

Relevant extracts from Board's letter
No. 82/W2(LM)/18/116 dated 22.11.1982
Addressed to GMs/All Indian Railways,
DLW, CLW, ICF, W&AP, Director General
RDSO/Lucknow.

Sub: Licensing of land - Execution of
written agreement with the licensees.

The Public Accounts Committee (1982-83) (Seventh Lok Sabha) in their 94th report (Para 61) have inter alia made the following observations:

- (i) Railway land should be given on licence basis only and not on lease, as it is very difficult to get the land given on lease vacated when the same is subsequently required by the Railways for their own use. The Railways should re-examine the policy regarding practice of giving lands on lease basis.
- (ii) That out of 68016 cases where land was given on licence basis, in 36916 cases, i.e. 54 per cent, no written agreement was executed with the parties. In all cases of land given on licence basis, written agreements should be entered into with the concerned parties.

2. Board have examined the above recommendations of the Public Accounts Committee and have decided that as a general rule, Railway land should be given on licence only.

3. Board further desire that in all cases of land given on licence basis, written agreements should be entered into with concerned parties. Under no circumstances, the land should be licensed without ~~executing~~ executing proper agreement.

4. Board further desire that all cases of land already licensed/leased to the outsiders. where agreements are yet to be signed must be processed with the utmost expediency on a time-bound programme and agreements executed without any further delay.

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Sd/-
(N.K. SIKKA)
DIRECTOR, LAND MANAGEMENT
RAILWAY BOARD.

(2)

Annex-L-II

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ANNEXURE 'B'

Government of India/Shara' Sarkar
Ministry of Railways/Rail Mantralaya
(Railway Board)

No.80/W2/18/O/A

New Delhi, dated 7.6.1984.

The General Managers,
All Indian Railways,

Sub: Management of Railway land - Rationalisation
of procedure for temporary licensing for
shopping, commercial and vending purposes
not connected with Railway working.

You are aware that the Railway Reforms Committee in their Report on "Lands" issued in October, 1982, had recommended that to prevent encroachments on Railway land and to augment Railways' resources, the existing land management organisation should be considerably strengthened. It had also recommended that a Railway Land Development Authority should be set up for exploitation and management of the valuable Railway land in Metropolitan cities/major towns for commercial utilisation and other revenue earning activities. In line with the above recommendation, the setting up of a suitable land management organisation is under consideration of the Ministry of Railways.

2. Meanwhile, it has been decided that till such time the policy for rational commercial utilisation of railway land is finalised and suitable organisation for land management set up, all further temporary licensing of land to private individuals for the purposes of setting up shops, commercial offices, vending stalls, clinics, etc., not connected with Railway working, should be stopped forthwith. In respect of commitments where agreements have not been signed or physical possession of land not handed over, the position should be reviewed and action taken, where possible, not to enter into commitments.

3. Please acknowledge receipt.

Sd/-
(N.K. SIKKA)
Director, Land Management,
Railway Board.