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No. PC-4.10/4/Reqn/Policy/DE/5404/D(Lands),  
Government of India,  
Ministry of Defence,  
New Delhi, the 18th September, 1987.

To

The Chief of the Army Staff  
The Chief of the Air Staff  
The Chief of the Naval Staff  
The Director General, DE

Sub: Revision of rental for hired lands  
other than J&K State in India.

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Sir,

I am directed to convey the sanction of the President to the revision of rentals of lands held on hire (except in J&K State) subject to the following conditions :-

- (i) The rentals for the hired lands shall be revised and brought at par with those payable for the lands of similar categories requisitioned under the provision of the Central RAIP Act 1952 or State RAIP Act, if any by the State Government.
- (ii) The cases not covered in (i) above, rent of the lands shall be re-assessed by the Station Board constituted at each station comprising of the Station Commander, DEO or their representative and a representative of Collector. A representative of the Collector will be invited to attend the Station Board meetings. The function of the Board will be :-
  - (a) To fix the rent of land. The rent thus fixed by the Board will be final.
  - (b) The classification of land, its market value etc. will be obtained by the Defence Estates Officers from Local Revenue authorities and rent would be worked out ~~at not more than~~ 5% of the market value and rent will be fixed by Board.
  - (c) The Board will record its reasons and the basis on which the rent is fixed in each case giving details of land like location, classification, land revenue, produce, prevalent rent in locality etc.

- (d) If the rent of the land as assessed by the Station Board is accepted by the owner, administrative sanction for hiring of the land will be issued by the Station Commander or the competent authority as the case may be.
- (iii) If the re-assessed rent is acceptable to the land-owner, a fresh lease agreement will be drawn up on the old lease agreement form.
- (iv) In cases where the owners decline to enter in to a fresh agreement for a period of 5 years even with enhanced rent and it is administratively not possible to dehire the lands on expiry of the lease period and it is proposed to retain the property under the local rent control law, prior approval of the Ministry of Defence should be obtained but payment of rent at old rates should not be withheld till the Government sanction is issued.
- (v) In cases where the owner is willing to extend the period of hiring of lands for a shorter term and retention of the lands for such shorter term is administratively acceptable, a fresh agreement should be executed with the approval of the Sub Area Commander or his equivalent in the prescribed form for a shorter term which will be for a period not less than one year and rent for the extended period of hiring will not exceed the rate reserved in the expired lease deed.
- (vi) The period of hiring in Clause 2 of the lease agreement has been left blank. This has to be decided by the competent authority/authorities keeping in view the requirements and the conditions prevailing at a particular Station as well as the willingness of the owner. However, normally this period of hiring should not be less than 5 years.
- (vii) The revised rentals will be effective from the date of issue of Government orders :-
- (a) In cases of fresh hirings;
  - (b) In old cases where agreements have already expired but the land continues to be with the Government; and
  - (c) From the date of expiry of the agreement in cases where the same is still in force.
- These rentals would be revised thereafter after every five years.

(viii) The requests for revision of rentals which may be pending with the Defence Estates Officer/ Assistant Defence Estates Officer or the Station Headquarters may be dealt with in accordance with the provisions mentioned at (i), (ii) and (vii) above.

2. This issues with the concurrence of the Ministry of Defence (Finance) vide their u.o.No.2570/W-1/87 of 1987.

Yours faithfully,

Sd/

(HAN-WANT KISHORE)  
DESK OFFICER

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