

EAST COAST RAILWAY ENGINEERING DEPARTMENT

CE's CIRCULAR NO. - 27

Sub: Granting of Way Leave Facilities/Easement Rights : Guidelines for processing proposals involving long stretches of railway land etc.

The policy regarding granting of Way Leave Facilities/Easement Rights has been laid down in the Railway Board's circular vide Ltr. No. 97/LML/24/3 Dt. 27.11.2001 and extent instructions/modifications issued thereon from time to time. Generally, the proposals of Way Leave Facilities/Easement Rights are approved / **permitted at the Divisional level by DRMs.**, which involve short stretches of Railway land , crossing of Railway lines, bridge opening , road crossing etc., and balance cases are sent to HQtrs for approval /sanction at Zonal level.

Recently, in one of the Divisions of East Coast Railway, a proposal for Way Leave Facilities covering a very long stretch of Railway land for laying of underground water supply pipe line for an industry was processed and sent to HQtrs which had to be sanctioned being a case of fait accompli. Such proposal needs to be permitted keeping in view the circumstances and merits of each case and should not be dealt in routine manner. The request for Way Leave Facilities/Easement Rights involving long stretch of Railway land needs a thorough examination and scrutiny so that the safety, security and the long term prospective of Railways are kept in view/protected.

To avoid complications and fait accompli situation, it is here by advised to follow the guidelines in cases involving very long stretches of railway land etc. as under:-

- (i) At the initial stage, on receipt of the request from the party, Division has to apply their mind where large stretches of Railway land are involved and bring out all relevant issues, merit and future expansion of Railway etc.
- (ii) The proposal/request from the party with the Division's remarks should be sent to HQ for consideration and according " In-principle approval" based on the merit of the case.
- (iii) No correspondence, commitment or demanding deposit of money from parties for carrying out the required survey in this connection shall be made by the Division till obtaining of " In-principle approval" from the HQtr for the proposal.
- (iv) After the " In-principle approval " to the proposal accorded by the HQ, a detailed/self-contained proposal should be processed by the Division and submitted to the HQ for final approval for permitting the Way Leave Facilities/Easement Rights. The processing of the proposal shall be as per the Railway Board's circular/guidelines reiterated through CE's Circular No. 26.

K. U. Ingle
17.6.08

(K.U. INGLE)

**Chief General Engineer
For General Manager (Engg)
Bhubaneswar**

No: W4/374/Pt. I/CE's Circular/ 950 / 777

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