



General Manager's Office  
Engineering Branch  
Jabalpur - 482068

WEST CENTRAL RAILWAY

No. W-HQ/W-1/ LM/Circular-II

Dt-29.03.2016

PCE's Circular No, 16/2015-16

Sub: - Regarding issue of 'NO Objection Certificate' for construction/redevelopment of Government and private building/structure on land adjoining Railway boundary.

Ref: - (i) Railway Board's letter No. 2015/LML-1/19/2 Dt. 25.06. 2015  
(ii) Railway Board's letter No. 2008/LML/19/17 Dt. 16.02.2010  
(iii) Railway Board's letter No. 2002/LML/14/70 Dt. 13.11.2002,  
(iv) Railway Board's letter No. 94/LM(L)/14/22 Dt. 29. 08. 1995

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In connection with issue of 'NO Objection Certificate' for construction/redevelopment of Government and private building/structure on land adjoining Railway boundary, the instructions issued vide Railway Board's letter under reference (i) to (iv) as above shall be strictly followed.

As regards issue of NOC, keeping in view the safe operations of trains, normally there shall be clear open space within 30 m from Railway land boundary. In addition, following Guidelines shall be followed, based on above referred Railway Board's letters.

1. The Divisions shall certify that the subject land is not required for Railway use in near future. If required, Construction Unit shall also be consulted for any planned works, and signatures obtained thereto.

The instructions contained in Para 3 of Railway Board's circular dt. 16.02.2010 under reference (ii) above, should be followed in verbatim, which is reproduced below for ready reference:

*"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. Railway 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."*

WCR

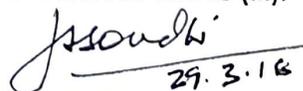
## PCE Circular

2. High Rise buildings & Basement/Underground construction by third party:  
In case of high rise buildings or with basement or where deep digging is involved in close proximity to Railway track, Railway shall 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 and impose stipulations of site supervision, inspection, etc, by Railway Officials during construction stage as well as inspection on periodic basis to ensure that building/basement do not affect safety of Railway's train operations.
3. For construction adjacent to Railway land and running lines, the party shall be required to furnish undertaking in writing that they have got the drawing & design prepared by Competent & Licensed Engineer, duly signed and the works shall be executed ensuring safety of railway operations and existing structures. For structures constructed near the Boundary line, the third party (builder), shall suitably indemnify Railways for any likely damage incurred or to be incurred to Railways, as per prevalent legal provisions.
4. In case, where the ground level is higher than the formation level, the safety of the track and trains operation shall be checked by slope stability checks, and the clear space left clear from the railway boundary should be increased suitably!
5. The proposed structure should not obstruct/affect the visibility of train operation in curves.
6. Charges to be deposited for examination of proposal for the site, and preparation of drawings by Railways for issue of NOC shall stand revised as Rs. 2000/- (Rupees Two Thousand), with effect from the issue of this circular.
7. For part portion, if any structure, is in the Railway boundary, the case shall then be considered as whole or part under the provisions of 'way leave' case separately.

**Procedure:**

On request of the third party (builder), the proposal shall be prepared and examined by Division as per above guidelines, based on relevant codal provisions, instructions of Railway Board's circulars, and sent to Zonal Railway Head Quarter for final approval.

Necessary action shall be taken on the proposal by Division so that the NOC can be issued within 60 days, as stipulated in Railway Board's letter referred above (iii).

  
29.3.16  
(J. S. SONDHI)

Principal Chief Engineer  
WCR/Jabalpur

**Copy to:**

1. CAO/Construction/JBP
2. All HODs of Engg. Department
3. Sr. DEN(Co.)-JBP, BPL & KOTA
4. Dy.CE/Track-I/HQ, Dy. CE/TM/BPL & Dy. CE/TM/HQ
5. Dy. CE /C-I & Dy. CE /C-II , JBP, BPL & KOTA
6. Dy.CE/Works, Dy.CE/G,