

MINUTES OF THE CIVIL AREA COMMITTEE MEETING HELD ON 23.08.2018. AT 11.00 HOURS IN THE OFFICE OF THE CANTONMENT BOARD AGRA.

PRESENT

- | | | | |
|-----|--|---|-------------------|
| 1. | Dr. Pankaj Mahinderu, Ward No. IV | - | Chairman |
| 2. | Brig. Prerak Mittal, SEMO, MH Agra | - | Ex-Officio Member |
| 3. | Shri Kaushallendra Kumar, GE (East) | - | Ex-Officio Member |
| 4. | Smt. Raj Kumari, Ward No. I | - | Elected Member |
| 5. | Dr. Renu Mahinderu, Ward No. II | - | Elected Member |
| 6. | Smt. Vijay Laxmi, Ward No. III | - | Elected Member |
| 7. | Shri Tariq Ahmad, Ward No. V | - | Elected Member |
| 8. | Smt. Seema, Ward No. VI | - | Elected Member |
| 9. | Shri Durgesh Upadhyay, Ward No. VII | - | Elected Member |
| 10. | Shri M. Venkat Narasimha Reddy, C.E.O. | - | Member Secretary |

ABSENT

- | | | | |
|----|-------------------------------------|---|-------------------|
| 1. | Shri Kaushallendra Kumar, GE (East) | - | Ex-Officio Member |
| 2. | Smt. Raj Kumari, Ward No. I | - | Elected Member |
| 3. | Shri Dilip Kumar, Ward No. VIII | - | Elected Member |

9. MUTATION

To consider mutation application dated 14.02.2015, received from Smt. Kunti Devi W/O Late Shri Dev Raj Nangia. Applicant has been requesting for mutation in G.L.R. and tax record in respect of H. No. 100-103, Sadar Bazar Agra Cantt. Applicant has applied for an area measuring 4548 SqFt, Comprising G.L.R. Sy. No. 233/188, classified B-3, old grant, inside civil area. Applicant claims that mutation be effected in her favour on basis of memorandum settlement amongst legal heirs/successors of Late Shri Dev Raj Nangia dated 19.12.2011.

Technical report is as under :-

As per G.L.R. the recorded area of Sy. No. 233/188 Sadar Bazar Agra Cantt is 4548 SqFt. Area at site is also 4548 SqFt The land is classified as B-3, Old grant land situated within notified civil area, under the management of Cantt. Board Agra.

1. There is no encroachment on Govt. land.
2. There is no unauthorized construction.
3. There is no change of purpose.
4. Regarding Sub-division of site due to common passage. Cantonment Board Legal Advisor was asked to give his legal opinion. C.B.L. A. vide his letter dated 31.01.2018 has forwarded his legal opinion as under :

- (i) A combined and composite of the sale deeds discloses that the common passage towards east of H. No.100-101 (102-103 Part) has been transferred to Smt. Kunti Devi and the Occupancy Right vest in her exclusively.
- (ii) The common passage towards east of the H. No.100-101, Sadar Bazar is part and parcel of H. No.100-103, Sadar Bazar and the Occupancy Right vests absolutely in Smt. Kunti.

Devi and there is no Sub-division of site. In view of the fact that there is no claim adverse to that of Smt. Kunti Devi, the question of Sub-division does not arise.

Mutation notice was published in local newspaper in 22.05.2018 for inviting objection. In response there to any objection has not been received.

Mutation may be effected in favour of applicant on basis of documents submitted by her.

Committee may take decision in the matter.

All connected paper are placed on table.

RESOLUTION

9. Considered and approved.

10. MUTATION

To consider mutation application dated 24.06.2008, received from Shri Atul Mahajan Shri Mukul Mahajan Sons of Shri Mahendra Pal Mahajan. Applicants have been requesting for mutation in G.L.R. and tax record in respect of H. No.706E & 707, Sadar Bazar Agra Cantt. Applicants have applied for an area measuring 884 SqFt, Comprising G.L.R. Sy. No.233/265, classified B-3, Old Grant, inside civil area.

Applicants claim that mutation be effected in their favour on basis of Regd. Sale deed dated 10.11.2006.

Technical report is as under :-

1. Site inspected, the above site falls on G.L.R. Sy. No.233/265, classified as B-3 old grant, inside of civil area.
2. There is no encroachment on Govt. land
3. (a) Area as per site plan – 884 SqFt
(b) Area as per site – 884 SqFt
(c) Area as per G.L.R. – 884 SqFt
4. Change of purpose is not involved.
5. Unauthorized construction is not involved.
6. Sub-division of site is not involved.

Mutation notice was published in local newspaper in 22.05.2018 for inviting objection. In response there to any objection has not been received.

Now party has not taken permission for Sale/Purchase being a B-3, old grant land. In these circumstances ex-post facto sanction may be granted by the C.AC/Board in R/o mutation effected in favour of applicants in G.L.R. & Tax record.

Committee may take decision in the matter.

All connected paper are placed on table.

RESOLUTION

10. Considered and resolved to refer the matter to Board for grant of ex-post facto sanction/condonation for transfer of old grant rights after obtaining legal opinion from CBLA on the matter. At this stage, mutation may be recommended for Tax Purpose only.

11. MUTATION

To consider mutation application dated 24.06.2008, received from Shri Atul Mahajan & Shri Mukul Mahajan Sons of Shri Mahendra Pal Mahajan. Applicants have been requesting for mutation in G.L.R. and tax record in respect of H. No.708, Sadar Bazar Agra Cantt. Applicants have applied for an area measuring 1937 SqFt, Comprising G.L.R. Sy. No.233/258, classified B-3, Old Grant, inside civil area.

Applicants claim that mutation be effected in their favour on basis of Regd. Sale deed dated 10.11.2006.

Technical report is as under :-

1. Site inspected, the above site falls on G.L.R. Sy. No.233/258, classified as B-3 old grant, inside of civil area.
2. There is no encroachment on Govt. land
3. (a) Area as per site plan – 1937 SqFt
(b) Area as per site – 1937 SqFt
(c) Area as per G.L.R. – 1937 SqFt
(d) Area as per Sale deed – 186.04 SqM or 2002.58 SqFt.
4. Change of purpose is involved.
5. Unauthorized construction is involved.
6. Sub-division of site is not involved.

Regarding change of purpose, Notice u/s 244 of C. A. 2006 has already been issued and in respect of unauthorised constructions, applicants have submitted an affidavit by giving undertaking that they are responsible bear result of unauthorised construction.

Mutation notice was published in local newspaper in 22.05.2018 for inviting objection. In response there to any objection has not been received.

Now party has not taken permission for Sale/Purchase being a B-3, old grant land. In these circumstances ex-post facto sanction may be granted by the C.AC/Board in R/o mutation effected in favour of applicants in G.L.R. & Tax record.

Committee may take decision in the matter.

All connected paper are placed on table.

RESOLUTION

11. Considered and resolved to refer the matter to Board for grant of ex-post facto sanction/condonation for transfer of old grant rights after obtaining legal opinion from CBLA on the matter. With reference to unauthorized construction and change of purpose. Party be informed to rectify violations immediately.

Sd/-

Member Secretary
Civil Area Committee
Cantonment Board, Agra
(M. Venkat Narasimha Reddy)

Sd/-

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

Dated 23-08-2018