

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
DEPARTMENT OF DEFENCE
LOK SABHA

UNSTARRED QUESTION NO.4996
TO BE ANSWERED ON THE 31ST MARCH, 2017

LEASE AGREEMENT OF DEFENCE LAND

4996. SHRI NEIPHIU RIO:

Will the Minister of DEFENCE j{k k ea=h
be pleased to state:

- (a) the total land area held by the Defence Forces all over India indicating the extent of land held but not covered by lease agreements and land under litigation, State / UT-wise;
- (b) the detailed reasons for the defence authorities concerned not entering into a lease agreement for the 1235 acres of land being physically held by the Army since 1965 in Dimapur-Rangapahar, despite State Government of Nagaland agreeing on 16th January, 2014 to a 99 years lease at Rs.1/- per acre per annum;
- (c) whether Principal Director of Defence Estates, EC Kolkata had referred in a communication to their local authorities at Jorhat regarding the Army holding 1433.611 acres of land in the area as per a survey in 2013 and if so, the action taken to regularise the surplus holding;
- (d) the action taken by the Government to regularise the excess holding and pay rental of the excess land and also return the excess land to the owners; and
- (e) the other steps taken for preventing lapses in executing timely leases?

A N S W E R

MINISTER OF STATE
IN THE MINISTRY OF DEFENCE

रक्षा रणय मंत्री

(DR. SUBHASH BHAMRE)

(डा. सुभाष भामरे)

(a) to (e): A Statement is attached.

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK
SABHA UNSTARRED QUESTION NO. 4996 FOR ANSWER ON 31.3.2017**

(a) As per the data recorded in Military Land Registers, the extent of land held by defence forces all over India, excluding land in Cantonments, is approximately 16 lakh acres, out of which 39,628 acres (approx) of land is under litigation. In addition, 67,658 acres (approx) of land is held by defence forces under hiring/requisition, out of which 3,791 acres (approx) are under litigation. State wise details of the above information are enclosed as Annexure.

(b) to (d): Brief of the case is as under:

In 1966, Government of Nagaland allotted 1235 acres of land at Rangapahar to Army subject to two conditions:-

- (i) Vacation of Defence land at Dimapur; and
- (ii) Payment of compensation for 100 acres of private land (out of 1235 acres) at Rangapahar.

Accordingly, 1235 acres of land at Rangapahar was taken over by the Army and compensation for 100 acres of land was paid as per Land Acquisition Act, 1894 against Defence land at Dimapur (356.10 acres of Defence land under encroachment + 40.93 acres of Defence land in occupation of Army + 39.24 acres of State Government land in occupation of Army).

Subsequently, 115 acres of land, out of 1235 acres of land allotted at Rangapahar, was reported as encroached upon by the villagers of village Aoyimkum.

Further, in view of low build-ability of the said land, Deputy Commissioner, Kohima allotted additional 492 acres of land on 13.03.1969 which was, subsequently, cancelled by the State Government vide Deputy Commissioner, Kohima letter No FIN-B/16-17/70 dated 27.09.1970. As per reports, 326 acres of this 492 acres of land was encroached upon by the locals and on balance 166 acres, Army built up assets. As such, these 166 acres of land remained under occupation of Army.

Government of India, Ministry of Defence vide letter No A/48867/Q3L(East)/2666/91/D (Lands) dated 06.06.1991, accorded sanction for exchange/transfer of 397.03 acres (356.10 acres of Defence land under encroachment + 40.93 acres of Defence land in occupation of Army) of Defence land in Dimapur Town to the Govt of Nagaland in exchange for State Government land measuring 1020 {i.e. 1235-(100+115)} acres at Rangapahar.

However, the Govt sanction for mutual exchange of land could not be acted upon for want of approval of the State Govt of Nagaland since 1991 for obtaining the defence land on lease. It was only on 16.01.2014, approval was

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given in the Cabinet meeting of the State Government for handing over State Government land in Rangapahar and taking over Defence land and defence occupied State Govt land in Dimapur on execution of lease agreement between Government of Nagaland and Ministry of Defence.

On examination of the Draft Lease Agreement forwarded by the State Govt, it was observed that the said Agreement was for Defence land to be leased out to State Govt at Dimapur, whereas for mutual exchange of land, the details of State Govt land to be leased out to the MoD were also required to be listed in the agreement. Since there were certain discrepancies in the details of land, clarifications were sought from the State Government on 15.10.2016. The requisite clarifications are still awaited from the State Government.

Thus, it may be appreciated that the lease agreement could not be executed for want of clarifications from the State Government regarding the details of land that are to be exchanged.

It has been reported by Principal Director Defence Estates, Eastern Command, that Station Headquarters, Dimapur vide convening order No L/3247/Q dated 10.07.2013 convened a Board of Officers to carry out joint survey of the entire land at Rangapahar Military Station (RMS) including the disputed boundaries of RMS. The joint survey was carried out with the help of Electronic Total Station in the presence of representatives of Deputy Commissioner (D.C.), Dimapur, Army, villagers and Defence Estates Officer (DEO), Jorhat from 16.07.2013 and onwards. As per physical survey, the total area under occupation was 1433.611 acres against the recorded land holding of 1431.89 acres.

However, the representatives of Army and DC have not signed the Board Proceedings. The details of the land under occupation are awaited from the Local Military Authority (LMA) and the State Government.

Once the exact area of the surplus land along with its details are made available and duly completed Board Proceedings are submitted, then action to regularise the unauthorised occupation will be initiated.

(e) DEO Jorhat has been advised to liaise with the concerned Army and State Government authorities to resolve the long pending issues at the earliest.

ANNEXURE REFERRED IN THE REPLY GIVEN IN THE STATEMENT IN PART (a) OF LOK SABHA UNSTARRED QUESTION NO. 4996 FOR ANSWER ON 31.3.2017

DETAILS OF LAND HELD BY DEFENCE FORCES ALL OVER INDIA (IN ACRES):

Sl. No.	State / UT	Total area of land held by defence forces as per record	Area under Hiring/Requisitioning		Extent of land under occupation of defence without execution of lease agreement or payment of rental compensation	Extent of land under litigation	
			Hired	Requisitioned		out of Col (c)	out of Col (d)
(a)	(b)	(c)	(d)		(e)	(f)	(g)
			Hired	Requisitioned			
1	A&N Island(UT)	8166	0	0	0	0	0
2	Andhra Pradesh & Telangana	32963	2675	0	0	155	2398
3	Arunachal Pradesh	4787	535	0	5810	951	203
4	Assam	25493	3430	0	108	87	0
5	Bihar	11002	7	0	0	1	0
6	Chandigarh	176	0	0	0	0	0
7	Chhattisgarh	1582	0	0	0	0	0
8	Delhi	2938	133	0	614	0	0
9	Goa	3026	1	0	0	0	0
10	Gujarat	23850	24	0	108	1149	0
11	Haryana	29563	0	0	0	30	0
12	Himachal Pradesh	4130	189	0	0	4	0
13	Jammu & Kashmir	19540	1605	24156	5042	1455	87
14	Jharkhand	6179	232	0	0	0	7
15	Karnataka	31518	575	0	16	17	34
16	Kerala	4945	190	0	1	0	0
17	Lakshadweep	40	0	0	0	0	0
18	Madhya Pradesh	214538	9301	0	839	84	0
19	Maharashtra	116698	13011	6	0	2277	0
20	Manipur	1294	0	0	0	2	0

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21	Meghalaya	3587	0	0	0	0	0
22	Mizoram	0.2	220	0	0	0	94
23	Nagaland	551	1022	0	0	0	0
24	Odisha	18016	0	0	0	0	0
25	Puducherry	20	0	0	0	0	0
26	Punjab	68840	435	0	9	3	53
27	Rajasthan	815363	804	0	5320	32007	7
28	Sikkim	3078	1116	0	101	0	876
29	Tamil Nadu	18503	501	0	19	7	0
30	Tripura	2680	0	0	0	0	0
32	Uttar Pradesh	75500	113	0	0	768	0
33	Uttarakhand	11591	289	0	9	1	0
34	West Bengal	39623	7088	0	10	632	31
	Total	1599780.2	43495	24163	18007	39628	3791
			67658				
