

**PROCEEDING OF ORDINARY BOARD MEETING OF CANTONMENT BOARD, KASAULI  
HELD ON 08.09.2017 AT 1230 HOURS IN THE OFFICE OF CANTONMENT BOARD,  
KASAULI:**

**MEMBERS:**

1. Brig. Deepak Sharma,SM..... Stn Cdr.....President.....Present
2. Sh. Jaspreet Singh.....Vice-President.....Present
3. Sh. Anuj Goel.....C.E.O.....Member Secretary.....Present
4. Sh. Keshva Ram Koli.....Executive Magistrate.....Absent
5. Col Manpreet Rai.....OC MH.....Health Officer.....Present
6. Col Sanjay Kharbanda .....Nominated Member.....Present
7. Sh. Rohit Gupta.....GE,MES.....Present
8. Smt. Sakshi Sharma.....Elected Member.....Present
9. Sh. Devinder Kumar Gupta.....Elected Member.....Present
10. Smt. Krishna.....Elected Member.....Present
11. Sh. Rajeev Bharti.....Elected Member.....Present
12. Sh. Narender Kumar.....Elected Member.....Present

**AGENDA:**

**(A) CANTT ADMN:**

**(B)**

45. **REVIEW OF PROCEEDING OF BOARD MEETING HELD ON 21.6.2017:**

To consider and review the proceedings of the Board meeting held on 21.6.2017. A brief statement showing the action taken on resolutions is placed on the table.

**RESOLUTION:**

45. Board considered and approved.

46. **REVIEW OF PROCEEDING OF BOARD MEETING HELD ON 12.7.2017:**

To consider and review the proceedings of the Board meeting held on 12.7.2017. A brief statement showing the action taken on resolutions is placed on the table.

**RESOLUTION:**

46. Board considered and approved.

47. **MONTHLY ACCOUNT:**

To consider and approve the monthly account of receipt paid into and expenditure made from Cantt Fund during the months of June,2017 & July,2017. The details of accounts are as under:-

	<b><u>June,2017</u></b>	<b><u>July,2017</u></b>
(1) Opening Balance	Rs.129266243/-	Rs.125717986/-
(2) Receipt during the month	Rs. 2437769/-	Rs. 5387442/-
Total:-	----- Rs.131704012/-	----- Rs.131105428/-
Expenditure during the month	Rs. 5986026/-	Rs. 5883303/-
Closing balance	Rs. 125717986/-	Rs.125122125/-
Total:	----- Rs.131704012/-	----- Rs.131105428/-

The monthly account is placed on the table.

**RESOLUTION:**

47. Board considered and noted.

48. **E-TENDER FOR ECO-FRIENDLY BIO-TOILET:**

In pursuance to the directions received from the higher authority regarding provision of bio-toilets in Cantt areas, the Cantonment Board,Kasauli invited e-tenders through electronic tendering system under two-bid system from the experienced and eligible supplier/agencies/manufacturers for supply, installation and commissioning of biodigester toilet in Kasauli Cantt upto 07.8.2017. The E-tender notice was published in Hindi and English News paper i.e. "The Dainik Bhashakar" and "The Indian Express" on 25.7.2017. In response to the advertisement, only two bids were received in the office of Cantonment Baord,Kasauli within due date. Tenders so received were opened by the committee constituted for the purpose on 10.8.2017. The comparison of rates quoted by the firm is as under:-

S.No.	Name of Firm	Description	Cost per Unit
1	M/S ELEFO Biotech Pvt Ltd.,Gurgaon	Supply,erection and commissioning of Bio-Toilets with Biodigester Technology of DRDO	Rs. 65,000/- only
2.	Surbhi Gramin Vikas Samiti,Haldwani	-----do-----	Rs.2,14,999/- only

The tenders alongwith whole case file is placed on the table.

**RESOLUTION:**

48. Board considered the matter. Board resolved to approve the lowest rate amounting to Rs.65,000/- only quoted by M/S ELEFO Biotech Pvt Ltd.,Gurgaon for the supply,erection and commissioning of Bio-Toilets with Biodigester Technology of DRDO. Board also resolved to purchase two Nos of bio-toilets from the firm for the installation of the same in Cantt areas. CEO apprised the Board that the Govt. rate of bio-toilet is also available at GEM. After detailed discussion in the matter, Board resolved that four group bio-toilets be purchased from GEM.

49. **PURCHASE OF SUNDRY ARTICLES DURING THE YEAR 2017-18:**

To consider and approve the lowest rates quoted by the various firms for the purpose of sundry articles to Cantonment Board, Kasauli during the year 2017-18. The item wise rate of sundry articles were invited through electronic tendering system under two-bid system from the experienced and eligible supplier/agencies etc duly published the notice in Hindi and English News papers upto 26.7.2017. In response to the advertisement, three online tenders were received in the office of Cantonment Board, Kasauli within due dates. The tenders were opened by the committee constituted for the purpose on 02.8.2017. The following three firms have quoted rates for supply of electric items, public works items, sanitation & garden items and water supply items:-

<b>S.No.</b>	<b>Name of Articles</b>	<b>Name of Firms</b>
1.	Electric Items	M/S Vinod Kumar Bansal, Kasauli M/S Sagar Sons, Kasauli Road, Garkhal M/S Mittal Traders, Dharampur
2.	Public Works Items	M/S Vinod Kumar Bansal, Kasauli M/S Sagar Sons, Kasauli Road, Garkhal M/S Mittal Traders, Dharampur
3.	Sanitation & Garden Items	M/S Vinod Kumar Bansal, Kasauli M/S Sagar Sons, Kasauli Road, Garkhal M/S Mittal Traders, Dharampur
4.	Water Supply Items	M/S Vinod Kumar Bansal, Kasauli M/S Sagar Sons, Kasauli Road, Garkhal M/S Mittal Traders, Dharampur

The sundry articles will be purchased as and when required during the year within the availability of funds under different budget heads for the year 2017-18.

The tenders in original alongwith comparative statements of rates quoted by the firms are placed on the table.

**RESOLUTION:**

49. Board considered and approved the lowest rates quoted by various firms for supply of electric, public works, sanitation garden and water supply items to Cantt Board, Kasauli for the year 2017-18. The Board resolved that articles be purchased from the concerned firms within the availability of funds.

50. **TENDER FOR MEDICINES:**

To consider the matter regarding purchase of medicines to be used in Cantt General Hospital, Kasauli during the year 2017-18. In this connection, rates of medicines as per requisition received from the RMO, CGH, Kasauli were invited through electronic tendering system from the reputed firms/agencies duly published the tender notice in Hindi and English News Papers. The online financial bids were invited during the period 22.7.2017 to 04.8.2017. Similarly, the technical bid was required to be submitted in the office of Cantt Board, Kasauli w.e.f. 05.8.2017 to 09.8.2017. In accordance with the terms of E-tender Notice, the date and time for opening the technical bids was fixed on 10.8.2017 at 1100 hours.

In response to the advertisement, two technical bids were received within due dates. The technical bids were opened on 10.8.2017 at 1100 hours by the committee constituted for the purpose. The technical bid documents so received were scrutinized properly and found correct. Accordingly, on completion of the process of technical bids, the online two financial bids were opened on the same date at 1500 hours by the committee. The following firms have quoted the rates for supply of medicines as under:-

S.No.	Description	Name of Firm	Remarks
1.	Purchase of medicines	M/S Snehal Pharma and Surgicals Pvt. Ltd. Nagpur	Out of 111 medicines items, Firm has quoted rates only for 9 items
2.	-----do-----	M/S Lovish Healthcare, Zirkpur (pb)	Out of 111 medicines items, Firm has quoted rates only for 9 items

The tenders in original alongwith whole case file is placed on the table.

**RESOLUTION:**

50. Board considered the matter. CEO apprised the Board that after re-inviting the tenders through E-tendering system, only two firms have quoted the rates. Out of 111 medicines items, both the firms have quoted the rates for 09 medicine items only as mentioned at agenda side. After detailed discussion in the matter, Board resolved that quotations for the purchase of rest medicine items be re-invited and placed before the next Board meeting for consideration. Board also approved the lowest rates quoted by both the firms for purchase of medicines.

51. **IMPLEMENTATION OF JANNI SISHU SUREKASHA KARYAKRAM:**

To consider the matter regarding implementation of JSSK in Cantonment Board General Hospital, Kasauli. The higher authorities also directed to implement the all schemes i.e. JSY, JSSK, RBSK under National Health Mission in Cantt General Hospital/Dispensary for residents of Cantts and adjoining areas. In this connection, the RMO, CGH, Kasauli vide letter dated 04.8.2017 has intimated that as per guidelines under JSSK, all the investigation and treatment alongwith free medicines, are to be provided to the pregnant mothers and children under one year of age. Further free facilities of ambulance for referral or to drop at home for all pregnant mothers is also to be provided under the said JSSK scheme.

The RMO letter alongwith whole case file is placed on the table.

**RESOLUTION:**

51. Board considered the matter and resolved that as per guidelines under JSSK, all the investigation and treatment alongwith free medicines, etc as are available with Cantt General Hospital, Kasauli be provided to the pregnant mothers and children of one year of age. Board also resolved that free of cost facilities of ambulance for referral and for pick and drop for all pregnant mother be also provided under the said JSSK scheme. Board further resolved that free emergency services of ambulance for all females and children below eight years of age residing within Cantt limits and adjacent to Cantt limits be also provided.

52. **GRANT OF 2<sup>ND</sup> INTERIM RELIEF TO THE EMPLOYEES OF CANTT BOARD, KASALI AT PAR WITH THE EMPLOYEES OF THE GOVT. OF H.P.**

To consider the matter regarding grant of 2<sup>nd</sup> interim relief @ 4% of Basic Pay to Cantt Board employees, Kasauli as sanctioned by the H.P.State Govt. to their employees w.e.f. 01.8.2017 vide notification No.Fin(PR)-B(7)-1/2016, dated 04.8.2017. In accordance with the Memo. Of settlement the Cantonment Board employees are also entitled for the payment of 2<sup>nd</sup> interim relief at par with the State Govt. employees. There will be an extra expenditure of Rs.41,000/- P.M. only w.e.f. 01.8.2017. The provision has been made in the relevant heads of Budget Estimates for 2017-18(R).

The Govt. notification alongwith whole case file is placed on the table.

**RESOLUTION:**

52. Board considered and resolved that the 2<sup>nd</sup> Interim Relief @ 4% of Basic Pay be made available to Cantt Board employees w.e.f. 01.8.2017 with the prior sanction of GOC-in-Chief, the Command.

53. **E-TENDER FOR COLOR CODED PVC DUSTBINS:**

To consider the matter regarding purchase of color coded PVC dustbins for distribution of the same to the residents of Kasauli Cantt on account introduction of Solid Liquid Resource Management (SLRM) in Kasauli Cantt and using the separate dustbins for bio-degradable and non-biodegradable wastes by the households. The Cantt Board invited the tenders from the various firms through E-tendering system duly published the advertisement in Hindi and English News Paper upto 27.7.2017. Only two technical bids were received within due dates. Accordingly, the tenders for supply of 3000 Nos of color coded PVC dustbins comprising 10 Ltr, 15 Ltr and 20 Ltr of capacity were re-invited through E-tendering system duly advertising the notice in Hindi and English News papers. Only one tender received on due date. The online financial bids were invited during the period 02.8.2017 to 16.8.2017. Similarly, the technical bid was required to be submitted in the office of Cantt Board, Kasauli w.e.f. 17.8.2017 to 21.8.2017. In accordance with the terms of E-tender Notice, the date and time for opening the technical bids was fixed on 22.8.2017 at 1100 hours.

In response to the advertisement, one technical bid was received within due dates. The technical bid was opened on 22.8.2017 at 1100 hours by the committee constituted for the purpose. The technical bid documents so received were scrutinized properly and found correct. Accordingly, on completion of the process of technical bid, the online financial bid was opened on the same date at 1500 hours by the committee. M/s Neelkamal Ltd., Dadra & Nagar Haveli has quoted the rates for supply of color coded dustbins as under:-

S.No.	Description	Quantity	Rate quoted
1	PVC dustbins 10 Ltr	3000 Nos	Rs. 95.00 each
2.	PVC dustbins 15 Ltr	3000 Nos	Rs.160.00 each
3.	PVC dustbins 20 Ltr	3000 Nos	Rs.212.00 each

The whole case file is placed on the table.

**RESOLUTION:**

53. Board considered the matter. CEO apprised the Board that the rates of color coded dustbins are lower side on GEM than the rates quoted by the firms as mentioned at agenda side. The Board resolved that the color coded dustbins be purchased through GEM after following the due procedure in this regard. CEO is authorized to purchase the color coded dustbins through GEM within the availability of funds under relevant head of Budget Estimates 2017-18.

54. **COURT CASE: NIRBA ASSOCIATES V/S UoI & OTHERS:**

To consider the matter regarding defending the court case filed by M/S Nirba Associates, Solan vide CWP No.1654 of 2017 in the Hon'ble High Court at Shimla regarding allotment of barrier tender to the petitioner. The draft reply has been submitted to the ASG, Govt. of India, H.P. High Court Shimla for vetting. The case was listed before the Hon'ble Court on 08.8.2017. The Hon'ble Court directed that it shall be open for the petitioner to participate in the tender, but the same shall not be finalized without leave the Court.

The relevant file is placed on the table.

**RESOLUTION:**

54. Board considered the matter. Board resolved that the case be defended in the Hon'ble Court on behalf of Cantt Board through ASG, Govt. of India or through engaging any other counsel. CEO is authorized to engage counsel and to incur necessary expenditure in this regard.

55. **TRADE LICENSE UNDER SECTION 277 OF CANTTS ACT, 2006.**

To consider and approve the matter regarding issue of trade licenses to shopkeepers/Hotels etc. from Sl.No.30 to 64 of Trade License Register under Section 277 of Cantonments Act, 2006 for the year 2017-18. The application of trade licenses verified by the RMO, Cantt General Hospital and AHO, MH, Kasauli alongwith license register is placed on the table.

**RESOLUTION:**

55. Board considered the matter. Board approved to issue trade licenses to shopkeepers/hotel/stall etc. from Sl.No.30 to 64 as required under Section 277 of Cantts Act, 2006. The President, Cantonment Board stated that at Chhota Bus Stand, Kasauli the license was issued to the licensee for running rehri only, but the licensee has encroached the surrounding area and there is no rehri on spot. The President, Cantt Board further directed to ask the licensee to run the trade on rehri for which the license was issued failing which the shop will be closed under Rules and no further license be issued.

56. **PAYMENT OF ENHANCED EMOLUMENTS TO CONTRACT TEACHERS:**

Reference CBR No.86 dated 24.10.2016.

To consider the representation dated 28.6.2017 received from contract teachers, Cantt Board, Kasauli requesting to pay the arrear of enhanced emolument. The Board vide CBR referred to

above resolved to obtain opinion from the ASG, Govt. of India, H.P. High Court, Shimla whether the enhanced salary be given to the contract teachers w.e.f. May, 2014 i.e. from the date of the enhanced salary is given to the TGT (Non-Med) engaged through outsource agency or w.e.f. 01.4.2016 ? As decided by the Board, the ASG, Govt. of India, H.P. High Court was requested to provide the legal opinion and discussed the matter telephonically with the ASG, Govt. of India in this regard, but the opinion has not yet been received. The contract teachers again requested for early payment of arrear to this office.

To consider the action to be taken in the matter. The whole case file is placed on the table.

**RESOLUTION:**

56. Board considered the matter in detail. The President, Cantonment Board stated that the emoluments which were given to the contract teacher was in accordance with the agreement executed with Cantt Board. The contract teachers are not entitled to claim arrears of previous pay since they have already executed the agreement with Cantt Board in this regard. Further the Cantt Board, Kasauli being an aided Board is not in the position to pay the huge amount of arrears to contract teachers. Board resolved the same.

57. **FRAMING OF BUILDING BYE -LAWS OF KASAULI CANTONMENT**

Reference CBR No. 24 dated 24-05-2017.

In accordance with the decision contained in the above referred CBR, the draft building Bye-Laws was submitted to the Dte, DE WC, Chandigarh vide this office letter No.CBK/Act/1-190, dated 31.05.2017. During scrutiny of building Bye-Laws at the level of Dte, DE, WC, various shortcomings were observed vide their letter dated 19-06-2017 that instructions issued vide DG, DE/Dte DE have not been followed properly while preparing the draft Building Bye-Laws. The DG, DE /Dte, DE has again directed the Cantonment Board to submit Draft Building Bye-Laws in accordance with the Guidelines approved by the Ministry of Defence and circulated vide DG, DE letter dated 23-05-2016. In view of above the committee has again re-examined/finalized the Model Draft Building Bye-Laws of Kasauli Cantonment on 25-08-2017.

The Board may consider the Draft Building Bye-Laws prepared by the committee in respect of Kasauli Cantonment Board based on specific requirements and as per guidelines issued by the DGDE, Govt. of India, Ministry of Defence, New Delhi vide letter No.12/1/BLDG BYE-LAWS/GEN/C/DE/2015 dated 23<sup>rd</sup> May, 2016 as required under Section 251 read with Section 350 of the Cantonments Act, 2006.

The relevant file alongwith draft of updated/revised Model Building Bye-Laws of Kasauli Cantonment is placed on the table for consideration of the Board.

**RESOLUTION:**

57. Board re-considered the matter. Board resolved that draft Building Bye-Laws in respect of Cantonment Board, Kasauli as prepared in the light of guidelines issued by the DGDE, Govt. of India, Ministry of Defence, New Delhi be forwarded to Dte, DE, WC for perusal and onward submission for vetting from higher authorities. Board resolved that the building bye-laws be got translated in hindi from any expert agency for submission of the same to the higher authorities alongwith Gazette notification. CEO is authorized to incur necessary expenditure on account of translation of building bye-laws in Hindi.

58. **PROCUREMENT UNDER G.F.R.2017**

To consider and approved the matter regarding following the procedure for the procurement of articles under General Financial Rules,2017.

**RESOLUTION:**

58 Board resolved to note the new GFR 2017 (the GFR). Its provision are deemed to be applicable to autonomous bodies under Rule 1 except to the extent bye-laws provide for separate financial rules approved by the Gobvt. In view thereof, the provisions of the GFR are deemed to be applicable to Cantt Boards also subject to the provisions of the Cantt Act,2006 (the Act) & the Cantts Account Code (the code) 1924. The Board also resolved to note the revised guidelines issued on the subject by the DGDE. In this regard the Board also resolved to constitute a local purchase committee for procurement of stores a bove Rs.50,000/- and below Rs.2,00,000/- as under:-

(a) **PWD,ELECTRICT,SANMITATION AND OTHR STORE ARTICLES:**

1. Sh. Satish Kumar,JE
2. Sh. Hem Raj,Jr.Asstt.
3. Sh.H.S.Rana,Sanitary Inspector

(b) **MEDICINES:**

1. Dr.Shivani Gupta, RMO
2. Sh.Satish Kumar,JE
3. Sh. H.S.Rana,S.I.

(c) **I.T.**

1. Sh. Kapil Chauhan,C.P.
2. Sh.Satish Kumar,JE
3. Sh.Hem Raj,Jr.Asstt.

Sh.Naresh Kumar,Acctt, Sh. Raj Kumar,Jr.Asstt. and Smt. Neelam Negi,Clerk will be appointed as the member of committee in case of absence of any above named employee. The local purchase committee will be the same for procurement upto Rs.50,000/-.

59. **VISIT OF HON'BLE RAKSHA MANTRI,GOVT. OF INDIA – KASAULI CANTT:**

To consider and note the visit of Hon'ble Raksha Mantri,Govt. of India to Kasauli Cantt. The DGDE vide letter No. 76/68/ODF/C/DE/16, dated 22.8.2017 intimated that Hon'ble Raksha Mantri, Govt. of India has given his kind consent to felicitate the Cantonment Boards in Western Command who have achieved ODF certification, by way of distribution of ODF certificates to the concerned PCBs/CEOs at public function scheduled to be held on 16.9.2017 at Kasauli Cantt. During the visit of Hon'ble Raksha Mantri, important arrangements are required to be carried out for which the Board approval of the Board to incur the necessary expenditure to carry out the arrangements/works etc is required.

The whole case file is placed on the table.



**RESOLUTION:**

59. Board considered the matter in detail. CEO apprised the Board that as communicated by higher authorities, Hon'ble Minister of Finance, Govt. of India and Hon'ble Minister of Defence, Govt. of India have given their kind consent to felicitate the Cantonment Boards of Western Command who have achieved ODF certification by way of distribution of ODF certificates to the concerned PCBs/CEOs at public function scheduled to be held at Kasauli on 16.9.2017. Officers from Ministries DGDE, PDDE, HQ WC and all CEOs, PCBs, VPs, Elected Members, DEOs and other eminent citizens of each Cantt Board will also participate in the said public function for which all the arrangements to organize the function is required to be done by Cantt Board. After detailed discussion in the matter, Board resolved to authorize the CEO to incur necessary expenditure on account of making arrangements for the said public function.

60. **PROGRESS OF WORKS:**

To consider the matter regarding progress on various works being executed through approved Term Contractor 2017-18. The statement showing the progress on each work as on date is placed on the table.

**RESOLUTION:**

60. Board considered the matter. The President, Cantonment Board asked that during next meeting the list of progress of works duly mentioning the percentage of work carried out against each work be forwarded with the agenda items for perusal of the members of the Board.

61. **NEW WATER CONNECTION;**

Reference CBR No.139 dated 24.3.2017.

In accordance with the decision taken by the Board vide CBR referred to above all elected members submitted the list for grant of water connection to this office. The list was verified on ground by Col Sanjay Kharbanda, SSO, nominated member Cantt Board, Kasauli and Jr. Engineer of this office. The Stn Hqrs, Kasauli vide letter No.217/2/Q, dated 12.8.2017 intimated that Ward members be asked to forward priority-1, 2 and 3 on the same list.

The priority wise list duly submitted by the Elected Members, Cantt Board, Kasauli in the subject matter is placed on the table.

**RESOLUTION:**

61. Board considered the list of water connection duly recommended by all the elected members. The Board observed that the list so placed on the table are not in order as 1 elected members have recommended more than two water connections. After detailed discussion in the matter, Elected Members requested the Board that an additional time of one week be given to prepare the fresh water connection list for onward submission to Cantt Board Office. The President, Cantt Board, Kasauli asked to provide the new list to the office of Cantt Board, Kasauli by 15.9.2017.

62. **NOTICE OF VOLUNTARY RETIREMENT:**

To consider notice of voluntary retirement under Rule 48-A of CCS(Pension) Rules,1972 tendered by Sh. Pardeep Kumar,Tax Inspector, Cantt Board,Kasauli.

The notice dated 01.9.2017 is placed on the table.

**RESOLUTION:**

62. Board considered and resolved to approve the notice of voluntary retirement given by Sh.Pardeep Kumar,Tax Inspector. Board resolved that the pension papers of the individual be got prepared and official be relieved from the services of Cantt Board,Kasauli on due dated i.e. 30.11.2017.

63. **EXECUTION OF WORKS:**

To consider and approve the matter regarding execution of following maintenance and repair works to be executed through approved Term Contractor during 2017-18:-

S.No.	Name of work	Estimated Amount
1.	Improvement of road burms by provision of paver near Church Chowk	Rs. 2,70,000/-
2.	Provision of shed for the segregation of solid waste by dismantling old store and improvement of existing toilet near nalah opposite Cantt Park,Market Bazar,Kasauli	Rs.10,00,000/-
3.	Improvement of Cantt Barrier by provision of pre-painted GI sheets and platform for the water tank and other Misc.improvement.	Rs. 1,50,000/-
4.	Provision of garage at C.B.Hospital near existing qtrs for new Ambulance.	Rs. 3,50,000/-
5.	Improvement of Cantt Board Office gate, passage and side wall/railing etc.	Rs.1,75,000/-

**RESOLUTION:**

63. Board considered and approved all the estimates placed on the table and works carried out. Board resolved that the remaining work be executed through concerned term contract approved by the Board during 2017-18 within the availability of funds under relevant budget head of estimates 2017-18.

64. **LEASING OUT OF COLLECTION RIGHTS OF VEHICLE ENTRY TAX AT BARRIER AND PARKING FEE BEYOND BARRIER AND AT BUS STAND:**

Reference CBR No.29 dated 21.6.2017.

2. In accordance with the decision contained in the above referred CBR, the investigation on the basis of complaint received from Sh.Surender S/o Sh.Jagat Ram,Village Nahri,PO Kot Beja was conducted against the highest tenderer i.e. Sh. Vijay Singh Thakur S/o Sh. Umed Singh Thakur Managing Partner of M/S Nirba Associates,Solan. The detailed information/documents were received from Cantt Board, Subathu. The Cantt Board Subathu vide letter No.CBS/132/2/-427 dt June,2017 informed that the said Sh.Vijay Singh Thakur Prop M/S BMG Agrotech Pvt. Ltd was held defaulter by Cantt Board Subathu for non-payment of installments for collection of license fee on entry of vehicles into the limits of Subathu Cantt during 2011. All the documents so submitted by the complainant with the complaint were got certified true copy by the C.E.O.,Cantt Board,Subathu. Further the legal opinion in the matter

was obtained from the legal advisor of the Board who vide letter dated 29.6.2017 given his opinion that as per investigation and documents supplied by the Cantt Board Subathu and as per terms and conditions No.66 of the tender document, the tender for leasing out the collection of vehicle tax and parking fee at Kasauli cannot be awarded to the defaulter contractor.

In the meanwhile, Sh.Vijay Singh Thakur Managing Partner of M/S Nirba Associates,Solan moved to the Hon'ble High Court at Shimla and filed a CWP No.1654 for 2017 before the Hon'ble Court and requested to quash the set aside the fresh tender invitation and issue award letter being shortlisted as the highest bidder and not to debar petitioner from participating the fresh tender process. The case was listed before the Hon'ble Court on 08.8.2017. The Hon'ble Court issued order on 08.8.2017 that it shall be open for the petitioner to participate in the tender, but the same shall not be finalized without leave the Court.

As decided, the tender for collection of vehicle entry tax at barrier and parking fee beyond barrier and parking fee at Bus Stand,Kasauli was re-invited through E-tendering process upto 31.8.2017. As per terms of the tender document, the technical bids were required to be received in the office of Cantt Board Kasauli on 06.9.2017. The online financial bids were opened on 07.9.2017. The petitioner Sh.Vijay Singh Thakur,Managing Partner of Nirba Associates,Solan has participated in the tender process.

Therefore, in terms of the Hon'ble Court order dated 08.8.2017 and as per discussion held with the ASG,Govt. of India,H.P.High Court,Shimla, the technical and financial bids shall be opened on receipt of the direction of the Hon'ble Court in this regard. The ASG,Govt. of India has been informed to apprise the Hon'ble Court regarding the petitioner Sh.Vijay Singh Thakur Managing Director of Nirba Associates,Solan who has been held defaulter during 2011-12 by Cantt Board Subathu for non-payment of installment and early direction for opening the technical as well as financial bids be requested. The case will be listed before the Hon'ble Court in next week as stated by the ASG,Govt. of India. The draft reply of the CWP has already been submitted to the ASG,Govt. of India for perusal and vetting.

The whole case file alongwith case file is placed on the table.

#### **RESOLUTION:**

64. Board considered the matter. CEO apprised the Board that M/S Nirba Associates moved to the Hon'ble High Court at Shimla and filed a CWP No.1654 regarding quashing the set aside the fresh tender invitation and issue award letter being shortlisted as the highest bidder and not to debar petitioner from participating the fresh tender process. CEO also apprised the Board that the Hon'ble Court issued order on 08.8.2017 that it shall be open for the petitioner to participate in the tender but, the same shall not be finalized without leave of the court. Therefore, the technical bids as well as financial bids so received in the office have not been opened and kept abeyance until decision of the Hon'ble Court received in the matter. After detailed discussion in the matter, Board resolved that the order of Hon'ble Court be complied.

#### **65. ENGAGEMENT OF SURVEYOR/DRAFTSMAN THROUGH OUTSOURCE AGENCY:**

To consider the matter regarding engagement of one draftsman/surveyor in Cantonment Board office,Kasauli . There is only single post of Jr.,Engineer in Cantt Board,Kasauli. To provide the assistance to the Jr.Engineer,Cantt Board,Kasauli and to monitor the development works carried out at Kasauli Cantt, one surveyor/Draftsman is required to be engaged in Cantt Board, Kasauli for the purpose. In accordance with the direction of higher authorities, the JE of this office has also been deputed at Jutogh Cantt to provide the services once in a week. The JE,Cantt Board,Kasauli is also requested this office to provide

the assistance by way of engaging one osurveyor/draftsman in Cantt Board,Kasauli to carry out the development works and other official work smoothly.

**RESOLUTION:**

65. Board considered the matter. Board resolved that one draftsman/surveyor be engaged in Cantt Board,Kasauli through outsource agency in order to provide the assistance to the Jr.Engineer of the Board. Board also resolved that one clerk to carry out the office work in Cantt Board office be engaged through outsource agency.

66. **NEXT BOARD MEETING:**

The President, Cantt Board informed that the next Board meeting of the Board will be held on 14.10.2017.

67. **GENERAL ITEM:**

(i) **TRANSFER OF LOWER MALL ROAD TO CANTT BOARD,KASAULI:**

The matter regarding repair and maintenance of Lower Mall Road was discussed in the meeting in detail. The CEO apprised the Board that the said Lower Mall road comprising Sy.No. 01 having an area 3.26 acres (Lower Mall) was reclassified from class 'C' land to class 'A-1' under Rule 7 of CLA Rule 1937 and transferred to QMG for purpose of Military road during 1972. The members of the Board stated that from the last few years the condition of the road is very deteriorated and the Air Force authorities fail to maintain the said road in good condition causing general public as well as tourists visiting Kasauli hardship to ply their vehicles on the said road. After detail discussion in the matter, Board deliberately resolved that the proposal for re-classification of Lower Mall road from class 'A-1' to class 'C' be forwarded to competent authority and the said road be transferred to Cantt Board,Kasauli. Board also resolved that NOC from LMA may be obtained.

**Sd/-**  
**CHIEF EXECUTIVE OFFICER,KASAULI**  
**( ANUJ GOEL )**

**Sd/-**  
**PRESIDENT,CANTT BOARD,KASAULI**  
**( BRIG. DEEPAK SHARMA,SM )**