

MINISTRY OF DEFENCE

Subject :- Resumption of Bungalow No.55, Mall Road, Meerut Cantonment under the occupation of Allahabad Bank.

Please refer to the correspondence with the QMG Branch Note No.32838/154/Q3(B) dated 26.3.96 on the above subject.

2. Attention in this connection is invited to the Land Policy in Cantonment Areas circulated vide letter No.11013/7/73/D(Lands)/Vol.III dated 18.6.82 as amended vide letter of even number dated 26.3.83. This letter lays that the properties held on resumable tenure namely, old grant and leases under the Cantonment Codes of 1899 and 1912 are to be resumed gradually in the following circumstances:-

- (a) Where any site/sites are required for specific Defence/Public purposes, priority being given to bungalows which are on hire to the government.
- (b) Sites which are vacant.
- (c) Sites where the existing structures are in dilapidated condition.
- (d) Sites where the occupancy holders have committed breaches of the terms/conditions of the old grant. Marginal violation of the old grant/lease may, however, be regularised by the government provided there is no change in the purpose. Each case will be referred for orders to the Ministry of Defence who will decide the issue in consultation with the Ministry of Finance (Defence).

3. In the Notes of the relevant part of the policy letter, it has been specifically stated that each case is to be referred to the Ministry of Defence for orders and will be decided in consultation with the Ministry of Finance (Defence). The said letter, however, does not give any authority to the Station Commander to issue the notice for resumption. The government letter dated 12.9.91 quoted by QMG's Branch only lays down the details of procedure to be followed for assessment of compensation in respect of resumption of Bungalows held on old Grant Terms.

4. In the instant case, the above mentioned conditions of resumption are not fulfilled. You are, therefore, advised to direct the Station Commander to withdraw the Resumption Notice served by him on the Allahabad Bank.

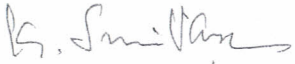
5. In view of the government's Land Policy in Cantonment areas, the notice in such cases should be issued only after the Ministry's approval in principle is obtained for resorting to the resumption. Immediate instructions may, therefore, be issued to all the Station Commanders and others concerned

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for strict compliance that the resumption notices should be issued only after the clearance to resume a site has been obtained from the Ministry of Defence by putting up all the necessary details like the requirement of land at the station and present holdings, specific purpose for which the site is to be acquired, etc. The proposals for resumption should be routed through the DGDE for being processed in consultation with the Defence (Finance).

6. A copy of the instructions so issued may please be endorsed, amongst others, to this Ministry.

  
( K. Srinivasan ) 66 109  
Addl. Secretary (KS)

QMG (Lt.Gen. Deepak Ajwani)

MOD ID No.4(1)/96/D(Q&C) dated 16.10.96.

N.O.O.

Copy to :-

DGDE