

		General Manager's Office Engineering Branch Jabalpur - 482001
	पश्चिममध्यरेल WEST CENTRAL RAILWAY	Date – 03.06.2024
No. W-HQ/W-1/ LM/NOC/Circular		

PCE's Circular No. 26/2024-25

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

- Ref: - 1. Railway Board's letter No. 2015/LML-I/19/2 Dt. 25.06.2015**
2. Railway Board's letter No. 2008/LML/19/17 Dt. 16.02.2010
3. Railway Board's letter No. 94/LM(L)/14/22 Dt. 29. 08. 1995
4. PCE Circular no. 16/2015-16 issued vide letter no. W-HQ/W-1/LM/Circular-II dated 29.03.2016.
5. Para 827 of IRWM 2000

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Railway's NOC is required for the construction of building within 30 metre from Railway Boundary, accordingly the instructions were issued Vide PCE circular No 16/2015-16 to quickly dispose off the NOC proposals. While scrutinizing the proposals of No Objection Certificate (NOC) for construction/redevelopment of Government and private building/structure on land adjoining Railway boundary, the provisions contained in Para 827 of IRWM 2000 and the instructions issued vide Railway Board's letter under reference 1 to 3 above shall be strictly followed.

NOC proposal shall be evaluated keeping in view the safe operations of trains and requirement of Land for future development. Following guidelines shall be followed–

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 dated 16.02.2010 under reference-2 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. 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."

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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. The proposed structure should not obstruct/affect Signal visibility and the visibility of train operation in curves.
5. 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. 5,000/- (Rupees Five Thousand) for buildings upto 13 m height and Rs. 10,000/- (Rupees Ten Thousand) for buildings more than 13 m height , with effect from the issue of this circular.
6. As per Para 827 of IRWM 2000, Railway's interest will be adequately safeguarded if sufficient vacant space is left between the Railway land boundary and nearest edge of the building so as to ensure development of any future road access and drainage outside the railway land and to avoid request for surrender of Railway land for such facility at future date.
7. The minimum clear space to be left between the Railway boundary and nearest edge of the building has not been mentioned anywhere in Railway Board's policies/ guidelines. Therefore, in view of Para 827 of IRWM 2000, the minimum clear space between the Railway boundary and nearest edge of the building is laid down as under-

S.N.	Height of the Building from Ground Level	Minimum Clear Space to be left
1.	Upto 7.0 m	5.0 m
2.	More than 7.0 m and Upto 13.0 m	7.0 m
3.	More than 13.0 m	10.5 m

8. 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 from the Railway boundary should be increased suitably.

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9. Special Conditions:

- i. No access will be provided to the proposed building/structure from the Railway land.
- ii. No construction material is allowed to store/stack on the railway land by the builder during construction of buildings/structures.
- iii. In no case encroachment on Railway land should be allowed during the construction of the proposed building/structure. No part of the building /structure shall protrude on Railway Land and Air space.
- iv. Sewer and drain should be connected to the Municipal sewer line and drain should not be directed towards Railway track.
- v. Drainage and storm water from Railway land should not be obstructed. Proper drainage arrangement along with arrangement of discharge should be shown in the drawing.
- vi. No foundation of any structure, whatsoever, should come under the railway land and not affect track stability.
- vii. If buildings/structures are not constructed as per approved drawing by Railway or detection of any deviations to drawing will lead to cancellation of NOC granted by Railway and necessary action will be taken immediately.
- viii. Complete safety should strictly be ensured in respect of any crane working towards Railway land involved during the construction work. The builder/owner will be fully responsible for any loss caused to the Railway or any one during the course of constructions as well as after the construction.
- ix. NOC should be given to get necessary clearance from State Govt. /Municipality etc.

On receiving the proposal for NOC from the party, the proposal shall be prepared and examined by Division as per above guidelines, relevant codal provisions, instructions of Railway Board's circulars. Further, the feasibility of the proposal shall be as per the points mentioned in the checklist (attached as Annexure-I.) After completion of all the formalities, the proposal should be sent to the 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 under reference-1

DA: Annexure-I (02 pages)

Digitally Signed by
Ashutosh (Ashutosh)
Date: 06-06-2024 11:18:47:07
Reason: Approved
Principal Chief Engineer
WCR/Jabalpur

ANNEXURE-I

CHECK LIST

➤ Checklist for issue of NOC for construction/redevelopment of Government and private building/structure on land adjoining Railway boundary.

1. Location of proposed construction–
 - Section-
 - Between KM..... and KM.....towards UP/DNline side.
 - Between and Stations.
2. Maximum height of the proposed building from Ground level to the topmost part of the building (In Meters).....
3. Maximum height of the proposed building from Rail level to the topmost part of the building (In Meters).....
4. The minimum clear horizontal distance provided between Railway land boundary to nearest edge of the proposed building (In Meters).....

S.NO.	ITEMS	REMARKS	Documents attached at Page No.
1.	Whether the Forwarding Letter from Town & Country Planning or concerned Local Authorities (regarding requirement of Issue of NOC from Railways prior to proposed construction) is submitted by the party		CP-
2.	Whether the party has submitted Request/Application (routed through the sub-division with the ADEN's remarks) for the issue of NOC from Railways		CP-
3.	Location of Plot with reference to Place, Station & Railway Track KM (Showing distance of plot from Railway boundary)		CP-
4.	Whether the Rly boundary is verified from Rly's approved land plan.		CP-
5.	Whether the title of private land is clear i.e. verification of 7/12 extract & Property card (as per the State Revenue Records/Portal)		CP-
6.	Whether the party has paid necessary Site Inspection & Plan preparation charges		CP-
7.	Whether a Set of Drawing (including Plan, Elevation, Cross Section with reference to nearest track with GL, RL & FL & other relevant details such as drainage arrangement, approach arrangement, distance from Railway Boundary etc.) from approved structural engineer is submitted by the party.		CP-

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8.	Whether the Structure stability & safety certificate (issued by approved structural engineer) for the proposed construction work is submitted by the party		CP-
9.	Affidavit (on 100/-Stamp) to the effect stating that the said plot will be handed over to the Railways for its future expansion, if needed		CP-
10.	Whether ADEN's Feasibility Report & Sketch has been submitted.		CP-
11.	Whether NOC from Construction Department to certify that the subject land is not required for Railway use in near future is attached		CP-
12.	Whether the location is subject to leave a open space of 30 mtr. Approx. between Rly. boundary & face of proposed building towards track side OR Whether the location is in city & town where the land is valuable & the cost is high		CP-
13.	Whether the criteria for minimum open space to be left between the Railway Boundary and nearest edge of the bldg is fulfilled In addition to this, the clear space left from the railway boundary should be increased suitably if the ground level is higher than the formation level. The safety of the track and trains operation shall be checked by slopes stability check.		CP-
14.	Whether the drainage arrangement is affecting the Railway Premises.		
15.	Whether sullage & storm water is connected to Municipal sewer line & drain		CP-
16.	Whether the drainage of rain water from Railway Land is obstructed.		
17.	Whether the proposed structure obstruct/affect the visibility of train operations.		CP-
18.	Whether the access is provided to the proposed building from Railway Land.		CP-
19.	Whether the Note for the proposed NOC has been signed by all concerned and approval of the DRM has been obtained		CP-

Signature of Concerned SSE

Signature of Concerned ADEN