

New Delhi, the 3rd June 2008

CORRIGENDUM

In supersession of corrigendum issued vide Ministry of Defence letters No.PC-10/4/Reqn/Policy/DE/760/DO(S)D(L) dated 11th October 1996 and No.11012/2/2002/D(Lands) dated 9th October 2007, to Ministry of Defence letter No.11011/2/77/D(Lands) dated 12th October 1977, regarding procedure for requisitioning and hiring of Immovable properties, the following amendments are made to Ministry of Defence letter dated 12.10.1977, read-with corrigendum dated 11.10.1996 and dated 9.10.2007, referred to above, in so far as it relates to requisitioning and hiring of lands in the State of Jammu & Kashmir:-

Administrative

- (i) In Sub Paras (a), (b) and (c) of para 6.

FOR

(a)	General Officer Commanding-in-Chief Northern Command/Western Command/Equivalent AOC-in-Chief.	Rs.10,00,000/- per property
(b)	Commander of Corps/Division/Area, Independent Sub Area, Indep Bde Gp in Northern Command/Western Command/Equivalent Airforce Commanders.	Rs.7,50,000/- per property
(c)	Commander of a Bde Area or Sub Area in Northern Command/Western Command/Equivalent Airforce Commanders.	Rs.5,00,000/- per property

READ

(a)	General Officer Commanding-in-Chief Northern Command/Western Command/Equivalent AOC-in-Chief.	Rs.30,00,000/- per property
(b)	Commander of Corps/Division/ Area, Independent Sub Area, Indep Bde Gp in Northern Command/Western Command/Equivalent Airforce Commanders.	Rs.22,00,000/- per property
(c)	Commander of a Bde Area or Sub Area in Northern Command/Western Command/Equivalent Airforce Commanders.	Rs.15,00,000/- per property

Financial

(ii) Existing sub paras (a), (b) and (c) of para 12 be substituted by the following:-

FOR

	Designation.	Annual rentals or recurring payments or compensation on entry or surrender per property.
(a)	Principal Directors/Directors Defence Estates in Northern and Western Commands.	Rs.10,00,000/- per property
(b)	Joint Directors, Defence Estates in Northern and Western Commands.	Rs.7,50,000/- per property
(c)	Defence Estates Officers in Northern and Western Commands.	Rs.5,00,000/- per property

READ

	Designation.	Annual rentals or recurring payments or compensation on entry or surrender per property.
(a)	Principal Directors/Directors Defence Estates in Northern and Western Commands.	Rs.30,00,000/- per property
(b)	Joint Directors, Defence Estates in Northern and Western Commands.	Rs.22,00,000/- per property
(c)	Defence Estates Officers in Northern and Western Commands.	Rs.15,00,000/- per property

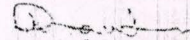
2. The enhanced administrative and financial powers delegated under this letter shall be exercisable by respective authorities mentioned above in respect of the land already requisitioned/hired and the land to be requisitioned/hired in future.

3. The competent authority mentioned in para I (i) and (ii) above (as amended), is also empowered to sanction continued hiring of immovable properties held for a further period(s), as required.

4. Where the rental compensation has been sanctioned by the competent authority as per the orders in vogue prior to issue of this letter and some lower authority becomes competent to issue sanction for payment of rentals with the issue of this letter, that authority would be competent to sanction payment of rentals even if the earlier orders in the case were issued by a higher authority.

5. This issues with the concurrence of Ministry of Defence (Finance Division), vide their U.O. No.593/F/W.1/08 dated 3.6.2008.

Yours faithfully



(Lalit Chauhan)

Under Secretary to the Government of India

To

The Chief of the Army Staff,
The Chief of the Air Staff,
The Director General, Defence Estates (5 copies)
New Delhi.

Copy to :

1. The Controller General of Defence Accounts, New Delhi.
2. The Director of Audit, Defence Services, New Delhi.
3. The Principal Controller of Defence Accounts, Western and Northern Commands (ink signed copies).
4. The Controller of Defence Accounts (Air Force), Dehradun (ink signed copy).
5. The Senior Deputy/Deputy Directors of Audit, Defence Services, Western and Northern Commands.
6. QMG's Branch/Plg(Lands) - (5 copies).
7. Dte of Air Force Works, Air HQs, New Delhi.
8. The Director General (Works), E-in-C's Branch, Kashmir House, New Delhi.
9. The Deputy Financial Advisor (Works), New Delhi.
10. The Deputy Financial Advisor (Budget), New Delhi.
11. The Deputy Financial Advisor (AF), New Delhi.
12. D(Q&C).
13. D(Works-I).
14. D(Air-I).
15. Office of JS(Trg) & CAO, E Block Hutments, New Delhi.
16. Ministry of Defence(Finance Division/W.I).

No. 13020/6/2007/D(Lands)

Government of India
Ministry of Defence

New Delhi, the 3rd June 2008

To

The Chief of the Army Staff,
The Chief of the Air Staff,
The Director General, Defence Estates (5 copies),
New Delhi.

Sub: Simplification of procedure for hiring/requisitioning of lands/buildings
by Armed Forces in J&K.

Sir,

I am directed to say that the procedure relating to hiring and requisitioning of lands/buildings for the Armed Forces in J&K has been under review for some time now in the Ministry of Defence. It has been observed that due to various operational reasons there is delay in regularization of occupation of lands/buildings by Armed Forces. Consequently, rental/compensation is not paid to the owners in time leading to discontent. The Directorate General, Defence Estates vide letter No.801/4907/HRG/SC/DE dated 6.6.1991, and the Army HQrs vide letter No.C/00088/Q3L(policy) dated 4.4.1991 have issued instructions in the past for early regularization of such cases. Towards further streamlining and simplifying the process, the following guidelines are issued.

A - Hiring of lands/buildings.

- i) Normally, no land/building should be occupied by Armed Forces without completion of hiring formalities. However, whenever their occupation becomes inevitable without first completion of hiring formalities, in the case of buildings, the Board of Officers should be convened promptly and proceedings completed within a period of 60 days from the date of occupation of the building. In the case of occupation of land, the intimation thereof should be given immediately to the concerned Defence Estates Officer and to the Station HQrs so that the Board of Officers for regularization of occupation of land is convened within a period of one month from the date of occupation.

- ii) In the case of land, the Board Proceedings should be completed within a period of 60 days. Thereafter the case should immediately be processed for issue of administrative approval/sanction for hiring of the land by the Competent Authority. The administrative approval/sanction should be issued within another 60 days.
- iii) The CDA or his representative should be included as a member of the Board of Officers. While taking the willingness of the owner for hiring of his land/house/building, the lease agreement should be got signed from him at that stage/time itself. It may be signed by the DEO after issue of administrative approval/sanction by the Competent Authority for hiring of the land/building.
- iv) The CDA shall not insist on vetting of the lease agreement after its representative has participated in the Board of Officers Proceedings. The Unit Accountant can vet the lease agreement.
- v) After the administrative approval/sanction has been issued for hiring of land/building, it should be ensured that payment to the landlord/landowner is made within a period of one month after getting the cash assignment released from CDA and after completion of necessary formalities.
- vi) In the case of buildings, where there is delay in signing of lease agreement, the payment of due rental compensation/compensation will be released by the DEO, provisionally, as per provisions in Unit Accountant's Manual, upto a period of three months from the date of hiring of building without signing of the lease agreement, beyond which specific approval of CDA may be obtained for such payment.

B - Requisitioning of Land

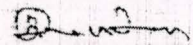
- i) Normally, no land should be occupied by the Armed Forces without completion of requisitioning formalities. However, whenever such occupation becomes inevitable without completion of requisitioning procedure/formalities, the intimation thereof should be given immediately to the concerned Defence Estates Officer and to Station HQs so that the Board of Officers for regularization of occupation of

land is convened within a period of one month from the date of such occupation.

- ii) The Board Proceedings should be completed within a period of 60 days. Thereafter the case should immediately be processed for issue of administrative approval/sanction for requisitioning of land by the Competent Authority. Administrative approval/sanction should be issued within another 60 days.
- iii) After the issue of administrative approval/sanction, Defence Estates Officer should immediately place a demand with the DC for completion of requisitioning formalities and issue of Requisition Order.
- iv) In case the Requisition Order is not issued by the DC within a period of one month from the date of demand in this regard was placed by the DEO with DC, then 80% of the rental compensation, as indicated in the administrative approval/sanction for requisitioning of the land issued by the Competent Authority, may be released by DEO, after completion of necessary formalities, in cases where the land is already under occupation of Armed Forces, to the DC who may disburse it in due course as per laid down procedure/rules.

2. This issues with the concurrence of Ministry of Defence(Finance Division/W.I) vide their U.O. No.594/F/W.I/08 dated 3.6.2008.

Yours faithfully



(Lalit Chauhan)

Under Secretary to the Government of India

Copy to:

1. The Controller General of Defence Accounts, New Delhi.
2. The Director of Audit, Defence Services, New Delhi.
3. The Principal Directors, Defence Estates, Western Command Chandigarh and Northern Command Jammu.

4. The Principal Controllers of Defence Accounts, Western Command Chandigarh and Northern Command Jammu (Inksigned copies).
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