

**GOVERNMENT OF INDIA  
DEFENCE  
LOK SABHA**

UNSTARRED QUESTION NO:3316

ANSWERED ON:18.03.2013

TRANSFER OF DEFENCE LAND

Argal Shri Ashok;M.Thambidurai Dr. ;Rana Shri Jagdish Singh;Shekhar Shri Neeraj;Singh Shri Yashvir

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

- (a) whether the defence land of various cantonments is being transferred to the State Governments and other private parties through illegal sale deeds;
- (b) if so, the details thereof during each of the last three years and the current year, State-wise, cantonment-wise;
- (c) whether there is any criteria / provision for transferring such land;
- (d) if so, the details thereof; and
- (e) the steps taken / proposed to be taken by the Government in this regard?

**Answer**

MINISTER OF DEFENCE (SHRI A.K. ANTONY)

(a) to (e): Transfer of defence land takes place only with the sanction of Ministry of Defence. As per existing policy, defence land can be transferred only on the basis of exchange of equal-value land or on outright sale basis or on long-term lease. Such transfers to State Governments and to private parties can be done only with the approval of the Cabinet as per the existing instructions. As such, there is no question of transfer of defence land through illegal sale deeds. Private parties hold defence land inside Cantonments either on terms known as "old grant" or on lease. The Holder of Occupancy Rights (HOR) in case of "old grant sites" or the lessees regarding leases do not own land which belongs to Ministry of Defence. Holders of Occupancy Rights (HORs) / lessee can transfer the structure on such sites only along with occupancy rights or lease-hold rights, as the case may be, from one party to another under certain conditions. If it is noticed that in the sale-deeds on such sites, land is being sold, such sale-deeds are not recognised and no mutation takes place.