

MUMBAI NORTH  
No :- MUM/N/RTI/ 407-I

Date 13/08/2025

AGM/ADMIN (CPIO)  
DFCCIL, Noida

Sub: - Providing of Information under the provision of the RTI Act 2005. Case of  
RTI of Shri Manish V Patel Mograwadi Near Railway station Valsad Near  
Ramesh Guest House Mograwadi - RTI-473 & 488

Ref: - 1) RTI Number DFCCIL/R/E/25/00373 dated 16.07.2025  
2) RTI Number DFCCIL/R/E/25/00387 dated 16.07.2025

Vide above referred letters, the applicant has sought the information as stated in  
column 1. (attached). The reply to be given regarding the information sought is being  
attached.

Encl. 1. Reply duly approved by CGM/N/MUMBAI  
2. Original Application seeking information

  
(Bratati Banerjee)  
APM/HR  
Mumbai, DFCCIL

# Note

Sub:-RTI of Shri Manish V Patel Mograwadi Near Railway station valsad Near Ramesh Guest House Mograwadi -RTI-473 & 488

Ref:- 1. RTI Number DFCCIL/R/E/25/00373 dated 16.07.2025. (CP/697-701)

2. RTI Number DFCCIL/R/E/25/00387 dated 16.07.2025. (CP/702-700)

The detailed remarks are tabulated below: -

Sl No	Query in RTI	Reply
1	<p>1. Exemption from NOC Requirement Please Provide:</p> <p>a. A certified copy of any order/rule/circular that exempts DFCCIL from obtaining a No Objection Certificate (NOC) from local/municipal/statutory bodies for construction within 30 meters of residential premises in the specific Mograwadi location.</p> <p>b. Name of issuing authority, notification number, and date of issuance.</p> <p>c. Whether such exemption is general in nature or site-specific to Mograwadi.</p> <p>d. Certified documentary confirmation whether any NOC/clearance (municipal, environmental, or safety) was ever obtained or not by DFCCIL for the above-mentioned site.</p> <p>Note: Internal correspondence, verbal clarification, oral communication, or in-person explanations shall not be treated as valid disclosure under Section 2(j) of the RTI Act.</p>	<p>Not applicable for DFCCIL/Railway project.</p> <p>As per EIA Notification-2006, for Railway/DFCCIL and bridge construction projects no NOC is required from local bodies. All necessary statutory guidelines have been followed before construction and laying of DFCCIL track and the DFCCIL track has been laid in Railway/DFCCIL land as per extant rules and regulations.</p>
2	<p>2. Buffer Distance and Safety Norms Please Provide:</p> <p>a. Certified guidelines/circulars issued by DFCCIL or the Railway Board regarding minimum safety/buffer distance norms to be maintained from:</p> <ul style="list-style-type: none"> <li>Residential buildings</li> <li>Public roads</li> <li>Educational institutions</li> <li>Hospitals/healthcare buildings</li> </ul> <p>b. A certified copy of any site-specific record or order confirming the applicability or</p>	<p>As per circular No. 2007/LML/19/4 dated 16.05.2008(enclosed for your kind reference), "No new construction of any building or reconstruction of an existing building shall be allowed with in a distance of half the height of the said building from the Railway track boundary, and in any case at least 3m away from such boundary. Further a 'No objection certificate' from the concerned Railways is required to be submitted by the party to the local authorities for granting permission for the building, plans if proposed structure lies</p>

	<p>exemption of buffer distance norms at the Mograwadi site.</p> <p>C. Clarification whether these guidelines are statutory/mandatory, advisory, or waived/exempted for this location.</p>	<p>between the Railway boundary and the distance of 30m from it".</p>
3	<p>3. Certified Basis for Exemption (If Any)</p> <p>If DFCCIL claims any exemption from obtaining NOC or observing buffer distance norms, provide a certified copy of the exemption notification or approval issued by each of the following competent authorities:</p> <ul style="list-style-type: none"> <li>• Indian Railways / Railway Board</li> <li>• Railway Land Acquisition Authority (under Act, 2013)</li> <li>• Central Pollution Control Board (CPCB)</li> <li>• Ministry of Environment &amp; Forests (under EPA, 1986)</li> <li>• Valsad Municipality / Town Planning Department / Local Authority under Urban Development and Municipal Building Norms</li> </ul> <p>Any claimed exemption must be explicitly certified by all the above authorities, not merely by DFCCIL.</p>	<p>Not applicable for DFCCIL project</p>
4	<p>4. Correspondence with Local Authorities Please Provide:</p> <p>a. Names of local or statutory authorities consulted by DFCCIL before starting work at the Mograwadi site (e.g., Valsad Nagar Palika, District Collector, GPCB, etc.).</p> <p>b. Certified copies of:</p> <ul style="list-style-type: none"> <li>• Letters seeking permission or NOC</li> <li>• Responses or objections received</li> <li>• Records of meetings, inspections, or official site visits</li> </ul>	<p>Not applicable for DFCCIL project</p>
5	<p>5. Responsible Officer Please provide:</p> <p>a. Name, designation, and contact details of the DFCCIL officer/department directly responsible for:</p> <ul style="list-style-type: none"> <li>• Regulatory/legal compliance</li> <li>• Public/residential safety</li> <li>• Environmental and structural clearances</li> </ul> <p>b. Confirmation whether the said officer has visited or inspected the Mograwadi site physically or remotely, with supporting documentary record.</p>	<p>DFCCIL officials under CGM/N/Mumbai and DFCCIL CO/Noida are responsible for getting all compliances and clearance related to legal matter, safety and EC.</p> <p>DFC officials i.e Executive Engg/BL and Jr.Executive Engg/BL visited on 07.04.2025 to these site and carried out all required necessary safety inspection.</p>

6	<p>6. Complaints and Actions Please provide:</p> <p>a. A certified list of all complaints, grievances, objections, legal notices, or queries DFCCIL has received regarding:</p> <ul style="list-style-type: none"> <li>• Construction near Ramesh Guest House, Mograwadi</li> <li>• Public inconvenience, disruption, or environmental concerns</li> </ul> <p>b. Certified copies of:</p> <ul style="list-style-type: none"> <li>• DFCCILs replies or clarifications</li> <li>• Any field inspection/inquiry reports</li> <li>• Internal file notings or minutes of meetings</li> </ul>	No such documents available
7	<p>7. Clarification on Circular No. 2007/LML/19/4 Dated 16.05.2008</p> <p>Please provide:</p> <p>a. Whether this circular exempts DFCCIL from safety buffer and NOC norms if yes, provide certified basis and legal backing.</p> <p>b. A certified copy of any document that explicitly grants exemption from the 30-meter NOC requirement at the Mograwadi site, and the name of the approving statutory authority.</p> <p>c. Confirmation whether Environmental Impact Assessment (EIA) or safety compliance documents shown to Shri Manish Patel during his visit were officially filed or published and if so, where the public can access them.</p>	<p>"As per circular No. 2007/LML/19/4 dated 16.05.2008(enclosed for your kind reference), "No new construction of any building or reconstruction of an existing building shall be allowed within a distance of half the height of the said building from the Railway track boundary, and in any case at least 3m away from such boundary. Further a 'No objection certificate' from the concerned Railways is required to be submitted by the party to the local authorities for granting permission for the building plans if proposed structure lies between the Railway boundary and the distance of 30m from it"</p> <p>Copy of EIA report is available at DFCCIL website</p>
8	<p>8. Site Classification &amp; Land Use Record Please provide:</p> <p>a. Certified land use classification map or zoning document of the exact site near Ramesh Guest House (Mograwadi), showing if it is officially designated as a residential zone or otherwise.</p> <p>b. Name of the authority that approved this zoning.</p> <p>c. Copy of any site inspection or layout plan submitted by DFCCIL to local authority.</p>	No such documents available in this office
9	<p>9. Statutory Obligations and Legal Framework</p> <p>All responses must strictly comply with and be based on certified documentary records under:</p> <ul style="list-style-type: none"> <li>• Sections 2(f), 2(i), 2(j) of the RTI Act</li> </ul>	All data shall be shared as per relevant act of RTI.

	<ul style="list-style-type: none"> <li>Indian Railways Act and Railway Board Circulars</li> <li>Railway Land Acquisition Act, 2013</li> <li>Environment (Protection) Act, 1986</li> <li>Central Pollution Control Board (CPCB) norms</li> <li>Urban Planning and Municipal Development Rules</li> </ul>	
10	<p>Important Notes:</p> <ul style="list-style-type: none"> <li>No verbal clarification, oral assurance, internal memos, unsigned papers, or ambiguous references shall be treated as valid disclosure under the RTI Act. Replies such as explained earlier or shown during visit will be treated as clear non-compliance with Section 4(1)(d) and 2(j) of the RTI Act.</li> <li>If any part of the requested information is held by another public authority, kindly transfer only that specific portion under Section 6(3) of the RTI Act and still respond to the rest.</li> <li>All documents provided must be certified copies bearing official signature and seal of the issuing authority. Any unsigned printouts or reference-only material will not be treated as valid disclosure.</li> </ul>	All data shall be shared as per relevant act of RTI.

The detailed reply of RTI-473 & 488 is tabulated above.

From last 2 months, Shri Manish V Patel has given more than 20 number of RTIs, Query in CPGRAM, letter to DFC/Vigilance, Complain to Gujarat Human Rights and Questions to Collector asking almost same questions as above. Each reply of RTI and reply in all forums had been given by DFCCIL Authorities. Shri Manish V Patel has also visited to DFCCIL/Valsad office on 12.06.2025. All necessary documents were given to him and all safety circulars, Environment Impact Assessment Documents of DFCCIL shown to him regarding this matter. He was also explained regarding all rules, regulation and safety circulars of Railways regarding NOC and compensation as per Railway Land acquisition act 2013. He was also explained regarding the matter that NOC has to be taken by private land owner before rebuilding/new construction, if his property is within 30m from Rail boundary and also explained about the Railway circular that "As per circular No. 2007/LML/19/4 dated 16.05.2008(enclosed for your kind reference), " No new construction of any building or reconstruction of an existing building shall be allowed with in a distance of half the height of the said building from the Railway track boundary ,and in any case at least 3m away from such boundary. Further a 'No objection certificate' from the concerned Railways is required to be submitted by the party to the local authorities for granting permission for the building plans if proposed structure lies between the Railway boundary and the distance of 30m from it".Further he was also explained

that his house is away from Railway boundary and not acquired by DFCCIL, hence compensation is not permitted as per Railway act.

Dy.CPM/Engg/BL is requested to kindly take further necessary action in this matter.

  
12/8/25  
Dy.CPM/Engg/BL

  
12/08/25  
DPM/Engg/BL

APIC/MUM for approval  
for BB-

CCM/MUM

CA