

No.11013/6/89/D(Lands)
Government of India
Ministry of Defence

NEW DELHI, the 11th June 2002.

To

The Chief of the Army Staff,
The Chief of the Naval Staff,
The Chief of the Air Staff,
New Delhi.

Sub: Use of Defence Land for Public Meetings Organised by Political Parties, for Religious/Social functions and other purposes.

Sir,

I am directed to refer to Ministry of Defence letter No.10(35)/79/D(Qtg) dated 13.11.1979, containing instructions regarding use of Defence land for public meetings organised by the political parties. As per this letter there should be no occasion to seek permission for utilising the Defence land for such purposes, if other suitable grounds for holding public meeting are available or if the land is situated inside Defence establishment or is being utilised for Defence purposes such as, for training purposes. The letter, however, also states that there may be cases when open land belonging to Defence Department may be the only ground available to accommodate large gatherings and in such cases the local Defence authorities may agree to the utilisation of such lands for holding political meetings subject to certain conditions.

2. This issue has further been examined in the Ministry and in amplification of the instructions contained in Ministry of Defence letter dated 13.11.1979, it has been decided that the requests for use of Defence land for public meetings organised by the political parties, for religious/social functions and other purposes may be dealt with in the following manner:-

- (a) As a rule, the Defence land classified as A-1 or analogous to A-1 shall not be allotted for any of the above purposes, even temporarily, except in very exceptional circumstances. In the exceptional circumstances if any A-1 Defence land or land analogous to A-1 is to be allotted, the prior approval of-

Ministry of Defence should be obtained. The requests seeking Ministry's approval should be forwarded along with recommendation of the competent Army Authority.

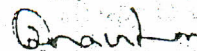
- (b) Where in the opinion of the District Magistrate/Deputy Commissioner, no suitable ground is available in the station or exceptional circumstances so warrant, for holding public meetings organised by political parties and religious/social functions, the defence land classified as A-2 or B-4 may be allotted on licence basis by the DEO or the Cantonment Board, as the case may be, in consultation with Local Military Authorities, where so required in accordance with and subject to the provisions of Rule 38/47 of the Cantonment Land Administration Rules, 1937.
- (c) Licence fee at the minimum of Rs.100/- per day, irrespective of the area, should be charged by the DEO from the licensee in case the land/ground is not to be put to any commercial use whatsoever. If, however, the land is to be put to commercial use like fairs and exhibitions etc. the rent twice the normal STR rent or equivalent in respect of land outside Cantonment areas shall be realised by the DEO or the Cantt. Board, as the case may be.
- (d) The land shall be restored to its original condition by the licensee at his cost before its vacation. The minimum security deposit of Rs.10,000/- shall be obtained by the DEO if the land is not to be put to any commercial use by the licensee. In case the land is to be put to commercial use, the security deposit of Rs.25,000/- shall be obtained by the DEO from the licensee. This will be adjusted towards the damages caused to the Govt assets, if any, or to meet the cost of restoring the land to its original condition, if not done by the licensee, and the balance amount refunded.
- (e) In case two or more political parties or religious/ social organisations need the same land for the same period, no discrimination in allotment between recognised political parties or religious/social organisations should be made and if the land can be allotted, it should be allotted on "first come first served based".

- (f) The applications of the concerned organisations would be considered by the DEO or higher authorities only if it is so recommended by the District Magistrate/Deputy Commissioner of the area.
- (g) The land shall be allotted only for the minimal necessary period normally not exceeding 3 days, except in case of the traditionally prescribed period for festivals like Ramilla or Kumbh.
- (h) The licence terms should be so stipulated that no permanent structures of any description are erected on the land and the site is restored to its original condition by the licensee at his cost before vacation.

3. The instructions contained in Ministry of Defence letter dated -13.11.1979 stand modified as above.

4. This issues with the approval of Ministry of Defence(Finance Division) vide their U.O. No.1311/F/W-1/2002 dated 10.6.2002.

Yours faithfully,



(LALIT CHAUHAN)

UNDER SECRETARY TO THE GOVT. OF INDIA

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