

Reform Initiative/innovation Action Plan

MD ASHRAFUL ISLAM

Additional Secretary

Ministry of Defence

Title: Ensuring well-documented and speedy submission of STATEMENT OF FACT in Defence land related civil suits against government

- **Definition and category of Defence land:** There are three categories of defence lands in our country. Category A, B and C. Category 'A' includes the lands which are actively occupied by Armed forces. Category 'B' lands are under the custody of MEOs and DMLC and Category 'C' includes the lands which are vested under Cantonment boards for their use and management. There are some special laws and rules are there in management and disposal of Defence land.
- **Why civil suits arise:** In the cases of defence land, most of the time, illegal occupants create fake documents and file cases against the government to gain ownership.
- **Problem:** Improper and Delay submission-In these cases, due to the inability to submit timely S F along with appropriate documents, the verdict of the case goes against the government in many cases, resulting in loss of land and financial resources to the government.

Causes of the Problem:

- A. To preparing S F of a civil suit is some what technical task and relevant supporting documents are essential in preparing S F.
- B. Lack of land acquisition, khas land allocation and transferred land from other governmental departments related records in MEO office and in Cantonment board offices cause delay in preparing S F.
- C. For the vetting from Government pleader also causes delay in processing S.F, because usually huge number of cases remain pending to G P.
- D. Due to partial ignorance of land laws and inefficiency in preparing SF of the employees and officials involved in SF preparing.
- E. Negligence and unwanted delay in collecting relevant documents,
- F. Insufficient budget allocation and logistics at MEO offices resulting in improper and delayed SF submission.

Reform Initiative Action Plan:

SL	Action	Role & Responsibility	Resource/Budget	Deadline/ time frame
1	Creation of computerized database of Defence land records	Army, Navy, and Air head Quartar, DML&C, Military Estate Offices and Cantonment board offices.	ICT materials, Budgetary allocation and trained personnel.	6 to 9 months
2	Arranging effective training for all concerned	Department of military lands and Cantonments.	Trainer in Land law experts and experienced SF preparing persons.	Quarterly on the job training (Need based)
3	Ensuring the system of rewards and punishments for the concerned employees	Ministry of Defence and Department of military lands and Cantonments.	Government Service rules and Concerned circulars of cabinet division	Need based
4.	Arranging vehicle for the employees concerned with SF preparation, for their travel to various offices and courts, including incentives	Ministry of Finance, Ministry of Defence	Increased budgetary allocation	Financial year basis

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5	holding monthly progress review meetings	DMLC & MEOs,Cantonment Boards	Factual reports and authentic reference	Monthly regular basis
6	Coordination with the concerned headquarters and ministry of Defence	DG Department of military lands and Cantonments.	Trough Application of ICT	Need based
7	Capacity building of military Estate offices	Ministry of Finance, Ministry of Defence,DML&C	Providing modern survey equipment's	6 to 9 months
8	Appointment of panel advocates in the office of DMLC	Ministry of Law Ministry of Finance Ministry of Defence	Legal approval and Budgetary support	3 to 6 month
9	Ensuring well Demarkation of defence land boundary	Head quarter of Army, navy, and Air force, DG, DML&C.	Construction of necessary boundary structure by LTM	12 to18 months

SOWT Analysis:

Strength: Army, Navy and Air-head Quartar have enough manpower and necessary budget support. They have also quick responding habit

Weakness: The stakeholders don't have desired land law knowing manpower. MEOs also have no modern survey equipment and sufficient manpower to oversee the lands situated in the large areas of the country.

Opportunity: Complete Creation of land records database by government particularly C S, S A and R S khatians would be easy to collect information in preparing S F. Also Digital survey of land by the government would expedite smooth occupation of defence land.

Threat: Illegal occupants alwyas try to encroach the boundary of land. Hacking of land record data is a risk here. Because of legal compliance in Defence arena, it is some what difficult to implement digital application of land data base.

Stake holder consultation:

Army, Navy and Air head Quartar, units and formations of them, Department of military lands and Cantonments, MEO offices, Cantonment Boards and Ministry of Defence are the main stake holders of this issue.

Interest High	<p>Subjects</p> <p>High interest but low influence:</p> <p>Different Units and formations of Army, Navy and Air forces and Cantonment Boards.</p>	<p>Players</p> <p>High interest and high influence:</p> <p>Headquarters of 3 forces, Military Estate Officers, Government pleaders concerned, and Cantonment Executive officers</p>
	<p>Bystanders</p> <p>Low interest and low influence:</p> <p>S F preparing concerned employees of MEO offices and employees of Cantonment Boards.</p>	<p>Actors</p> <p>High interest but low influence:</p> <p>Ministry of Defence, Department of military lands and Cantonments, Station Commander of Cantonments</p>
Low	Influence	High

Way Forward: Well documented and speedy submission of SF is a prerequisite to contest the Land suit to win to protect government's interest. If we are able to apply the action plan recommended here with legal compliance it will be easy and fruitful to submit well-documented and speedy S F.

Annexure