

Proceedings of the Special meeting of the Cantonment Board Cannanore held on 02-05-2017 at 10.30 hours in the conference hall of the Cantonment Board Cannanore.

Present Members:

- | | |
|----------------------------|---------------------------|
| 1. Col.Ajai Sharma | - President |
| 2. Shri.Andrews.V | - Vice President |
| 3. Lt. Col.Prosenjit Deb | - SEMO, Military Hospital |
| 4. Shri.Ratheesh Antony | - Elected Member |
| 5. Smt.Sheeba Fernandez | - Elected Member |
| 6. Smt.Deepa Baiju | - Elected Member |
| 7. Col.Padmanabhan (Retd.) | - Elected Member |
| 8. Kum.Jisha Krishnan.K | - Elected Member |
| 9. Dr.Vinod Vikneswaran.A | - CEO/Member Secretary |

Members Absent

- | | |
|-------------------------|-----------------------------|
| 1. Shri.Sunil Kumar Rai | - AEE (Civ) AGE(1) MES |
| 2. Shri.C.M.Gopinathan | - Dy. Collector/ DM Nominee |

Agenda No.1 : Public Auction of Cantonment Shopping Complex and Cantonment Bus Stand Stall.

- Refer (1) CBR No.19 dated 17-02-2017
(2) CBR No.35 dated 07-07-2015

Cantonment Board, Cannanore decided to conduct auction of the occupancy rights of 35 Cantonment Board owned shops on 19-5-2017 by CBR No.19 dated 17-02-2017. It was later found that Cantonment Board vide CBR No.35 dated 07-07-2015 had renewed the occupancy rights from 1-4-2015 for 3 years by hiking the rent by 10% each year. So a special board meeting was convened and the resolution renewing the occupancy rights for 3 years from 01-04-2015 by the CBR No.35 dated 07-07-2015 was revoked by CBR No. 1 dated 17-3-2017 as it was without rule position. Eviction notice was issued to the shop occupants on 05-04-2017. Shop occupants gave a representation to the President, Cantonment Board to allot the shops back to themselves on the basis of rent hiking on 15-04-2017. After compassionate consideration of the position of shop occupants, President replied them on 21-4-2017 stating that the auction will be held considering the rule position regarding shop auction. At this point of time Vice President and 2 board members gave a request to convene a special board meeting to discuss the issues regarding shop auction. President, Cantonment Board accepted the request and decided to discuss the further proceedings and legality of the issue. Board to consider and decide.

Resolution No.1:

Representation of Elected Board Members

1. Cancel the auction decided on 19-05-2017 and allow the occupants to continue their undertaking which ends in 2018 with present rental conditions. Board can further discuss the matter after their tenure ends in 2018.

2. Board can take further action on those prevailing shop owners who act against the tenancy contract provided for their livelihood. Those shops can be auctioned safe guarding the interest of the Board and the common people.
3. For a clean understanding of the tenancy agreement used for the shop owners by the Cantonment Board can be discussed for further clarifications.
4. As an elected member of the Cantonment Board for the public, my firm opinion is while taking any decisions with regard to the common public, it should be considered on its merit basis without affecting their livelihood. This is my humble request to the Board.

Representation submitted by the elected members was considered by the board. The legal position and administrative position was detailed and there is no legal agreement at present between the Board and the shop occupants. High Court judgment and Audit objection regarding the renewal of agreement on rent hiking basis was also considered. President considered the representation of Vice President and all elected members to cancel the auction and the following decisions were taken.

- 1) PCB was of the opinion that legal opinion is a must before the board could cancel the auction. A legal opinion pertaining to the agreements existing with the shop occupants and the Board and the overall situation must be obtained after enquiry by the enquiry committee.
- 2) Occupants are not to be evicted until 31st March 2018 based on the Board resolution CBR No.35 dated 07-07-2015 and agreement given to shop occupants on 20-10-2015. However after 31st March 2018 eviction process will be completed.
- 3) An enquiry committee has already been formed under the chairmanship of CEO and two members of the Cantonment Board office, which will send the detailed report to the President, Cannanore Cantonment Board and the legal advisor for legal opinion.

Mr. Ratheesh, Member of Ward No.1, pointed out that we should identify the illegal occupants first and take action to evict them at the earliest. All the Board members, the Vice President and the President unanimously agreed.

- 4) A press release be issued to keep the general public and the affected shopkeepers informed about the latest position as stated :-

Board decided to consider the case de-novo (afresh) in view of the agreement earlier signed by the Cantonment Board on 20-10-2015. An enquiry committee already constituted to check status of all shops as on date whether held by legal / illegal occupants, the status of earlier agreements held by each occupant and to include report on unauthorized / illegal construction. Till 31st March 2018 the present occupants can stay in view of the earlier agreement. Decision on post-ponement of the auction to be taken later.

S.E.M.O also vouched for the above decisions

The PCB requested the Vice President who was an elected member of Board and representative of the Public to assist in smooth completion of the tasks allotted to the enquiry committee under CEO so that an amicable solution could be arrived at and the report could be submitted for legal opinion. The vice President assured the Board of full co-operation and amicable solution of all the documents by occupants.

Signature : (1) Andrews.V - sd/- (2) Col. Padmanabhan sd/-
(3) Ratheesh Antony sd/- (4) Deepa Baiju sd/-
(5) Jisha Krishnan.K sd/- (6) Sheeba Fernandez sd/-

Sd/- xxxx
Chief Executive Officer,
Cantonment Board, Cannanore.

Sd/- xxxx
President, Cantonment Board,
Cannanore.

// True copy //

sd/-
Chief Executive Officer
Cantonment Board, Cannanore