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URGENT
COURT

No.N 11025/26/2003-UCD
Government of India
Ministry of Urban Development
LSG Division

202, C-Wing, Nirman Bhawan,
New Delhi - 110011

5th September, 2016

OFFICE MEMORANDUM

Subject: Directions of High Court of Delhi via Order dated 18.1.2016 on WPC 6932/2014 - Delhi Cantonment Board Vs UOI (Railways) regarding Payment of Service Charges

Reference is invited to Cabinet Secretariat's I.D. No. 141/1/3/2015-TS dated 26.8.2016 on the aforementioned subject.

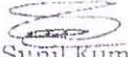
2. In this regard, the undersigned is directed to forward the recommendations made by the Ministry of Urban Development. As per the decision of COS in its meeting held on 5.4.2016, these recommendations are to be acceptable to both the parties.

3. The recommendations of Ministry of Urban Development are as under:-

- I. The DCB may apply the same criteria for valuation of the properties of Northern Railways which DCB is using to arrive at the rates of properties with regard to all other Government properties including Indian Army and Indian Air Force.
- II. The DCB, having calculated the valuation of the property as above may then apply the same rates and principles to arrive at the notional value of property tax that are being applied to other Government property including properties of Indian Army and Indian Air Force. Since Government properties are not required to pay any property tax, this notional value will be used to calculate the service charges by Northern Railways.
- III. The DCB may levy service charges (which is the minimum slab available) for the purpose of all arrears calculation up to the current financial year as per the Ministry of Urban Development's O.M. No. No.N-11025/26/2003-UCD dated 17.12.2009. (Annexure-III).
- IV. Northern Railways to make payments as per the demand raised above.

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3. Both the parties are requested to take immediate action as per the above recommendations. This Ministry may kindly be kept informed.


(Sunil Kumar Pal)

Under Secretary to the Govt. of India

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To

1. Shri B Reddy Sankar Babu Chief Executive Officer, Delhi Cantonment Board, Sadar Bazar Delhi Cantt-10
2. Shri Sanjay Lavania, Executive Director, Finance (Expenditure-1), Railway Board, Rail Bhawan, New Delhi -110001
3. Shri Vikas Kumar Sinha, Dy.GM (Law), Northern Railways Headquarters, Baroda House, New Delhi-110001, for necessary action.

Copy for kind information to:

1. Defence Secretary, Ministry of Defence, 101-A, South Block, New Delhi,
2. Chairman, Railway Board, Rail Bhawan, New Delhi,
3. Secretary (Expenditure), North Block, New Delhi
4. Joint Secretary (Coordination & Works), Department of Defence, 198-A, South Block, New Delhi
5. Shri Naresh Kumar, Under Secretary, Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.


(Sunil Kumar Pal)

Under Secretary to the Govt. of India