

**GOVERNMENT OF INDIA  
DEFENCE  
LOK SABHA**

UNSTARRED QUESTION NO:3662  
ANSWERED ON:03.09.2012  
DEFENCE LAND UNDER ILLEGAL POSSESSION  
Biju Shri P. K.;Khaire Shri Chandrakant Bhaurao

**Will the Minister of DEFENCE be pleased to state:**

- (a) the quantum of defence land in the illegal possession of the civilians and its market value;
- (b) the total number of alleged corruption / irregularities relating to defence land and details of lands involved;
- (c) the current status of each of these cases;
- (d) whether the names of high rank officials of his Ministry have surfaced in the scams related to land and if so, the details thereof;
- (e) the action taken by the Government to reclaim the land; and
- (f) the action taken by the Government against the guilty officials?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF DEFENCE (SHRI A.K. ANTONY)

(a) About 12364 acres of Defence land is under illegal possession or encroachment including by civilians. Since market value cannot be precisely defined numerically it is not possible to maintain data in this regard.

(b) to (d): At present seven cases of alleged corruption and irregularities regarding defence lands have been reported to the Ministry. The case-wise details are annexed.

(e) & (f): Action for removal of encroachment is taken under the provisions of Public Premises (Eviction of Unauthorised Occupants) Act, 1971 as well under the Cantonments Act, 2006. Detailed instructions emphasizing the need for ensuring vigilance, detection and prevention of new encroachments have been issued by the Ministry. Strict disciplinary and administrative action is taken against officials found guilty and in some cases CBI has been entrusted to investigate the matter.

ANNEXURE REFERRED IN THE REPLY GIVEN IN PARTS (b) & (c) OF LOK SABHA UNSTARRED QUESTION NO. 3662 FOR ANSWER ON 3.9.2012

1. Adarsh Co-operative Housing Society case:

It is alleged that Shri R.C. Thakur in conspiracy with members of defence service, officials of Government of Maharashtra and others got allotted a plot of land at Block VI, BBR Colaba, Mumbai dishonestly and fraudulently in favour of Adarsh Co-operative Group Housing Society (ACHS) which was in possession of Army since long. The area of land involved measures 3758.82 sq. meters. The Government had entrusted enquiry to CBI with a view to getting the matter thoroughly investigated and fix responsibility. A regular case no. RC 6(A)/11/ACB Mumbai was registered by CBI on 29.1.2011. After investigation, charge-sheet has been filed on 4.7.2012 in the Court of Spl. Judge, Mumbai against Shri R.C. Thakur, Brig (Retd.) M.M. Wanchu, Shri K.L. Gidwani, Maj. Gen. (Retd.) AR Kumar, Maj. Gen.(Retd.) TK Kaul, Brig. (Retd.) T.K. Sinha, Shri PV Deshmukh, Shri Ramanand Tiwari, Shri Subhash Lalla, Dr. Pradeep Vyas, Shri Ashok Shankarrao Chavan, Dr. M. Jairaj Phathak, and Col. (Retd.) R.K. Bakshi.

2. Kandivili land case:

It is alleged that M/s Neo Pharma Pvt Ltd. (Kalpataru Builders) purchased a piece of Defence Land at Kandivili in 2007, over which the Army officials of the Southern Command relinquished the claim (on CTS No.135 & 136) held by Central Ordnance Depot (COD) since 1942 without sanction of the competent authority. The then DEO, issued the NOC to Civil administration for the sale of the said land without authority and without concurrence of the Army authorities. CBI has registered Preliminary Enquiry No.PE.1(A)/12/ACB Mumbai on 12.1.2012. As per investigation conducted so far, the total land of 5166.5 sq mtrs is under scrutiny.

3. Pune Land case:

It is alleged that Shri S.R. Nayyar, Defence Estate Officer (retd.), Balbhim Rama Gaikwad, Talathi of Village Loehgaon and Kevin Pinto entered into a criminal conspiracy with each other and with other unknown persons to cheat the defence authorities of the Government of India by misrepresentation facts about land under Survey No.233 A, Village Loehgaon, Tal. Haveli, Dist., Pune falsely

claiming that the said land does not belong to the defence, while the said land has been in continuous possession of the Military since 1918. As per investigation conducted so far, the quantum of land involved is 69.23 acres.

Case RC 09(A)/2010-CBI/ACB/Pune was registered by CBI on 13.8.2010. After investigation a charge-sheet has been filed against Shri S.R. Nayar, DEO (retd.), Sh. Balbhim Rama Gaikwad, Talathi of village Lohegaon (Public Servant), Shri Kevin Pinto, Shri Haresh Milani, Shri Mohammad Isharaq Khan (Pvt. Persons).

#### 4. Sukna land case:

Sukna Land case pertains to land in Chumta Tea Estate neighboring defence land and not defence land. This is a case of incorrect issue of No Objection Certificate (NOC) by HQ 33 Corps. A Court of Inquiry was ordered by HQ Eastern Command to investigate the circumstances under which No Objection Certificate was allowed to be given and MoU agreed by HQ 33 Corps for land in Chumta Tea Estate. The Court of Inquiry has been finalized and suitable action has been taken against erring officials.

#### 5. Issue of NOC by the office of DEO, Srinagar:

It is alleged that a huge area of Airforce land near a sensitive security zone was suspected to have been grabbed by land mafias, in connivance with officials of Revenue Department of J&K State and Directorate General of Defence Estates (DGDE), Srinagar and 60-70 nos. of No Objection Certificates (NOCs) for transfer of defence controlled land measuring 67 to 120 acres had been issued to private citizens, in violation of the norms. CBI has registered regular case No.RC AC1 2012 A 0006 on 3.5.2012 against Shri Ajay Chaudhary, the then DEO Srinagar, Shri Vijay Kumar, the then SDO-1, Srinagar, Smt. Amarjeet Kaur, SDO-II, Srinagar and some unknown public servants / private persons. As per investigations of CBI a total land of 62.25 acres is involved.

#### 6. 8-A, Lothian Road, Pune Cantt.:

It is alleged that Lt. Gen (retired) Nobel Thamburaj and Shri S.R. Nayar, the then Defence Estate Officer abused their official position, while working as public servant and caused pecuniary advantage to M/s Kalpatru Builders during the period from 1988 to 2008 in the matter of out of court settlement of an important issued related to restriction of 44% reservation of land for residential purpose in respect of Bungalow no. 8-A, Lothian Road. A regular case no.RC 02(A)/2012/ACB Pune was registered by CBI on 30.1.2012. As per investigation the quantum of land involved is 0.96 acres.

#### 7. Jodhpur case:

An article was in India Today on 16.1.2012 relating to the illegal transfer of 4.84 acres of defence land in Jodhpur to the Major Maharaja Hari Singh Charitable Trust (MMHSCT). It was ordered that the matter be enquired following which survey was required to be conducted at Jodhpur by a joint team of officials, to ascertain if any part of the land transferred to the trust was defence land. The report submitted by the team was considered by the Ministry and the Director General of Defence Estate (DGDE) was directed to submit a further report on certain additional points. The report has been received and is being examined.