

No. 24(14)/03/US(WE)/D(Res)
 Government of India
 Ministry of Defence
 Deptt of Ex-Servicemen Welfare

New Delhi, Dated the 31st January, 2005

To,

The Chief of the Army Staff
 The Chief of the Navy Staff
 The Chief of the Air Staff

Subject:- Procedure for procurement of land in Non-military stations for Ex-Servicemen Contributory Health Scheme (ECHS).

Sir,

1. With reference to Govt. of India, Ministry of Defence letter No. 22(1)/01/US(WE)/D(Res) dated 30th Dec 02. I am directed to convey the sanction of the Government for 'Procedure for procurement of land in non military stations, listed in Appendix A to this letter for Ex-Servicemen Contributory Health Scheme (ECHS) with immediate effect.
2. This procedure will be effective for a period of three years from the date of issue of this letter.
3. This issues with the concurrence of Ministry of Defence (Finance) vide their U.O. No 61/DFA/DS/W/05 dated 28.1.05.

Yours faithfully,

Sd/- x x x x

(V.K. JAIN)

Under Secretary to the Govt of India

Copy to:-

1. CGDA, New Delhi
2. SO to Defence Secretary
3. PPS to Secretary
4. PPS to AS (B) (Acquisition)
5. PPS to AS (T) / PPS to AS (I)
6. Addl FA (M) / Addl FA (K)

7. JS (ESW)
8. JS (O/N)
9. Dir (Finance/AG)
10. Dir (Fin/AG)
11. Defence (Finance/AG/PD)
12. DFA (B) / DFA (N) / DFA (Air Force)
13. AFA (B-1)
14. D (Works) / D (Mov) / D (Med)
15. O&M Unit

Also to:-

16. DGAFMS
17. DGDE, New Delhi
18. DGD C&W
19. QMG
20. DGMS
21. DGMS (Air)
22. DGMS (Navy)
23. AOA
24. COP
25. MD Central Org ECHS
26. ADG C&W
27. ADG (FP)
28. All Command Headquarters
29. Navy Headquarters (PS Dte)
30. AG Branch / CW-3
31. Naval Headquarters (PS

Dte) Copies signed in ink :-

32. CDA (Army), Bangalore
33. CDA (WC), Chandigarh
34. CDA (Army), Patna
35. CDA (SC), Pune
36. CDA (Army), Meerut
37. CDA (NC), Jammu
38. CDA (Officers), Pune
39. CDA (Navy), Bombay
40. CDA (AF), Dehradun

41. CDA (Army), Jabalpur
42. CDA (Army), Secunderabad
43. CDA (Army), Lucknow
44. CDA(Army), Chennai
45. CDA (Army), Kolkata
46. CDA (AF), Delhi
47. CDA (Army), Guwahati
48. CDA (Army), Pune
49. CDA(Army), Bombay
50. CDA (Army), Dehradaun

Appendix A to Government of India, Ministry of Defence letter No. 24(14)/03/US/(WE)/D(Res) dated 31-01-2005

**PROCEDURE FOR PROCUREMENT OF LAND FOR ECHS
POLYCLINICS IN NON MILITARY STATIONS**

Requirement of Land and Authority

Govt of India MOD letter No 22(1)/01/US(WE)/D(Res) dated 30 Dec, 02 accorded approval for acquiring land in non-military stations as per Appendix F para 1(a) as follows:-

Type of Polyclinic	A	B	C	D
Area of Land (in sq yards)	1200	1200	700	700

Procedure to be adopted

2. Based on the list approved by the Government of India, a list of Polyclinics identified for development in Non Military Stations for a particular year will be made available by the Central Organisation, ECHS to respective Commands.
3. The HQ Commands/Area/Sub Area thereafter will forward a list of such stations to the concerned Defence Estates Officer (DEO). The DEO will identify and forward details of suitable Defence Land, if available, in these stations.
4. The suitability of the land will be assessed by the respective Station HQs on the basis of area, accessibility for ESM, connectivity through road and rail links, location within town etc. If the land is found suitable, the construction of ECHS Polyclinic will be done as per procedure laid down for construction of Polyclinics.
5. If Defence land is not available or found un-suitable than simultaneous efforts will be made to look for land belonging to any other Central Government Department/State Government/Local Housing Body/Development Authority etc.
6. After adequate efforts have been made to identify land as stated in paragraph 5 above and if these efforts fail, action will be taken to purchase land by inviting tenders from the interested sellers through open newspaper advertisements. Tender will be invited in double envelopes. The first envelope will carry the details with regard to the location, description and suitability of land. The second envelope will consist of the financial offer. A purchase committee shall be constituted at Headquarters Command level whose composition will be as follows:-

i)	An officer not below the rank of Brig or equivalent	-Chairman
ii)	Commander Works Engineer or his representative	-Member
iii)	Senior Executive Medical Officer or his representative	-Member
iv)	Representative of Regional CDA	-Member
v)	DEO/ADEO	-Member
7. The Purchase Committee will open the first envelope and decide the suitability of offers received. The second envelope consisting of the financial offer will be opened only in those cases where the plot of land offered for sale has been found suitable for the purpose of locating the polyclinic. Based on the offers received, representatives of Command Headquarters will make comparative statement of offers and depending upon the prevailing land value rates, the purchase committee, wherever consider essential, will negotiate the rates with the lowest tender and arrive at a negotiate price of land.

8. The Committee will obtain a certificate of cost reasonability from the competent revenue authority. General Officer Commanding-in-Chief of the Command will have power to approve purchase of land up to a value of Rs. 5.00 lakhs (Rupees Five lakhs). If the land value is more than Rs. 5.00 lakhs, the case will be routed through Central Organisation, ECHS, AG's Branch Army Headquarters to Ministry of Defence.

9. Before submitting the case, the Purchase Committee will ensure the following points:-

- (a) While fixing the land value, rate given by the Revenue authorities shall be kept in view
- (b) In case the price agreed by the Purchase Committee exceeds the rate suggested by the Collector/ Revenue Authorities, reasons for accepting the higher price will have to be recorded in writing by the Committee.
- (c) The Purchase Committee will examine and confirm the right and title of the land owner over the land proposed for purchase.
- (d) Recommendations of the Committee will be submitted to the Central Organisation, ECHS through the Command Headquarters
- (e) The Central Organisation, ECHS will submit the case to MOD who will in consultation with MOD (Fin) issue the Government sanction expeditiously. On the approval having been accorded by the MOD/GOC-in-C all documentation including the transfer/sale deed will be prepared by the concerned DEO.

10. The Central Organisation, ECHS will earmark annual budgetary funds from Capital Head and allocate the same to the QMG's Branch from Major Head - 4076 Sub Major Head - 01 and ECHS Code Head 902/47.

ACCEPTANCE OF GIFTED LAND

Action at Headquarters Command Level

11. A Station Board of Officers will be constituted by concerned Headquarters Command to examine the offer made by the concerned State Government/Non Government Organisation/Charitable Trust/Organisation/Private Party/Individual and assess suitability of establishing the ECHS polyclinic on the said land. Prior to the Board being ordered, the Headquarters Command will ensure the following:-

- (a) The offer has been made in writing.
- (b) The offer must clearly give details of the land being made available.
- (c) The land will be transferred irrevocably and will be handed over in an unencumbered manner
- (d) If the land is being offered on lease, the lease will not be for less than 30 years and shall be renewable with mutual consent. The terms and conditions shall be spelt out clearly.

The DEO shall carry out the documentation as per procedure already in vogue.

12. The Board of Officers shall comprise the following:-

- a) Presiding Officer - Officer nominated by Station Commander
- b) Member
 - i) -Representative of Senior Executive Medical Officer
 - ii) -Representative of Defence Estate Officer
 - iii) -Representative of Commander Works Engineer

13. The Board shall examine suitability of the site, bearing the following aspects:-

- a) Land is not under illegal occupation and should be free of all encumbrances.
- b) Examine revenue records and enclose relevant extracts
- c) Examine the site from accessibility to Ex-Servicemen
- d) Proximity to other Medical facilities in the city
- e) Proximity to Bus terminus/railway station for conveyance of ECHS members

- f) The area offered is as per the minimum size mentioned in Govt letter *ibid*. However, Board is empowered to consider additional land if offered by Govt/any agency, subject to meeting all above conditions.
- g) The donor will not impose restrictions like name of family members to be mentioned on the polyclinic building to gain popularity
- h) The donor may not seek any benefits in lieu of the land being gifted to the Government.
- j) There is no dispute over the gifted land which may lead to unnecessary litigation for Union of India.

14. The Board having satisfied itself of the suitability of the site will forward its proceedings with recommendations to Headquarters Command for approval of GOC-in-C through Principal Director of Defence Estate. Once approval of GOC-in-C has been accorded, suitable orders to that effect will be issued and the Defence Estate Department shall take over the land as per existing procedure, execute deeds and record mutation. Said land, thereafter, will be taken over on charge of Military Land Record/Garrison Land Record and subsequently handed over to military authorities as per laid down procedure.

Budgetary Allocation

15. In case the land in question is gifted, no payment is required to be made except for Registration/Mutation and any other procedure. Amount shall be paid by the DE authorities from Revenue Head of expenditure from ECHS, Budget. Central Organisation, ECHS shall allocate fund for the same on demand from concerned Command Headquarters/DEO.

16. Where the land is obtained on long lease, necessary payment shall be made by DE authority as per existing procedure and amount debited to revenue head of expenditure of ECHS. Command Headquarters will obtain necessary annual allocation from ECHS Central Organisation.