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PCE

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

RB/L&A No. 091/2010

No. 2008/LML/19/17

New Delhi, dt.16.02.2010.

General Managers
Principal Chief Engineers
SWR All Zonal Railways

52819 23-2-10

PCE/CE (Co-ord.)			
CTE	Dy.CE/Ti		Secy
CSE	Dy.CE/Br	Dy.CE/Br.L	PS
CGE	Dy.CE/G		Ch.OS
CPDE	Dy.CE/Plg		OS/G
CE/TP	Dy.CE/TS		CA
CTE/TM	Dy.CE/TM		NB

Sub:- Issue of No Objection Certificate for construction / redevelopment of Government and Private building on land adjoining Railway boundary.

1. A number of representations have been received regarding granting of No Objection Certificate for undertaking construction/redevelopment of buildings in land adjoining Railway land.
2. Instructions have already been issued in this regard in the past vide Board's letter No. 94/LML/14/22 dated 29.08.1995; stating that as the land in urban area has become very valuable, Railways should adopt a pragmatic approach, examine building plans ensuring that layout of the building should not result into accrual of various easement rights.
3. The issue has again been examined in Board. The duties and role of Railway officials regarding dealing with utilization of land adjoining Railway land boundary have been clearly defined in Para 827 of IRWM 2000. Railways need to examine the proposal for construction/redevelopment of buildings/structures on adjoining land in an objective and pragmatic manner in terms of Railway rules/instructions accordingly. If after examining the proposal, Railway is of the opinion that the proposed structure will not lead to accrual of any easement rights, issuance of NOC can be considered. As regards compliance of provisions of development control regulations or other rules issued by State Govt./Local Authorities in this regard, it is for the State Govt./local Authority to examine and ensure compliance of the same.
4. In case of high rise buildings or buildings with basements or where deep digging is involved in close proximity to Railway track, Railway should examine the drawings and construction methodology and ensure that under no circumstances safety of Railway track is affected during or after construction. If necessary, Railway may consider stipulations of site supervision, inspection, etc., by Railway during construction stage as well as inspection, during lifetime of the building to ensure that building / basements do not affect Railway's train operations.

Please acknowledge receipt.



(M. K. Panda)

Dy. Director (Land & Amenities)
Railway Board.