

**MINUTES OF ORDINARY BOARD MEETING OF THE BOARD HELD ON 30.01.2021  
AT 0900 HOURS IN THE OFFICE OF CANTONMENT BOARD AGRA.**

**PRESENT :**

- |     |  |   |                      |
|-----|--|---|----------------------|
| 1.  | Brig. P.K. Singh, SM, Station Commander              | - | President            |
| 2.  | Dr. Pankaj Mahinderu, Ward No. IV                    | - | Vice-President       |
| 3.  | Brig. Sameer Kumar, SEMO, MH Agra                    | - | Ex-Officio Member    |
| 4.  | Maj. Vijay Sharma, GE (West)                         | - | Ex-Officio Member    |
| 5.  | Col. Manish Marwah, Adm. Comdt.                      | - | Nominated Member     |
| 6.  | Lt. Col. Sudhir Gopi, AAG (Legal), HQ 50(I) Para Bde | - | Nominated Member     |
| 7.  | Smt. Raj Kumari, Ward No. I                          | - | Elected Member       |
| 8.  | Dr. Renu Mahinderu, Ward No. II                      | - | Elected Member       |
| 9.  | Smt. Vijay Laxmi, Ward No. III                       | - | Elected Member       |
| 10. | Shri Tariq Ahmad, Ward No. V                         | - | Elected Member       |
| 11. | Smt. Seema, Ward No. VI                              | - | Elected Member       |
| 12. | Shri Durgesh Upadhyay, Ward No. VII                  | - | Elected Member       |
| 13. | Shri Dilip Kumar, Ward No. VIII                      | - | Elected Member       |
| 14. | Ms. Jyoti Kapoor, IDES                               | - | CEO/Member Secretary |

**ABSENT :**

- |    |  |   |                  |
|----|--|---|------------------|
| 1. | Lt. Col. V.P. Singh, HQ 50(I) Para Bde | - | Nominated Member |
| 2. | Dr. Prabhakant Avasthi, PCS, Adm City  | - | Nominated Member |

**As per provision of section 12(9) of Cantonment Act 2006**

- |    |  |   |                 |
|----|--|---|-----------------|
| 1. | Shri. Haridwar Dubey, Hon'ble MP (Rajya Sabha)       | - | Special invitee |
| 2. | Prof. S.P. Singh Baghel, Hon'ble MP (Lok Sabha)      | - | Special invitee |
| 3. | Dr. G.S. Dharmesh, Hon'ble State Minister/ MLA, Agra | - | Special invitee |

**76. RESOLUTION:**

Considered and approved of GC Minutes with following observations and resolutions there upon:

7. Considered and discussed at length. Dr. Pankaj Mahinderu, VP raised the issue that there are many unauthorized constructions in the said property and action should be taken against them. CEO informed the Board that action as per provisions of the CA 2006 have been taken by the CB Office, and further implementation of all orders shall be made. The Board, resolved that DEO, Agra Circle may be requested to prepare a joint report along with the CEO, Agra in respect of all irregularities in the bungalow No 49, Taj Road, Agra

and all such bungalows under the DEO management, including details of unauthorized constructions and change of purpose involved. The CEO would correspond with the DEO on this within 3 working days and the report should be submitted within 45 days. Hence, resolved.

8. Considered and discussed at length. In view of the provision of the Cantonments Act 2006, as contained in *Chapter V*, the duty of assessment of property for tax purposes rests with the CEO as per Section 73 of Cantts Act 2006. Therefore the Board will not enter into the exercise of assessment of the property. The CEO pointed out that in the subject case, legal opinion was sought from the CBLA, and in accordance with that there was no legal requirement on the part of the assessing authority to refer the subject matter to the Board for re-hearing since the original decision was not that of the Board. Further, the provisions of section 79 of Cantts Act, 2006 are not applicable in the present case Since the CEO assessed the ARV afresh on the basis of a 'judicial order of remand' passed by the Appellate Authority i.e, Addl. District Judge, Agra. Hence, the ARV was fixed by the CEO under section 73(a) of Cantts Act, 2006 as per laid down procedure and in compliance of Court order under section 97 of Cantts Act and a notice of demand was also issued. It was also stated by the CEO that in the present case, a long drawn legal controversy leading to non- realisation of taxes has been resolved and an amount of Rs. 18 Lakhs towards tax dues has been realised upto 2020-21.

During the discussion, Dr. Pankaj Mahinderu, VP submitted a dissent note against the assessment in respect of B.No. 49, G.C. Shivhare Road, Agra Cantt (Torrent Office).

The Board considered and overruled the objections and resolved that, in view of the provisions of Cantts Act, 2006 as contained in Chapter V, the duty of assessment of property for tax purposes rests with the CEO as per the section 73 of Cantts Act, 2006. Therefore the Board will not enter into the exercise of assessment of the property.

9. Considered and discussed at length. Dr. Pankaj Mahinderu, VP raised the issue that there are many commercial activities going on in the said property and action shall be taken against them. CEO informed the Board that action as per provisions of the CA 2006 have

been taken by the CB Office, and further implementation shall be made. It was resolved that notices under Sec 244 of the Cantts Act 2006 be issued as applicable. The Board, hence resolved that DEO, Agra may be requested to prepare a joint report along with the CEO, Agra in respect of all irregularities in the bungalow No 49, Taj Road, Agra and all such bungalows under the DEO management, including details of unauthorized constructions and change of purpose involved. The CEO would correspond with the DEO on this within 3 working days and the report should be submitted within 45 days. Hence, resolved.

**77. RESOLUTION:**

Matter discussed at length. After long detailed deliberations it was decided that a committee will be constituted with GE (W), SEMO, Elected Member Ward No. V, Elected Member Ward No. VI along with the staff of Cantonment Board and this committee will submit their finding as on 04-02-2021 to the Cantonment Board office to be further tabled in the Special Meeting as scheduled, through the Member secretary.

**78. RESOLUTION:**

Matter discussed at length. After long deliberation PCB directed the GE (W) to scrutinize and evaluate the technical ground of the tender related documents and submit report before the next Special Meeting as scheduled, through the Member secretary.

**79. RESOLUTION:**

The agenda was discussed at length by the Board. After long detailed deliberation, Board resolved to invite fresh tender for the RO Water ATMs.

**80. RESOLUTION:**

Matter discussed at length. The proposed plan for overall Traffic Management of Sadar was put up by the CEO and presented before the Board by Revenue Supdt. During the discussion, Lt. Col. Harshvir Singh, OC Provost raised his concern for the safety of the pedestrians moving in Sadar Bazar area. The Board resolved that a deliberate review of the Sadar Bazar, to include safety, traffic management, traders' concern, health and hygiene may be discussed in the next Special Meeting as scheduled. Based on the

discussion, the way ahead for Sadar Bazar to include the contract for parking, contract for stalls and other services related to Food, Health will be tabled by the Office after incorporating views of OC Provost, Station Health Officer and SP Traffic/CO VIP.

The Board resolved that Rep. of Sadar Bazar Traders Association to be present during the next board meeting for deliberation upon the traffic management and parking arrangement of Sadar Bazaar.

**81. RESOLUTION:**

Matter discussed at length. The PCB stressed over the importance of conservancy contract, however before finalizing the new contract/ tender all existing complaints and issues to be examined. To prevent revenue loss and litigation in the future, the Board resolved that the Cantt. office should deliberately examined the tender and connected documents incorporating GE (W). Based on the recommendation of the report and after confirmation on the correctness of the documents for the fresh tender, future course of action will be decided.

The PCB also directed the Cantt Board office to initiate timely actions as per Annual Contract programme and deliberately formulate tenders incorporating the appropriate technical scope. Timely & deliberate action based on Annual Contract Programme will prevent revenue loss and litigations.

**82. RESOLUTION:**

Matter discussed at length. After long deliberation Board resolved that matter be taken up with the concerned State Govt. authorities and as per the norms under TTZ. During the discussion it was resolved that further study to be carried out before reaching a final decision and in the meantime, correspondence be made with concerned State Govt. authority. Any progress in this regard to be reported to the Board.

**83. RESOLUTION:**

Matter discussed at length. After long deliberation the Board resolved that to enhance environment, arboriculture, health and living of the Cantt population, a development plan for Sardar Patel Garden be initiated by the concerned Ward Member i.e. Dr. Renu Mahinderu, Ward No. II who will be presenting the proposal in consultation with Sadar Bazar Traders Association in next Special Meeting.

PCB opined that Sadar Bazar Traders Association shall also participate in discussion on beautification of Sardar Patel Garden and same will be discussed with

Elected Members in next Special Meeting. Dr. Renu Mahinderu, Elected Member Ward No. II was directed by PCB to forward a proposal beautification of Sardar Patel Garden in next meeting, through the Member Secretary.

During the discussion Smt. Raj kumari Elected Member, Ward No. I & Shri Tariq Ahmed, Elected Member, Ward No. V pointed out that in there ward parks are in very bad shape and cleaning of the same to be carried out by Sanitary Staff .

PCB directed to the Sanitary staff to clean all parks situated in Cantonment Area within a month.

**84. RESOLUTION:**

Matter discussed at length. After long deliberation, CEO pointed out that due to financial crunch, the board is not able to carry out repairing and maintenance work of SBI building exterior and also pointed out that an affidavit should be sought from SBI authorities to pay complete rent to the CB Office and follow up all terms and condition of lease. After that proposal shall be sent to Competent Authority for lease renewal as per previous CBR. PCB directed that estimated cost and expenditure in the ibid repair work to be put up in the next meeting along with the rent paid by the Bank and dues, if any.

**85. RESOLUTION:**

Matter discussed at length. The matter was explained in detail by Mr. Sheel Saurabh Singh, RTI/Legal Cell, CBA. He apprised the Board members about the legal implications and procedures, which is to be followed.

**GENERAL DISCUSSION POINTS :-**

1. Dr. Pankaj Mahinderu, Vice President raised few points which he mentioned were not included in agenda points to be discussed in meeting, accordingly the PCB asked the Vice President to raise the points, which were addressed by the PCB as follows:-
  - a) Unauthorised Construction and Change of Purpose in Bungalows. On this PCB directed that a comprehensive report shall be submitted with assistance DEO within 45 days as already resolved in the agenda point no. 76 of today's agenda.
  - b) Performance of Legal Advisor: PCB asked the competency of the legal advisor. It was unanimously informed that one legal advisor to the Cantt Board Mr Arvind Mishra is highly regarded and with very high reputation, competence experience

experience and has been instrumental in representing the Cantt Board for many years now.

- c) Performance of Legal Advisor: PCB stressed that legal advisor is judged on the basis of integrity and competency and further, desired to know about the performance integrity and competency of CBLA Sh. Arvind Misra. In response, Board was informed that CBLA Sh. Arvind Misra is credited of being the OSD of the then, His Excellency, the Governor of Uttar Pradesh, during the period w.e.f. 2008 to 2013. He has also been engaged as legal advisor to Station HQ, Dr. Bhim Rao Ambedkar University Agra, BSNL, SBI, Army School, and many other central as well as state authorities. Sh. Arvind Misra has been serving as legal advisor of the Cantonment Board since 1985, except the period during which he served as OSD to the ex-Governor of UP, looking after all miscellaneous civil cases. Under his able guidance, the Cantonment Board Agra did manage to win many significant cases. Some recent cases regarding payment of Property Tax by BSNL, Railway and Service Charges by Postal Department are worth noting in this regard.


Sd/-  
Member Secretary  
Cantonment Board, Agra  
(Jyoti Kapoor, IDES)

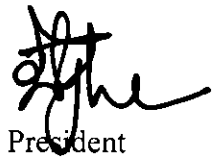
Sd/-  
President  
Cantonment Board, Agra  
(Brig. P.K. Singh, SM)

**DATED 30.01.2021**

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Member Secretary  
Cantonment Board, Agra  
(Jyoti Kapoor, IDES)

  
President  
Cantonment Board, Agra  
(Brig. P.K. Singh, SM)

**DATED 30.01.2021**

**MINUTES OF THE GENERAL COMMITTEE MEETING HELD ON 21.01.2021  
AT 11.30 HOURS IN THE OFFICE OF THE CANTONMENT BOARD AGRA.**

**PRESENT**

- |    |  |   |                        |
|----|--|---|------------------------|
| 1. | Dr. Pankaj Mahinderu, Vice President (Ward No. IV)   | - | Chairman               |
| 2. | Maj. Vijay Sharma, GE (West)                         | - | Ex-Officio Member      |
| 3. | Lt. Col. Sudhir Gopi AAG (Legal), HQ 50 (I) Para Bdc | - | Nominated Member       |
| 4. | Shri Tariq Ahmad, Ward No. V                         | - | Elected Member         |
| 5. | Shri Durgesh Upadhyay, Ward No. VII                  | - | Elected Member         |
| 6. | Smt. Seema Rajput, Ward No. VI                       | - | Elected Member         |
| 7. | Ms. Jyoti Kapoor, IDES                               | - | CEO / Member Secretary |

**ABSENT**

- |    |                                   |   |                   |
|----|-----------------------------------|---|-------------------|
| 1. | Brig. Sameer Kumar, SEMO, MH Agra | - | Ex-Officio Member |
|----|-----------------------------------|---|-------------------|

**7. DETAIL OF UNAUTHORISED CONSTRUCTION IN RESPECT OF B.NO. 49, G.C. SHIVHARE ROAD, AGRA CANTT.**

To consider letter dated 11-01-2021 submitted by Vice President / Chairman of General Committee Cantonment Board Agra and three Elected Members.

Reference CBR No. 73 (GC-05 dt. 24-12-2020) dated 29-12-2020 regarding issue of unauthorised constructions and tax / assessment in respect of B.No. 49, GC Shivhare Road, Agra Cantt.

It is stated that administrative action has already been taken by the Cantonment Board Agra in the matter of unauthorised construction.

**7. RESOLUTION :**

Matter discussed at length. Elected Members and Vice President were of differing opinions on the matter and on the point that this agenda should be brought before the Board. Hence, resolved to refer the matter to Board.



**8. DETAIL OF ASSESSMENT IN RESPECT OF B.NO 49, G.C. SHIVHARE ROAD, AGRA CANTT.**

To consider letter dated 11-01-2021 submitted by Vice President / Chairman of General Committee Cantonment Board Agra.

Reference CBR No. 73 (GC-05 dt. 24-12-2020) dated 29-12-2020 regarding issue of unauthorised constructions and tax / assessment in respect of B.No. 49, GC Shivhare Road, Agra Cantt.

In this regard it is informed that the assessment list for every triennial assessment period is prepared by the Chief Executive Officer, Cantt. Board, Agra as per the Section 75 of Cantt. Act, 2006 after duly assessing all properties as per the provision of Section 73 of the said act and the same is authenticated by the signature of the Chief Executive Officer and President, Cantt. Board, Agra after disposal of all objections and revision of the evaluation and completion of assessment in this regard.

Moreover, there is no provision in the Cantt. Act 2006 or Business Regulations or byelaws for the evaluation of assessment list by the General Committee.

It is stated that administrative action has already been taken by the Cantonment Board Agra in the matter of taxation.

**8. RESOLUTION :**

Matter discussed at length. Elected Members and Vice President were of differing opinions on the matter and on the point that this agenda should be brought before the Board. Hence, resolved to refer the matter to Board.

**9. DETAILS OF NOTICES UNDER SECTION 244 (CHANGE OF PURPOSE) IN CANTT. AGRA**

To consider letter dated 11-01-2021 received from Vice President and three Elected Members regarding change of purpose notice under Section 244 of Cantt. Act, 2006.

In this regard it is informed that this office has issued notice under section 244 of Cantt. Act, 2006 in all those cases wherein change of purpose is reported in contravention to the permitted use of a property/household. Whenever such cases are reported before the office, action is taken as per the provisions of Cantt. Act, 2006 and CBR No. 110 dated 19-10-2013, passed in this regard.

Afterwards, the cases are referred to the Judicial Magistrate, having jurisdiction in Cantonment area, for suitable penalty in this regard. As per record 232 cases have already been referred to Distt. Court in due process and this practice is going in continuation as and when change of purpose is reported by the outdoor staff.

9. RESOLUTION :

Matter discussed at length. Elected Members and Vice President were of differing opinions on the matter and on the point that this agenda should be brought before the Board. Hence, resolved to refer the matter to Board.



Member Secretary  
General Committee  
Cantonment Board, Agra  
(Jyoti Kapoor, IDES)



Chairman  
General Committee  
Cantonment Board, Agra  
(Dr. Pankaj Mahinderu)

**Dated 21-01-2021**