

**PROCEEDINGS OF THE ORDINARY MEETING OF CANTONMENT BOARD,
HELD ON FRIDAY, THE 28TH MAY, 2021 AT 1100 HRS
CONDUCTED THROUGH VIDEO CONFERENCE
AT THE OFFICE OF THE CANTONMENT BOARD, BELGAUM.**

Member :

1. Brig Rohit Choudhary, SM President
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Shri. Barchaswa, Member-Secretary

Special Invitees :

1. Smt. Mangal Suresh Angadi,
Member of Parliament,
Belagavi Constituency.
2. Shri. Iranna Kadadi,
Member of Parliament.
Rajya Sabha, Karnataka.
3. Shri Anil S. Benake,
Member of Legislative Assembly,
Belagavi (North) Constituency.

Special Invitees present :

1. Smt. Mangal Suresh Angadi,
Member of Parliament,
Belagavi Constituency.
2. Shri Anil S. Benake,
Member of Legislative Assembly,
Belagavi (North) Constituency

Before commencement of the meeting, the President, Cantonment Board congratulated the newly elected Member of Parliament, Belagavi Constituency Smt. Mangal Suresh Angadi.

The CEO on behalf of the President, Cantonment Board welcomed the Special Invitees for the monthly ordinary Board meeting conducted through Video Conference as a preventive measure to contain the spread of COVID-19.

Agenda :

1. MONTHLY ACCOUNTS :

To consider the statements of receipts and expenditure and Bank Reconciliation Statement of the Cantonment Fund for the month of April, 2021 which are summarised below:--

	Apr. 2021 Rs.
Opening Balance	1,06,15,770-65
Add : Receipts (+)	15,28,247-00
Total :	1,21,44,017-65
Deduct : Expenditure (-)	1,04,62,434-00
Closing Balance	16,81,583-65

Statements showing the details of receipts and expenditure for the month of Apr. 2021 are placed on the table.

Resolution :

1. Considered and approved.

Agenda :

2. ARREARS AND RECOVERY OF REVENUE:

To consider and note the Statement of Arrears of Revenue and Taxes for the period ending Apr. 2021 and recoveries made thereon during the financial year.

The statements are placed on the table.

Resolution :

2. Considered the Statement of Arrears of Revenue and Taxes for the period ending Apr. 2021 and recoveries made thereon during the financial year and noted the same.

Agenda :

3. BIRTH AND DEATH REPORTS :

- (1) To note the Birth and Death Reports for the month of Apr. 2021.

Sl.No.	Report from	Apr. 2021
	BIRTHS:	
1.	Cantonment area (House)	00
2.	Cantonment Board General Hospital	01
3.	Military Hospital	12
4.	Railway Hospital	---
5.	Other Place	---
	Total	13

	STILL BIRTHS:	---
	DEATHS :	
1.	Cantonment area (House)	00
2.	Cantonment Board General Hospital	00
3.	Military Hospital	03
4.	Railway Hospital	00
5.	Other Place	00
	Total	03

(2). To consider the report of R.M.O. for treatment in Cantonment General Hospital and Lab Investigation details.

Sl.No.	Description	Apr. 2021
(a)	IPD Delivery patients	01
(b)	IPD General patients	35
	Total No. of IPD Patients	36
(c)	Total No. of OPD Patients	1539
(d)	Operations:	
	(a) Debridement	00
	(b) Tubectomy	00
	(c) Circumcision	---
	(d) Tumor Excision/Suturing	03
	(e) Laparoscopy	---
	(f) MTP/D&C Diagnostic	00
	(g) Caesarean Section	00
	(h) Herniorrhaphy	00
	(i) Hysterectomy	---
	(j) Minor Operation	02
	(k) No. of USG	05
	(l) X-Ray / Sonography	24
(e)	Lab Investigation details	No. of Tests done during Apr. 2021
	Name of the Test	
	1. Stool Routine	05
	2. Urine Routine	80
	3. Hematology	70
	4. Platelet	25
	5. Blood Group	20
	6. Electrolytes	25
	7. HB1AC	20

8. LFT	05
9. Lipid Profile	05
10. CRP	10
11. Widal	15
12. HIV	10
13. HBSAG	10
14. VDRL	10
15. Thyroid Test (T3, T4, TSH)	14
16. Bio-Chemistry (Glucose)	74
17. RA Test	02
18. Urine Pregnancy Test	10
19. Complete Blood Test	50
Total Number of Tests conducted	460

RMO's report is placed on the table.

Resolution :

3(1). Considered the Birth and Death Reports for the month of Apr. 2021 and noted the details mentioned on the agenda side.

(2). Considered the report of R.M.O. and noted the various operations / treatment and Lab Investigation details mentioned on the agenda side.

Agenda :

4. FINANCIAL STATEMENTS :

Ref : PD DE SC Pune letter No. 8078/Grant-in-Aid/VI/DE dated 13/05/2021

As per direction received from PD DE SC Pune, the Cantonment Board Account Rules (CBAR), 2020 has been implemented w.e.f. 01.04.2020 in supersession of the Cantonment Account Code, 1924. Accordingly, the Cantonment Board have to prepare and submit various Financial Statements as per Rule 194 (2) of CBAR, 2020 at the end of every accounting period.

To consider and approve the various financial statements as per Rule 194 (2) of CBAR, 2020 instead of Annual Consolidated Account of the Board for the year 2020-2021.

The Financial Statement is placed on the table.

Resolution :

4. Considered and approved the various financial statements of the Board for the year 2020-2021.

Agenda :

5. ANNUAL ADMINISTRATION REPORT :

To consider and approve the Annual Administration Report of the Board for the year 2020-2021 in the prescribed format as required to be forwarded to the higher authorities under the provisions of Sec 50 of the Cantts Act, 2006.

The draft Annual Administration Report is placed on the table.

Resolution :

5. Considered and approved the Annual Administration Report of the Board for the year 2020-2021.

Agenda :

6. NOTING OF CIRCULAR AGENDA – BUDGET ESTIMATES FOR THE YEAR 2021-2022 (REVISED) & 2022-2023 (ORIGINAL) :

To note the decision dated 15th May 2021 taken by the Board by circulation given approval of Budget Estimates of the Cantonment Board for the year 2021-2022 (Revised) and 2022-2023 (Original) along with the Store Estimates as required under Rule 21 of the Cantonment Board Account Rules, 2020.

The Budget Estimates are required to be submitted to the PD, DE, SC for obtaining necessary sanction of the GOC-in-C, SC, Pune.

The Budget Estimates are placed on the table

Resolution :

6. Considered and noted. The Budget Estimates as placed on the table for the year 2021-2022 (Revised) and 2022-2023 (Original) along with the Store Estimates are examined and passed. The same be forwarded to PD, DE, SC for obtaining necessary sanction of the GOC-in-C, SC, Pune as required under Rule 21 of the Cantonment Board Account Rules, 2020.

Agenda :

7. UNAUTHORIZED CONSTRUCTION : ISSUE OF NOTICE UNDER SEC. 248(1) OF THE CANTONMENTS ACT, 2006 : BC. No.108, BELGAUM CANTONMENT :

To consider the issue of notice under Section 248 (1) of the Cantonments Act, 2006 to 1. Smt. Jyotsna B. Swamy, 2. Shri. Shakeer Bepari (Nawab), 3. Shri. Mezva Bepari (Nawab), 4. Shri. Huzefa Bepari(Nawab), occupants of BC No. 108, Belgaum Cantonment for the unauthorized construction being carried out in BC No. 108, Belgaum Cantonment.

As per GLR records BC No. 108 building bearing GLR Sy. No. 152, Belgaum Cantonment is classified as B3 land held on Old grant by 1) Smt. Indira Bai alias Ahilaji Rao Ahir Rao 2) Shri. Dhairyashila Rao Bhojraj Pawar jointly, is situated outside Notified Civil Area of Belgaum Cantonment. The details of the unauthorized construction being carried out are as under:-

Details of unauthorized construction

Reerecting southern side portion of main bungalow over an area measuring (9.95m+10.70m)/2 X 17.35m =179.13 Sqmtrs. Superstructure is of GI sheet wall cladding. Provided GI sheet roof at an height of (6.45m +6.15m)/2.

Show cause notice was issued to 1. Smt. Jyotsna B. Swamy, 2. Shri. Shakeer Bepari(Nawab), 3. Shri. Mezva Bepari(Nawab), 4. Shri. Huzefa Bepari (Nawab) occupants of BC No. 108, Belgaum Cantonment, on 07/05/2021.

The Board may consider the issue of notice under section 248 of CA 2006 and resolve accordingly.

The concerned file, notice issued AE's report are placed on the table.

Resolution :

7. Considered and resolved to issue notice under section 248(1) of the Cantonments Act, 2006 to 1. Smt. Jyotsna B. Swamy, 2. Shri. Shakeer Bepari (Nawab), 3. Shri. Mezva Bepari (Nawab) & 4. Shri. Huzefa Bepari (Nawab), occupants of BC No. 108, Belgaum Cantonment for unauthorisedly re-erecting southern side portion of main bungalow of BC No. 108, Belgaum Cantonment.

Agenda :

8. HANDING / TAKING OVER OF CANTONMENT FUND ROADS AND MES ROADS IN BELGAUM CANTONMENT.

Ref: CBR No. 4 date 19/03/2021.

As per above referred CBR, the Board recommended to transfer the following Roads:-

1) Cantonment fund Roads (Class C lands bearing GLR Sy. No. 4) to be handed over to MES authorities (Class A1 lands bearing GLR Sy. No. 24) for further maintenance.

Sl. No	Road Name	From	To	Distance
1	Albert Ekka Road	Raigarh Gate	Ginjee Gate	230 Meters
2	Smart Road	Harshan Enclave gate	Ramghat Road	150 Meters
3	Queens Garden Road	Sharqat Park	Queens Garden	410 Meters
			Total	790 Meters

2) MES authorities road (Class A1 land bearing GLR Sy. No. 24) to be handed over to Cantonment fund Road (Class C land bearing GLR Sy. No. 4) for further maintenance.

Sl. No	Road Name	From	To	Distance
1	Gymkhana Road	Shourya Chowk	Gandhi Chowk	750 Meters
			Total	750 Meters

As per section 258 of Cantonment Act 2006 no such street be closed for reasons other than for the security reasons and can be closed only, after following due process of law mentioned in the Cantonment Act 2006. Several complaints have been received from the general public, by the Cantonment Board and higher authorities for closing of Albert Ekka road/Nagzeera Road, Smart Road, Hospital Road, Point road for general public by the army authorities. The Division bench, High Court of Karnataka Bangalore has passed order in WA No. 3549/97 on 23/01/1998 stating that on Albert Ekka Road/Nagzeera road, Point Road, MH Road/KV Road and other 13 Roads, army authorities are directed not to restrict the movement of freedom of the citizens. The SLP No. 8218/98 filed by Station Commandant, Belgaum and others has been dismissed by the Supreme Court on 24/08/1998. As per order made by the Hon'ble High Court of Karnataka Dharwad in CCC No. 2102 of 2009, and CCC Nos 2112 and 2113 of 2009 dt. 29/03/2010 the Defence authorities can place regulatory measures in maintaining peace and tranquility. There cannot be any compromise in maintaining security for the preservation of country.

The PDDE SC Pune letter No. 10832/BELGAUM/VIII/C/DE/2019 dt 19/05/2021 has directed the Cantonment Board to place above mentioned Court orders before the Board.

In view of the above, the Cantonment Board may note the judgment of above mention Court orders and maintain status quo till the further directions from the Higher authorities. Since the roads mentioned in the transfer of management are public roads, the same should not be closed for general public without following due procedure as per section 258 of Cantonment Act 2006. The Board may also note the Ministry of Defence order No. 14(9)2018-D(Q&C) dt 28/05/2018 and DGDE New Delhi letter No. 76/72/C/DE/2015/Vol-IV dt 31/05/2018 regarding procedure to be followed in closing the public roads.

The Board may consider the above issue and follow the orders of higher authorities till the approval of transfer of Management of roads mentioned in the above referred CBR is obtained.

The concerned Court orders, letters, orders and AE's report are placed on the table.

Resolution :

8. Considered the matter at length in the presence of all the attendees. The following letters were placed before the Board :--

- 1) Letter from Shri. Iranna Kadadi, M.P. (Rajya Sabha), Karnataka bearing No. MPRS-Bgm/Cantt-B/2020-21 dated 28-5-2021.
- 2) Letter from Smt. Mangal Suresh Angadi, M.P. (Lok Sabha), Belagavi bearing No. MPB:841:2021-22 dated 27-5-2021.
- 3) Letter of the Regional Commissioner, Belagavi Division, Belagavi bearing No. RCB/Bhoomi-4/LND/CR-04/2021-22 dated 20-4-2021.

- 4) Letter of the Belgaum Cantonment Residents' Welfare Association dated 05-4-2021 signed by few members of the Association led by Dr. Nitin G. Khot.

The summary of the matter is as communicated by both the Hon'ble Members of the Parliament in their respective letters as under :--

- 1) The Principal Director has on 19-5-2021 asked for the three Court Orders pertaining to the opening of the Roads in Belagavi to be placed before the Board. The three Court Orders including the Order of the Hon'ble Supreme Court is paramount and must be obeyed. This Order of the Hon'ble Supreme Court has upheld the Order of the Hon'ble High Court of Karnataka to open 16 Roads in Belgaum Cantonment. These Roads must always be kept open. The Civil Contempt Case was specifically filed on the then Brigadier (Brig. Sanjay Holey) who had closed 6 of the Roads ordered to be kept open. Since he willingly opened up all the Roads, he escaped contempt of Court.
- 2) The Ministry of Defence issued two Orders on 28-5-2018 and 31-5-2018 which pertain to keeping the Roads in Cantonments open. These Orders are to be obeyed in every way, both in letter and spirit. The Order of the 28th May, 2018 (exactly 3 years ago) numbered 14(9)2018-D(Q&C) laid down a Special Operating Procedure (SOP) in case, for reasons of any security, any road in the Cantonment has to be closed. The SOP is as follows :-- If any Road is proposed to be closed, the Cantonment Executive Officer after obtaining a Cantonment Board Resolution to that effect, has to publish three advertisements in different languages in three local papers, inviting objections from the people residing in the City. After this he has to send objections to the Ministry of Defence, and if it is approved and sent back, three more advertisements have to be placed in three more local papers. Only after this may any Road be closed. The closure of this Road has to be reviewed annually, every year after that. Hence, in compliance of these Orders of the Ministry of Defence, all Roads closed in Belgaum Cantonment should be opened up. These Roads include Albert Ekka Road (leading to Nanawadi and Savagaon), Smart Road (from Ganeshpur to Argan Tank) and Kendriya Vidyalaya Road.
- 3) No transfer of Road is permissible at the local level under Section 7 of the Cantonment Land Administration Rules. Since the proposal to transfer Albert Ekka Road and Smart Road permanently to the Military Engineering Services, is provoking wide spread protests from the Belgaum public, either we withdraw this proposal or the DC (& DM), will have to send with his comments to the Central Government as per his powers under Section 56 of the Cantonments Act, 2006. Kindly place this carefully considered response of ours on the table at the Cantonment Board meeting of the 28th May, 2021.

The attendees were informed that only three decisions of the Hon'ble Courts cannot be placed before the Board as these provide only partial information about the decisions of the Hon'ble Courts. The decision of the Hon'ble High Court of Karnataka in Civil Contempt Cases Nos. 2102/2009, 2112/2009 & 2113/2009 also have to be placed before the Board so that all the four Judgements provide full and complete information.

The Member Secretary, i.e. the Chief Executive Officer informed the meeting that the Hon'ble High Court of Karnataka in its decision in Writ Appeal No. 3549/1997 dated 23-01-1998 and the Hon'ble Supreme Court in its decision in Special Leave Petition (Civil) No. 8218/1998 dated 25-08-1998 are pertaining to the restrictions that had been imposed by the Army authorities mentioned in the Judgement of the Hon'ble High Court of Karnataka in its decision in Writ Appeal No. 3549/1997. The Division Bench of the Hon'ble High Court of Karnataka further directed the Army authorities not to restrict the movement of the freedom of passage of citizens on the said Roads. These Orders are being followed, in both letter and spirit, by the Cantonment Board.

The President, Cantonment Board apprised the meeting that based on the Judgement of the Hon'ble Division Bench, High Court of Karnataka in W.A. No. 3549/1997 dated 23-01-1998 one Dr. Nitin G. Khot and two others had filed Civil Contempt Cases Nos. 2102/2009, 2112/2009 & 2113/2009 against the then Brigadier Sanjay Holey, as the Station Commander and as the President, Cantonment Board, Belgaum. The President, Cantonment Board further apprised the meeting that all the Cases, i.e. the Writ Petition, the Writ Appeal, the Special Leave Petition (Civil) and the Contempt Cases also had the Deputy Commissioner of Belagavi, the General Officer Commanding-in-Chief of the Southern Command and the Union of India represented by the Secretary of Defence as Parties. The President, Cantonment Board apprised the meeting that all the decisions of these Hon'ble Courts are of public knowledge and the same are being followed by the Army authorities within the jurisdiction of the Belgaum Cantonment.

The President, Cantonment Board elucidating on the Judgements of the Hon'ble Courts apprised that the Contempt Cases filed under the leadership of and argued / presented before the Hon'ble Division Bench, High Court of Karnataka by one Dr. Nitin G. Khot, as Party-in-Person. The rumours being spread by certain persons that the then Brigadier Sanjay Holey "*escaped*" from the Cases by opening the Roads is false. The fact being that the Contempt Cases were properly and completely adjudicated and decided by the Hon'ble Division Bench, High Court of Karnataka. The Hon'ble High Court found that there has been no contempt committed by the Army authorities and other Respondents in these Cases. The Hon'ble High Court in the same Cases has observed that the Defence authorities have put in place regulatory measures which the Hon'ble High Court felt that there is nothing wrong in it. The Hon'ble Division Bench further observed that in their considered view, the aspects of maintenance of peace and tranquility are under threat not only in the country but also across the Globe. The Hon'ble Court further observed that individual rights and private rights cannot be put on a higher pedestal than the public interest, defence interest and above all the security of the nation. The Hon'ble Court went on to decide that there cannot be any compromise in maintaining security for the preservation of the country and dismissed the Contempt Cases for not finding any reason to exercise its powers under contempt jurisdiction.

The President, Cantonment Board apprised the members that the Judgements of the Hon'ble Courts are very well known to the public and especially to the Petitioners in the Contempt Cases led by Dr. Nitin G. Khot. How come a few persons despite knowing the fact that the Petitioners in the Contempt Cases have lost the Cases, as the same have been dismissed, are creating fear and confusion, is shocking? The President, Cantonment Board suggested that awareness must be created about not only the Policy pertaining to the Roads but also the facts on ground and the decisions of the Hon'ble Courts rather than relying upon unsubstantiated rumours being spread by a few fear mongers.

Moreover, the Order of the Hon'ble Division Bench, High Court of Karnataka in W.A. No. 3549/1997 directs not to restrict the freedom of movement of citizens on any public road irrespective of its classification. The Albert Ekka Road classified as "C" Road, which further merges in Nagzeera Road which is classified as "A-1" Road. If the freedom of movement is not restricted at present on both the Albert Ekka and Nagzeera Roads, the reclassification of a small stretch of Road named Albert Ekka also would not restrict the freedom of movement of passage of citizens.

Similarly the Smart Road which is a "C" Road merges into Choudhary Road which is a "A-1" Road.

The President, Cantonment Board and the Member Secretary i.e. Chief Executive Officer apprised the meeting that the Namdev Jadhav Road which was being believed to be a "C" Road has been transferred to the Military Engineering Services based on the authority of the Ministry of Defence letter No. 735/5/L/L&C/90 dated 14-10-1991 and Cantonment Board Resolution No. 10 dated 22-12-2020. This has rendered the entire stretch of the Namdev Jadhav Road as the Military Engineering Services Road. This stretch of Road, from the Rashtriya Military School Circle till the Ramghat Road, is open for the public 24x7 without any restriction.

The President, Cantonment Board and the Member Secretary i.e. Chief Executive Officer apprised the meeting that all the land within the jurisdiction of Belgaum Cantonment Board and the Local Military Authority are owned by the Ministry of Defence. Classification and Reclassification of Roads as Cantonment Roads and Military Roads is a routine, regular internal affair of the Ministry of Defence amongst its two arms i.e. the Directorate General of Defence Estates and the Armed Forces.

The President, Cantonment Board and the Member Secretary i.e. Chief Executive Officer apprised the meeting that the reclassification and exchange of Roads is done for better allocation of funds and corresponding better maintenance of the Roads. The mere reclassification and exchange of Roads does not imply that the Roads in question are being closed. If at all the Roads are to be closed, they can be closed only as per the provisions of Section 258 of the Cantonments Act, 2006 and other corresponding Rules. The Cantonment Board and the Army authorities have to abide by these laws and the decision of the Hon'ble High Court of Karnataka and the Hon'ble Supreme Court which have been placed in this meeting.

The President, Cantonment Board and the Member Secretary i.e. Chief Executive Officer clarified the events during the meeting of the Board held on 19-03-2021. The said meeting was pertaining only to the transfer of the Roads from the Military Engineering Services to the Belgaum Cantonment Board and vice-versa. This transfer of Roads has been done with the objective of better allocation of funds and corresponding better maintenance. The topic of closure of Roads or the imposition of restrictions on the movement of freedom of passage of citizens which has been barred by the Hon'ble Division Bench, High Court of Karnataka, was neither in the agenda of the said meeting, nor was it discussed or decided in the said meeting held on 19-03-2021.

The President, Cantonment Board apprised the meeting that – (1) Reclassification and Exchange of Roads, (2) Closure of Roads are not only different matters but are also distinct as the procedure for both are distinct. The classification or reclassification and exchange of Roads nowhere implies closure of Roads.

The President, Cantonment Board apprised the meeting that a few self serving fear mongers, for reasons known only to them, have created an atmosphere of fear that the Cantonment Board is gifting away Roads to the Army authorities and allowing closure of the Roads.

The President, Cantonment Board and the Member Secretary i.e. Chief Executive Officer apprised the meeting that several Roads, belonging to the Military Engineering Services like the Gymkhana Road connecting Shaurya Chowk and Mahatma Gandhi Chowk, the Major Ramaswamy Road stretching from the Congress Road till the Albert Ekka Road, etc., are open for the public 24x7. These Roads are also classified as Military Engineering Services Roads. These Roads are being maintained by the Army authorities and are open to the public without any restrictions.

The President, Cantonment Board and the Member Secretary i.e. Chief Executive Officer apprised the meeting that the Local Military Authorities and the Cantonment Boards can only initiate the proposal for reclassification of lands (including Roads) and their exchange. The final approval of such reclassification and exchange is given only by the Ministry of Defence. Therefore, a proposal to exchange the Roads as mentioned in Agenda No. 4 of the Cantonment Board Meeting of 19-03-2021 is being sent to the Competent Authority as per law for final approval. This in no way means closing of Roads or going in Contempt of the Hon'ble High Court of Karnataka.

The President, Cantonment Board apprised the meeting that the Army Authorities have put certain restrictions due to the COVID-19 Pandemic, the protocol to prevent its spread and lockdown on the portions of Point Road, Albert Ekka Road / Pandurang Salunke Road / Nagzeera Road, Hospital Road. The President, Cantonment Board clarified that no Road has been closed in the Cantonment area. However, traffic is being regulated on the Roads running through the Unit Lines for Military and Civil populations to ensure that the COVID-19 protocol are strictly being followed.

The President, Cantonment Board apprised the meeting that the Roads in question are open to the general public with certain regulations. He further apprised that the gates on the Albert Ekka Road and the Smart Road are closed in the night due to security purpose and COVID-19 Pandemic as the Army Officers' Quarters and other Defence establishments are also located on these Roads.

The Hon'ble MLA, Belagavi North, Shri. Anil S. Benake requested the Board to grant permission for the widening of the Vengurla Road opposite to the Ganapati Temple. The President, Cantonment Board apprised the Board that a proposal in this regard has been sent to the Ministry of Defence for approval to make it a double road through the State PWD after the acquisition of the Defence land. The work can be commenced after the sanction is received from the higher authorities.

It is, therefore, resolved that the facts including the present position of the Roads, restrictions placed due to COVID-19, and the decision of the Hon'ble Courts including the decisions in the Contempt Cases be given wide publicity by releasing Press Notes. It is further resolved that neither the Cantonment Board, Belgaum nor the Army Authorities, will at any time take actions that may violate the laws and / or may be in contempt of the Hon'ble Courts.

Agenda :

9. MUTATION OF PROPERTIES:

To consider various applications received for effecting mutation in respect of properties held on old grant terms/lease within Notified Civil Area of Belgaum Cantonment as per the list annexed to the Agenda as **Annexure-A**.

Resolution :

9. Considered and approved the mutation to be executed after payment of Rs. 2,000/- towards mutation fees and Rs. 700/- per year for late fees.

The above mutation is only an administrative action to update the relevant land records.

Agenda :

10. REGARDING EXTENSION OF ANNUAL CONTRACT FOR COLLECTION OF HAWKER /VENDOR FEES IN BELGAUM CANTONMENT AREA

To consider letter dated 21-05-2021 received from Shri Rama Bijapure, proprietor of Shri Renukadevi Enterprises, Belagavi contractor of collection of hawker/vendor fee in Belgaum Cantonment requesting for extension of annual contract for the reasons stated in his letter.

The annual contract for collection of hawker/vendor fee in Belgaum Cantonment Area for the year 2020-2021 has been awarded to the Renuka

Enterprises, Khasbag, Belagavi vide CBR No. 8 dated 18-03-2020 for a period of one year w.e.f. 02-06-2020 on annual contract amount @ Rs.3,87,000/- p.a. The said rights are due to expire on 01-06-2021. Accordingly the contractor has been informed to surrender the rights of collection of hawker/vendor fee on 01-06-2021 vide this office letter No. 13/REV/82/Hawker Fees/III/4 dated 01-04-2021 and also to clear the outstanding dues.

In reply to the said letter the contractor vide his above referred letter has mentioned that due to COVID-19 pandemic very less numbers of hawkers are coming in the Cantonment Area and he is unable to collect fees as per the tender amount and hence he is under loss. Even though he is under loss, he has paid the contract amount as per contract amount. In these circumstances, the contractor has requested to extend the annual contract for a further period of one year w.e.f. 02-06-2021 with reasonable hike of 5% of the contract amount.

The Cantonment Board vide CBR No. 8 dated 18-03-2020 has approved the highest bid of **Rs.3,87,000=00 p.a.** quoted by Ramappa Y. Bijapure, Proprietor of Shree Renuka Devi Enterprises, Belagavi. Later on, the Board vide CBR No. 4 dated 25-06-2020 reduced some areas for the Smart City Project Work and based on that, reduced the hawker/vendoe fee by Rs.10,000/- per month. Accordingly presently the contractor is paying the hawker/vendor fees @ Rs.22,250/- per month i.e, **Rs.2,67,000/-** p.a. He has paid hawker/vendor fee upto 01-06-2021.

The Karnataka is facing a spike in COVID-19 cases. Therefore the State Government has declared lockdown due to the COVID-19 pandemic from 27th April 2021 to 7th June 2021 as preventive measure to control the COVID-19 pandemic. As such, there are chances that the bid for the new contract may not be received at satisfactory rates. Therefore taking into consideration all the above aspects, the Board may consider the request of the contractor and extend the contract for further period of one year on present terms and condition on hike of 5% on the present contract amount.

The matter is brought before the Board for consideration and to take suitable decision.

Report of the Revenue Supdt. Alongwith relevant documents are placed on the table.

Resolution :

10. Discussed the matter in detail. As per the existing provisions of the Cantonments Act 2006, the Board cannot extend the contract for further period of one year. Hence the Board has resolved that the annual contract for collection of hawker/vendor fees be extended for to Shri Renukadevi Enterprises, Belagavi for further a period of 3 months w.e.f. 02-06-2021 or till the finalization of tender for the year 2021-2022 whichever is earlier with a enhancement of 5% on the present contract amount

Agenda :

11. ANNUAL CONTRACT FOR COLLECTION OF PARKING FEES FROM 2, 3, 4 & 6 WHEELERS IN BELGAUM CANTONMENT :

The annual contract e-tender has been called for vide this office public notice No. 13/REV/82/Parking Fees/I/1711 dated 03-03-2021 for awarding the annual contract for collection of parking fees in Belgaum Cantonment Area for a period of one year from the date of handing over the sites. The technical bids for above mentioned work were opened on 06/05/2021 at 16.30 Hrs. Following MSME registered contractors have quoted the tenders :--

- 1) Sagar Babu Kamanache (M/s Sagar Kamanache)
- 2) Universal Security Agency, Partners Shri. Shrinivas S Neeragatti and Shri Govind S Neeragatti
- 3) Ramappa Y. Bijapure, Proprietor of M/s Shri Renukadevi Manpower Supply and Security.

As per the tender conditions , the tenderer has to pay Rs 2500/- towards tender processing fee. The firms / Agencies which have registered under NSIC or MSME are exempted from the payment of E. M. D. As per guidelines printed in the National Small Industries Corporation Ltd approval letter, it is mentioned that the units registered under Single Point Registration Scheme of NSIC are eligible to get the following benefits under “ Public Procurement Policy for Micro & Small Enterprises Order 2012” as notified by the Government of India Ministry of Micro Small & Medium Enterprises, New Delhi vide Gazette Notification dated 26-03-2012, which has become mandatory w.e.f. 01-04-2015 :--

- a) Issue of the Tender Sets free of cost;
- b) Exemption from payment of Earnest Money Deposit (EMD).

During scrutiny of the above tenders, it is found that

- 1) Universal Security Agency has not paid the Tender processing fee.
- 2) Ramappa Y. Bijapure Proprietor of M/S Shri. Renukadevi Manpower Supply and Security has submitted the IT returns, Pan, PF and ESI in the name of M/s Renukadevi Enterprises, MSME registered in the name of M/s Renukadevi Manpower Supply and Security Services. The experience Certificate attached is in the name of Shri. Ramappa Y. Bijapure.

The report of the technical evaluator and bids received were forwarded to the Legal Adviser of the Cantonment Board Belgaum Shri. Apoorva Shivajat Somannavar, vide this office letters No. 5/PWD/92/186 dt. 12/05/2021 and No. 5/PWD/92/212 dt. 18/05/2021. The legal Adviser vide his legal opinion dt. 19/05/2021 has given the following conclusions:--

- 1) The MSMEs cannot be disqualified from the tender process for the non- payment of the tender process fee as the same is a veiled form of tender fee.

- 2) It is advised that the Board refunds the tender process fee, if collected from any MSME.
- 3) The bid of the Universal Security Agency cannot be disqualified for the non-payment of a fee, which the Universal Security Agency, being a MSME is exempt from paying.
- 4) The bid of the M/s Renukadevi Manpower Supply & Security Services has to be disqualified as it has not met the requirements sought by the Board and the documents of some other entity cannot be relied upon by the Board.

As per tender condition the MSME registered contractor also has to pay the tender processing fee. One of the tenderer Universal Security Agency has not paid the tender processing fee.

In view of the above, the above mentioned tender may be cancelled and may be re-tendered only after the approval of terms and conditions by the legal adviser of the Cantonment Board.

Further it is also brought to the notice of the Board that the Board vide CBR No. 10 dated 19-03-2021 has extended the present contract period for 2 months from 03-04-2021 to 02-06-2021. However it may take time to finalize the fresh contract. Therefore it is proposed to extend the present annual contract for further period of 3 months w.e.f. 03-06-2021 or till the finalization of the new contract whichever is earlier on the existing monthly parking fees.

Office Report of the Assistant Engineer is placed on the table.

Resolution :

11. Considered the matter in detail. The Board has resolved that the above mentioned tender be cancelled and fresh tender be called for in short tender notice to collect the parking fees, only after the approval of terms and conditions by the legal adviser of the Cantonment Board.

The CEO is apprised the Board that Shri Sagar B. Kamanache has submitted the letter dated 25-05-2021, requesting for surrendering the rights of collection of parking fees on 02-06-2021, hence the proposal for further extension of the contract for further period of 3 months w.e.f. 03-06-2021 as mentioned in agenda side is dropped.

The following supplementary agenda was taken up for consideration with the permission of the Chair :--

Agenda :

12. **REGARDING TERMINATION OF CONTRACT FOR THE COLLECTION OF PARKING FEES FROM 2, 3, 4 & 6 WHEELERS IN BELGAUM CANTONMENT AREA W.E.F. 02-06-2021 AND WAIVING OFF THE PARKING FEES FOR LOCKDOWN PERIOD OF 41 DAYS FROM 17-04-2021 TO 02-06-2021**

Ref: (i) Agenda point No. 11 dated 28-05-2021

(ii) Letter dated 21-05-2021 and 25-05-2021 received from Shri Sagar B. Kamanache, parking fees contractor.

The matter of tenders for annual contract for the collection of parking fees has referred to the Cantonment Board in the above mentioned agenda point wherein it is proposed to cancel the tenders received on 18-03-2021 for the said contract for the reasons mentioned therein and also to re-tender only after the approval of terms and conditions by the legal adviser of the Cantonment Board.

The above said contract has already extended by the Board for three months w.e.f. 03-03-2021 to the existing contractor viz., Shri Sagar B. Kamanache on existing terms and conditions. But the procedure of re-tendering and finalizing the contract may take time, thus it has again proposed to extend the contract to the existing contractor viz., Shri Sagar B. Kamanache for further period of 3 months w.e.f. 03-06-2021.

However now Shri Sagar B. Kamanache vide his letter dated 25-05-2021 has submitted that due to lockdown he is facing the labour problems hence it will be difficult to continue the contract after unlock of the lockdown. Hence he wish to surrender the rights for collection of parking fees on 02-06-2021. Request of the contractor may be considered and the contract may be terminated w.e.f. 03-06-2021.

It is brought to the notice of the Board that Shri Sagar B. Kamanache vide his letter dated 21-05-2021 has submitted that his contract has expired on 02-03-2021 and thereafter the Board has extended his contract for three months w.e.f. 03-03-2021 to 02-06-2021. During this period the State Govt. has declared weekend lockdown due to COVID-19 pandemic on 17-04-2021, 18-04-2021, 24-04-2021 & 25-04-2021 and continuous lockdown from 27-04-2021. During this period he has not collected any parking fees. Hence he has requested to waive off the parking fees collection for lockdown period which is worked out @ **Rs.1,98,850/-** for lockdown period.

It is also brought to the notice of the Board that the matter of waiving off the parking fees for lockdown period has earlier been considered by the Board vide CBR No. 9 dated 27-08-2020, CBR No. 10 dated 19-03-2021 and CBR No. 8 dated 27-04-2021. After detail examination and study of the case, the Board vide CBR No. 8 dated 27-04-2021, waived off the parking fees of **Rs.3,33,242/-** for earlier lockdown period from 23-03-2020 to 31-05-2020. In accordance with the legal opinion dated 20-04-2021 and CBR No. 8 dated 27-04-2021, the parking of **Rs.1,98,850/-** for lockdown period i.e, for 17-04-2021, 18-04-2021, 24-04-2021 & 25-04-2021 and continuous lockdown from 27-04-2021 to 02-06-2021 (total 41 days) may be waived off.

At present the contractor is paying parking fees @ Rs.1,45,500/-per month. A sum of **Rs.3,87,071/-** towards parking fees, Rs.7,975/- towards income tax and service charges are outstanding upto the period ending 02-06-2021. The contractor has paid security deposit of Rs.1,92,600/-. Matter is brought before the Board for their consideration and to take suitable decision.

Office report of the Revenue Supdt. alongwith request letter is placed on the table.

Resolution :

12. The Board considered the matter and resolved that the request of the contractor viz., Shri Sagar B. Kamanache for surrendering the rights of collection of parking fees w.e.f. 02-06-2021 be accepted and the contract be terminated w.e.f. 03-06-2021. Since presently the Govt has extended the lockdown period till 07-06-2021 and the police authority is not allowing vehicles on roads, no parking fees will be collected from 03-06-2021 till the new contract is awarded. The matter of termination of the parking contract may be intimated to the concerned police authority.

The Board further resolved that the parking fees of **Rs.1,98,850/-** for lockdown period i.e, for 17-04-2021, 18-04-2021, 24-04-2021 & 25-04-2021 and continuous lockdown from 27-04-2021 to 02-06-2021 (total 41 days) be waived off as done earlier by the Board vide CBR No. 8 dated 27-04-2021 . The contractor be informed accordingly and to clear the outstanding dues upto the period ending 02-06-2021. If he fails to clear the outstanding dues, the same may be adjusted from his EMD of Rs.1,92,600/-.

Agenda :

13. CONSTITUTION OF AN APEX MONITORING COMMITTEE ON ENVIRONMENTAL ISSUE AND CHALLENGES IN COMPLIANCE OF NGT ORDER DATED 10-11-2020 IN O.A NO. 451/2019 AIR MARSHAL ANIL CHOPRA.

To consider the letter No. 19648/Swachh Bharat/NGT/C/DE dt. 25/05/2021 received from the Principal Director, Defence Estates, Govt. of India Ministry of Defence, Southern Command, Kondhwa Road (Near ECHS Polyclinic), Pune, Cantonment regarding preparation of action plan as per recommendations of Monitoring Committee. An Apex Monitoring Committee on Environmental issues and Challenges, has been constituted by the Central Government in compliance of NGT order dated 10/11/2020 in O.A. No. 451/2019, Air Marshal Anil Chopra case.

The monitoring committee has suggested the actions to be taken for 1) management of Solid waste ,Bio Medical Waste, Plastic Waste, Construction and Demolition waste, E waste 2) Environmental issues. As per above referred letter, an action plan has to be prepared by the Cantonment Board for timely completion / fulfill all the gaps indentified, within the target period mentioned in the report attached with the letter.

The concerned letters and A. E's report are placed on the table. The Board may note the above letter and take further action in the matter.

Resolution :

13. Noted. The CEO is authorized to prepare the action plan as per directions of the higher authorities after consulting the experts in the same field. The NGO's working in the field of management of different wastes be contacted for necessary Guidance and implementation before preparation of the action plan. The necessary proposal along with the requirements of funds be forwarded to the higher authorities for approval. The necessary budget provision be made during the year 2021-22 for implementation of the project.

Agenda :

14. REGARDING STARTING OF COVID VACCINATION CENTRE AND COVID CARE CENTRE (CCC) (FOR MILD SYMPTOMATATIC PATIENTS) IN THE CANTONMENT GENERAL HOSPITAL, BELGAUM CANTONMENT

To consider note to the President Cantonment Board Belgaum dated 07-05-2021 regarding starting of COVID Vaccination Centre and COVID Care Centre in the Cantonment General Hospital, Belgaum Cantonment.

The DG, DE, New Delhi vide their letter No. 19648/COVID-19/CANTT/III/DE dated 03-05-2021 has suggested to make efforts for outsourcing Medical Officer and para medical staff/supporting staff for running the CCC (Isolation) and request to the LMA and District Authority and local liason to hire the services for three to six months. Accordingly the District Authority has been requested vide this office letter No. 7/SAN/112/GEN HOSP/87 dated 20/04/2021 to establish Covid Care Centre. Also the Deputy Commissioner, Belagavi has been requested vide this office letter No. Covid-19/118 dated 27-04-2021 to release the amount from SDRF to the manage the essential duties such as sanitation, water supply and Electricity and required protective equipments such as N 95 masks, sanitizers and PPE kits to fight against 2nd wave of COVID-19. However till date the Board has not received any of the aforesaid protective equipments.

As per the instructions of the DG, DE, New Delhi, 12 bedded Covid Care Centre (Isolation Ward) has been started w.e.f. 8th May 2021 in the Cantonment General Hospital wherein all the mild symptomatic and suspected cases are being treated as per the guidelines received by the Ministry of Health and family welfare.

For smooth functioning of the Covid Care Centre, it is required to engage the doctors and other paramedical staff & other essential supporting staff which has to be hired through outsourcing Agencies. Also the medicines and protective equipments such as N 95 masks, sanitizers, PPE kits etc., have to provide to the Covid Care Centre. All expenditure to be incurred for the running of the Covid Care Centre will be funded by this Board.

The Board may authorize the CEO to incur the expenditure required for Covid Care Centre. The details of the expenditure incurred and other details will be placed before the Board for noting.

The Board may note and approve the same.

Resolution :

14. Noted and approved. The CEO is authorized to incur the expenditure required for running the Covid Care Centre in the Cantonment Board General Hospital, Belgaum.

Agenda :

15. ACTION PLAN FOR WORKS TO BE CARRIED OUT UNDER SFC GRANTS :

To consider the issue of preparation of Action Plan for execution of urgent Road works under SFC Grants as per oral directions of the Deputy Commissioner & Regional Commissioner, Belagavi. The Deputy Commissioner may be requested to release the SFC Grants for the following works carried out / to be carried out in Cantonment area :--

Sl.No.	Name of the work	Estimated amount (in Rs.)
1.	Re-carpeting of Ramghat Road by way of 40 mm SDBC, Belgaum Cantonment.	42,50,000-00
2.	Re-carpeting of Pullock Road by way of 40 mm SDBC, Belgaum Cantonment.	3,50,000-00
3.	Re-carpeting of Portion of Thimayya Road (from Nathula Road to Hilli Road Junction upto Shivneri Gate) by way of 40 mm SDBC, Belgaum Cantonment.	4,00,000-00
	Total :-	50,00,000-00

The above mentioned Action Plan may be forwarded to the Deputy Commissioner, Belagavi for approval.

The Board may consider the issue and resolve accordingly.

AE's report is placed on the table.

Resolution :

15. A proposal along with Action Plan prepared by the Office for execution of urgent Road works, be forwarded to the Deputy Commissioner, Belagavi for release of funds under SFC Grants.

Sd/-
Chief Executive Officer
Cantonment Board, Belgaum
(Barchaswa)

Sd/-
President
Cantonment Board, Belgaum
(Brig. Rohit Choudhary, SM)

Dated the 28th May, 2021

OFFICE SUPDT. CANTONMENT BOARD, BELGAUM.

Annexure 'A'

List of properties in respect of whom the mutation has to be carried out as detailed below.

Sl No.	GLR No. and Area.	H. No.	Nature of Holder's Rights	HOR/lessee as per GLR	Name of Transferor	Name of Transferee	Nature of Transfer	Present status of property	Unauthorized construction and Encroachments if any	Violation of Cantonment Act/Land Policy if any	Remarks	
										Change of Purpose	Sub division of site	
1	251/346 295.00 Sq. ft. B-3	H.No. 27, High Street	Old Grant	1)Shaikh Shahabuddin. 2)Mohamadsab 3) Abdul Razak sons of Muktum Bombaywale 4)Abdul Rashid Shahaboddin Bombaywale 5) Abdul Rashid Shahaboddin Bombaywale	Shri. Abdul Rasid Shahaboddin Bombaywale	1)Maqsood Abdul Rashid Bombaywale 2)Famita Y. Ghori 3)i)Karishma Salim Bombaywale ii)Maniya Salim Bombaywale iii)Rehana Salim Bombaywale minor guardian mother Karishma S. Bombaywale for Sl No. II and III	By Inheritance	Residential	No	No	No	1) Published in the news paper. No objection received. 2) Admission deed executed before the Sub-Registrar, Belgaum.
2.	251/346 295.00 Sq. ft. B-3	H.No. 27, High Street	Old Grant	1)Shaikh Shahabuddin. 2)Mohamadsab 3) Abdul Razak sons of Muktum Bombaywale 4)Abdul Rashid Shahaboddin Bombaywale 5) Abdul Rashid Shahaboddin	Shri. Abdul Razak S/o Maktum Bombaywale	Mrs. Rehana Nazir Bombaywale	By Deed of Transfer of Occupancy Rights	Residential	No	No	No.	1) Published in the news paper. No objection received. 2) Admission deed executed before the Sub- Registrar, Belgaum. 3) permission to transfer the occupancy rights was granted vide CBR No. 22 dt. 19/09/2020 and CBR No. 9 dated 25/06/2020.

				Bombaywale								
3.	251/345 884.00 Sq.ft. B3	H. No. 26 High Street	Old Grant	1)Shaikh Shahabuddin. 2)Mohamadsab 3) Abdul Razak sons of Muktum Bombaywale 4)Abdul Rashid Shahaboddin Bombaywale 5) Abdul Rashid Shahaboddin Bombaywale	Shri. Abdul Rashid Shahaboddin Bombaywale	1)Maqsood Abdul Rashid Bombaywale 2)Famita Y. Ghori 3)i)Karishma Salim Bombaywale ii)Maniya Salim Bombaywale iii)Rehana Salim Bombaywale minor guardian mother Karishma S. Bombaywale for Sl No. II and III	By Inheritance	Residential	No	No	No	1) Published in the news paper. No objection received. 2) Admission deed executed before the Sub-Registrar, Belgaum.
4.	251/345 884.00 Sq.ft. B3	H. No. 26 High Street	Old Grant	1)Shaikh Shahabuddin. 2)Mohamadsab 3) Abdul Razak sons of Muktum Bombaywale 4)Abdul Rashid Shahaboddin Bombaywale 5) Abdul Rashid Shahaboddin Bombaywale	Shri. Abdul Razak S/o Maktum Bombaywale	Mrs. Rehana Nazir Bombaywale	By Deed of Transfer of Occupancy Rights	Residential	No	No	No	1) Published in the news paper. No objection received. 2) Admission deed executed before the Sub- Registrar, Belgaum. 3) permission to transfer the occupancy rights was granted vide CBR No. 21 dt. 19/09/2020 and CBR No. 8 dated 25/06/2020.
5.	251/235 1480.00 Sqft B3	H. No. 23 Court Street	Old Grant	1)Smt. Ramabai A. Mahindrakar 2)a)Sudhir Vishwanath Jadhav b)Suresh Vishwanath Jadhav	Mr.Sudhir Vishwanath Jadhav	1)Mrs. Jayashree Jadhav 2)Anuradha Y. Varne 3)Kapeel Jadhav 4)Priya Sudhir Jadhav	By Inheritance	Residential	No	No	No	1) Published in the news paper. No objection received. 2) Admission deed executed before the Sub-Registrar, Belgaum.

6.	251/155 1810.00 Sqft B3	H. No. 103 Church Street	Old Grant	1) Noor Banoo Mahamood 2) Mohammed Zaheer 3) Moosa Mahmood 4) Nazima Rehman 5) Mr. Mohamed Ebrahim	1) Noor Banoo Mahamood 2) Mohammed Zaheer 3) Moosa Mahmood 4) Nazima Rehman 5) Mr. Mohamed Ebrahim	Mrs. Zarka Javad Shaikh	By Deed of Transfer of Occupancy Rights	Residential	No	No	No	1) Published in the news paper. No objection received. 2) Admission deed executed before the Sub-Registrar, Belgaum. 3) permission to transfer the occupancy rights was granted vide CBR No. 8 dt. 24/02/2021.
7.	251/892 593.00 Sqft B3	H. No. 1 Khanap ur Road	Old Grant	1) Philips Francis Remeth Rodrigues 2) Micheal Francis Remeth Rodrigues	1) Philips Francis Remeth Rodrigues 2) Micheal Francis Remeth Rodrigues	Rohan Philip Rodrigues	By Court Order Suit No. 464/2020	Residential	No	No	No	1) Published in the news paper. No objection received. 2) Admission deed executed before the Sub-Registrar, Belgaum.
8.	251/421 1265.00 Sqft B3	H. No. 31 Kondap pa Street	Old Grant	1) Mahadev 2) Ramkrishna 3) Kashinath 4) Ramnath 5) Parashram 6) Dyaneshwar sons of Malhar Rao Shintre	Shri. Kashinath Malhar Rao Shintre	1) Mahadev Malhar Rao Shintre 2) Ramkrishna Malhar Rao Shintre 3) Ramnath Malhar Rao Shintre 4) Parashram Malhar Rao Shintre 5) Dyaneshwar Malhar Rao Shintre	By Release deed	Residential	No	No	No	1) Published in the news paper. No objection received. 2) The mutation is only to delete the name of one of the HOR.

Report submitted by

Asst. Engineer, Cantt. Board,
(Satish V Mannurkar)

Chief Executive Office
Cantonment Board, Belgaum.
(Barchaswa)