

New Delhi dated 20th Dec.1995

To

The Chief of Army Staff.
The Chief of Naval Staff.
The Chief of Air Staff.

Subject: Usage of temporarily surplus Defence Lands
for agricultural/horticultural purposes.

Sir,

I am directed to refer to this Ministry's letter No.11026/1/75/D(Lands) dated 10.5.1976 on the subject and to say that in supersession of the above it has been decided that:

(a) Land placed under the management of the Army, Navy and the Air Force, which is intended to be put to cultivation/let out for other commercial purposes, shall be placed under the management of the Defence Estates Officer concerned.

(b) (i)- Regimental centers/units shall not let out defence lands on lease/license or contract nor shall they engage any troop or private labour for agricultural cultivation. Where it is considered advantageous in Govt.interest to let the land out on lease/licence or contract or have it cultivated by security cleared private labour, the said land shall be placed under the management of the Defence Estates Officer concerned.

(ii) All revenues realised from Defence land/Defence Estates shall be deposited in the Govt.treasury so as to form part of the Consolidated Fund of India.

(iii) The provisions, as contained in (b) (i) &(ii) above, will, however, not apply to Soldiers' and Hospital Gardens- which have been so declared by Govt.under the Army Regulations.

(C) Where the land has been placed at the disposal of DEO for leasing out for agricultural purposes, the DEO shall proceed in accordance with the provisions contained in this Ministry's letter No.11013/1/76/D(Lands) dated 24.1.1977 as amended vide corrigendum dated 12.1.1988 subject to the following amendments:-

(i) The land shall be leased out initially for a term of 2 years which may be renewed for a further period of two years. Thereafter, the land shall be taken back and allotted to the next Ex-Serviceman as per the priority list maintained by the DEO concerned. Priority will be given to those Ex-serviceman who have not been granted any agricultural lease in the past so as to ensure that all Ex-servicemen are benefited equitably. After the expiry of the existing leases fresh leases/renewals will be governed by the revised policy.

(ii) Ex-Servicemen who are gainfully employed or are deriving income of more than Rs.2,000 p.m. from all sources including pension or who own 5 acres or more of irrigated land or 10 acres or more of non-irrigated land will be inelligible for lease of defence land.

(iii) The DEO will obtain NOC from the Local Military Authority(LMA) before the initial lease. It shall, however, not be necessary for him to obtain NOC for each subsequent renewal. He shall, however, take action in the prescribed manner for termination of lease on receipt of a firm and specific requirement of land for defence purposes from LMA.

Determination of Rent:-

The DEOs shall prepare and maintain a Standard Table of Rents on the analogy of the procedure prescribed for preparation of STR for non-agricultural (building sites) purposes inside the Cantonment. The STR so prepared for agricultural sites shall be revised every three years.

The STR shall be prepared based on the estimated annual crop value of the land- 1/3rd of the estimated value of the annual produce based on the average yield during the past three years of the area or of similar adjoining areas will form the basis for calculation of the STR for agricultural purposes. The rent for the land given on lease for agricultural purposes will be on the basis of this STR.

2. This issues with the concurrence of the Ministry of Defence(Finance) vide their I.D.No.1566/W I/95 dated 19.12.95.

Yours faithfully,



(Ram Dhari)

Under Secretary to the Govt. of India.

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