

**Government of Pakistan
Defence Division**

NOTIFICATION

Rawalpindi, the January, 2024.

S.R.O. (I)/2024.– The following draft of certain further amendments in the Cantonment Land Administration Rules, 1937 which the Federal Government proposes to make in exercise of the powers conferred by section 280 of the Cantonments Act, 1924 (II of 1924), is published for information of all persons likely to be affected thereby and, as required under sub-section (1) of the said section 280, notice is hereby given that objections or suggestions thereon may be sent within three days of the publication of the draft in the official Gazette. Objections or suggestions received, if any, before expiry of the aforesaid period shall be taken into consideration by the Federal Government, namely:–

DRAFT AMENDMENTS

In the aforesaid Rules,–

- (1) in rule 2, clause (d) shall be omitted;
- (2) in rule 3, for sub-rule (1), the following shall be substituted, namely:–

“(1) The Military Estate Officer shall prepare and maintain general land register (GLR) on the format as set out in Schedule I in respect of all classes of lands under these rules.”;

- (3) for rule 4, the following shall be substituted, namely:–

“4. Classification of land.– For the purposes of the GLR maintained under rule 3, military lands shall be divided by the secretary of the administrative division or a person authorized by him in this behalf into following classes, namely:–

- (a) class ‘A’ land which is required or reserved for the purposes specified in rule 5, regulations made by the Federal Government from time to time or any instructions or policies issued by the secretary of the administrative division from time to time;

- (b) class 'B' land which is not so required or reserved but which is retained in the cantonment for the effective discharge of the duties of the Federal Government in respect of military administration; and
- (c) class 'C' land which is vested in the Board under section 108 of the Act.”;

(4) in rule 5,—

- (a) for the expression “Central Government, or such authority as they may empower”, the words “secretary of the administrative division or a person authorized by him” shall be substituted; and
- (b) for clause (i), the following shall be substituted, namely:—

“(i) class A(1) land which is actually used or occupied or managed by the armed forces for, *inter alia*, fortifications, barracks, stores, arsenals, aerodromes, bungalows for military officers which are property of Government, parade grounds, military recreation grounds, golf courses, rifle ranges, grass farms, dairy, brick field, fuel or energy stations, soldiers and hospital gardens as provided for in regulation 525 of the Army Regulations and other official requirements of the armed forces and for the following activities purely for welfare of personnel of armed forces within formation and unit areas and for the benefit of residents of cantonments and surrounding areas and for operation of the Canteen Stores Department (CSD), namely:—

- (a) vegetables, poultry, meat, fish, stationery, cycle, grocery, bakery, shops and canteen cafe, etc;
- (b) post offices, public call office (PCOs), ATMs;
- (c) educational training institutions, i.e. schools, colleges, artisan training centers and hostels, etc;

- (d) museums, libraries, recreational parks, institutes like cinemas, etc; and
- (e) CSD and their related activities as per the mandate assigned by the board of control of CSD,

and also includes the lands allocated for such other purposes which through generation of proceeds or otherwise, directly or indirectly contribute towards the welfare of personnel of armed forces, *Shuhada* families, war wounded personnel, as per these rules or regulations or policies made under the Act by the Federal Government from time to time.”;

- (5) in rule 7, for the words “land which is vested in the State or in the Board”, the words “military lands or land vested in a Board” shall be substituted;
- (6) for rule 8, the following shall be substituted, namely:–

“8. Standard table of rent.– The Military Estate Officer shall, in accordance with the revenue rates as prescribed from time to time and after approval of the Director General of the Military Lands and Cantonments Department, compile on the format as set out in Schedule II standard tables of rent suitable for application to sites for agricultural and non-agricultural purposes in the cantonment, having regard to the situation of the site, the nature of the soil and the rates charged for adjacent agricultural land or for building sites in the neighborhood.”;

- (7) in rule 9, for the words “Military Authorities”, the words “Armed Forces” shall be substituted and for the words “Central Government”, the words “Federal Government” shall be substituted;
- (8) in rule 10, in sub-rule (1), for the expression “The Military Estates Officer shall maintain the General Land Register prepared under rule 3 in respect of all land, other than land in bazaars the management of which has been entrusted to, or vests in the Board, and shall register all mutations in column I thereof, and shall enter therein–”, the expression “The Military Estate Officer shall maintain the General Land Register prepared under rule 3 in respect of all lands, other than lands in bazaars the management of which has been entrusted to or vested in the Board in a Cantonment, and shall register all

mutations in column 1 thereof and shall enter therein—” shall be substituted;

(9) for rule 11, the following shall be substituted, namely:—

“11. Credit of receipts.— All receipts from the military lands shall be credited as the Federal Government may determine from time to time.”;

(10) in rule 13, for sub-rule (1), the following shall be substituted, namely:—

“(1) The Military Estate Officer shall maintain plans and schedules of land in class A(1) and class A(2) which is entrusted to his management.”;

(11) in rule 14,—

(a) in sub-rule (1),—

(i) for the words “Military Authorities”, the words “armed forces” shall be substituted; and

(ii) for the words “Central Government”, the words “Federal Government” shall be substituted;

(b) for sub-rule (4), the following shall be substituted, namely:—

“(4) Class A(2) land shall ordinarily be kept vacant but its temporary use or occupation may be licensed by the Military Estate Officer under rule 39, or it may be leased by the Military Estate Officer by private treaty for periods not exceeding five years with the previous sanction of the authority nominated by the concerned services headquarters or for any other period with the previous sanction of the secretary of the administrative division or a person authorized by him in this behalf.”;

(c) after sub-rule (5), the following new sub-rules shall be added, namely:—

“(6) Armed forces may engage private parties, through rent, licence or any other appropriate contractual arrangement, for the purposes of carrying out activities mentioned in clause (i) of rule 5, on class A(1) land, at such rate of rent and on payment of such proceeds as may be approved by the Federal

Government, the Service Chief or his nominee. The accounting procedure for such transactions shall be as under:-

- (a) for the purpose of Government share as prescribed by the Federal Government, the relevant authority shall be the Auditor General of Pakistan; and
- (b) for the purpose of Armed Forces welfare as prescribed by the respective service instructions.

(7) The buildings constructed for the activities as mentioned in the clause (i) of rule 5 and sub-rule (6) of this rule 14 are to be deemed as Government Buildings under the Act, rules, regulations, bye-laws, policies, instructions and any other law for time being in force:

Provided that such buildings may be used for operational or administrative purposes during the time of war as and when required by the armed forces or in any other case for the aforesaid purposes.”;

(12) for rule 23, the following shall be substituted, namely:–

“23. Deposit by successful bidder.– The successful bidder shall be required to deposit immediately ten percent in the shape of pay order or bank draft or banker’s cheque of the amount of his bid and shall sign an agreement consenting to forego the deposit in case the balance of the price is not paid within thirty days or within such time as specified by the sanctioning authority of the confirmation of the auction.”;

(13) for rule 24, the following shall be substituted, namely:–

“24. Confirmation of auction.– The Military Estate Officer shall report the result of the auction and forward the proceeding to the authority nominated by the concerned services headquarters for concurrence. Thereafter, the proceeding shall be submitted to the section of the administrative division or a person authorized by him in this behalf for approval:

Provided that if the estimated market value of the site exceeds ten million Rupees, approval of the secretary of the administrative division shall be obtained and where the

estimated market value of the site does not exceed ten million Rupees, approval of the authorized officer shall be obtained.”;

(14) for rule 25, the following shall be substituted, namely:–

“25. Powers of the authority nominated by the services headquarters.– (1) On receipt of the proceedings forwarded to it under rule 24, the authority nominated by the concerned services headquarters, before expressing its concurrence, shall satisfy itself that–

- (a) the whole proceedings have been conducted in strict accordance with the provisions of these rules; and
- (b) the annual rent and the price realized for the premium on the lease at the auction is reasonable.

(2) If the authority nominated by the concerned services headquarters is not satisfied on either of the points under sub-rule (1), it shall return the proceedings to the Military Estate Officer with a recommendation that the proceedings be cancelled and thereupon fresh proceedings shall be taken and all the foregoing provisions of this rule shall apply to such fresh proceedings.

(3) If the authority nominated by the concerned services headquarters considers that the disposal of the site itself is for any reason prejudicial to the public interest, it may return the proceedings to the Military Estate Officer with a statement of its reasons for doing so and also direct that the matter may be reconsidered in accordance with its recommendations.”;

(15) for rule 26, the following shall be substituted, namely:–

“26. Disposal of lease by private agreement.– Notwithstanding anything contained in rules 16 to 24, the Military Estate Officer may, in exceptional cases for exceptional reasons to be recorded in writing and subject to approval of the secretary of the administrative division, or such other authority nominated by him in this behalf, dispense with the deposit of the cost of survey and demarcation, as prescribed by rule 20, or with the auction of the lease, as prescribed by rule 22, or with both, and may lease any site with or without any building thereon by private agreement, at such rate of rent and on payment of such premium, as the

secretary of the administrative division or a person authorized by him in this behalf in each case:

Provided that the concurrence of the authority nominated by the concerned services headquarters shall be obtained before application is made for the approval of the secretary of the administrative division or a person authorized by him in this behalf.”;

(16) for rule 31, the following shall be substituted, namely:–

“31. Leases for special periods and on special terms.– A lease for a building site for a period not exceeding thirty years, ninety years or ninety-nine years or a lease in perpetuity may be granted by Military Estate Officers in the forms set out in Schedules VIII, IX, IX-A, IX-B, IX-C, X, X (Modified), XI and XI-A and Forms A, B and C applicable to Defence Officers Housing Authority, Karachi, or any other Schedule or forms as deemed appropriate by secretary of the administrative division where for special reasons such a course appears to be advantageous to the Federal Government.”;

(17) in rule 32,–

(a) in sub-rule (3),–

(i) for the expression “Rupees 10,000”, the expression “two million Rupees” shall be substituted; and

(ii) for the expression “Collector and the approval either of the Officer Commanding-in-Chief, the Command or of such other authority as the Federal Government”, the words “authority nominated by the concerned services headquarters or such other authority as the secretary of the administrative division” shall be substituted; and

(b) for sub-rule (4), the following shall be substituted, namely:–

“(4) An extension of the period for which a lease is to be sanctioned beyond ten years when the market value of the site exceeds two million Rupees shall require the concurrence of the authority nominated by

the services headquarters and approval of the secretary of the administrative division or a person authorized by him in this behalf.”;

(18) for rule 33, the following shall be substituted, namely:–

“33. Agricultural land.– (1) The Military Estate Officer shall, in ample time before the commencement of the cultivation season, publish a notice in the form as set out in Schedule XII, giving particulars of the lands available for disposal, the date on which, the time and place at which and conditions under which they will be disposed of and shall also fix a reserve price which shall not be disclosed to the public for the rent of each separate holding in accordance with the rate prescribed by the standard table of rents prepared under rule 8 and shall on the date and at the time and place appointed put the lease of the lands to auction to the highest bidders:

Provided that in special cases and for special reasons and with the previous sanction of the authority nominated by the concerned services headquarters, the Military Estate Officer may call for tenders for the sale of the lease instead of putting it to auction.

(2) The result of the auction, or the tenders, shall be reported to the authority nominated by the concerned services headquarters for his approval, and if the authority nominated by the concerned services headquarters approves, the sale of the lease shall be deemed to be duly confirmed:

Provided that the lease shall not be sold unless the reserved price has been reached:

Provided further that in the special cases and for special reasons to be recorded in writing, the authority nominated by the concerned services headquarters, may sanction the sale of a lease for a period not exceeding one year when the reserve price has not been reached.”;

(19) in rule 40, for the expression “Officer Commanding-in-Chief, the Command”, the words “authority nominated by the concerned services headquarters” shall be substituted;

(20) for rule 44, the following shall be substituted, namely:–

“44. General land register, Cantonment Board.– The Military Estate Officers shall supply to the Board extracts from the General Land Register prepared under rule 3 in respect of all land in bazaars in a Cantonment, the management of which has been entrusted to, or vests in the Board.”;

(21) in rule 45, for sub-rule (1), the following shall be substituted, namely:–

“(1) The duties and functions assigned to the Military Estate Officer of maintaining the General Land Register under rule 10 shall be performed by the Board in respect of land in the bazaars in a Cantonment, the management of which has been entrusted to, or vests in, the Board.”;

(22) for rule 47, the following shall be substituted, namely:–

“47. Disposal of land by the Cantonment Board.–

(1) With approval of the Director General of the Directorate of Military Lands and Cantonments, the disposal of land, entrusted to the management of the Board under rule 9 shall be governed, so far as may be, by the same rules as apply to the disposal of land entrusted to the management of the Military Estate Officer, subject to the following modifications, namely:-

- (a) the Board shall take the place of, and perform the functions assigned to the authority nominated by the concerned services headquarters in rules 24 and 33;
- (b) the Executive Officer shall take the place of, and perform the functions assigned to the Officer Commanding the station in rules 18, 19, 26 and 37;
- (c) the Executive Officer shall take the place of, and perform the functions assigned to the Military Estate Officer in rules 17, 18 19, 21,22, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 39;
- (d) no reference to the authority nominated by the concerned services headquarters shall be required under rules 24 and 26;

- (e) no reference to the secretary of the administrative division or to the appointed authority shall be required under rule 19 when the site applied for falls within an area which has been declared by the Federal Government by notification under section 43A of the Act to be bazaar area;
- (f) where a lease is in respect of a site within an area referred to in clause (e) for the references to the authority nominated by the concerned services headquarters, in condition 1(5) of the Forms of lease set out in Schedules VIII, IX and X and in condition 1(3) of the Form of lease set out in Schedule XI, there shall be substituted references to the Board:

(2) Prior concurrence of the Director General of the Directorate of Military Lands and Cantonments shall be obtained for disposal of land under this rule.”;

- (23) after rule 49, the following new Chapter VIII and rule thereunder shall be inserted, namely:—

“Chapter VIII
MISCELLANEOUS

50. Saving.— Notwithstanding anything contained in these rules, the actions or proceedings taken prior to commencement of the Cantonments (Amendment) Act, 2023 (XLVII of 2023) shall be deemed to have duly been taken in accordance with section 292 of the said Act under these rules.”;

- (24) in Schedule V,—

(a) under the heading “GRANT REGISTER—BUILDING SITES”,—

- (i) for entry 6, the following shall be substituted, namely:—

“6. Order of the secretary of the administrative division.”;

- (ii) entry 14 shall be omitted;

(iii) for entries 15 and 16, the following shall be substituted, namely:—

“15. Order of the authority nominated by the concerned services headquarters under rule 24.

15A. Resolution of Cantonment Board.

16. Order of the secretary of the administrative division or a person authorized by him in this behalf—

(a) if market value exceeds ten million Rupees; and

(b) if sale is not concurred in by the authority nominated by the concerned services headquarters.”;

(25) in Schedule VI, under the heading “Conditions of sale”, in condition 1, for the expression “Officer Commanding-in-Chief, the Command/”, the expression “the authority nominated by the concerned services headquarters or, as the case may be, the” shall be substituted;

(26) in Schedule VII, under item I with the heading “AND THE LESSEE(S) HEREBY COVENANT(S) WITH THE LESSOR.”, in entry (3), for the expression “Officer Commanding-in-Chief concerned”, the expression “the authority nominated by the concerned services headquarters” shall be substituted;

(27) in Schedule VIII, under item I with the heading “AND THE LESSEE DOTH/LESSEES DO hereby covenants with the Lessor:—”, in entry (5), for the expression “Officer Commanding-in-Chief, the Command”, the expression “the authority nominated by the concerned services headquarters or, as the case may be, the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted;

(28) in Schedule IX, under item I with the heading “AND THE LESSEE DOTH/LESSEES DO hereby covenants with the Lessor:—”,—

- (a) in entry (5), for the expression “Officer Commanding-in-Chief, the Command”, the expression “the authority nominated by the concerned services headquarters” shall be substituted; and
 - (b) in entry (9), for the words “Federal Government”, the words “the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted;
- (29) in Schedule IX-A, under item I with the heading “AND THE LESSEE DOTN hereby covenant with the Lessor:-”,—
 - (a) in entry (8), for the words “Federal Government”, the words “the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted; and
 - (b) in entry (11), for the words “Federal Government”, the words “the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted;
- (30) in Schedule IX-B, under item II, in the heading “AND THE LESSEE DOTN hereby covenant by the Lessor:.”, for the word “by”, the word “with” shall be substituted and thereafter—
 - (a) in entry (v), for the words “Federal Government”, the words “the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted; and
 - (b) in entry (vi), for the words “Federal Government”, the words “the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted;
- (31) in Schedule IX-C, under item 1 with the heading “AND THE LESSEE DOTN hereby covenant with the Lessor:—”, in entry 9, for the words “Federal Government”, the words “the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted;

- (32) in Schedule X, under item I with the heading “AND THE LESSEE DOTH/LESSEES DO hereby covenant with the Lessor:-”,—
- (a) in entry (5), for the expression “Officer Commanding-in-Chief, the Command”, the words “the authority nominated by the concerned services headquarters” shall be substituted; and
 - (b) in entry (9), for the words “Federal Government”, the words “the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted;
- (33) in Schedule X (Modified), under item I with the heading “AND THE LESSEE DOTH/LESSEES DO hereby covenant with the Lessor:-”, in entry (6), for the words “Federal Government”, the words “the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted;
- (34) in Schedule XI, under item I with the heading “AND THE LESSEE DOTH/LESSEES DO hereby covenant with the Lessor:-”,—
- (a) in entry (3), for the expression “Officer Commanding-in-Chief, the Command”, the words “the authority nominated by the concerned services headquarters” shall be substituted; and
 - (b) in entry (7), for the words “Federal Government”, the words “the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted;
- (35) in Schedule XII, under heading “Conditions of tenure”, in condition (2-b), for the expression “Officer Commanding-in-Chief, the Command”, the words “the authority nominated by the concerned services headquarters” shall be substituted;
- (36) in Schedule XIII, in the Table, in column 1, against survey No. 104, in the entry in column 3, for the words “Federal Government”, the words “the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted;
- (37) in Schedule XIV,—

- (a) under item I with the heading “THE LESSEE/THE LESSEES for himself his/themselves heirs and assigns hereby covenants/covenant with the Lessor-”, in entry (3), in sub-entry (b), for the expression “Officer Commanding-in-Chief, the Command”, the words “the authority nominated by the concerned services headquarters” shall be substituted; and
- (b) under the heading “NOTES”, occurring at the end,—
 - (A) in clauses (i) and (ii), for the expression “Officer Commanding-in-Chief, the Command”, the words “the authority nominated by the concerned services headquarters” shall be substituted; and
 - (B) for clause (iii), the following shall be substituted, namely:—
 - “(iii) Leases for terms exceeding ten years shall require approval of the authority nominated by the concerned services headquarters after confirmation by the secretary of the administrative division or a person authorized by him in this behalf.”;

(38) in Schedule XV,—

- (a) in the 5th paragraph, for the expression “Federal Government or such other authority as the Federal Government may appoint for this purpose”, the words “the secretary of the administrative division or a person authorized by him in this behalf” shall be substituted;
- (b) under the heading “Copy of Board resolution”,—
 - (i) entry 7 shall be omitted;
 - (ii) for entry 8, the following shall be substituted, namely:—
 - “8. Forwarded to the authority nominated by the concerned services headquarters.”;
 - (iii) for entry 9, the following shall be substituted, namely:—
 - “9. Secretary of the administrative division or a person authorized by him in this behalf under rule 37.”; and

