area and requested for mutation and renewal of lease.

The Engineering Staff Cantonment Board Meerut has reported that there are no change of purpose, sub-division of site and unauthorized constructions but encroachment on Govt land is involved.

At present, encroachment on Govt land is involved in the matter & the higher authorities has instructed that if the violation of terms and condition of lease are not removed by the lessee/ occupier, case for determination of lease be forwarded accordingly.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

169. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/19.**

To consider issue of determination of lease in r/o Property No. 10, Durga Bari, Sadar, Meerut Cantt.

As per GLR Sy. No. 357/719, the property described as House No. 10, Durgabari Mohalla, Sadar, Meerut Cantt having an area of 1480 sq ft. **(out of which 115 Sq.ft. is held on lease)** under Schedule VIII of CLA Rules 1937 and recorded in the name of Shri Paresh Chander Dey S/o Shri Ganesh Chander Dey. The lease has already expired on 26.06.2004.

Regarding lease it is inform that originally the lease was granted in the year 1911 in Cantt Code for 33 years w.e.f. 25.06.1911 to 24.06.1944. Thereafter, the Govt of India Min of Defence vide letter dated 23.03.1994 accorded sanction for lease under Schedule VIII of CLAR, 1937 for 90 years renewal after every 30 years w.e.f. 25.06.1944 to 24.06.1974. Thereafter the competent authority accorded sanction for further renewal of 30 years w.e.f. 25.06.1974 to 24.06.2004 on annual rent of Rs. 5.16 paisa. Now the third and final term w.e.f. 25.06.2004 to 24.06.2034 is left for renewal on enhance rent of Rs. 7.74.

After expiry of lease in year 2004, the lessee was not submitted willingness for further renewal. The Cantonment Board Meerut vide letter dated 19.02.2013 directed the lessee to submit willingness etc for further renewal of lease in the matter. On the same, Shri Shyamal Kumar Dey S/o Shri Prakash Chander Dey (Recorded HOR) submitted application dated 26.02.2013 for renewal of lease only.

Cantonment Board vide letter dated 21.03.2003 directed the applicant to submit necessary application with documents for mutation etc On the same, the applicant submitted mutation application on 03.04.2013 alongwith death certificate & affidavit. On the same, the Cantonment Board vide letter dated 16.06.2014 directed the applicant to submit necessary information/documents.

On 23.06.2014, the applicant submitted incomplete information/documents for which the Cantonment Board Meerut vide letter dated 25.06.2014 again directed the applicant to submit necessary information/documents for mutation/renewal in the matter. The applicant vide application dated 01.07.2014 requested to give some time for submitted requisite information/documents.

The Cantonment Board vide letter dated 23.08.2014 giving last opportunity directed the applicant to submit necessary information/documents, otherwise matter for determination of lease will be forwarded to the higher authorities. On the same, the applicant submitted application dated 02.09.2014 requesting therein that atleast six months time be given.

A letter dated 06.01.2015 was again sent to the applicant for submission of necessary information/documents. On the same the applicant vide application dated 12.01.2015 requested that one more year time be given for submission of information/ documents.

As per the directions of higher authorities, a public notice was also published in newspapers on 01.02.2016 inviting attention of all the lessee/legal heirs/occupiers of lease properties in Cantt area to submit necessary information/documents in the office of Cantonment Board & a final letter dated 02.02.2016 was also sent to all the lessees/legal heirs/occupiers of lease properties to submit necessary information/documents with the office of Cantonment Board Meerut. On the same, the applicant vide application dated 11.02.2016 again requested to provide details of documents to be file before the Cantonment Board, Meerut. All the details of documents as required has already been informed to the applicant and the same are in full knowledge of the applicant.

The Engineering staff of this office have submitted their report that there are no encroachment on Govt land, unauthorized construction, sub-division of site and change of purpose.

In view of the above, it seems that the present occupants of the premises in question are not interested in mutation/renewal of lease. Sufficient opportunity has also been given to lessee etc to come forward for renewal but they have failed to do so. As such it is recommended that a proposal/case for determination of lease, in the absence of necessary information/documents and for violation of terms of lease be forwarded to the Dte DE, Central Command through prescribed channel.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that due to non-submission of necessary information/documents for mutation/renewal despite of reminders and news publications, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

170. DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 108/105.

Reference Dte DE letter No. 34263/LC2 dated 05.02.2016.

It is submitted that as per GLR Sy. No. 108/105, the property described as House No. 322-324/A, RA Bazar, Meerut Cantt having an area of 1680 sq ft. **(out of which 1000 Sq.ft. is held on lease)** under Schedule VI of CLA Rules 1925 and recorded in the name of S/Shri Khursheed Ahmad and Shamshad Ahmad Sons of Hazi Abdul Gafoor. The lease has already expired on 04.04.1997.

Regarding lease it is inform that originally the lease was granted in the year 1937 under Schedule VI of CLAR, 1925 for 90 years renewal after every 30 years at the option of lessee w.e.f. 05.04.1937 to

04.04.1967 as first term. Thereafter, the Govt of India Min of Defence vide letter dated 13.02.1968 accorded sanction for second term w.e.f. 05.04.1967 to 04.04.1997. Now the third and final term w.e.f. 05.04.1997 to 04.04.2027 is left for renewal on enhance rent of Rs. 16.90.

That a proposal for further renewal of lease was forwarded to the higher authorities vide this office letter dated 27.07.2010, thereafter queries raised by the higher authorities was duly replied by this office from time to time.

The Engineering staff of this office have submitted their report that there are no sub-division of site & change of purpose but encroachment on Govt land & unauthorized construction are involved.

Regarding unauthorized construction, the lessee submitted composition plan earlier for compounding the u/a construction which was returned to the applicant by the Cantonment board directing to remove the encroachment on govt land thereafter further necessary action in the matter will be taken accordingly. The lessee not removed the encroachment & a letter 06.02.16 was also issued directing the lessee to remove the encroachment and unauthorized construction from time otherwise matter for determination of lease will be forwarded to the higher authorities but till date the same has not been removed by the lessee and the same is exist at site which is clear violation of terms and condition of lease deed.

The higher authorities vide letter under reference has clearly instructed that lessee be directed to remove the said violations otherwise proposal for determination of lease be forwarded forthwith.

In view of the above, it is clear that there are violation of terms and conditions of lease deed & the lessee has not removed the u/a construction & encroachment on Govt land as such it is recommended that matter for determination of lease be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

171. DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 249/54.

Reference Dte DE letter No. 54668/LC2 dated 02.02.2016.

It is submitted that as per GLR Sy. No. 249/54, the property described as House No. 79, Panth PUri (Maida Mohalla), Meerut Cantt having an area of 592 sq ft. under Schedule VIII of CLA Rules 1937 and recorded in the name of S/Shri Allauddin & Salauddin Sons of Late Shri Shabuddin. The lease has already expired on 04.09.2001.

Regarding lease it is inform that originally the lease was granted in the year 1941 under Schedule VIII of CLAR, 1937 for 90 years renewal after every 30 years at the option of lessee w.e.f. 05.09.1941 to 04.09.1971 as first term. Thereafter, the Govt of India Min of Defence vide letter dated 10.10.1972 accorded sanction for second term w.e.f. 05.09.1971 to 04.09.2001. Now the third and final term w.e.f. 05.09.2001 to 04.09.2031 is left for renewal on enhance rent of Rs. 6.35.

That a proposal for further renewal of lease was forwarded to the higher authorities vide this office letter dated 05.02.2011, thereafter queries raised by the higher authorities was duly replied by this office from time to time.

The Engineering staff of this office have submitted their report that there are no sub-division of site, change of purpose & unauthorized construction but encroachment on Govt land is involved.

Regarding encroachment, a letter dated 06.02.2016 was issued to the lessee directing him to remove the encroachment on Govt land otherwise matter for determination of lease will be forwarded to the higher authorities but till date the same has not been removed by the lessee and the same is exist at site which is clear violation of terms and condition of lease deed.

The higher authorities vide letter under reference has clearly instructed that lessee be directed to remove the said violations otherwise proposal for determination of lease be forwarded forthwith.

In view of the above, it is clear that there are violation of terms and conditions of lease deed & the lessee has not removed the encroachment on Govt land as such it is recommended that matter for determination of lease be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

172. DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 108/239.

Reference CBR No. 268(209) dated 09.06.2014.

It is submitted that as per GLR the site described as building site comprising Sy. No.108/239 having an area of 2800 sq ft. on lease terms under Schedule VIII of CLA Rules 1937 and recorded in the name of Shri Balraj Tirkha s/o Shri Jai Gopal Trikha. The lease has expired on 20.02.1978. The site is situated inside the notified civil area under the management of Cantonment Board, Meerut.

Originally the site was granted on lease in year 1948 for 30 years with provision of renewal at the option of lessee every 30 years maximum upto 90 years w.e.f. 21.02.1948 to 20.02.1978 as first term.

The Cantonment Board Meerut vide letter dated 22.07.1997 directed the lessee for submitting willingness for further renewal. The lessee vide application dated 15.02.2001 submitted willingness for renewal of lease from 21.02.18 to 20.02.08. But no action taken report on the same at that time is available on record.

Thereafter, the Cantonment Board vide this office letter dated 03.05.08, 31.07.08 & 16.01.09 requested the lessee to submit necessary documents for further renewal of lease in the matter but the same was not delivered to the lessee due to close of house at every time of visiting the site by the process server. The letters was also sent through registered post but the same was received undelivered by this office with the endorsement of postal department that house is locked.

The matter was placed before the Board and the Board vide CBR No. 172(130) dated 08.08.12 consider and recommended that the matter be deferred for scrutiny of record. Thereafter, the matter was again placed before the Board and the Board vide CBR u/r recommended that matter for determination of lease for non-submission of necessary information/documents be forwarded to the higher authorities.

As per record, Shri Shivraj Trikha brother of Shri Balraj Trikha (Recorded HOR) submitted application dated 06.06.2014 requesting therein to give reasonable and sufficient time to submit documents, Col Jagat Trikha brother of recorded lessee also discussed the matter with the then CEO and vide application dated 07.06.2014 received in this office on 17.06.2014 requesting that his brother Shri Shivraj Trikha will submit application with the factual status of the property etc. thereafter one Reena Sahani also submitted an application dated 03.10.2014 stating that his father left behind her and her two brothers & her brothers have

no objection in transferring the property in her name & she will submit necessary documents early in this regard. No action at that time was taken on the same resolution as the above named person assured that they will submit necessary information/documents with the office but till date no documentary evidence regarding possession of property in question was submitted by any of the legal heir of the recorded lessee.

The Engineering staff of this office have submitted their report that there are no sub-division of site, change of purpose & unauthorized construction but encroachment on Govt land is involved.

A final notice dated 06.02.2016 was forwarded to all the legal heir of the lessee as available on record directing them to submit necessary information/documents for mutation/renewal of property in question and also directed to remove the encroachment on govt land otherwise necessary proposal for determination of lease will be forwarded to the higher authorities but till date no information/documents has been received in this office & the encroachment on Govt land is exist at site.

In view of the above, it seems that the present occupants of the premises in question are not interested in mutation/renewal of lease. Sufficient opportunity has also been given to lessee etc to come forward for renewal but they have failed to do so. As such it is recommended that a proposal/case for determination of lease, in the absence of necessary information/documents and for violation of terms of lease be forwarded to the Dte DE, Central Command through prescribed channel.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) of lease deed & non-submission of information/documents for further mutation/renewal, therefore, necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

173. DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/985.

To consider issue of determination of lease in r/o Property No. 85/a-1 TO 85/a-3, Ganj Bazar, Sadar, Meerut Cantt.

As per GLR Sy. No. 357/985, the property described as House No. 85/A-1 to 85/A-3, Ganj Bazar, Sadar, Meerut Cantt having an area of 137 sq ft. under Schedule VI of CLA Rules 1925 and recorded in the name of Smt Praveen Begum and Smt Mumtaz Begum. The lease has already expired on 28.02.1989.

Regarding lease it is inform that originally the lease was granted in the year 1929 under Schedule VI of CLAR, 1925 for 90 years renewal after every 30 years at the option of lessee w.e.f. 01.03.1929 to 28.02.1959 as first term. Thereafter, the Govt of India Min of Defence vide letter dated 29.06.1967 accorded sanction for second term w.e.f. 01.03.1959 to 28.02.1989. Now the third and final term w.e.f. 01.03.1989 to 28.02.2019 is left for renewal on enhance rent of Rs. 3.10.

That a proposal for further renewal of lease was forwarded to the higher authorities vide this office letter dated 22.01.2013.

The Engineering staff of this office have submitted their report that there are no sub-division of site, change of purpose & unauthorized construction but encroachment on Govt land is involved.

Regarding encroachment, a letter dated 06.02.2016 was issued to the lessee directing him to remove the encroachment on Govt land otherwise matter for determination of lease will be forwarded to the higher authorities but till date the same has not been removed by the lessee and the same is exist at site which is clear violation of terms and condition of lease deed.

The higher authorities has clearly instructed that lessee be directed to remove the said violation otherwise proposal for determination of lease be forwarded forthwith.

In view of the above, it is clear that there are violation of terms and conditions of lease deed & the lessee has not removed the encroachment on Govt land as such it is recommended that matter for determination of lease be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

174. MUTATION/RENEWAL OF LEASE IN R/O OF PROPERTY UNDER SY. NO. 183/288.

To consider applications both dated 12.02.2014 for mutation & renewal of lease submitted by Shri Kamal Ahuja S/o Shri Bodh Raj Ahuja requesting for mutation & renewal of lease in respect of property No. 105, Jublee Ganj, BC Bazar, Meerut Cantt.

As per GLR House No. 105, Guru Govind Puri (Jublee Ganj Mohalla), BC Bazar, Meerut Cantt comprising Survey No. 183/288 having an area of 940 sqft. (**Out of which 118.1/4 Sq.ft lease land under Schedule VIII of CLAR, 1937**) and recorded in the name of Shri Bodhraj S/o Shri Khandu Ram. The lease has already expired on 17.06.1977. The site is situated inside the notified Civil area under the management of Cantonment Board Meerut.

Originally the lease was granted under Cantt Code in year 1914 for 33 years w.e.f. 18.06.1914 to 17.06.1947, thereafter, Govt of India, Ministry of Defence vide letter dated 10.08.1948 accorded sanction for execution of fresh lease under CLAR 1937 for 118 Sq.ft of land comprising Sy. No. 183/288 for 90 years & renewal at the option of lessee after every 30 years. The same was executed at that time w.e.f. 18.06.1947 to 17.06.1977. Thereafter, no request for further renewal of lessee is available on record.

The Cantonment Board vide letter dated 04.01.2008 requested the lessee to submit willingness for further renewal alongwith site plan etc. On the same the lessee submitted application dated 11.06.2008 for renewal of lease only. Thereafter, the Cantonment Board vide letter dated 29.01.2014 directed the applicant to submit necessary information/documents for further renewal of lease.

On the same, Shri Kamal Ahuja S/o Shri Bodh Raj Ahuja (recorded HOR) submitted a mutation application alongwith registered will dated 05.07.2007 executed by Shri Bodh Raj Ahuja in favour of his wife Smt Kaushalaya Devi. Shri Bodh Raj Ahuja was expired on 03.01.2010. Smt Kaushalaya Devi also executed registered will dated 29.11.2010 in favour of applicant (Son). Smt Kaushalaya Devi was also expired on 13.05.2011. As such, occupancy rights of property in question came into the favour of applicant vide registered will as stated above.

Now the applicant has requested for further renewal of lease under Schedule VIII of CLAR, 1937 as w.e.f. 18.06.1977 to 17.06.07 on enhance rent of Rs. 4.50 paisa.

A 30 days proclamation notice inviting objection was got published in local News paper named Dainik Jagran on 25.12.14 inviting objection but no objection received.

The Engineering staff has reported that there are no u/a construction, sub-division of site, encroachment on Govt land & change of purpose involved.

It is recommended that the name of the applicant be entered in GLR and Tax register on recorded area subject to deposit of Rs 500/- on account of maintenance of property record as per CBR No. 9 dated 13.02.2012, payment of House Tax/ Water Tax upto date & execution of admission deed duly registered and declaration deed duly notarize for old grant site. A proposal for renewal of lease w.e.f. 18.06.1977 to 17.06.2007 on enhance rent of Rs. 4.50 paisa be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that name of the applicant be entered in GLR & Tax register on recorded area subject to deposit of Rs. 500/- on account of charges for maintenance of property record, payment of update house tax & water tax subject to execution of admission/declaration deed in respect of old grant portion of the house duly registered/notarized.

Further resolved that a proposal seeking sanction for renewal of lease w.e.f. 18.06.1977 to 17.06.2007 on enhanced lease rent of Rs. 4.50 paise p.a. and also further renewal of lease w.e.f. 18.06.2007 to 17.06.2037 be forwarded to the PD DE Central Command, Lucknow on enhanced lease of Rs. 6.75 paise p.a. w.e.f. 18.06.2007.

175. DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/146/1.

As per GLR the site described as House No. 341 B-G, Kabari Bazar, Sadar, Meerut Cantt comprising Sy. No.357/146/1 having an area of 2159 sq ft. held on lease terms under Schedule VIII of CLA Rules 1937 and recorded in the name of Shri Bankey Bihari S/o Shri Rama Nand. The lease has expired on 10.10.1972. The site is situated inside the notified civil area under the management of Cantt Board, Meerut.

The Engineering staff of this office have submitted their report that there are sub-division of site, change of purpose, u/a construction & encroachment on Govt land are involved.

A notice was also published in newspaper on 01.02.2016 inviting attention of all the lessees/legal heirs/occupiers to submit necessary information/documents for mutation/further renewal of lease & a final notice dated 02.02.2016 was also issued directing them to submit necessary information/documents for mutation/renewal of property in question otherwise necessary proposal for determination of lease will be forwarded to the higher authorities but till date no information/documents has been received in this office.

The detailed office report regarding lease & correspondence made by the Cantonment Board is put up on the table.

In view of the above, it seems that the present occupants of the premises in question are not interested in mutation/renewal of lease. Sufficient opportunity has also been given to lessee etc to come forward for renewal but they have failed to do so. As such it is recommended that a proposal/case for determination of lease, in the absence of necessary information/documents and for violation of terms of lease be forwarded to the Dte DE, Central Command through prescribed channel.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) and (8) of lease deed and non-submission of necessary information/documents for mutation/renewal of lease, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

176. **RENEWAL OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/1702.**

To consider the application dated 09.02.2016 & 15.02.2016 submitted by Shri Deepak Jain, Power of Attorney Holder of Smt Veena Jain, Usha Jain and Rashmi Jain requesting for renewal of lease in respect of Property No. 201-212, Ganj Bazar, Sadar, Meerut Cantt.

As per GLR Sy. No. 357/1702, the site described as House No. 201-212, Ganj Bazar, Sadar, Meerut Cantt having an area of 0.736 acre and recorded in the name of Smt Veena W/o Shri Raj Narain, Smt Usha Jain W/o Dr. NK Jain, Shri Deepak Jain (minor) and Smt Chavvi (minor) S/o and D/o Shri AP Jain on lease under Schedule VIII of CLAR, 1937 and the lease has already expired on 11.05.2007. The site is situated inside the notified civil area under the management of Cantonment Board Meerut Cantt. It is clarified that as per record, Smt chavvi Jain alias Rashmi Jain is one person.

Originally the lease was granted for 90 years renewal after every 30 years at the option of the lessee in year 1947 w.e.f. 12.05.1947 to 11.05.1977. thereafter, the Govt of India, Ministry of Defence vide letter dated 31.07.1984 accorded further sanction w.e.f. 12.05.1977 to 11.05.2007. Now the third and final term w.e.f. 12.05.2007 to 11.05.2037 on enhance rent of Rs. 208.15 is left for renewal.

The engineering staff of this office has submitted report dated there is no encroachment on govt land, sub-division of site, u/a construction but change of purpose is involved.

Regarding change of purpose, a show cause notice dated 09.01.2008 was issued, on the same, the lessees submitted application dated 21.01.2008 stating therein that they have not breach the terms and condition of lease by any change of purpose and further stated that they are ready for conversion of lease hold right into free hold. The Cantonment Board Meerut vide letter dated 02.04.2008 directed the applicant to submit willingness from fresh lease for commercial site as well as residential site as per terms and conditions to be laid down by the Govt of India, Ministry of Defence by surrendering the original lease. A notice u/s 244 of CA, 2006 dated 16.07.2008 was also issued to the recorded HOR.

The applicant vide letter dated 15.02.2016 submitted willingness for residential/ commercial lease.

It is recommended that matter be referred to the higher authorities for issuing necessary instructions/advice for taking further necessary action in the matter for issuing fresh leases for commercial and residential purpose as requested by the applicant for further period on the annual rent and premium as fixed by the Govt of India.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(5) of lease deed dated 12.05.1947 therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

Further resolved that the Govt. of India may consider the request of the HORs for grant of fresh lease for residential cum commercial purpose if the lease policy so provides on such terms & conditions as may be decided by the Govt. of India in accordance with law.

177. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 183/417.**

To consider issue of determination of lease in r/o Property No. 160A, Kerai Ganj, BC Bazar, Meerut Cantt.

As per GLR the site described as House No. 160A, Kerai Ganj, BC Bazar, Meerut Cantt comprising Sy. No.183/417 having an area of 438 sq ft. on lease terms under Schedule VI of CLA Rules 1925 and recorded in the name of Shri Shabuddin S/o Shri Noor Mohd. The lease has expired on 31.03.1994. The site is situated inside the notified civil area under the management of Cantonment Board, Meerut.

Regarding lease, the same was granted for a period of 90 years renewal after every 30 years at the option of the lessee in year 1934 w.e.f. 01.04.1934 to 31.03.1964, thereafter the Govt of India vide letter dated 17.09.1968 accorded sanction for further renewal w.e.f. 01.04.1964 to 31.03.1994. Now third and final term w.e.f. 01.04.1994 to 31.03.2024 on enhance rent of Rs. 5/- is left for renewal.

Earlier, the matter for condonation of breach of condition 1(8) of lease was forwarded to the higher authorities vide this office letter dated 30.09.2014 and the same was returned for re-submission vide Dte DE letter dated 03.11.2014, thereafter, the same was again forwarded under authority of Board vide this office letter dated 06.01.2015. Thereafter, the Dte DE vide letter dated 20.01.2015 raised certain queries.

In the instance case, unauthorized construction and encroachment on Govt land is exist at site & for removal of encroachment, a letter dated 31.03.2009 was issued to the present occupant directing to remove the encroachment from Govt land. A reminder in this regard was also sent on 06.02.2016 clearly directed that if the encroachment not removed from the Govt land, case of determination of lease will be forwarded to the higher authorities. Till date no compliance report is received in this office.

The Engineering staff of this office have submitted their report that there are no sub-division of site, change of purpose but unauthorized construction and encroachment on Govt land is involved & the u/a construction is not compoundable.

In view of the above, as per directions of the higher authorities regarding removal of violation which has not been complied by the occupier/lessee, it is recommended that a proposal for determination of lease be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

178. DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 249/142/3.

Reference Dte DE letter dated 21.01.2015.

To consider letters dated 01.02.2008, 24.03.2008, 15.05.2008, 06.10.2010 and 26.08.2014 issued by the Cantt Board Meerut in the name of Shri Ainul Haque S/o Shri Gafoor Ahmad regarding submission of documents for mutation/renewal of lease in respect of Property No. 86, Pant Puri, Maida Mohalla, BI Bazar, Meerut Cantt.

As per GLR property described as House No. 86, Pant Puri (Maida Mohalla), BI Bazar, Meerut Cantt comprising Sy. No.249/142/3 having an area of 223 sq ft. on lease and recorded in the name of Mosque No. 85, Pant Puri through Shri Riyazul Hasan Trustee. The lease has already expired on 10.11.97.

Regarding lease it is inform that the lease was granted by the Govt. in year 1937 for 90 years renewal at option of the lessee every 30 years in respect of property in question w.e.f. 11.11.1937 to 10.11.1967. Thereafter competent authority accorded sanction for 2nd terms w.e.f. 11.11.1967 to 10.11.1997 on the annual rent of Rs. 1.59 per annum.

The 3rd and final terms for renewal of lease w.e.f. 11.11.1997 to 10.11.2027 on the enhanced rent by 50% comes to Rs. 2.40 per annum is left for renewal.

Board is informed that this office vide letters as mentioned above was requested to present occupant to submit necessary information/documents for mutation/renewal of lease but he not submitted any

documents except application dated nil received on 25.02.2008 stating therein that trustee has been changed and lease be renewed in his favour but documents as required by this office for mutation/renewal has not been submitted inspite of several reminders.

The Engineering staff of this office has submitted report that there are no sub-division, u/a construction, encroachment on Govt. land and change of purpose.

The Cantonment Board issued public notice several times inviting attention to the lessees/legal heirs/occupiers w.e.f. 2007 to 2013 & lastly on 01.02.2016 to submit necessary information/documents for further renewal of lease and also issued notice dated 02.02.2016 giving last and final chance to submit necessary information/documents. But one Shri Annul Haq Secretary Mosque Maida Mohalla stating therein that he has not documents regarding lease & requested for further renewal of lease.

Earlier the matter for determination of lease was placed before the Board but the Board instead of recommended for determination of lease recommended the matter for further renewal and on the same, the Dte DE vide letter under reference has take serious view & stated that if the document not submitted within time, proposal for determination of lease be sent.

The present occupant of the premises in question is not interested to submit information/documents for mutation/renewal as such it is recommended that matter for determination of lease in the absence of necessary information/documents be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that due to non-submission of information/documents for further mutation/renewal despite of reminders/publication, necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

179. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/162.**

To consider issue of determination of lease of House No. 207, Ravinder Puri, Sadar, Meerut Cantt.

It is submitted that House No. 207, Ravinder Puri, Sadar, Meerut Cantt comprising Survey No. 357/162 admeasuring 271 Sq.ft is held on lease under Schedule VI of CLAR, 1925 recorded in the name of Shri Lekh Raj S/o Shri Chotey Lal. The Govt of India had granted lease for a period of 90 years w.e.f. 05.10.1972 renewable on the same terms and conditions after every 30 years at the option of the lessee on an annual rent of Rs. 32.52 per annum to Shri Lekh Raj S/o Shri Chotey Lal. The lease expired on 04.10.2002 & the lease is renewal for further period of 30 years w.e.f. 05.10.2002 to 04.10.2032 on the enhance rent of Rs. 48.78 paisa per annum.

Shri Lekhraj became the owner of the property vide registered sale deed dated 02.11.1970 executed by Shri Bal Mukund S/o Shri Sukh Dayal & Shri Bal Mukund purchased the same from Sardar Harbans Singh vide sale deed dated 05.08.1968.

The matter for renewal of lease was earlier consider by the Board vide CBR No. 5(47) dated 11.02.2011 and a proposal for renewal of lease was forwarded by this office on 28.06.2011 and Dte DE vide letter No. 36623/LC2 dated 19.07.2011 raised certain queries.

The technical staff inspected the site a fresh and reported that there are no sub-division, change of purpose, encroachment on Govt land but unauthorized construction is involved. The said unauthorized construction has not been removed till date which is clear breach of terms & condition 1(6) of lease.

In view of the above, it is recommended that Govt of India be recommended for determination of lease due to violation of terms and conditions of lease deed.

Board may consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

180. DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 249/837.

To consider issue of determination of lease of House No. 159, Ghosi Mohalla, BI Bazar, Meerut Cantt.

It is submitted that House No. 159, Ghosi Mohalla, BI Bazar, Meerut Cantt comprising Survey No. 249/837 admeasuring 508 Sq.ft is held on lease under Schedule VIII of CLAR, 1937 recorded in the name of Shri Bhagwat Dayal S/o Late Shri Daya Ram. The Govt of India had granted lease for a period of 90 years w.e.f. 12.01.1945 renewable on the same terms and conditions after every 30 years at the option of the lessee on an annual rent of Rs. 3/12 per annum to Shri Daya Ram. The lease expired on 11.01.1975 & the lease is renewal for further period of 30 years w.e.f. 12.01.1975 to 11.01.2005 on the enhance rent of Rs. 5.75 per annum.

Shri Bhagwat Dayal became the owner of the property inheritance from his father Shri Daya Ram as stated in affidavit dated 06.01.1988 and 10.09.2008 & other legal heirs have surrender their rights in property vide affidavit dated 02.09.2008 in favour of Shri Bahgwat Dayal.

The matter for renewal of lease was earlier consider by the Board vide CBR No. 225 dated 30.07.2009 and a proposal for renewal of lease was forwarded by this office on 28.08.2009 and Dte DE vide letter No. 54274/LC2 dated 09.09.2009 raised certain queries.

The technical staff inspected the site a fresh and reported that there are no sub-division, change of purpose, encroachment on Govt land but unauthorized construction is involved. The said unauthorized construction has not been removed till date which is clear breach of terms & condition of 1(6) of lease.

In view of the above, it is recommended that Govt of India be recommended for determination of lease due to violation of terms and conditions of lease deed.

Board may consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

181. DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 108/229/10.

To consider issue of determination of lease of House No. 310, RA Bazar, Meerut Cantt.

It is submitted that House No. 310, RA Bazar, Meerut Cantt comprising Survey No. 108/229/10 admeasuring 550 Sq.ft is held on lease under Schedule VI of CLAR, 1925 recorded in the name of Shri Sri Ram Yadav S/o Shri Chidammi Lal. The Govt of India had granted lease for a period of 90 years w.e.f. 15.03.1938 renewable on the same terms and conditions after every 30 years at the option of the lessee on an annual rent of Rs. 5-3-0 per annum to Shri Matadin. Thereafter, further renewal was made w.e.f. 15.03.1968 to 14.03.1998. The lease expired on 14.03.1998 & the lease is renewal for further period of 30 years w.e.f. 15.03.1998 to 14.03.2028 on the enhance rent of Rs. 11.70 per annum.

Shri Sri Ram yadav became the owner of the property through inheritance from his father Shri Chidammi Lal & Shri Chidammi Lal inherited the same from his father Shri Tuni Ram.

The matter for renewal of lease was earlier consider by the Board vide CBR No. 229 dated 30.07.2009 and a proposal for renewal of lease was forwarded by this office on 28.08.2009 and Dte DE vide letter No. 34232/LC2 dated 09.09.2009 raised certain queries.

The technical staff inspected the site a fresh and reported that there are no sub-division, change of purpose, encroachment on Govt land but unauthorized construction is involved. The said unauthorized construction has not been removed till date which is clear breach of terms and condition of 1(6) of lease.

In view of the above, it is recommended that Govt of India be recommended for determination of lease due to violation of terms and conditions of lease deed.

Board may consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

182. DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 183/296.

To consider issue of determination of lease of House No. 216, Jublee Ganj, BC Bazar, Meerut Cantt.

It is submitted that House No. 216, Jublee Ganj, BC Bazar, Meerut Cantt comprising Survey No. 183/296 admeasuring 733.1/2 Sq.ft is held on lease under Schedule VI of CLAR, 1925 recorded in the name of Shri Suresh Chand S/o Shri Ram Narayan. The Govt of India had granted lease for a period of 90 years w.e.f. 15.12.1935 renewable on the same terms and conditions after every 30 years at the option of the lessee on an annual rent of Rs. 2-8-0 per annum to Shri Tikai Ram. Thereafter, further renewal was made w.e.f. 15.12.1965 to 14.12.1995. The lease expired on 14.12.1995 & the lease is renewal for further period of 30 years w.e.f. 15.12.1995 to 14.12.2025 on the enhance rent of Rs. 6/- per annum.

Shri Suresh Chand became the owner of the property through inheritance from his mother Smt Sona Devi & Smt Sona Devi inherited the same from her husband Shri Ram Narayan.

The matter for renewal of lease was earlier consider by the Board vide CBR No. 531 dated 29.05.2008 and a proposal for renewal of lease was forwarded by this office on 23.06.2008 and Dte DE vide letter No. 34459/LC2 dated 23.07.2008 raised certain queries.

The technical staff inspected the site a fresh and reported that there are no sub-division, change of purpose but encroachment on Govt land and unauthorized construction is involved. The said unauthorized construction and encroachment have not been removed till date which is clear breach of terms and condition of 1(6) of lease.

In view of the above, it is recommended that Govt of India be recommended for determination of lease due to violation of terms and conditions of lease deed.

Board may consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

183. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/1766.**

To consider issue of determination of lease House under Sy. No. 357/1766.

It is submitted that House under Sy. No. 357/1766 admeasuring 0.930 acre is held on lease under Schedule VI of CLAR, 1925 recorded in the name of Shri Nasir Ali and Shri Mohd Sayeed, trustee. The Govt of India had granted lease for a period of 90 years w.e.f. 13.03.1936 renewable on the same terms and conditions after every 30 years at the option of the lessee to Shri Nasir Ali and Shri Mohd Sayeed. Thereafter, further renewal was made w.e.f. 13.03.1966 to 12.03.1996. The lease expired on 12.03.1996 & the lease is renewal for further period of 30 years w.e.f. 13.03.1996 to 12.03.2026 on the enhance rent of Rs. 128/- per annum.

Originally the site was situated within outside civil area, thereafter, transfer to civil area vide gazettee notification SRO No. 171 dated 29.05.1961 & the name of Shri Nasir Ali and Shri Mohd Sayeed is recorded since the first entry of GLR.

The technical staff inspected the site a fresh and reported that there are no encroachment on Govt land but sub-division of site, change of purpose & unauthorized construction involved. The said unauthorized construction and change of purpose have not been removed till date which is clear breach of terms and condition of 1(6) of lease.

The Technical staff have also reported that so many families are residing in the property in question and no one is come for mutation/renewal except one Shri Zafar Ali Khan & Shri Fayaz Aaftab alongwith affidavit etc. No other person has applied for further mutation/renewal of lease.

In view of the above, it is recommended that Govt of India be recommended for determination of lease due to violation of terms and conditions of lease deed.

Board may consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) and (8) of lease deed, various sub-division of site involved & necessary information/documents has not been submitted by the various persons residing therein despite of news publication from time to time, therefore, necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

184. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/1185/3.**

To consider issue of determination of lease of Houses No. 112-113, 86A, 86A/1, 86A/2, Ganj Mohalla, Sadar, Meerut Cantt.

It is submitted that Houses No. 112-113, 86A, 86A/1, 86A/2, Ganj Mohalla, Sadar, Meerut Cantt comprising Survey No. 357/1185/3 admeasuring 4163 Sq.ft (out of which 650 Sqft. Is held on lease) under Schedule VI of CLAR, 1925 recorded in the name of Shri Bishamber Sahai adopted son of Shri Kishan Sahai. The Govt of India had granted lease for a period of 90 years w.e.f. 15.04.1936 renewable on the same terms

and conditions after every 30 years at the option of the lessee on an annual rent of Rs. 6.80 per annum to Lala Kishan Sahai. The lease expired on 14.04.1966 & the lease is renewal for further period of 30 years w.e.f. 15.04.1966 to 14.04.1996 on the enhance rent of Rs. 10.20 per annum.

Shri Bishamber Sahai became the owner of the property through inheritance from his father Shri Kishan Sahai.

The technical staff inspected the site a fresh and reported that there are no encroachment on Govt land and unauthorized construction but sub-division and change of purpose are involved. The said change of purpose has not been removed till date which is clear breach of terms and condition of 1(6) of lease. The site has been sub-divided and no one has approached this office for mutation/renewal despite of several public notices published in news paper & notice issued on 02.02.2016.

In view of the above, it is recommended that Govt of India be recommended for determination of lease due to violation of terms and conditions of lease deed.

Board may consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) & (8) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

185. RENEWAL OF LEASE IN R/O PROPERTY UNDER SY. NO. 183/586.

To consider the application dated 08.02.2016 submitted by Shri Shamim Ahmad S/o Shri Nazir Ahmad requesting for renewal of lease in respect of Property No. 8A, Guru Nanak Puri (Tandel Mohalla), BC Bazar, Meerut Cantt.

As per GLR Sy. No. 183/586, the site described as House No. 8A, Guru Nanak (Tandel) Mohalla, BC Bazar, Meerut Cantt having an area of 1749 Sq.ft. under Schedule VIII of CLAR, 1937 and recorded in the name of Shri Shamim Ahmad S/o Shri Nazir Ahmad and the lease has already expired on 16.08.1982 as written in GLR. The site is situated inside the notified civil area under the management of Cantonment Board Meerut Cantt.

Originally the lease was granted for 90 years renewal after every 30 years at the option of the lessee in year 1952 w.e.f. 17.08.1952 to 16.08.1982. thereafter, the Govt of India, Ministry of Defence vide letter dated 05.04.1995 accorded further sanction w.e.f. 17.08.1982 to 16.08.2012 (the same has been executed & not entered in GLR). Now the third and final term w.e.f. 17.08.2012 to 16.08.2042 on enhance rent of Rs. 65.85 is left for renewal.

The technical staff of this office has submitted a fresh report that there is no encroachment on govt land, sub-division of site, u/a construction and change of purpose.

It is recommended that matter for further renewal w.e.f. 17.08.2012 to 16.08.2042 on enhance rent of Rs. 65.85 be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that a proposal seeking sanction for renewal of lease w.e.f. 17.08.2012 to 16.08.2042 on enhanced lease rent of Rs. 65.85 p.a. be forwarded to the PD DE Central Command, Lucknow.

186. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/431.**

To consider issue of determination of lease in r/o Property No. 9, Kabari Bazar, Sadar, Meerut Cantt.

As per GLR property described as House No. 9, Kabari Bazar Sadar, Meerut Cantt comprising Sy. No. 357/431 having an area of 1140 sq ft. **(out of which 684 Sqft on lease land)** under Schedule VI of CLA Rules 1925 and recorded in the name of Shri Nathoo Ram S/o Shri Moonga Ram. The lease has already expired on 14.06.1997.

Regarding lease it is inform that originally the lease was granted in the year 1937 for 90 years renewal after every 30 years w.e.f. 15.06.1937 to 14.06.1967 as first term. Thereafter the competent authority accorded sanction for further renewal of 30 years w.e.f. 15.06.1967 to 14.06.1997 as second term. Now the third and final term w.e.f. 15.06.1997 to 14.06.1927 on enhance rent of Rs. 12.51 is left for renewal.

That on 23.02.1987, Smt Dayawati W/o Late Shri Nathoo Ram applied for mutation on the basis of registered will dated 19.12.1970 executed by Shri Nathoo Ram (recorded HOR). In the said will, Shri Nathoo Ram has stated that till my death, he will be the owner of the property in question and further stated that shop & House No. 9, Kabari Bazar has sold by me to Lala Gopi Chand S/o Shri Narayan Das and agreement to sale for returned the property has been written in my favour & if I re-purchase the same property in my life time then after my death my wife Smt Dayawati will be sole owner of the property in question. He further stated that if I will not purchase the same in my life time, then as per agreement, my wife will have full authority to re-sale the property in question & if Smt Dayawati expired in my life time then Shri Kanhaiya Lal, Shri Radhey Shyam, Shri Ashok Kumar and Shri Mukesh Kumar my sons have authority to re-purchase the same property.

That Cantonment Board Meerut vide letter dated 07.01.1988 directed Smt Dayawati to submit the documents through which the house in question has been taken back by Shri Nathoo Ram from Shri Gopi Chand as stated in will. Non submission of any reply, this office again directed the applicant vide this office letter dated 28.11.1990, 29.06.1991 to submit requisite information but she failed to submit the same.

The matter was placed before the Board and the Board vide CBR No. 19(3) dated 16.09.1991 considered and rejected and the mutation application of Smt Dayawati due to non submission of information/documents and the same was communicated to the applicant vide this office letter dated 17.10.1991.

Thereafter, this office vide letter dated 25.07.2002 directed Smt Dayawati to submit willingness and necessary documents regarding ownership of the property in question. Non submission of any reply, this office vide letter dated 14.08.2003 directed to Smt Dayawati to submit willingness for renewal and documentary evidence regarding re-purchase of property from Shri Gopi Chand otherwise matter for determination of lease will be placed before the Board. No reply on the same was filed by Smt Dayawati.

That on 07.11.2003, Shri Mukesh Kumar S/o Shri Nathoo Mal applied for mutation on the basis of registered will executed by Smt Dayawati in his favour. He also submitted application dated 07.11.2013 for renewal of lease and informed that Smt Dayawati has expired on 19.09.1999.

This office vide letter dated 03.05.2008 directed Shri Mukesh Kumar to submit necessary information/documents regarding legal possession over the property in question. On the same. Shri Mukesh Kumar vide application dated 12.05.2008 stated therein that he had already submitted documents before the Cantonment Board Meerut and lease be renewed.

The Cantonment Board Meerut vide letter dated 23.01.2009 directed the applicant to submit necessary information/documents. Non compliance of the same, a reminder dated 07.03.2011 and 02.09.2014 were sent to the applicant but he failed to submit the same till date.

Necessary news publication for general public was issued for submission of necessary information/documents & final notice dated 02.02.2016 was also issued in this regard but the applicant not submitted requisite information/documents except an application dated 15.02.2016 giving details of legal heirs

of recorded HOR only.

In this case, illegal sale/purchase without prior permission of the competent authority is involved and present occupants are not submitted legal and valid documents regarding possession over the property in question and as per will dated executed by Shri Nathoo Ram and Smt Dayawati, it is clear that the site is being used for commercial purpose by way of Mill of aata and basen etc.

The Engineering staff of this office have submitted their report that there are no encroachment on Govt land, unauthorized construction and sub-division of site but change of purpose is involved.

In view of the above, there are violation of terms and condition 1(8) of lease & the present occupants has not submitted necessary information/documents for mutation/renewal, as such it is recommended that matter for determination of lease be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(8) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

187. DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 183/743.

To consider issue of determination of lease in r/o Property No. 158A, Jublee Ganj, BC Bazar, Meerut Cantt.

It is submitted that as per GLR property described as House No. 158A, Guru Govind Puri, BC Bazar, Meerut Cantt comprising Sy. No. 183/743 having an area of 492 sq ft. is held on lease under Schedule VIII of CLA Rules 1937 and recorded in the name of Smt Lal Devi W/o Shri Kishan Chand. The lease has already expired on 04.08.2004.

Regarding lease it is inform that originally the lease was granted in the year 1944 for 90 years renewal after every 30 years w.e.f. 05.08.1944 to 04.08.1994 as first term. Thereafter the competent authority accorded sanction for further renewal of 30 years w.e.f. 05.08.1974 to 04.08.2004 as second term. Now the third and final term w.e.f. 05.08.2004 to 04.08.2034 on enhance rent of Rs. 25.40 is left for renewal.

That as per record, earlier the property was recorded in the name of Shri Ram Charan who sold the same to Shri Ram Kumar vide registered sale deed dated 04.04.1949. Shri Ram Kumar further sold the same to Shri Mool Chand vide registered sale deed dated 19.10.1959 & Shri Mool Chand sold the same to Smt Lal Devi present recorded HOR vide registered sale deed dated 28.03.1961.

That Cantonment Board Meerut vide letter dated 16.02.2008 directed the lessee to submit willingness for further renewal & on the same, Smt Lal Devi submitted application for renewal on 07.03.2008. Thereafter, it was come to the notice of the Cantonment Board that there are change of purpose is involved in the property in question. The Cantonment Board Meerut vide letter dated 29.01.2014 directed the lessee to submit willingness for fresh lease for commercial site as well as residential site etc instead of submission of necessary information/documents as required by the Cantonment Board, Smt Lal Devi submitted simple application for renewal of lease only.

The Engineering staff of this office have submitted their report that there are no sub-division of site but encroachment on Govt land, unauthorized construction and change of purpose are involved.

In view of the above, there are violation of terms and condition 1(6) & (8) of lease, as such it is recommended that matter for determination of lease be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) & (8) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

188. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 183/742.**

To consider issue of determination of lease in r/o Property No. 153/2, Jublee Ganj, BC Bazar, Meerut Cantt.

It is submitted that as per GLR property described as No. 153/2, Jublee Ganj, BC Bazar, Meerut Cantt comprising Sy. No. 183/742 having an area of 189 sq ft. is held on lease under Schedule VIII of CLA Rules 1937 and recorded in the name of Shri Mangal Sain S/o Shri Hulasi. The lease has already expired on 09.09.1971.

Regarding lease it is inform that originally the lease was granted in the year 1941 for 90 years renewal after every 30 years w.e.f. 10.09.1941 to 09.09.1971 as first term. Thereafter one Shri Babu Khan requested for renewal of lease and as per available record, the correspondence was made between the applicant and Shri Babu Khan upto 1976 and he failed to complied the directions issued by the Cantonment Board, Meerut and not submitted documents for the purpose.

On 04.06.2008, the Cantonment Board Meerut directed Shri Babu Khan to submit necessary information/documents for Mutation/Renewal of lease but no reply was received by this office & one Smt Jagwant and Shri Suresh submitted an application on 16.02.2008 for mutation in r/o Property No. 152-153, Jublee Ganj, Meerut Cantt alongwith copy of registered sale deed and also requested for lease vide application dated 16.02.2008.

The matter was placed before the Board and the Board vide CBR No. 329(232) dated 27.09.2014 considered and resolved that matter be pended and the applicant be directed to submit separate applications for mutation/renewal of properties under Sy. No. 183/314 and Sy No. 183/742. A letter in this regard was issued to the applicant on 07.01.2015.

On the same, Smt Jagwati Devi W/o Late Shri Suresh Kumar submitted mutation application only alongwith copy of sale deed, death certificate and copy of affidavits of legal heirs of Shri Suresh Kumar.

That as per record, earlier the property was recorded in the name of Shri Mangal Sain S/o Shri Hulasi who sold the same to Shri Babu Khan vide registered sale deed dated 27.09.1967. The legal heirs of Shri Babu Khan sold the same to Smt Jagwati W/o Shri Suresh & Shri Suresh S/o Shri Ganga Ram vide sale deed dated 26.08.2002. There are clear violation of condition 1(8) of lease deed as the property sold without prior permission of the competent authority.

The Engineering staff of this office have submitted their report that there are no sub-division of site, unauthorized construction and change of purpose but encroachment on Govt land is involved.

In view of the above, there are violation of terms and condition 1(6) & (8) of lease, as such it is recommended that matter for determination of lease be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) & (8) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

189. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/847/1.**

To consider issue of determination of lease in r/o Property No. 348, Ghosi Mohalla, BI Bazar, Meerut Cantt.

It is submitted that as per GLR property described as House No. 348, Ghosi Mohalla, BI Bazar, Meerut Cantt comprising Sy. No. 249/847/1 having an area of 592.50 sq ft. is held on lease under Schedule VI of CLA Rules 1925 and recorded in the name of Shri Govind Ram S/o Shri Ganesh Das. The lease has already expired on 30.06.1992.

Regarding lease it is inform that originally the lease was granted in the year 1932 for 90 years renewal after every 30 years w.e.f. 01.07.1932 to 30.06.1962 as first term. Thereafter the Govt of India accorded sanction for further renewal w.e.f. 01.07.1962 to 30.06.1992. Now the last and final term w.e.f. 01.07.1992 to 30.06.2022 on enhance rent of Rs. 6.90 is left for renewal.

On 18.07.2008, the Cantonment Board Meerut issued show cause notice to the lessee that lease has already expired on 30.06.1992 & you are unauthorized occupation of premises in question. On the same, one Smt Krishana Wadhwa vide letter dated 25.07.2008 requested to renew the lease. The Cantonment Board vide letter dated 17.07.2009 directed to Smt Krishana Wadhwa, applicant to submit necessary information/documents for further mutation/renewal and non compliance of the same, reminders dated 06.10.2010 and 13.02.2013, 21.03.2013 were also sent to the applicant. On the same, Smt Krishana Wadhwa & others submitted application for mutation/renewal on the basis of inheritance of the property in question.

That as per record, earlier the property was recorded in the name of Shri Abdul Gafoor with property No. 348, Ghosi Mohalla. Thereafter property No. 348 purchased by Shri Govind Ram vide sale deed ated 02.04.1965 & subsidiary Survey No. 249/847/1 allotted to the property. The present applicant stated that they are the legal heirs of the recorded lessee Shri Govind Ram and submitted affidavits in this regard. Which is available in record.

The matter was placed before the Board and the Board vide CBR No. 329(211) dated 27.09.2014 considered and resolved that name of the applicant be entered in GLR and Tax register & renewal case be forwarded to the higher authorities and also resolved that applicants be directed to remove the encroachment on Govt land. On the same, a letter dated 18.10.2014 directing the applicant to remove the encroachment was sent but no action taken report is available on record and the encroachment is exist at site.

The Engineering staff of this office have submitted their report that there are no sub-division of site, unauthorized construction and change of purpose but encroachment on Govt land is involved.

In view of the above, there are violation of terms and condition 1(6) & (8) of lease, as earlier, the property sold without prior permission of the competent authority, as such it is recommended that matter for determination of lease be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) & (8) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

190. **DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/1400/1.**

To consider issue of determination of lease in r/o land adjoining to House No. 51/A on North West corner, Sadar, Meerut Cantt.

It is submitted that as per GLR property described as land adjoining to House No. 51/A on North West corner, Ganj Bazar, Sadar, Meerut Cantt comprising Sy. No. 357/1400/1 having an area of 59.500 sq ft. is held on lease under Schedule VIII of CLA Rules 1937 and recorded in the name of Pt. Ram Nath S/o Shri Shib Lal. The lease has already expired on 04.04.1999.

Regarding lease it is inform that originally the lease was granted in the year 1939 for 90 years renewal after every 30 years w.e.f. 05.04.1939 to 04.04.1969 as first term. Thereafter the Govt of India accorded sanction for further renewal w.e.f. 05.04.1969 to 04.04.1999. Now the last and final term w.e.f. 05.04.1999 to 04.04.2029 on enhance rent of Rs. 1.70 is left for renewal.

On 08.09.2014, the Cantonment Board Meerut issued letter to Shri Anand Prakash S/o Shri Ram Nath regarding submission of necessary information/documents for further mutation/renewal of lease site. Non compliance of the same, a reminder was also sent on 06.01.2015. Necessary notice was also published in news papers and a final notice dated 02.02.2016 for submission of necessary information/documents was sent to the legal heir of the lessee.

On 18.02.2016, S/Shri Rakesh Kumar Sharma, Dinesh Kumar Sharma and Vikrant Kumar Sharma Sons of Late Shri Anand Prakash Sharma submitted willingness for renewal alongwith death certificate of Shri Anand Prakash Sharma who had already expired on 02.10.2003 without any mutation application and supporting application clearly showing under what authority property change hand from the recorded HOR to them. As per the first entry of GLR, the property is recorded in the name of Pt. Ram Nath S/o Pt. Shib Lal.

The Engineering staff of this office have submitted their report that there are no sub-division of site, and change of purpose but encroachment on Govt land and unauthorized construction are involved.

In view of the above, there are violation of terms and condition 1(6) of lease & present occupants have not submitted documents for mutation/renewal, as such it is recommended that matter for determination of lease be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

191. DETERMINATION OF LEASE IN R/O PROPERTY UNDER SY. NO. 357/136.

To consider issue of determination of lease in r/o House No. 295, Kabari Bazar, Sadar, Meerut Cantt.

It is submitted that as per GLR property described as land House No. 295, Kabari Bazar, Sadar, Meerut Cantt comprising Sy. No. 357/136 having an area of 1125.500 sq ft. is held on lease under Schedule VIII of CLA Rules 1937 and recorded in the name of Mohd Nasir S/o Shaikh Mohd Hasim. The lease has already expired on 31.07.2000.

Regarding lease it is inform that originally the lease was granted in the year 1940 for 90 years renewal after every 30 years w.e.f. 01.08.1940 to 31.07.1970 as first term. Thereafter the Govt of India accorded sanction for further renewal w.e.f. 01.08.1970 to 31.07.200. Now the last and final term w.e.f. 01.08.2000 to 31.07.2030 on enhance rent of Rs. 25.32 is left for renewal.

As per record, the property was originally recorded in the name of Shri Abdul Wahid & brothers S/o Massiullah on old grant terms. Thereafter, the Govt of India sanctioned the lease in year 1940 in the name of Shri Abdul Wahid and Shri Abdul Rashid Sons of Shri Massiullah. Thereafter, Shri Prakash Chand purchased the property from Managing Officer vide sale certificate dated 30.06.1966 and Shri Prakash Chand sold the same to Shri Mohd Nasir S/o Shaikh Mohd Hasim vide sale deed dated 09.11.1966. The legal heirs of recorded HOR

sold the said property to Smt Prakasho Devi & her minor sons vide sale deed dated 07.10.1996.

Smt Prakasho Devi for and on behalf of her sons submitted mutation application dated 20.11.1997 & the Cantonment Board Meerut vide letter dated 25.10.2002 made mutation in the name of applicants for tax register only under section 73 of CA, 1924.

On 10.11.2008, Cantonment Board Meerut issued a show cause notice to Smt Prakasho Devi regarding unauthorized occupation of premises as lease was expired in year 2000. On the same, Smt Prakasho Devi vide application dated 14.11.2008 requesting for renewal of lease.

The matter was placed before the Board and the Board vide CBR No. 166(99) dated 18.06.2012 recommended that a proposal for condonation of breach of condition 1(8) of lease & regularization of change of purpose be forwarded to the Govt of India through PD DE.

The Cantonment Board Meerut vide letter dated 21.01.2013 informed the applicant that encroachment and change of purpose are involved & directed to remove the same. Failing which, action as per terms and condition of lease will be taken by this office. Thereafter, Cantonment Board vide letter dated 29.01.2014 suggested the applicants to submit willingness for fresh lease for commercial and residential purpose as per decision of Govt by surrendering original lease etc. No reply of the same was submitted by the applicant & on 09.02.2016, Smt Prakasho Devi submitted application for renewal only.

The Engineering staff of this office have submitted their report that there are no sub-division of site, and unauthorized construction but change of purpose and encroachment on Govt land are involved.

In view of the above, there are violation of terms and condition 1(6) & (8) of lease, as such it is recommended that matter for determination of lease be forwarded to the higher authorities.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) & (8) of lease deed, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

192. RENEWAL OF LEASE IN R/O PROPERTY UNDER SY. NO. 183/741.

To consider the application dated 20.01.2016 submitted by Shri Kishan Kumar Virmani and Shri Rajesh Kumar Virmani requesting for renewal of lease in respect of Property No. 35A, Kerai Ganj, BC Bazar, Meerut Cantt.

As per GLR Sy. No. 183/741, the site described as House No. 35A, Harsh Puri (Kerai Ganj Mohalla), BC Bazar, Meerut Cantt having an area of 1198.500 Sqft and recorded in the name of Shri Permanand S/o Kora Ram on lease under Schedule VI of CLAR, 1925 and the lease has already expired on 14.11.1991. The site is situated inside the notified civil area under the management of Cantonment Board Meerut Cantt.

Originally the lease was granted for 90 years renewal after every 30 years at the option of the lessee in year 1931 w.e.f. 15.11.1931 to 14.11.1961. thereafter, the Govt of India, Ministry of Defence vide letter dated 08.02.1962 accorded further sanction w.e.f. 15.11.1961 to 14.11.1991. Now the third and final term w.e.f. 15.11.1991 to 14.11.2021 on enhance rent of Rs. 20.25 is left for renewal.

Originally the site was recorded in the name of Shri Wahidullah and thereafter the same was came into the possession of Shri Nand Lal vide sale certificate in Suit No. 1132/38 and 863/39. Thereafter, Shri Permanand S/o Shri Kaura Ram purchased the same vide sale deed dated 13.06.1955.

On 23.11.2004, Shri Kishan Kumar Virmani and Shri Rajesh Kumar Virmani submitted application for mutation on the basis of order dated 31.08.2004 passed by the Civil Judge in Suit No. 501 of 2004 Shri Surender Kumar Virmani Vs. Shri Krishan Kumar Virmani. Name of the applicant was entered in tax register only vide letter dated 015.06.2015 due to change of purpose.

The engineering staff of this office has submitted report dated there are no encroachment on govt land, sub-division of site, u/a construction but change of purpose is involved.

Matter for renewal of lease was placed before the Board and the Board vide CBR No. 362 dated 15.02.2008 considered and resolved that necessary proposal for renewal of lease be forwarded to the higher authorities. Accordingly a proposal dated 26.02.2008 was forwarded to the higher authorities for renewal. The Dte DE raised certain queries which was duly replied from time to time.

Regarding change of purpose, the Cantonment Board Meerut vide letter dated 28.04.2008 directed the applicant to submit willingness from fresh lease for commercial site as well as residential site as per terms and conditions to be laid down by the Govt of India, Ministry of Defence by surrendering the original lease. Thereafter, reminders were also sent on 29.01.2014 and 23.08.2014.

The applicant vide letter dated 20.01.2016 submitted willingness for issue a fresh lease purely for commercial purpose with site plan and also stated that they will surrender original lease at the time of execution of fresh lease.

It is recommended that matter be referred to the higher authorities for issuing necessary instructions/advice for taking further necessary action in the matter for issuing fresh leases for commercial and residential purpose as requested by the applicant for further period on the annual rent and premium as fixed by the Govt of India.

Board is requested to consider and take a suitable decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition 1(5) of lease deed, therefore, necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

Further resolved that the Govt. of India may consider the request of the applicants for grant of fresh lease for commercial purpose if the lease policy so provides on such terms & conditions as may be decided by the Govt. of India in accordance with law.

193. CORRECTION OF ENTERIES IN GLR SY. NO. 357/1686/1 AS DWELLING HOUSE AND GODOWN INSTEAD OF DWELLING HOUSE AS DESCRIBED IN GLR.

As per GLR Sy No. 357/1686/1, the site described as dwelling house having an area of 947 Sq.ft and held on lease under Schedule VI of CLAR 1925 and recorded in the name of Shri Jagan Nath S/o Shri Shadi Ram and the lease has already expired on 14.09.1965.

Regarding lease it is informed that the same was granted by the Govt of India in year 1935 for 90 years renewal after every 30 years at the option of the lessee w.e.f. 15.09.1935 to 14.09.1965 as first term for **dwelling house and godown**. Thereafter, the Govt of India vide letter dated 07.10.1967 accorded sanction for further renewal w.e.f. 15.09.1965 to 14.09.1995 on payment of annual rent of Rs. 14.25 per annum and also directed to initiating a separate proposal for amendment of the entries in the GLR to read dwelling house and godown. As per record, no proposal was sent to the higher authorities at that time.

As per available record, the second term of lease which was duly sanctioned by the competent authority, the documents/lease deed was handed over to the then lessee for registration with the Sub-Registrar Meerut on 01.01.1969 but the same was not deposited by the lessee with the office of Cantonment

Board Meerut duly registered after reminder dated 18.06.1969.

On 16.06.2014, the Cantonment Board issued a letter in the name of lessee directing them to submit lease deed duly registered with the office of Sub-Registrar which was handed over to you earlier. On the same, one Shri Raj Kumar informed that the property is recorded in our grandfather and some members of family are out of station and 15 days time for compliance of direction be given. Non compliance of the same, a reminder was also forwarded on 23.08.2014.

On 08.9.14, Sh Jayanti Prasad & 04 other legal heirs of recorded lessee submitted mutation application alongwith application for renewal of lease with affidavits requesting for mutation & renewal of lease.

The technical staff of this office has submitted report that there are no sub-division of site, unauthorized construction, encroachment on Govt land and change of purpose involved. Regarding change of purpose, it has been reported that according to lease deed, the site was granted for dwelling house and godown.

In view of the above, it is requested that Govt of India be requested to accord sanction for amendment in GLR as dwelling house and godown instead of dwelling house as directed vide letter No. 32947-LC2 dated 07.10.1967 & also issue necessary instructions/guidelines for execution of lease deed as sanctioned by the competent authority earlier for the period w.e.f. 15.09.1965 to 14.09.1995 from the present occupants & mutation in the name of applicants/legal heir of recorded lessee.

Resolution –

Considered and recommended that Govt of India be requested may accord sanction for amendment in GLR as dwelling house and godown and issued necessary instruction/guidelines for execution of old sanction and mutation aspects in the name of present applicants/legal heirs of the recorded lessee.

194. DETERMINATION OF LEASE OF PROPERTY UNDER SY. NO. 108/229/5.

To consider issue of determination of lease in r/o House No. 290/1 to 290/15, RA Bazar, Meerut Cantt.

As per GLR property described as House No. 290/1 to 290/15, RA Bazar, Meerut Cantt comprising Sy. No. 108/229/5 having an area of 900 sq ft. under Schedule VI of CLA Rules 1925 is held on lease & recorded in the name of Shri Rameshwar Swaroop S/o Shri Jagan Prasad as lessees. The lease has already expired on 01.03.1962.

Regarding lease it is informed that originally the lease was granted in the year 1932 for 90 years & was renewed after 30 years w.e.f. 02.03.1931 to 01.03.1962 as first term for area **measuring 0.207 acre (9000 Sqft)**. Now the second term w.e.f. 02.03.1962 to 01.03.1992 is due for renewal.

Earlier on the application dated 13.06.1997 for mutation submitted by one Shri Punjab Singh, the matter was placed before the Board and the Board vide CBR No. 689 dated 14.08.2008 resolved that Govt of India be requested to issue sanction for resumption of the land/property under sy. No. 108/229/5 as HOR has failed to submit application for renewal of lease and also his whereabouts are not known and the property is locked. The matter was forwarded to the Dte DE vide letter dated 22.09.2008 and the Dte DE vide letter dated 20.10.2008 raised certain queries & stated that if the occupants failed to apply for mutation and renewal, action for determination of lease be taken.

Various reminders from time to time were sent to the occupants of property in question to submit necessary information/documents for mutation/renewal but no response was received by this office on the same. The Cantonment Board Meerut also issued various publications in newspapers directing the occupants/legal heirs of lessee to submit information/documents for mutation/renewal.

The Engineering staff has submitted report that there is no encroachment on Govt land but unauthorized construction, sub-division of site and change of purpose are involved.

Now, on 08.02.2016, 03-04 occupants/legal heirs of recorded lessee has applied for mutation/renewal on the basis of inheritance/sale deed. In the mutation process, long time is required to settle the issue & the occupants have also not submitted complete information/documents with area occupied by him/them.

There are huge unauthorized construction involved against which notices under Cantt Act have been issued from time to time and various sub-division of site is involved by way of illegal sale/purchase & it seems that all the occupants have not come forward for mutation/renewal, change of purpose is also involved & site is being used for commercial purpose partly.

In view of the above, it seems that the present occupants of the premises in question are not interested in mutation/renewal of lease. Sufficient opportunity has also been given to lessee etc to come forward for renewal but they have failed to do so. Further huge unauthorized construction, illegal sale purchase and change of purpose is involved, as such it is recommended that a proposal/case for determination of lease, in the absence of necessary information/documents and for violation of terms of lease be forwarded to the Dte DE, Central Command through prescribed channel.

Board is requested to consider and take a decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(6) and (8) of lease deed & not submitted information/documents for mutation/renewal despite of reminders and news publications, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

195. DETERMINATION OF LEASE OF PROPERTY UNDER SY. NO. 108/153.

To consider issue of determination of lease in r/o Shop No. 71, 72, 74 & House No. 73, RA Bazar, Meerut Cantt.

As per GLR property described as Shop No. 71, 72, 74 & House No. 73, , RA Bazar, Meerut Cantt comprising Sy. No. 108/153 having an area of 1722 sq ft. (out of which 117 Sq.ft lease land) under Schedule VIII of CLA Rules 1937 is held on lease & recorded in the name of Shri Ram Singh S/o Shri Bal Mukund as lessees. The lease has already expired on 02.08.1976.

Regarding lease it is informed that originally the lease dated 03.08.1913 of Cantt Code 1912 for 117 Sq.ft was registered on 28.08.2013 for 33 years w.e.f. 03.08.1913 to 02.08.1946, thereafter, the same was converted in Schedule VIII of CLAR, 1937 & Govt of India accorded sanction for further renewal for further 30 years w.e.f. 03.08.1976 to 02.08.2006, but the same was not executed by the lessee despite of repeated reminders.

It is informed that as per record, the building No. 71-74 and 144 exist at Sy. No. 108/153 & as per Survey map of India year 1947-1948, 1932-1933 House No. 144 is a part of Sy. No. 108/153 but the same is not exist in GLR. As per lease deed the same is situated at House No. 71-74, RA Bazar.

Earlier the matter was placed before the Board and the Board vide CBR No. 329 (239) dated 27.09.2014 resolved that the matter be referred to higher authorities for consideration and necessary direction in the matter etc. The matter was forwarded to the Dte DE vide letter dated 30.09.2014 & the same was returned for re-submission by the Dte DE vide letter dated 08.11.2014. The matter was again placed before the Board and the Board vide CBR No. 392 dated 26.11.2014 resolved that sub-division of site is involved as House No. 144 exist at site but not entered in GLR & also resolved that matter be referred to the higher authorities to issue necessary guidelines in the matter.

The matter was again forwarded to the Dte DE vide letter dated 29.12.2014 which was again returned by the Dte DE vide letter dated 20.01.2015.

The Engineering staff has submitted report that there is no encroachment on Govt land, unauthorized construction, change of purpose but sub-division of site and is involved.

As per site plan prepared by the technical staff of this office after inspection on 06.02.2016, the lease site is under unauthorized occupation of occupant of House No. 144 & said House No. 144 is not recorded in the GLR.

In view of the above, it is clear that lease is under unauthorized occupation of occupant of House No. 144 & sub-division of site is involved & earlier the property was got transferred through sale deed. As such it is recommended that a proposal/case for determination of lease due to sub-division of site and lease is under occupation of unauthorized occupant be forwarded to the Dte DE, Central Command through prescribed channel.

Board is requested to consider and take a decision in the matter.

Resolution

Considered & Resolved that in view of breach of condition I(8) of lease deed & lease is under occupation of unauthorized occupant, therefore necessary proposal be forwarded to the Govt. of India through the PD DE Central Command seeking determination of lease and resumption of the building site in question in accordance with law.

	Approved	Not Approved
1. Maj Gen Sunil Yadav, YSM, GOC	Sd/-xxx	_____
2. Smt Beena Wadhwa, VP	Sd/-xxx	_____
3. Shri Rajeev Shrivastava, Member Secretary	Sd/-xxx	_____
4. Brig JS Bishnoi, SEMO/Health Officer	_____	_____
5. Shri Gaurav Verma, ADM	_____	_____
6. Col Subodh Garg	Sd/-xxx	_____
7. Col AK Vaid	Sd/-xxx	_____
8. Lt. Col Atul Puthia	_____	_____

9. Shri Rakesh Tyagi, GE (S) – Executive Engineer _____
10. Smt Rinni Jain Sd/-xxx _____
11. Smt Bushra Kamal Sd/-xxx _____
12. Shri Neeraj Rathore Sd/-xxx _____
13. Shri Anil Jain _____
14. Smt Manju Goel Sd/-xxx _____
15. Shri Dharmendra Sonkar _____
16. Shri Vipin Sodhi _____

TRUE COPY

14/2/16
OFFICE SUPERINTENDENT
CANTONMENT BOARD, MEERUT.

Copied by : *[Signature]*

Compared-by : *[Signature]*