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July 16, 2019

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To,
Hon'ble Shri Piyush Goyal
Minister of Railways
Rail Bhawan, Rafi Marg
New Delhi - 110 001

Sub: Streamlining the Railway NOC/Clearance's with respect to building approval in city of Mumbai.

Respected Sir,

You are well aware that graphical shape of Mumbai City is elongated and it is sandwiched between Arabian Sea from both side. The land cost in the Mumbai city is very high also the plot sizes are very stringent. The development which was undertaken along the railway lines is now more than 150 years old, and that dilapidated buildings require redevelopment. Government cannot spend such big finance for the redevelopment of these dilapidated buildings. Hence, as per the Maharashtra state government's policies and provisions in the Development Control Regulation of Mumbai these dilapidated building are to be developed by the private project proponents by availing additional FSI. Due to this provision of the additional FSI the height of the proposed buildings bound to be more than present height.

In this regards Railway board, Ministry of Railways Vide their circular/office memorandum issued under no. 2015/LML-1/19/2 Dtd. 25.06.2015 addressed to General Manager/principal chief engineer of all zonal railways inform the procedure to issue NOC for construction/redevelopment of government and private buildings on the land adjoining the railway boundary. The main points in the circular are as follows.

1. The basic intention behind the stipulation of the para no. 827 of Indian railway work manual is to safe guard the railways interest in the property adjoining the railway lines from future development point of view.
2. The exact space between railway land boundary and nearest edge of the building is approximately 30 mtrs. however, it is governed by local conditions.
3. In the cities and towns where the land is valuable it is not expected of the land owner of the plot to leave a large vacant open space between the building and railway boundary and it is deemed that railways interest will be adequately safeguard.
4. Railway NOC is required for construction of buildings with in 30 mtrs. from the railway boundary; however, disposal of waste such as sewage and silage water and disposal from septic tank shall be away from railway land.

5. In case of construction of high rise buildings with basements, railway should examine the drawings and construction methodology and ensure that under no circumstances safety of the railway track is adversely affected during and after construction.

In view of above points in the office memorandum we would like to submit:

- A. At present as per new structural code all the buildings which are being designed by the registered structural consultants are liable to take the **seismic forces**. Hence, in the situation of earth quake the new buildings are **safe from earth quake point of view**. Therefore, even during earth quake the new buildings will not fall on the railway tracks. In view of this the **distance of 30 mtrs should be reduced to 15 mtrs**. for obtaining the NOC from the railways. **Also the height restriction of 2H** (where H is horizontal distance from Railway Track Boundary and proposed building) should be increased to **5H** considering today's advance construction technology and structural designs.
- B. Mumbai city is a well-developed city, having top class infrastructures like underground sewerage systems and storm water drain systems. Therefore, in such condition, whenever the plans are approved by Municipal Corporation of Greater Mumbai, it is mandatory to all the developers to connect the sewer and storm water of each plot to municipal sewer and storm water system. In view of this the sewage and silage water never comes on the railway lines or on railway land boundary. Hence, railway land in Mumbai is always safe from sewage water point of view.

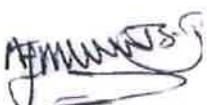
Sir, we request you to please take up this issue with Hon'ble Prime Minister and the concerned Ministry and call us for the joint meeting to discuss the issues.

Thanking you,

Your sincerely,
For CREDAI-MCHI



Nayan A. Shah
President



Bandish Ajmera
Hon. Secretary



Sanjiv S. Chaudhary MRICS
Chief Operating Officer