केवल कार्यालयीन उपयोग हेतु
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भारत सरकार – **Government of India**
रेल मंत्रालय – **Ministry of Railways**

# भूमि प्रबंधन

# LAND MANAGEMENT

केमटेक/2012/सि/भू प्र/1.0

**CAMTECH/2012/C/LM/1.0**

अप्रैल – 2012

**April - 2012**

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# भूमि प्रबंधन

# LAND MANAGEMENT

# प्राक्कथन

भारतीय रेल में खाली एवं अतिरिक्त भूमि, बहुमूल्य और मूल्यवान सम्पत्ति है तथा प्रभावी प्रबंधन द्वारा इसका लाभकारी उपयोग विभिन्न संसाधनों को विकसित करने में किया जाना चाहिये। यह, भूमि के प्रभावी उपयोग के साथ–साथ गतिशील विकास एवं बृद्धि सुनि ि चत करने में अग्रसर होगा।

केमटेक के सिविल विभाग द्वारा इस पुस्तिका में **भूमि प्रबंधन** पर परिष्कृत एवं विस्तृत जानकारी देने का प्रयास किया गया है।

मैं आशा करता हूॅ कि भारतीय रेल के समस्त सिविल इंजीनियरिंग स्टाफ के लिए यह पुस्तिका निश्चित रुप से उपयोगी सिद्ध होगी।

*केमटेक, ग्वालियर*
*दिनांक 26, अप्रैल 2012*

*पीयूष गुप्ता*
*प्रभारी कार्यकारी निदेशक*

# FOREWORD

The land lying vacant and surplus in Indian Railways is precious and valuable asset and shall be put to profitable use for generating various resources through effective management. This would lead to efficient utilisation of land as well as ensure speedy development and growth.

Civil engineering branch of CAMTECH has made an effort to bring out this handbook to provide elaborate and detailed information on Land Management.

I hope that this book will certainly prove to be useful for Civil Engineering staff of Indian Railways.

***CAMTECH/Gwalior*** ***(Peeyoosh Gupta)***
***Date: 26, April 2012*** ***Executive Director In-charge***

# भूमिका

भारतीय रेल के इंजीनियरिंग विभाग को भूमि का प्रबंधन सौंपा गया है। जैसा कि 01, अप्रैल 2006 को, भारतीय रेल के पास कुल भूमि क्षेत्रफल लगभग 4.32 लाख हेक्टेयर है। इसमें से 75.71 प्रतिशत भूमि का उपयोग संचालन एवं सेवा अधोसंरचना हेतु किया गया है तथा शेष भूमि को विभिन्न उद्धेश्यों जैसे कि वनारोपण, मछलीपालन, Grow More Food, इत्यादि एवं वाणिज्यिक गतिविधियों के लिए भी अनुज्ञापित किया गया है। लगभग 44894 हेक्टेयर भूमि खाली पड़ी है तथा लगभग 1999 हेक्टेयर भूमि अतिक्रमण अधीन है। यह समय की मॉग है कि रेल्वे के भावी फैलाव तथा राजस्व उत्पादन के लिए भूमि का सर्वोत्तम उपयोग किया जाए।

संबंधित कोड, मेनुअल, एक्ट एवं सर्क्यूलर के दृष्टिगत, यह प्रत्येक रेल्वे प्रशासन का कर्त्तव्य है कि वह, अपने अधिकार क्षेत्र में आने वाली समस्त भूमि का शीर्षक सुरक्षित करें एवं इसे अतिक्रमण से मुक्त रखे। इस पुस्तिका में ऐसे क्षेत्रों को सम्मिलित करने का प्रयास किया गया है जिनके लिए खाली पड़ी हुई या अतिक्रमण अधीन भूमि का उपयोग अच्छे से किया जाना चाहिए।

**'भूमि प्रबंधन'** विशय पर पुस्तिका को तैयार करने का उद्धे य, भूमि संबंधी मामलों से जुड़े सिविल इंजीनियरिंग स्टाफ के मार्गद र्शन हेतु विषय से संबंधित विस्तृत जानकारी का प्रसार करना है। यह पुस्तिका विषय पर उपलब्ध IRWM, इंजीनियरिंग कोड तथा विभिन्न सर्क्यूलर/रिपोर्ट के प्रावधानों तथा रेल्वे बोर्ड, RDSO एवं जोनल रेलों द्वारा जारी निर्दे शों का स्थान नहीं लेती।

यह पुस्तिका वैधानिक नहीं है, इसमें दी गई जानकारी का उद्धे य केवल मार्गद र्शन है। इसमें दी गई जानकारी, किसी न किसी रूप में संबंधित कोड एवं मेनुअल, एक्ट एवं सर्क्यूलर में उपलब्ध है। अधिक जानकारी के लिए, इस पुस्तिका में समाहित किसी भी जानकारी को लागू करने से पहले विषय से संबंधित कोड्स, इत्यादि एवं रिपोर्टस का अध्ययन संदर्भ रूप में किया जाना चाहिए।

इस पुस्तिका के सुधार हेतु पाठकों के किसी भी सुझाव का हम स्वागत करते हैं।

*केमटेक, ग्वालियर* — *एस. के. सक्सेना*
*दिनांक 25, अप्रैल 2012* — *उप निदेशक/सिविल*

# PREFACE

The Management of Land is entrusted to Engineering Department of Indian Railways. As on 01 April 2006, the Indian Railways owns a total land area approximately 4.32 lakh hectares. Out of which, 75.71% of the land is used for operational and service infrastructure and the balance is licensed for various purposes such as Afforestation, Pisciculture, Grow More Food scheme etc. and also for commercial purposes. Approximately 44894 hectares land is lying vacant and about 1999 hectares land is under encroachment. It is the need of the hour to make the best utilisation of the land for Railways' future expansion and revenue generation.

In view of the relevant code, manual, acts and circulars, it is the duty of every Railway Administration to preserve unimpaired, the title to all land in its occupation and to keep it free from encroachment. The efforts have been made in this handbook to include the areas for which the land as lying vacant or under encroachment should be best utilised.

The objective to prepare this handbook on 'Land Management' is to disseminate the knowledge in details for the guidance of civil engineering personnel involved in dealing with various land issues. This handbook does not supersede any existing instructions from Railway Board, RDSO & Zonal Railways and the provisions of IRWM, Engineering code & various circulars/reports on the subject.

This handbook is not statutory and contents are only for the purpose of guidance. Most of the data & information mentioned herein are available in some form or the other in relevant Codes and Manuals, Acts and Circulars. For more in-depth information, the relevant literature on the subject may be referred before final implementation of any information contained in this handbook.

We welcome any suggestions from our readers for further improvement.

***CAMTECH/Gwalior*** ***(S.K. Saxena)***
***Date: 25, April 2012*** ***Dy. Director/Civil***

# विषय–सूची / CONTENT


| अध्याय / CHAPTER | विवरण / DESCRIPTION | पृष्ठ संख्या / PAGE NO. |
|---|---|---|
| | प्राक्कथन / *FOREWORD* | *i* |
| | भूमिका / *PREFACE* | *ii* |
| | विषय–सूची / *CONTENT* | *iii* |
| | संशोधन पर्चियॉ / *CORRECTION SLIP* | *iv* |
| 1.0 | परिचय / INTRODUCTION | 1 |
| 2.0 | संविधान सम्मत भूमि / LAND UNDER CONSTITUTION | 2 |
| 3.0 | भूमि प्रबंधन / LAND MANAGEMENT | 3 |
| 4.0 | भूमि अतिक्रमण / LAND ENCROACHMENT | 11 |
| 5.0 | भूमि निष्कासन / LAND EVICTION | 14 |
| 6.0 | भूमि त्याग / LAND RELINQUISHMENT | 15 |
| 7.0 | भूमि समापन / LAND DISPOSAL | 16 |
| 8.0 | भूमि हस्तांतरण / LAND TRANSFER | 19 |
| 9.0 | भूमि अनुज्ञाप्ति / पट्टा / LAND LICENSING/LEASING | 19 |
| 10.0 | वे लीव सुविधाएं / सुखाधिकार / WAY LEAVE FACILITIES/EASEMENT RIGHTS | 22 |
| | भूमि एवं सुविधाएं निदेशालय, रेल्वे बोर्ड द्वारा जारी किए गए परिपत्र / CIRCULARS ISSUED BY DIRECTORATE OF LAND & AMENITIES, RAILWAY BOARD | 24 |
| | *संदर्भ / REFERENCES* | 30 |

# संशोधन पर्चियों का प्रका ान
# ISSUE OF CORRECTION SLIPS

इस हस्तपुस्तिका के लिये भविष्य में प्रकाि ात होने वाली सं ोधन पर्चियों को निम्नानुसार संख्यांकित किया जायेगाः

The correction slips to be issued in future for this handbook will be numbered as follows:

केमटेक/2012/सि/भू प्र/1.0/सीएस # XX दिनांक_____

CAMTECH/2012/C/LM/1.0/CS # XX date _____

जहॉ XX सम्बन्धित सं ोधन पर्ची की क्रम संख्या है (01 से प्रारम्भ होकर आगे की ओर)

**Where "XX" is the serial number of the concerned correction slip (starting from 01 onwards).**

## प्रकाि ात सं ोधन पर्चियॉ
## CORRECTION SLIPS ISSUED

| क्र.सं./ **Sr. No.** | प्रका ान की तारीख/ **Date of issue** | सं ोधित पृष्ठ संख्या तथा मद संख्या/ **Page no. and Item No. modified** | टिप्पणी/ **Remarks** |
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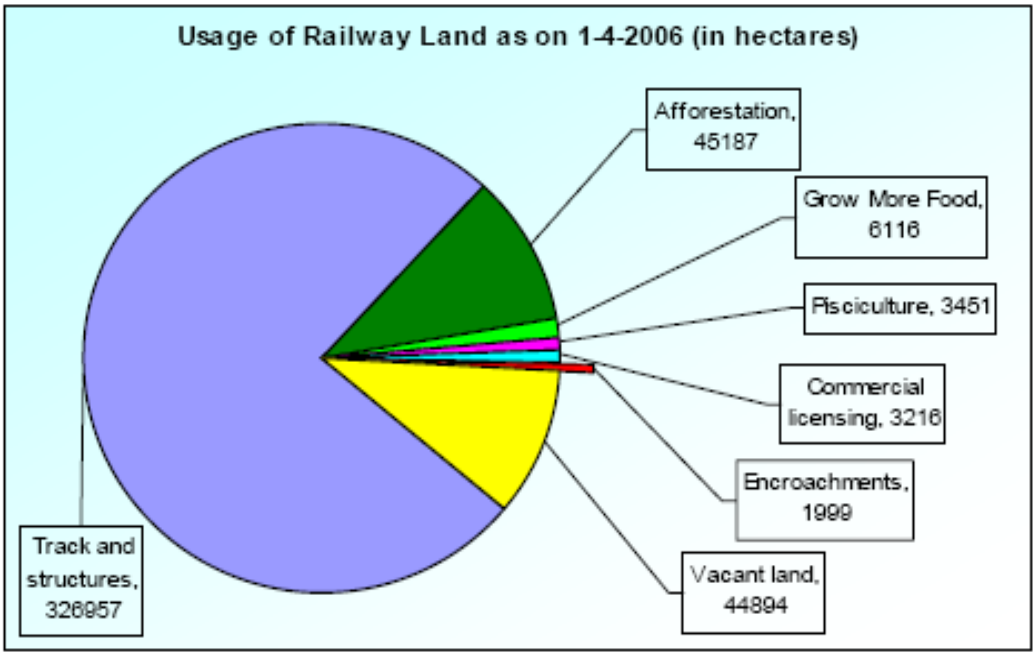
Go to main index

## 1.0 परिचय/INTRODUCTION

Railway land as defined under the Railway (Amendment) Act 2005 means 'any land in which a Government Railway has any right, title or interest'. Indian Railways, the second largest owner of land in the country after the defence forces, owns 4.32 lakh hectares of land as on 01 April 2006; out of which, 75.71% of the land is used for operational and service infrastructure and the balance is licensed for various purposes such as Afforestation, Pisciculture, Grow More Food scheme etc.

Approximately 10.4 per cent land is vacant and not required by the Railways for either the present day use or the sanctioned works. A piece of land shall be declared surplus only if it cannot be put to any conceivable/ possible use even in the farthest future. The area of land under encroachments is considerable (i.e. 1999 hectares). The need for effective acquisition, custody, utilisation and disposal of land is therefore essential in view of the implications for Indian Railways' operations, safeguarding of one of its most valuable assets and the potential for revenue generation.

The break-up of the usage of railway land as on 1 April 2006 is as under:




Given the vast expanse, location and value of railway land, it is imperative that Indian Railways manages both the custody of land and its utilization to its best advantage. However, as per the **Report of the Expert Group for Modernization of Indian Railways,** Government of India, Ministry of Railways (Railway Board), February 2012, the Land & Airspace on Indian Railways may, at best, be utilised in accordance with the recommendations as under:

- Conduct GIS Mapping of land resources available with **Indian Railways** expeditiously.
- Complete digitization of land records and perfection of titling at the earliest.

- Obtain policy concessions from Government of India (GOI). For long term lease and licensing by Railways, land rights must belong to them. A special dispensation from the concerned government ministries, departments and agencies at the central, state and local levels would be critical for successful commercial exploitation of surplus land by the **Indian Railways**.
- Garner state government support for land use and higher FSI.
- Monetize Land assets through creative PPP initiatives.
- Monetize Airspace above the platforms & rail tracks: *A pilot project could be immediately taken up in the Mumbai suburban railway system to monetize the air space*.
- Set up SPV, if required more than one, to handle Land and Airspace.

This would generate additional resources, lead to efficient utilization of land and airspace as well as ensure speedy development, growth and improved customer service. Monetization of surplus land and airspace could mobilize Rs 50,000 Cr for **Indian Railways** (at a conservative estimate of Rs 5 Cr per acre for 10,000 acres of surplus land which has been identified in urban centres for commercialization). A part of this can be received as an upfront payment and the rest through periodic lease revenues.

In the subsequent chapters, the basic information on the subject has been covered in details in accordance with the codal provisions, circulars and various reports.

## 2.0 संविधान सम्मत भूमि/LAND UNDER CONSTITUTION

As per the Indian Railways Code for the Engineering Department (Third Re-print 1999), the position of land under constitution is defined in the Article 294 and 295 of the Constitution of India and same has been reproduced as.

**Article – 294: Succession to Property, Assets, Rights, Liabilities and Obligations in certain cases**

As from the commencement of the Constitution:

*(a)* All property and assets which immediately before such commencement were vested in His Majesty for the purpose of the Government of the Dominion of India and all property and assets which immediately before such commencement were vested in His Majesty for the purpose of the Government of each Governor's Province shall vest respectively in the Union and the corresponding State, and

*(b)* All rights, liabilities and obligations of the Government of the Dominion of India and of the Government of each Governor's Province, whether arising out of any contract or otherwise, shall be the rights, liabilities and obligations respectively of the government of India and the Government of each corresponding State, subject to any adjustment made or to be made by reason of the creation before the commencement of the Constitution of the Dominion of Pakistan or of the Provinces of West Bengal, East Bengal, West Punjab and East Punjab.

Go to main index

**Article – 295: Succession to Property, Assets, Rights, Liabilities and Obligations in other cases**

*(i)* As from the commencement of the Constitution:

a) All property and assets which immediately before such commencement were vested in any Indian State corresponding to a State specified in Part B of the First Schedule shall vest in the Union, if the purpose for which such property and assets were held immediately before such commencement will thereafter be purposes of the union relating to any of the matters enumerated in the Union List, and

b) All rights, liabilities and obligations of the Government of any Indian State corresponding to a State specified in Part B of First Schedule, whether arising out of any contract or otherwise, shall be the rights, liabilities and obligations of the Union Government, if the purposes for which such rights were acquired or liabilities or obligations were incurred before such commencement will thereafter be purposes of the Union Government relating to any of the matters enumerated in the Union List, subject to any agreement entered into in the behalf by the Union Government with the Government of that State.

*(ii)* Subject as aforesaid, the Government of each State specified in Part B of the First Schedule shall, as from the commencement of the Constitution, be the successor of the Government of the corresponding Indian State as regards all property and assets and all rights, liabilities and obligations, whether arising out of any contract or otherwise, other than those referred to in clause (i).

All property and assets, which include land and buildings and which vest in the State Government under Article 294 and 295 of the Constitution or otherwise shall be at the disposal of the respective State Governments, who will be at liberty to dispose them of by sale, mortgage, etc., and the proceeds thereof shall be credited to the revenues of the respective State Governments.

## 2.1 रेल्वे भूमि का स्वामित्व/OWNERSHIP OF RAILWAY LAND

As per Para 802 of IRWM, the ownership of all land held by the Railways vests in the Central Government. It is the duty of every Railway Administration to preserve unimpaired, the title to all land in its occupation and to keep it free from encroachment. With a view to avoid any litigation, accurate and certified land plans of all railway land should be maintained and boundaries adequately demarcated and verified at regular intervals.

Special care is normally taken by Railway Administration to see that remains of archaeological and historical interest are not touched. Interference with religious edifices, burial grounds and other places or objects which may be considered as sacred should be avoided, unless they come in alignment of line/yard or any new project.

# 3.0 भूमि प्रबंधन/LAND MANAGEMENT

The term 'Land Management' covers a broad scope of activities which includes proper maintenance of land records, control of land use, detection, prevention and removal of encroachments, maintenance of land boundaries, utilization of land for various purposes by

licensing/leasing to other organizations/parties for commercial/ other uses including afforestation etc.

**As per Para 1008 of** Indian Railways Code for the Engineering Department**,** all Railway land should be managed on commercial lines, and each Railway Administration should endeavour to develop the resources of, and put to profitable use, any areas in its occupation which, though not eligible for disposal are lying idle and can be put to profitable use. Such land is referred to as "available" land.

## 3.1 संगठन/ORGANISATION

Land Management at the level of the Railway Board is the responsibility of the Land Management and Amenities Directorate, which works under the overall direction of the Member (Engineering). The primary responsibility of the Directorate is to lay down the policy in regard to land management and ensure/monitor its implementation at the Zonal/Divisional level by calling for various reports.

At the zonal level, the Principal Chief Engineer under the General Manager is the implementing and coordinating authority for the various policies/orders issued by the Railway Board. He is assisted by Chief General Engineer and Deputy Chief Engineer/Land Controlling Officer.

At the divisional level, the Sr. Divisional Engineer is responsible for execution of various instructions for regulating usage of land, prevention and removal of encroachments, etc.

In the field, the Assistant Engineer/Senior Section Engineer (Works/P.Way) is responsible for maintaining land records, demarcation of land boundaries and detection and prevention of encroachment etc. He should organize tree plantation, and horticulture.

It should be noted that

- A proper & strong Organisation for management of land is required at Division Level. At present, it is missing and as a result, a lot of land gets encroached & many court cases get initiated in civil court. The meticulous instruction written in various circular & codes reach to ground level but lack of organisation make them difficult to implement.
- Railway land is not defined as property in RPUP (Railway Property Unlawful Possession) Act & therefore local police help is required for removing of encroachments after eviction orders are passed by a part time Estate Officer.
- As per Railway Policy, no land can be allotted by Zonal Railway to anybody/ activity which is not connected with railway working. As a result, people who see vacant land lying unused first apply for it & when railway does not allot it, they encroach it. The procedure for their eviction starts under Public Premises Act, 1971.
- Unauthorised fishing in Railway lakes cannot be brought under Public Premises (Eviction of Unauthorised Occupants) Act.

### 3.1.1 भूमि एवं सुविधाएं निदेशालय/LAND AND AMENITIES DIRECTORATE

Land and Amenities directorate deals with the Management of surplus Railway land, Licensing/leasing of Railway land to Govt./State Departments, Public Sector Undertakings, Commercial licensing, Retail outlets to Oil Companies, Schools and Welfare Organizations,

Railway employees for growing vegetables, crops etc. This section also deals with R&R policy of encroacher and data on Railway land plans. The various other activities undertaken by directorate are as under:

- Commercial utilization of Railway land/Air space.
- Policy relating to acquisition of Railway land.
- Transfer/relinquishment of Railway land.
- Leasing and licensing of Railway land, Fixation of norms, rates etc.
- Leasing/Licensing of land to Schools/Staff Welfare Organizations/ Religious Institutions.
- Licensing of railway land for GMF.
- Licensing of borrow pits for fishing.
- Licensing of Collieries/mines.
- Afforestation on Railway land/Environment.
- Earning from land resources.
- Policy relating to renewable source of energy.
- Act: (a) Land Acquisition Act. (b) Defence of India Act relating to Railway lands. (c) Delhi Master Plans relating to Railway land in Delhi. (d) Public Premises (Eviction of unauthorized occupation).
- Encroachments on Railway land - prevention and removal.
- Certification/Maintenance of Land Plans.
- Way leave facilities through railway land.
- National Policy on Resettlement & Rehabilitation.
- Provision of Fencing/boundary wall to prevent encroachments.
- Coordination work for all Parliamentary Committee.

Building section deals with the passenger amenities at Railway stations, construction of staff quarters/flats, maintenance of railway quarters, Indian Railway Welfare Organization (IRWO), construction of buildings/staff quarters for Kendriya Vidyalyas, development of parks in Railway land, Statues/Plaques in Railway land, development of infrastructure on Railway Zones, Construction/Maintenance of officers rest house, Auditorium, Stadium, Cinemas in Railway land etc.

### 3.1.2 रेल भूमि विकास प्राधिकरण/RAIL LAND DEVELOPMENT AUTHORITY

Rail Land Development Authority as established by act of parliament in year 2006 has since been constituted in terms of Extraordinary Gazette Notification dated 31.10.2006, further amended on 05.01.2007. Its mandate was to generate revenue by utilising surplus Railway land. RLDA works under the control of Ministry of Railways. Commercial exploitation of Railway land from January 2007 is being pursued with the help of a newly formed organization, the Rail Land Development Authority (RLDA).

The Land, which is not required for operational purposes in the foreseeable future is identified by various Zonal Railways and entrusted to RLDA by Railway Board for commercial development. RLDA undertakes all tasks related to property development on Railway Land to create various infrastructure facilities for future rail network that is largely depending on the availability of land. So far, 135 sites have been entrusted to the RLDA for development of vacant railway land.

Go to main index

***Note:*** *RLDA signed its first development agreement-cum-lease deed on 12.8.2009 with M/S S.D. Buildwell Pvt. Ltd (SPV of consortium of M/S U Tech Developers Ltd, M/S Ansal Properties and Infrastructure Ltd., M/s Cinflex Infotech Pvt. Ltd.) for development of commercial and other facilities over land area of 13216.64 Sqm near Gola Ka Mandir Gwalior (M.P.), against receipt of an upfront lease premium of Rs. 26.23 Cr.*

## 3.2 प्रबंधन का उत्तरदायित्व/RESPONSIBILITY OF MANAGEMENT

The Engineering or any other Department of the Railway decided by the General Manager at his discretion will be responsible to him for the management of all land in the occupation of the Railway. The management of available land may be entrusted also to (a) a State Government, or (b) Station Committees. All land made over for management under (a) or (b) above should be properly demarcated, and accurate land plans thereof furnished to the State Government or the Station Committee, as the case may be.

### 3.2.1 राज्य सरकार द्वारा प्रबंधन/MANAGEMENT BY STATE GOVERNMENT

A State Government may be offered the management of such areas of "available" land as it may agree to accept and, if necessary, may be permitted to retain a percentage (to be agreed upon between the Railway Administration and the State Government), of the gross receipts accruing from the lease of the land. In such case the following conditions will apply, viz.:

(i) That such transfer conveys no power to sell, exchange or give away the land with out the sanction of the Railway Administration (i. e. the land will still remain in the "occupation" of the Central Government); and that the latter may impose such restrictions at it may consider necessary on the use or occupation of the land so entrusted.
(ii) That the Railway Administration reserves the right to withdraw such land, without compensation after giving reasonable notice or on payment of a fair price if resumption is made at such short notice as to preclude the gathering of any crop, indigenous to the locality, sown thereon.
(iii) Receipts, less any percentage that may be agreed upon, will be credited to the Railway. Taxes, which would be leviable on the land where it retained under the management of the Railways Administration, will continue to be a charge on the Railway.
(iv) That on the resumption of the land by the Railway Administration or if under disposal, in its sale, it should be handed over with a clear title, any steps necessary to preserve such title being taken by the State Government on behalf of the president.

### 3.2.2 स्टेशन समितियों द्वारा प्रबंधन/MANAGEMENT BY STATION COMMITTEES

Station Committees may, at the discretion of the General Manager and on terms to be prescribed by him, be given the management of all or any portion of the land under their jurisdiction.

## 3.3 भूमि अधिग्रहण/LAND ACQUISITION

The land acquired by Railways for their requirements through the State Governments is regulated under Land Acquisition Act 1894 (as amended by the Land Acquisition Amendment Act No.68

of 1984). The Railway Act 1989 was amended to facilitate time bound acquisition of land and commissioning of projects involving national infrastructure in a specified time. The Railway (Amendment) Act 2008 facilitates time bound acquisition of land, additional payment and application of provisions of National Rehabilitation and Resettlement Policy 2007 as incentives to the land losers.

Notification, award enquiry, passing final award, disbursement of payments etc. are done by the District Collector/Special Land Acquisition Officer. In the process, approximate land acquisition cost including solatium and interest etc. as per statutory provisions is deposited in advance with the State Government by Railways. The State Governments frame rules in respect of their States consistent with the Act. The procedure of land acquisition may differ from State to State. The actual practice in vogue in the State may be verified before processing the papers for land acquisition. Some of the important aspects/principles to be observed while acquiring land are,

a) While acquiring land for major projects, alignment should be fixed in such a way that minimum extent of agricultural land is involved.
b) In case of urgency, the application should be made to the Collector under Section17 of the Act. As per this Section the land can be occupied on expiry of 15 days after publication of notice under Section 9 (i) of the act.
c) When land is acquired on the bank of a river with the intention of obtaining the rights to the foreshore, it should be made clear, subject to the concurrence of the State Government that the boundary on the river side as indicated in the acquisition plan is the low water line for the time being and that, should the river at any time recede from the bank, accretion to the foreshore shall form part of the land acquired and no additional payment or compensation for such accretion shall be made. Cases, in which difficulties arise in consequence of a sudden change in the course of a river as distinguished from a gradual process of erosion and accretion, should be dealt with on their merits.
d) In the case of any slip or other accident happening or being apprehended to any cutting, embankment or other works, section 14 of the Railways Act 1989 empowers Railway to enter upon any lands adjoining the Railway for the purpose of repairing or preventing the accident and to do all such works as may be necessary for the purpose. Adjoining land should be entered upon only in cases of absolute necessity and to the minimum extent required. In such cases, a report must be made to the Central Government (Railway Board) within 72 hours of such entry, specifying the reasons which necessitated entry on the land without having obtained previous permission. As the Collector of the District will be called upon under section 15 of the same Act, to assess damage and compensation, he should be advised of the entry within 24 hours.
e) It will be in the interest of the Administration if the Assistant Engineer or Section Engineer (Works) concerned is deputed to attend award inquiries and also settlement operations in Civil Districts with a view to have proper records of settlement pertaining to the Railway land.
f) In special cases, if the State Government so desires, the Railway should deposit in advance an amount determined on the advice of the State Government for the expeditious payment of compensation to the land owners. This amount should be kept as low as possible and should not normally exceed the amount that can be disbursed by the State Government within the financial year in which the deposit is made.
g) As the financial justification for a project and its location in a particular place, takes also into consideration the value of the land to be acquired for the project, it is essential to obtain a

realistic estimate of the cost of the land from the land revenue authorities at the time of preparation of the estimate.

h) For acquisition of forest land, the procedure laid down in Paras 857 and 858 of the Indian Railways Code for the Engineering Department should be followed.

j) While acquiring land for quarrying purposes, it should be ensured that the State Government does not insert such de claration as could deny quarrying rights to the Railway.

As per Para 807 (f) of IRWM, in case of construction projects involving land acquisition, it is the responsibility of the construction organization to hand over the land acquired free of all encroachment and along with all specified records to the open line engineers. These records include Land record register duly filled in and original papers *viz.* notification, awards, certificates of handing over and taking over of land, final land plan and schedule signed by the collector etc.

Whenever land which does not already vest in the central government is required for railway purposes, it should be taken up under the land acquisition act of 1894 as acquisition under the act confers an indefeasible title. Land which is already public property and in which no interests of private persons exist, should not ordinarily form the subject of proceedings under the land acquisition act. Such land should be got transferred to the central government as indicated in Para 812 (Indian Railways Code for the Engineering Department), reproduced as below:

(a) **Market Value.** Market value when applied to land may be defined as the price which the land would fetch if sold in the open market subject to the ground rent or assessment shown against it in the revenue registers, or if no ground rent or assessment shown against it in the revenue register, subject to a ground rent or assessment levied at the rate at which ground rent or assessment is actually being levied on similar lands in the neighbourhood excluding all cases in which such similar lands in the neighbourhood are held free of ground rent or assessment at favourable or unfavourable rates of ground rent or assessment.

(b) **Market value of the building sold to or acquired from other Departments.** When Railway buildings are sold/transferred/relinquished to or acquired from the Departments or Central Government/State Governments, the value thereof may be calculated by taking present day reproduction cost less depreciation on straight line method plus cost of land at present day rates.

## 3.4 भूमि अभिरक्षा/LAND CUSTODY

As per Para 807 of Indian Railways Code for the Engineering Department, the Engineering Department or the department which has custody of the land, is responsible for seeing that it is made use of to the best advantage. In particular, if a portion of the land is not immediately required for the use of the railway, it should be considered whether it can be leased or licensed at a proper rental to outsiders with adequate safeguards for resuming possession as and when required.

### 3.4.1 जो अभिरक्षा में अन्तर्निहित है/WHAT CUSTODY IMPLIES

It is the duty of every Railway Administration to preserve unimpaired the title to all land in its occupation and to keep it free from encroachment. Where, however, the management of any land has been accepted by a State Government this duty will devolve on that authority during the

period of such management. With a view to obviate any litigation, accurate land plans of all railway lands should be maintained and boundaries adequately demarcated and verified therewith at regular intervals.

### 3.4.2 भूमि अभिरक्षा से संबंधित संपूरकीय नियम/SUPPLEMENTARY RULES RELATING TO CUSTODY OF LAND

General Managers will be responsible for drawing up supplementary rules to ensure in respect of land other than that managed by a State Government,

(a) that records of title are safely preserved and kept up-to-date;
(b) that boundaries are periodically inspected; and
(c) that any encroachments found are promptly reported and dealt with.

These duties should ordinarily devolve on the authority entrusted with the management of the land, though it may be desirable to reserve the actual institution of all ejectment suits to one authority (preferably the Engineering Department). No legal proceedings in this connection may be entered upon without the sanction of the General Manager.

## 3.5 भूमि अभिलेख/LAND RECORDS

Basic land records such as Land Records Register, Land Boundary Verification Register and Encroachment Inspection Registers are required to be maintained in accordance with instructions contained in Para 850 of Indian Railways Code for the Engineering Department and also as per Paras 806, 807 and 812 of Indian Railways Works Manual. The maintenance of these registers was also reiterated in the Joint Procedure Order (JPO) issued by Chief General Engineer/Zones during the year 2001 and 2002 as per instructions issued by the Railway Board in September 2001.

### 3.5.1 भूमि नक्शा/LAND PLANS

In terms of Para 850 of Indian Railways Code for the Engineering Department, a complete series of land plans for the whole line should be kept in the office of the Chief Engineer of Railways. Divisional/Executive Engineers shall be responsible to ensure that records are carefully preserved and kept up to date by noting all changes on the copies of the authorized land plans in their possession.

### 3.5.2 भूमि अभिलेख पंजिका/LAND RECORDS REGISTER

Land records Register should contain details of land plans, area, kilometrage, cost, description, reference to correspondence, government resolutions and date of sanctioning the transfer of land, etc. This register has to be maintained in Headquarters/Chief Engineer's office as well as in Divisional/Executive Engineers' office. As per the model JPO of September 2001, a register of total railway land with up to date entries shall be maintained by the Section Engineers (Works) of the Engineering Department.

### 3.5.3 भूमि सीमा सत्यापन पंजिका/LAND BOUNDARY VERIFICATION REGISTER

As per the various provisions, all lands, permanently occupied for the purposes of Railway, shall have their boundaries demarcated in such a manner as to enable such boundaries to be readily ascertained and identified. For this purpose, the boundary of the railway land has to be defined by a continuous wall, fence or ditch or by detached marks, posts or pillars. Guidelines for demarcation of land boundaries, laying of boundary stones, boundary walls, fencing etc as enumerated in Paras 808 to 813 IRWM should also be followed. Land Boundary Verification Register should contain the details of Boundary stones available along the railway boundary on both right and left side of the track with location thereof, for the land under their control.

### 3.5.4 भूमि अतिक्रमण जॉच पंजिका/LAND ENCROACHMENT INSPECTION REGISTER

In terms of Para 814(e) of IRWM, a register showing the encroachments on Railway land noticed during inspections by various officials has to be maintained by each SSE duly furnishing the location, name of the encroacher, area encroached, type of encroachment (commercial/ residential/ cultivation), date of commencement of unauthorized occupation, date on which the encroachment came to notice for the first time, action taken and date of removal of encroachment. The encroachment plan (to scale) shall also be pasted on the right side of the register.

## 3.6 भूमि सीमांकन/LAND DEMARCATION

Every Railway Administration is responsible for the demarcation and periodical verification of the boundaries and the maintenance of proper records in connection therewith of all land in the possession of that Railway. For proper demarcation of land boundaries, Para 1047 of the Indian Railways Code for Engineering Department provides as under:

(a) All land permanently occupied for the purposes of a railway shall have its boundaries defined on the ground in such a manner as to enable such boundaries to be readily ascertained and identified.
(b) For this purpose the boundary of the railway land may be defined by a continuous wall, fence or ditch or by detached marks, posts or pillars.
(c) Where the boundary mark is continuous, the boundary of the railway land is to be on the outer edge of the wall, fence or ditch, that is to say the wall, fence or ditch will be situated wholly on railway land.
(d) Where detached marks, such as isolated posts or pillars are used, the boundary of the railway land will pass along the outside of such posts and pillars, Between the marks the boundary will in each case be taken in a straight line from the outside of one mark to the outside of the next mark.
(e) Detached marks should in no case be at a greater distance apart (centre to centre) than 50 (Fifty) metres. They should be of a substantial character, not easily destroyed or moved by accident or mischief, and of such size and form as can be readily found and recognized. (Authority: Railway Board letter No.98/LML/14/156 dated 21-12-2001)
(f) Each detached boundary mark should bear a number. The position and number of each detached boundary mark should be shown on the Land Plan.

(g) Where a fence, wall or ditch is situated at some distance within the boundary and does not mark the actual limit of the railway land it will be necessary (in addition to such fence, wall or ditch) to have the actual boundary of the railway land properly marked and defined in accordance with these rules.

Proper maintenance of land boundary is the first and effective step towards prevention of encroachment. Guidelines for demarcation of land boundaries, laying of boundary stones, boundary walls, fencing etc. have been explicitly enumerated in Paras 808 to 813 of IRWM.

Railway Board stated (July 2002) that the boundary walls needed at approaches to stations in all major cities should be assessed, prioritized, programmed and constructed under revenue expenditure and progress should be monitored. Further, repairs of the boundary walls should be a regular exercise and implementation should be watched by the headquarters. Railway Board in May 2004 ordered that railways should sanction works for construction of boundary walls in the areas vulnerable to encroachment at GMs level and complete the work expeditiously.

In terms of Para 813 and 814 of IRWM, periodical verification of land boundaries is to be done by the concerned Sr. Section Engineer/Section Engineer (SSE/SE) and a certificate to that effect in the prescribed proforma should be recorded in the relevant register once in a year which is to be verified and countersigned by the respective Assistant Engineer, DEN/ Sr.DEN.

## 4.0 भूमि अतिक्रमण/LAND ENCROACHMENT

In spite of best efforts by Railways, Railway land is under encroachment at many places. Any unauthorised use of railway land is termed as encroachment. Railway Board has, from time to time, issued detailed instructions to the Zones regarding the steps to be taken to prevent encroachments and remove existing encroachments on Railway Land.

As per the Joint Procedure Orders issued by the railways and also as per Para 813 (d) of IRWM, each Section Engineer should have a list of encroachments, location-wise, and copy of the same is to be furnished to the local police station and also the concerned GRP station. This list should be updated as of 1st April every year and circulated. The responsibility for prevention/reporting of new encroachments lies jointly with the concerned SSE/SE and the RPF officials in that area. Cases of encroachments should be brought to the notice of divisional authorities/local police/civil authorities. If necessary, an FIR under Section 147 of Railway Act 1989 should be lodged by the Engineering department with the police.

Trespassing and soft encroachments should be removed without recourse to the PPE Act. In case of hard encroachments, SSE/SEs, should file cases in the court of Estate officers (EOs) against the encroachers. A joint field check on the existing encroachments is mandatory on the part of the SSE/SE (Permanent way/Works) while handing over/taking over during their transfer. This should be followed by a joint signing at the end of the encroachment register on the number of the encroachments in the jurisdiction duly bringing out the steps taken so far.

Monthly progress regarding additions and removal of encroachments, filing of eviction cases and their progress in the courts of EOs, in Civil Courts etc. should be submitted by divisions to headquarters. Further, encroachment plans to scale shall be made for every encroachment. These

encroachment plans along with details of encroachment should be checked and signed by SSE/SE (Works)/AENs and a copy of such encroachment plans should be available with divisional authorities.

## 4.1 अतिक्रमण की श्रेणियां/CATEGORIES OF ENCROACHMENT

Encroachment can be broadly categorised in four main categories i.e. A, B, C, D type.

| Category | Type of encroachments |
|---|---|
| A | Encroachment by outsiders, removal of which requires action under Public Premises Eviction (PPE) Act. |
| B | Encroachment by outsiders, which do not require action under PPE act (e.g. temporary occupation of land by hawkers, using Railway land for cattle, cow dung, refuses etc.) |
| C | Encroachment by Railways staff in the form of temporary huts etc. |
| D | Encroachment by Railway staff who have been allotted railway accommodation, by way of additions to the structures, unauthorised use of land for cultivation etc. |

**Note:** Category "A" Encroachment is of the hard type and category B, C, and D Encroachments are of the soft types. Some typical examples are given below.

**Soft Encroachment:** Unauthorised way leave facilities such as door opening into railway area, throwing garbage onto railway land, use of railway land for cattle rearing etc.

**Hard Encroachment:** Construction of temporary or permanent structure for using commercial or other purposes, additions and alteration to existing railway structures etc.

## 4.2 अतिक्रमण के संबंध में उत्तरदायित्व का विभाजन/DIVISION OF RESPONSIBILITY IN REGARD TO ENCROACHMENT

The following division of responsibility between the station staff and the engineering staff should be observed in regard to encroachments within the station area.

a) At stations, the station master is primarily responsible for preventing encroachments and for driving out, trespassers by obtaining help from RPF/GRP and section engineer /Work as necessary.
b) In the goods shed the Chief Goods Clerk, wherever available and the station master at other places is responsible for preventing encroachments and for driving out, trespassers by obtaining help from RPF/GRP and section engineer /Work as necessary.
c) The responsibility for preventing encroachments and driving out trespassers in circulating areas of the station and good sheds normally rest with the station master and chief good clerk for their respective areas. They can take assistance from Engineering and RPF staff as may be found necessary.

## 4.3 अतिक्रमणों को हटाने एवं रोकथाम के लिए कार्य योजना/ACTION PLAN FOR PREVENTION AND REMOVAL OF ENCROACHMENTS

### 4.3.1 PREVENTIVE STEPS

- Identification of vulnerable areas.
- Construction of boundary wall/fencing.
- Plantation of Juliflora or similarly effective bushes in the area.
- Ensuring proper maintenance of boundary pillars in the area.
- Interaction with local authorities for assistance in preventing encroachments in these areas.
- Joint visits of the vulnerable locations by representatives of concerned departments along with civil authorities with a view to create adequate impression in the locality that railways are serious in preventing encroachments in the areas.

### 4.3.2 EVICTION PROCESS

- Identification of the existing encroachments
- Ensuring that all the cases under the PPE Act have been filed.
- Estate Officers should expedite finalisation of the cases pending with them.
- Action for possession in accordance with the extant orders where eviction orders are received.
- Mobilisation of help of civil authorities by formal / informal requests at different levels till the required assistance is forthcoming.
- Cases directed to the courts to be pursued for early finalisation with the help of the railway advocates.
- Nominating traffic, commercial, engineering officials as in-charges of specified areas at medium and large sized stations to keep a watch on encroachments and report encroachments incipient or otherwise to the engineering officials for eviction, if necessary, under PPE act.
- Adequate training to be given to the Estate officers to make them well conversant with the Provisions of the PPE Act, 1971 and also various avenues available to them while dealing with the cases of encroachments. Course contents may include case histories and various relevant court judgements on the appeals against the orders of Estate officers.
- RPF to render all help in removal of soft encroachments as and when their assistance is sought. They should also provide assistance in coordination with State Police/GRP where cases have been decided by the Estate officers.

## 4.4 रेल्वे भूमि पर अतिक्रमण की रोकथाम/PREVENTION OF ENCROACHMENT ON RAILWAY LAND

Railways have a well laid down system for preventing unauthorised use of land outsiders. Major steps taken in this regard are in brief as under:

**i) Laying down jurisdiction of railway officer in regard to land under their control.**

Generally the Station Master/ Chief Good clerk are responsible for preventing Encroachment on railway land within the station premises and circulating areas nearby. They can take the

assistance of engineering and RPF staff as may be found necessary. To achieve better co-ordination, officer of various discipline of railways are also nominated as in-charges of specified areas at medium and large sized stations to keep a watch on Encroachment and report the same to engineering department for further remedial action.

**ii) Plans for commercial plots to be approved jointly by engineering & commercial officers.**

Plans for commercial plots at various stations are approved jointly by the Divisional Engineers and Commercial Officers and at sites, demarcation of the plots should be done with rail posts by the engineering department. To stop any misuse/ Encroachment subsequently, engineering department should be informed immediately so the remedial action can be taken promptly.

**iii) Tree Plantation to prevent Encroachment**

a) As far as possible bulk plantation of fast growing trees like Enclyptus, Subabool etc. should be done to prevent encroachment, regarding tree plantation being done by forest department along the track. Railway should ensure that plantation does not obstruct visibility and trees are sufficiently away from track so that they do not infringe with telegraph/telephone wires.
b) Plantation of Juliflora or similarly effective bushes should be done in the area vulnerable to encroachment.

## 5.0 भूमि निष्कासन/LAND EVICTION

The eviction of unauthorised occupants from public premises is regulated by the provisions of "The Public Premises (Eviction of Unauthorised Occupants) Act 1971". Action under this Act can be taken only by those officers who are appointed as Estate Officers by a notification in the official Gazette.

A copy of the notice or order under the relevant sections of the Act shall be served in the appropriate form to the person for whom it is intended or to any adult member of his family through registered post acknowledgement due in a letter addressed to that person at his usual or last known place or residence or business. When the copy of the notice is delivered or tendered, the signature of the person to whom the copy is so delivered or tendered should be obtained in token of acknowledgement of the service. A copy of the notice shall be affixed on the outer door or some other conspicuous part of the ordinary residence or usual place of business of such person in case the person or the adult member of the family of such person refuses to sign acknowledgement.

### 5.1 सम्पदा अधिकारी की कार्यपद्धति/FUNCTIONING OF ESTATE OFFICER

As per Paras 1057 and 1058 of Indian Railways Code for the Engineering Department, Estate Officer is an individual and the decision to be taken by him under Public Premises (Eviction of Unauthorised Occupants) Act, is personal to him and the power to decide is vested in him personally and in exercising it he has to act quasi-judicially and can not accept any private advice

or guidance in coming to a conclusion. Estate Officer function as quasi-judicial authority and it would be inappropriate for him to seek even informally the opinion or advice of the Ministry of Law, save with the knowledge and consent of the party to the proceeding. The proceedings of Estate Officer are not judicial proceedings and as such Evidence Act is not applicable, though the basic principles of the same should be observed. Estate Officer should maintain separate record of all his proceedings under the Act and departmental notings should not be mixed up with such record.

### 5.2 सम्पदा अधिकारी की प्रकिया/PROCEEDINGS OF ESTATE OFFICER

Proceedings of Estate Officer are not judicial proceedings and as such Evidence Act is not applicable, though the basic principles of the same should be observed. Estate Officer should maintain separate record of all his proceedings under the Act and departmental notings should not be mixed up with such record.

### 5.3 अनाधिकृत मछली पालन/UNAUTHORISED FISHING

Unauthorised fishing in Railway lakes cannot be brought under Public Premises (Eviction of Unauthorised Occupants) Act.

## 6.0 भूमि त्याग/LAND RELINQUISHMENT

a) When it has been decided that a certain area of land is no longer required for Railway purposes and is eligible for relinquishment, action should be taken as detailed in Para 1035 to 1044 of Indian Railways Code for the Engineering Department.
b) When Railway land is relinquished, possession of the land should not be given until the price for the land has been paid. Possession should be handed over jointly by the representatives of the Railway and the State Government to the purchaser if the purchaser is not a Government Department/ Public Sector Undertaking.
c) When State Governments, in arranging disposal of surplus Railway land, decide to sell it by public auction, a minimum upset or reserve-price should be fixed along with such other terms, as will be beneficial to the Railway Administration with their consultation. The auction should take place in the presence of a responsible railway representative. All papers and plans prepared by the Civil authorities before the auction should be carefully scrutinized to ensure that the description of the land being sold is correct and that no easements are allowed over adjoining land remaining in the possession of the Railway.
d) The amount payable by the Central Government or the State Government for lands relinquished by the Railway will, in all cases, be their market value at the time of transfer and not the original value paid on their acquisition by the Railway.
e) Vide Para 1042 of the Indian Railways Code for the Engineering Department, in cases where Railway land is transferred to a State Government and where the capitalized value of the land revenue had been paid to the Local Government on acquisition, the amount payable by the State Government for the land should include the refund of the capitalized value. In the case of land disposed of to private parties, the refund of the capitalized value of land revenue by the State Government will not however be necessary.
f) In all other cases, land will be disposed of at the highest offer and also if that is considered reasonable.

g) In respect of relinquishment of railway land in favour of the State Government or outsiders for the approaches of ROBs/RUBs, specific approval of the Railway Board should be obtained irrespective of the value of land involved.
h) Railways should include contingency charges @ 3% in all the relinquishment estimates to cover incidental charges incurred during the process.
i) Powers of sanction – In all cases of disposals, conditions of restriction of uses agreed upon if any by both the parties may be embodied in the transfer or sale deeds. When the estimated value exceeds Rs. 5 lacs, a prior reference should be made to the Railway Board.

## 7.0 भूमि समापन/LAND DISPOSAL

In regard to all railway land the policy of the Railway Board is to limit holdings to actual requirements, present and prospective. Every Railway Administration should, therefore, be in a position to justify the retention of land occupied by them and where unable to do so, should classify it as "eligible for disposal" and arrange for its disposal agreeably to the rules as specified for the purpose.

### 7.1 समापन हेतु योग्य भूमि/LAND ELIGIBLE FOR DISPOSAL

In deciding whether or not a certain area is eligible for disposal Railway Administrations should be guided by the consideration that land may be said to be required for the effective discharge of the duties of the Ministry of Railways, if it falls within one or the other of the following categories:

- Land in the active occupation of a railway, i. e., land actually occupied by the permanent works of the railway or acquired for their construction, maintenance or repair.
- Land not so occupied but to the permanent alien control of which specific objection exist, i.e., land in the midst of or adjoining that in active occupation and to separate which from such area would be detrimental to railway interests.
- Land required in the interest of the health or welfare of the staff, or for the safety of railway property (e. g., sanitary or fire zones, etc.)

When it has been decided that a certain area of land is no longer required by any department of the railway and that it is, therefore, eligible for disposal the following procedure should be observed.

(1) If the land adjoins or is in the near vicinity belonging to any other railway or department of the Central Government it should first be offered to such railway or department. If one of these desires to acquire it, a formal record of transfer should be made and the State Government advised; or if willing, the latter may be entrusted with the work of transfer.

(2) If the land is surplus to the requirements of the Central Government, the Government of the State in which it is situated will be given the option of assuming possession of the whole or portion thereof subject to the following conditions:

- the Central Government themselves shall be the judge of whether they require to retain any particular land or not;

- if the State Government desires to assume possession of the land, the option to do so shall be exercised within six months of the date on which the Central Government signify their intention of surrendering their land;
- the amount payable for the land will in all cases be its market value at the date of transfer;
- when the State Government desire to assume possession of only a portion of the land surrendered, they shall be entitled to do so only if the value of land as a whole is not materially reduced by the division; and
- if the State Government do not desire to assume possession of any land on the foregoing terms, the Central Government will be free to dispose of it to a third party. Before, however, so disposing of the land, the Central Government will consult the State Government as to the levy of ground rent or assessment and the conditions, if any, subject to which it should be sold and they will, as far as possible dispose of the land subject to the conditions which the State Government may desire to impose.

  Note: The Central Government are not, however, bound to obtain the concurrence of the State Government in all cases and in case of disagreement the Central Government shall be the sole judge of the terms and conditions to be imposed.

(3) If the State Government is unwilling to assume possession as indicated above, the land should be disposed of to the best advantage possible.

(4) If neither another railway nor a department of Central Government nor the State Government desire to acquire the land, and if there has been a request from the Railwaymen's Co-operative Housing Society for the same the Railway Administration can relinquish the land to them after obtaining necessary clearance from the respective State Governments, with the prior approval of the Board. The sale value of the land in all these cases should be market value prevailing at the time of transfer.

(5) If neither another railway nor a department of the Central Government nor the State Government desire to acquire the land, and if no reasonable offer is forthcoming from other parties, the land should be retained by the Railway Administration and managed until such time as one or the other of the above contingencies eventuate.

## 7.2 समापन हेतु प्रक्रिया/PROCEDURE FOR DISPOSAL

In the disposal of land under Clause (3) of Para 6.1 above, the following procedure should be adopted:

(a) The State Government may be asked to undertake the whole process of disposal, the Railway Administration merely concurring in the terms.

(b) If the State Government is unwilling to undertake negotiations for sale, these should be carried out by the Railway Administration, and the State Government requested to carry out the final transaction on the terms arranged.

(c) If the State Government is unwilling to effect even the actual transfer, a formal deed of conveyance should be drawn up by the Railway Administration (ordinarily at the expense of

the purchaser), submitted to the authority competent to execute it for signature, and registered, the land being thereafter made over, by the responsible authority, to the purchaser.

(d) In any case the State Government should be consulted as to the manner of disposal, the conditions (if any) that should be laid down for the use of the land after sale, and the extent to which (if at all) the principles of the Resolution of the Government of India in the Department of Revenue and Agriculture No. 13/44-13, dated 30th October, 1896, should be applied.

## 7.3 केन्द्रीय सरकार के विभागों को भूमि का समापन/DISPOSAL OF LAND TO DEPARTMENT OF THE CENTRAL GOVERNMENT

In the case of disposal of land to Department of the Central Government the amount payable will be the market value of the land and the buildings thereon. In all other cases land will be disposed of at the highest offer which is considered reasonable.

## 7.4 भूमि राजस्व के पूँजीकृत मूल्य की वापसी/REFUND OF CAPITALIZED VALUE OF LAND REVENUE

In cases where railway land is transferred to a State Government and where the capitalized value of the land revenue had been paid to the Local Government on acquisition, the amount payable by the State Government for the land should include the refund of the capitalized value. In the case of land disposed of to private parties the refund of the capitalized value of land revenue by the State Government will not, however, be necessary.

## 7.5 बिक्री प्रक्रिया का समायोजन/ADJUSTMENT OF SALE PROCEEDS

The proceeds of all railway land disposed of less any charges properly incurred in their disposal, will be credited to the Capital account of the railway. In the case of acquisition, a State Government may be reimbursed the cost of special establishment employed in connection with disposal proceedings.

## 7.6 बिक्री या हस्तांतरण की पूर्णता/COMPLETION OF SALE OR TRANSFER

As in acquisition, the process of disposal is not completed until possession of the land is made over (and in no circumstances should this be done until the terms of sale or transfer have been settled); and until the sale or transfer is complete all rights in the land continue to vest in the Central Government, Ministry of Railways. After sale or transfer is complete, the railway boundary marks, land plans & c., should be adjusted accordingly.

## 7.7 रेल्वे भूमि का विविध आदान–प्रदान/MISCELLANEOUS EXCHANGE OF RAILWAY LAND

A Railway Administration may, at its discretion effect an equitable exchange of land in its occupation for other land equally suited to their requirements, with or without a monetary

adjustment, the method of transfer following, with necessary changes that prescribed for disposal of land.

## 8.0 भूमि हस्तांतरण/LAND TRANSFER

Transfer of Land and Buildings between Union and State Governments are regulated by the provisions of the Constitution and subsidiary instructions issued by the Union Government and as per General Financial Rules. From the commencement of the Constitution the transfer of land between Union and State Governments shall be regulated by mutual agreements except when they are acquired under some Act. The amount payable by the Union Government will ordinarily be the market value of the land and buildings if any thereon.

Note: In the case of transfer of land or buildings to and from the Railway Ministry the full market value of the land or buildings shall be charged.

### 8.1 मिलिट्री प्राधिकरणों से या को भूमि का हस्तांतरण/TRANSFER OF LAND TO OR FROM THE MILITARY AUTHORITIES

In regard to transfer of land to or from the Military Authorities the "Application for such land when within Cantonment limits should be made by the officer in charge of the works, to the Cantonment Authority but in the case of a Military encamping ground or other State land in military occupation application should be made to the General Officer Commanding the Division or independent Brigade. The Military Authorities will then take the necessary steps to obtain (i) the competent sanction to enter into negotiations for the proposed transfer of land; when this is sanctioned (ii) the opinion of the State Government, which should invariably be recorded upon all applications and (iii) the sanction of the Central Government to the occupation of the required land. In all cases where the sanction of the Railway Board to the acquisition of such land by a Railway Administration is necessary, the application for such sanction should be made only after the sanction of the Central Government in the Ministry of Defence has been obtained".

## 9.0 भूमि अनुज्ञाप्ति/पट्टा/LAND LICENSING/LEASING

The utilisation to the best advantage of such portions of land as are, "available", and responsibility for all arrangements in connection with their leasing or licensing (e. g., selection of tenant, placing him in possession, fixation of rental, maintenance of the necessary registers and plans, enforcement of the terms of agreement, etc.).

Land which is not in active use is licensed for several purposes such as Grow More Food scheme, Pisciculture, for commercial use to oil companies, steel yards etc and for welfare purposes. Land has also been licensed to PSUs such as Container Corporation of India (CONCOR), Indian Railway Catering and Tourism Corporation (IRCTC), Central Warehousing Corporation (CWC) etc. [Regarding Lease and License of plots, Railway Board's policy (Master Circular) No. 2005/LML/ 18/8, dt. 10.02.2005 is important]

### 9.1 पट्टा और अनुज्ञा/LEASE AND LICENSE

Railway land is given out on license only. Request of Government Departments for lease may be considered on merit. Leasing of land is not permitted except in cases where it is approved by the Railway Board.

A Lease presents certain difficulties in that there is a danger of accrual of occupancy rights. Nevertheless, if the added security of tenure given thereby is likely to result in an appreciably enhanced rental, its employment should be seriously considered. A license, on the other hand, merely confers on the licensee the right subject to certain restrictions, to use the allotted land for the purpose of operations specified, and creates no tenancy therein. These instruments must be executed only on behalf of the President and by the authorities competent to do so.

- The leasing or licensing of available land, for purposes, connected with the working of the Railway (e.g., Bulk Oil Installations; Warehouses, Wharfs or other premises for storing goods on receipt from the Railway after arrival or before being made over to the Railway for despatch; Shops for Station Vendors; schools for the children of railway employees; etc.) does not require a reference to a state Government or other authority; but, in the case of land leased or licensed for other purposes, the State Government or other authority concerned should be consulted whenever the contingent circumstances are such as to render it relevant of advisable, particularly if the alienation is of a quasi-permanent nature.
- When Railway land is leased or licensed for a purpose not connected with the working of the Railway no permanent structures should be allowed to be constructed on such lands.
- Land is surplus to railway requirement may be licensed on nominal rent to the Railwaymen's Co-operative Credit Societies and Consumer Co-operative Societies for the purpose of construction of their own buildings subject to the conditions laid down in relevant Paras. The buildings that may be put up by the Societies on railway land should be according to specification approved by the Railway Administration concerned so that such buildings may be utilised for staff quarters later.
- The leasing or licensing of Railway land for religious or education purposes or the granting of permission for the erection on railway land of praying platforms or of new structures to be used for religious purposes or the modification or extension of existing structures, will require the sanction of the Railway Board.
- In addition to the lease or license of land itself, rights pertaining thereto, such as grass cutting, grazing, fruits, fishing, mooring, etc. may be let out by Railway Administration.
- The method by which land is managed by a State Government will be decided by that authority, subject only to the conditions on which such management is undertaken.

## 9.2 पट्टा अनुबंध और अनुज्ञा की भार्ते/TERMS OF LEASE AGREEMENT AND LICENSE

The terms embodied in the various forms of agreement pertaining to licensing and leasing out of railway lands should, broadly speaking, be such as to ensure

(i) That the interests of the Central Government and of the Railway Administration are adequately safeguarded.
(ii) That the rental obtained will provide a margin of profit.
(iii) That, except as provided in clause (ii) of the conditions on which the management of the land may be entrusted to a State Government, no liability attaches to the railway administration for any compensation on resumption; and that except under the general or specific orders of the Railway Board, the Railway Administration is not committed (though it may retain an option) to the purchase, on resumption of the land, of buildings or structures erected thereon.

## 9.3 रेल्वे स्टॉफ को भूमि की अनुज्ञाप्ति/LICENSING OF LAND TO RAILWAY STAFF

As an exception to Clause (ii) of the preceding paragraph, railway staff may, at the discretion of the Railway Administration be permitted the cultivation of small plots of available land and the enjoyment of usufruct free of charge. Plots of vacant railway land may also be licensed to railway employees, or to such non-railway organisations as provide facilities to railway employees, for the purpose of playing games at a nominal rent, where necessary, provided that it is made clear in the agreement in each case that the land will be resumed at short notice, not exceeding a month, without compensation for any buildings erected or improvements effected thereon.

## 9.4 निजी व्यक्तियों को अनुज्ञाप्ति की गई रेल्वे भूमि के लिए अनुज्ञा भाुल्क/LICENSE FEE FOR RAILWAY LAND LICENSED TO PRIVATE PARTIES

For fixation of license fee for Railway land licensed to private parties, a return of six per cent on the market value of the land as assessed by the local revenue authorities should be treated as "standard rent". But in actual licensing out, Railway Administration should aim at obtaining the best possible rent. They may accept in individual cases, variation from "standard rent" on merits and for good and sufficient reasons. The minimum rent in such cases should be Rs. 100/- per annum.

The assessment of market value of the land as made by the revenue authorities need not always be treated as final or binding. It may require to be suitably adjusted and escalated, if sufficient time has passed since the last assessment was made or if information was available with the railway of higher prices having been paid for private and other transactions of land in the vicinity.

## 9.5 निजी व्यक्तियों को अनुज्ञाप्ति की गई रेल्वे भूमि के लिए किराये का आवर्ती सं ाोधन/PERIODICAL REVISION OF RENT FOR RAILWAY LAND LICENSED TO PRIVATE PARTIES

A quinquennial revision of rent for railway land licensed to private parties should be made in large towns and commercial centres. At other locations rent should be revised at interval of 10 years only. The exact locations at which five yearly revision should be applied is to be decided by the Railway Administration in consultation with their Financial Advisers and Chief Accounts Officers. In all relevant agreements provisions should exist for such periodical revision of rent and recovery of enhanced rent with retrospective effect.

## 9.6 अन्य शासकीय विभागों को अनुज्ञाप्ति की गई रेल्वे भूमि/RAILWAY LAND LICENSED TO OTHER GOVERNMENT DEPARTMENTS

In the case of land licensed to other Government Departments, a uniform rate of 6 percent of the market value of land as assessed by local revenue authorities is to be levied. A provision for revaluation of rent at fixed intervals in the case of long term lease should be provided in the agreement.

Go to main index

## 9.7 रक्षा विभाग को रेल्वे भूमि का पट्टा/LEASING OF RAILWAY LAND TO DEFENCE DEPARTMENT

In the case of railway land leased to Defence Department the rent for the first 10 years of occupation will be fixed on the basis of 6 per cent of the market value of the land, as assessed by local revenue authorities. If the total period of occupation extends beyond 10 years, the rent will be subject to revision after every 10 years period of occupation on the same basis of 6 per cent of the market value as assessed by local revenue authorities.

## 9.8 धार्मिक उद्धेश्यों के लिए रेल्वे भूमि की अनुज्ञाप्ति/LICENSING OF RAILWAY LANDS FOR RELIGIOUS PURPOSES

There is a total ban on licensing land for religious purposes. The Zonal Railways will ensure that no requests for further licensing of Railway land for religious purposes are entertained by them.

- In case of railway lands licensed for use as religious places the fee should be recovered on a uniform rate of Rs.1,000/- per annum. (Authority: Railway Board's letter No. 2002/LML/21/16 dated 04.06.2003)
- Licensing of the area or regularization of the religious structures may be limited to maximum of 500 sq. metre in each individual case.

## 9.9 रेल्वे कॉलोनी में राज्य सरकार द्वारा खोले जाने वाले स्कूलों के लिए भूमि अनुज्ञाप्ति /LICENSING OF LAND FOR SCHOOLS TO BE OPENED BY STATE GOVERNMENT IN RAILWAY COLONIES

Railway land required by the State Government for opening of new schools for the children of Railway employees in Railway colonies may be licensed to them at a nominal fee. The period of license should not exceed 30 years and the amount of nominal fee should be settled by the Railway Administration in consultation with their Financial Adviser and Chief Accounts Officer.

## 9.10 अनुज्ञा–प्रपत्र/LICENSE FORM

(i) A license form, for Bulk Oil Depots, may be adopted to suit requirements provided that, whether for a Lease or a License, they are drafted under competent legal advice.
(ii) In the case of Land rented to a Department of the Government of India, or State Government, an unstamped agreement embodying the terms and signed by authorized representatives of both parties, is all that is required.

# 10.0 वे लीव सुविधाएं/सुखाधिकार/WAY LEAVE FACILITIES/EASEMENT RIGHTS

Way leave facilities / easement rights on Railway land involve occasional or limited use of land by a party for a specified purpose like passage etc. without conferring upon the party any right of possession or occupation of the land and without in any way affecting the Railway's title, possession, control and use of the land.

Sections 16 and 17 of the Railways Act 1989 enjoin upon the Railways to make and maintain specified works for the accommodation of the owners and occupiers of lands adjoining the Railway, for the purpose of making good any interruption caused by the Railway to the use of the land through which the Railway is made. Such works include crossings, passages, drains etc. Apart from these, requests are often received for provision of way leave/easement on railway land in the form of passage/access to private houses and establishments, underground pipelines for water supply and sewage, electrical and telecommunication lines and Optic Fiber Cables, Cable TV lines etc.

Railway Board issued detailed guidelines (Rly. Board's policy circular No. 97/LML/24/3, dt. 27.11.2001 as amended by circulars of even No. dt.30.07.02, 03.10.02, 21.02.05, and 18.05.05.) for granting way leave facilities/easement rights and fixed the rates to be levied for way leave facilities/easement rights on railway land for different purposes in genuine and unavoidable cases.

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Go to main index

## Circulars issued by Directorate of Land & Amenities, Railway Board, New Delhi (Ministry of Railways, Govt. of India)

| S.No. | Letter No. | Referance | Subject |
|---|---|---|---|
| **Property Development** | | | |
| 1 | No.2000/LML/2/11, dt. 03.05.2000 | - | Methodology for execution of schemes for commercial exploitation of railway land/airspace. |
| 2 | No.2001/LM(L)/2/16, dt. 04.08.2000 | - | Role of MRVC in Commercial utilization of railway land in Mumbai Area |
| 3 | No.2001/LML/2/49, dt. 17.10.2001 | - | Commercial utilization of land/air-space – procedure to work out unearned profits. |
| 4 | No.2001/LML/2/47, dt. 08.02.2002 | Board's letter no. 2000/ LML/ 2/58, dt. 0l.02.2001 | Commercial utilization of railway land/air-space |
| 5 | No.2003/LML/2/12, dt. 27.11.2003 | Board's letter no. 2000/ LML/ 2/58, dt. 0l.02.2001 | Acceptance of Feasibility Reports by RITES/IRCON for property development cases by Railways |
| 6 | No.2000/LM(L)/2/21, dt. 18.05.2000 | - | Processing of the property development cases – Delegation of powers to General Managers – Consultancies. |
| 7 | No.2000/LML/2/21, dt. 07.08.2000 | Board's letter of even no. dt. 18.05.2000 | - |
| 8 | No.2000/LML/2/21, dt. 17.10.2000 | Rly.'s letter no. W.277/G/ PD/ Vol.II, dt. 30.08.2000 | Commercial utilization of railway land – Delegation of powers to G.Ms of Consultancies. |
| 9 | No.2000/LML/2/21, dt. 29.10.2001 | Board's letter of even no. dt. 18.05.2000 | Processing of the property development cases – Delegation of powers to General Managers – Consultancies. |
| 10 | No.2000/LML/2/51, dt. 30.11.2000 | - | Commercial Development of railway property – Reimbursement of the expenses to nodal agencies. |
| 11 | No.2000/LML/2/51, dt. 20/23.02.2001 | (i) Board' letter of even no., dt. 30.11.2000<br>(ii) Rly.'s letter no. B/362/LM/ BN2/W-3G, dt. 24.01.2001 | Commercial Development of railway property – Reimbursement of the expenses to nodal agencies. |
| 12 | No.2000/LML/2/51, dt. 31.07.2001 | Rly.'s letter no. W.349/11/ Prop.Dev./PGTdt. 28.03.2001 | Commercial Development of railway property – Reimbursement of the expenses to nodal agencies. |
| 13 | No.2000/LML/2/51, dt. 28.01.2002 | - | Commercial Development of railway land – Reimbursement of the expenses to nodal agencies. |
| 14 | No.2000/LML/2/58, dt. 01.02.2001 No.2000/LML/2/58 (ii), dt. 01.02.2001 | - | Commercial development of railway land/air-space – procedure regarding. |
| 15 | No.2000/LML/2/58, dt. 06.02.2001 | Board's letter of even no., dt. 01.02.2001 | Commercial development of railway land/air-space – procedure regarding. |
| 16 | No.2000/LML/2/58, dt. 27.01.2005 | Board's letter of even no., dt. 01.02.2001 | Commercial development of railway land/air-space – procedure regarding. |
| 17 | No.2000/LML/2/46/ Vol.III, dt. 09.11.2006 | - | Gazette Notification regarding Constitution of the Rail Land Development Authority. |

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|---|---|---|---|
| **Boundary** | | | |
| 18 | No.94/LM(L)/14/22, dt. 29.08.1995 | - | Construction of private buildings near Railway land. |
| **Encroachment** | | | |
| 19 | No.2009/LML/20/01, dt. 25.11.2009 | Board's letter no. 91/LM(B)/3/ 82/Pt., dt. 26.08.1992 | Construction of boundary wall along railway boundary. |
| 20 | No.82/W-2/14/O/A, dt. 31.10.1984 | - | Management of Land – prevention & removal of encroachments. |
| 21 | No.86/W2(LM)/14/51, dt. 24.10.1986 | - | Unauthorized occupation of railway quarters – Prevention & removal of encroachments. |
| 22 | No.90/LM(L)/14/34, dt. 09.03.1990 | - | Disciplinary action against Railway servants who unauthorisedly occupy Railway/Government land and put up their private dwellings thereon. |
| 23 | No.91/LM(B)/3/82/Pt., dt. 26.08.1992 | - | Construction of boundary wall for checking encroachments. |
| 24 | No.98/LML/14/156, dt. 08.02.1999 | - | Encroachment on Railway land – Procedure Order on use of Section 147 of the Railways Act, 1989. |
| 25 | D.O. No. 98/LML/14/ 156, dt. 25.09.2001 | - | Prevention and removal of encroachments. |
| 26 | No.2002/LML/14/70, dt. 13.11.2002 | - | Safety Zone – definition in the context of removal of encroachments along the tracks. |
| 27 | No.2000/LML/14/31, dt. 26.05.2003 | GM, Northern Railway's D.O. Letter No. 195W/ Misc/Delhi/ Pt.VI, dt. 03.04.2003 | Removal of encroachment from railway land in Delhi area – Policy. |
| 28 | No.2001/LML/14/1, dt. 05.04.2004 | - | Guidelines for recourse to eviction proceedings under Public Premises (Eviction of unauthorized Occupants) Act, 1971. |
| 29 | No.2004/LML/14/15, dt. 27.10.2004 | - | Removal of encroachments – orders of Hon'ble Minister of Railways. |
| 30 | No.96/LML/14/85, dt. 12.07.2005 | - | Removal of encroachments under PPE Act, 1971 – interpretation of the provisions of the Act vis-à-vis proposals of this Ministry. |
| **Leasing – Licensing** | | | |
| 31 | No.2011/LML/18/17, dt. 24.01.2012 | Board's letters of even no., dt. 30.03.2011 & 07.12.2011 | Approval of Cabinet for permitting use of Railway Land for Railways core activities and other related purposes. |
| 32 | No.2011/LML/18/17, dt. 25.01.2012 | Corrigendum to Board's letter No. 2011/LML/18/17, dt. 24.01.2012 | Approval of Cabinet for permitting use of Railway Land for Railways core activities and other related purposes. |
| 33 | No.80/W2/18/O/A, dt. 07.06.1984 | - | Management of Railway land – Rationalization of procedure for temporary licensing for shopping, commercial and vending purposes not connected with Railway working. |
| 34 | No.81/W2/18/117, dt. 05.04.1988 | Board's letter of even no., dt. 19.01.1987 | Licensing of tanks and barrow pits under the control of the railways to the Co-operative Societies for purposes of pisci-culture. |

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| 35 | No.83/W2/LM/18/87, dt. 03.03.1987 | Board's letters of even no., dt. 17.09.1985, 14.12.1985 and 17.03.1986 | Rationalization of guidelines for commercial licensing of Railway land. |
| 36 | No.83/W2/LM/18/87, dt. 23/27.03.1989 | a. Board's letter no. 80/W2/18/ O/A, dt. 07.06.1984<br>b. Board's letters no. 83/W2/ LM/18/87, dt. 17.09.1985 and 08.10.1987<br>c. Board's letter no. 83/W2 /LM/18/87, dt. 14.12.1985 | Licensing of Railway land for shopping purposes |
| 37 | No.2001/LML/13/55, dt. 01.12.2005 | Board's letters no. 2001/LML/ 13/55, dt. 24.09.03 & 24.08.05 | Licensing of railway land to the Container Corporation of India Ltd for setting up of ICDs etc. |
| 38 | No.88/LM(L)/13/64, dt. 27.12.1990 | - | Allotment of railway land to Railway Employees' Co-operative House Building Societies. |
| 39 | No.90/LM(L)/13/17, dt. 28.02.1991 | - | Guidelines for inclusion of contingency Charges in the land relinquishment estimate. |
| 40 | No.89/LM(L)/18/108, dt. 08.01.1992 | - | Licensing of Railway land for construction of Union Offices. |
| 41 | No.97/LML/18/67, dt. 26.07.2004 | a. Board's letter of even no. dt. 25.06.1998<br>b. CLW's letter no. PEO/Genl/ Policy, dt. 11.09.1999 | Policy regarding extension of plot of land, change of ownership etc. |
| 42 | No.97/LML/18/67, dt. 25.06.1998 | CLW's letter no. PEO/Genl/ Policy, dt. 16.10.1996 | Policy regarding extension of plot of land, change of ownership etc. |
| 43 | No.2000/LML/18/33, dt. 01.03.2001 | a. Board's letter no. 2000/ LML/2/21 dt. 18.05.2000<br>b. Board's letter of even no. dt. 08.02.2001 | Licensing of Railway land for shopping purposes – Guidelines regarding. |
| 44 | No.2000/LML/18/33, dt. 08.02.2001 | Board's letter no. 2000/LML/ 2/21, dt. 18.05.2000 | Development of shopping complex on Railway land – powers regarding. |
| 45 | No.2001/LML/13/53, dt. 19.10.2004 | - | Relinquishment of railway land in exchange from State Governments in terms of Para 1045 of Engg. Code, 1993 – Powers of sanction to General Managers. |
| 46 | No.2001/LML/13/53, dt. 30.07.2001 | Board's letter no. 2000/LML/ 13/53, dt. 04.10.2001 | Leasing of railway land to Government Department – Powers of sanction to General Managers. |
| 47 | No.2001/LML/13/53, dt. 04.10.2001 | - | Long term leasing *of* railway land to Government Departments. |
| 48 | No.2004/LML/18/30, dt. 27.04.2004 | Board's letter no. 83/W2/LM/ 18/87, dt. 03.03.1987 | Temporary licensing of railway land for short duration – delegation of Powers to DRMs up to 3 days for holding cultural functions. |
| 49 | No.98/LML/18/28, dt. 17.10.2002 | Rly.'s letter no. W/277/ M/342, dt. 29.12.2000 | Service tax for land licensed for temporary purposes such as Circus, Exhibition etc. |
| 50 | No.98/LML/18/28, dt. 22.03.2002 | a. Rly.'s letter no. L/Genl./Pt. VIII/900, dt. 18.02.2002<br>b. Board's letter of even no., dt. 20.01.2002 | Short term temporary licensing of railway land for Circus shows – fixation of license fee. |
| 51 | No.98/LML/18/28, | - | Short term temporary licensing of railway |

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| | dt. 20.01.2002 | | land for Circus shows – fixation of license fee. |
| 52 | No.2001/LML/18/161, dt. 21.02.2002 | - | Licensing of land to Oil Companies for setting up retail outlets (Petrol Pumps). |
| 53 | No.2000/LML/18/33, dt. 19.12.2002 | - | Development of shopping complex on railway land through cooperative societies. |
| 54 | No.2002/LML/18/33, dt. 27.08.2002 | Board's letter of even no., dt. 22.07.2002 | Development of shopping complex on railway land through cooperative societies. |
| 55 | No.2000/LML/18/33, dt. 10.07.2002 | - | Development of shopping complex on railway land through cooperative societies. |
| 56 | No.2001/LML/18/31, dt. 26.04.2006 | Railway's letter No. PR/RLY/ STR/SETTLEMENT/Pt.V, dt. 16.12.2005 | License fee for Railway Built Shops. |
| 57 | No.2001/LML/18/31, dt. 02.03.2005 | Board's letter of even no., dt. 20.09.2002 | Proposal for changing rental scheme for 17 shops at Tollygunge station. |
| 58 | No.2001/LML/18/31, dt. 16.10.2002 | Board's letter of even no., dt. 20.09.2002 | Licensing of built shops – revision of license fee. |
| 59 | No.2001/LML/18/31, dt. 20.09.2002 | Rly.'s letter no. MRTS/Div./ Engg./W-84 O.T.I., dt. 25.06.2002 | Proposal for changing rental scheme for 17 shops at Tollygunge station. |
| 60 | No.2002/LML/21/16, dt. 10.04.2003 | Board's letter no. 92/LML/21/ 14, dt. 11.05.1992 | Revision of nominal license fee of railway land leased/ licensed to Kendriya Vidyalayas, all other school and Welfare Organisations. |
| 61 | No.2003/LML/21/20, dt. 29.09.2003 | - | Extension of licenses for schools and religious institutions. |
| 62 | No.2000/LML/24/20, dt. 29.12.2006 | Board's circular of even no. dt. 13.11.2001 and no. 94/LM(B)/ 10/33-Policy, dt. 07.07.1994 | Erection of dish antennae and cable network for Direct to Home (DTH) services in railway colonies. |
| 63 | No.02/LML/13/12, dt. 05.05.2006 | - | Provision of Telecom services – Construction of Towers by RailTel. |
| 64 | No.02/LML/13/12, dt. 28.11.2005 | Board's letter of even no. dt. 19.11.2004 | Guidelines for granting right of way and sparing land/ building to RaiiTel Corporation of India Ltd. (RCIL) – Review thereof. |
| 65 | No.02/LML/13/12, dt. 19.11.2004 | - | Guidelines for granting right of way and sparing land/ building to RaiiTel Corporation of India Ltd. (RCIL). |
| 66 | No.2005/LML/18/8, dt. 08.06.2005 | Board's letter of even no. dt. 10.02.2006 | Policy on licensing of railway land for commercial plots etc (Master Circular). |
| 67 | No.2005/LML/18/8, dt. 10.02.2005 | Board's letter no. 83/WII/LM/ 18/87, dt. 29.08.1995 | Policy on licensing of railway land for commercial plots etc (Master Circular). |
| 68 | No.2001/LML/21/14, dt. 05.11.2001 | Correction slip no. 5 for the existing Para 824 of Indian Railway Works manual, 2000 | Licensing of railway land to Welfare Organization, private schools etc. |
| 69 | No.2008/LML/18/15, dt. 17.03.2008 | Board's letter no. 2005/LML/ 18/8, dt. 10.02.2005 | Licensing of railway land for establishing a rail Terminal and/or for providing connectivity to existing rail heads |
| **Mining** | | | |
| 70 | No.2002/LML/18/01, dt. 10.04.2005 | No. 2005/O&M/7/3, dt. 16/03/2005 issued by Joint Secretary, Railway Board. | Administrative control of General Manager, E.C. Railway on Organization of Chief Mining Advisor, Dhanbad |
| 71 | No.2002/LMB/18/1, | - | Administrative control on Organization of |

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|---|---|---|---|
| | dt. 03.05.06. | | Chief Mining Advisor, Dhanbad. |
| **Plan** | | | |
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| 78 | No.75/W2/16/78, dt. 16.10.1984 | - | Policy in regard to surplus cultivable railway lands on Railways. |
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| **Plaques Statues** | | | |
| 89 | No.91/LM(B)/3/8/ Statue dt. 29.11.2000 | Board's letter no. 70/WII/ 3/31, dt. 26.04.1970 | Installation of statues, plaques, memorials and murals in Railway premises. |
| 90 | No.70/WII/3/31, dt. 26.04.1970 | - | Installation of statue of Mahatma Gandhi in Railway premises. |
| 91 | No.93/LM(B)/3/1/ Statue dt. 24.02.2003 | - | Instructions on putting names of martyrs of Quit India Movement and fixing plaques at Railway stations. |

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| 92 | No.2000/LML/24/20, dt. 11.12.2001 | Board's circular of even no. dt. 13.11.2001 | Way leave facility for underground laying of cables of cable T.V. – corrigendum |
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| 97 | No.97/LML/24/3, dt. 27.11.2001 | - | Granting of way leave facilities/easement rights – Policy regarding. |
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| 99 | No.2001/LML/24/20, dt. 16.08.2005 | Board's policy circular of even No. dt. 18.10.2001, as amended by circulars of even No. dt.22.02.02, 17.09.02, 21.11.02, and 17.02.04 | Permission of laying Optic Fibre Cable crossing under railway tracks. |
| 100 | No.2009/LML/24/42, dt. 12.07.2010 | Railway Board's letter no. 2009/LML/24/42, dt. 29.09.2009. | Permission of cross Railway land by Metro Railway Networks. |
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Go to main index

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| 2 | Indian Railway Works Manual 2000 |
| 3 | Land Acquisition Act of 1894, as amended by the Land Acquisition Amendment Act No. 68 of 1984 |
| 4 | Indian Railways Code for the Engineering Department (Third Re-print 1999) |
| 5 | Public Premises (eviction of Unauthorized Occupation) Act 1971 |
| 6 | Railway Property Unlawful Possession Act |
| 7 | www.cag.gov.in Chapter 2 – Land Management in Indian Railways (Report No. PA8 of 2008 for the period ended 2006-07 – Railways) |
| 8 | www.indianrailways.gov.in Land & Amenities Directorates |
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# टिप्पणी/NOTES

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# गुणवत्ता नीति

रेलों में यात्री और माल यातायात की बढती माँग को पूरा करने के लिए गुणवत्ता प्रबंध प्रणाली में अनुसंधान, डिजाइनों और मानकों में उत्कृष्टता तथा सतत् सुधारों के माध्यम से सांविधिक और नियामक अपेक्षाओं को पूरा करते हुए सुरक्षित, आधुनिक और किफायती रेल प्रौद्योगिकी का विकास करना।

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# QUALITY POLICY

**To develop safe, modern and cost effective Railway technology complying with Statutory and Regulatory requirements, through excellence in Research, Designs & Standards and Continual improvements in Quality Management System to cater to growing demand of passenger and freight traffic on the Railways.**

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# हमारा उद्दे य

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*यदि आप इस सन्दर्भ में कोई विचार और सुझाव देना चाहते हों तो कृपया हमें इस पते पर लिखें:*


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# Our Objective

**To upgrade Maintenance Technologies and Methodologies and achieve improvement in productivity and performance of all Railway assets and manpower which inter-alia would cover Reliability, Availability, and Utilisation.**

***If you have any suggestion & comments, please write to us:***


| | | |
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| **Contact person** | **:** | **Dy. Director (Civil),** |
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