

No.F.41/RTI/SO(II)/D(Lands)/2017
 Government of India
 Ministry of Defence

New Delhi, dated 22nd May, 2017

To

Shri Ashok K. Gupta,
 S/o Shri Madan Lal,
 623-B, Aggar Naggar,
 Ludhiyana-141012

Subject: Request for information under Right to Information Act 2005-regarding.

Sir,

Please refer to your RTI application dated 23.02.2017 received from CPIO & Under Secretary (O-II), MoD vide their ID No.4(1)/60-RTI/D(O-II)/2017 dated 08.05.2017 for furnishing information on para 5 (c) (iv) of your RTI application relating to reduction of safety zone and application of better technique and safety measures in other ammunition storage units. In so far as D(Lands) Section is concerned, the requisite information relating to reduction of safety zone for construction activities around defence establishments, is as under:


2. The restrictions on building constructions around defence installations are regulated under various Statutes and Rules/Notifications issued there under, which include the Works of Defence Act, 1903, The Cantonments Act, 2006, The Aircraft Act, 1934, Ministry of Civil Aviation, 1934 Gazette Notification SO84 (E) dated 14.01.2011(as revised time to time). However, all the sensitive defence installations have not been notified yet for imposition of restriction under Statutory Acts/Rules/Notifications.

Therefore, in order to regulate building constructions around defence installations not covered by such notifications, Ministry of Defence issued interim guidelines on 18.05.2011 for issue of No Objection Certificate (NoC) for construction activities within 500 meters of such installations. The guidelines dated 18.05.2011 have been amended from time to time. The last amendment to the NoC guidelines was issued on 21.10.2016 on the basis of review of security concerns of the defence installations vis-à-vis public inconvenience wherein security restrictions in respect of 193 (Part A of Annexure to the circular dated 21.10.2016) Army establishments have been reduced to 10 meters. The amendment dated 21.10.2016 further provides that for 149 (Part B of Annexure to the circular dated 21.10.2016) Army establishments located in J&K, no construction shall be permissible within 50 meters from Defence installations and for construction between 50-100 meters, NoC shall be required. **This amendment is not applicable to any other Defence Establishments except aforesaid 342 Army Establishments.**

3. Further, for furnishing information relating to application of better technique and safety measure in other ammunition storage units, a copy of your RTI application is transferred to CPIO & Under Secretary(O-II) as the matter pertains to D(O-II) Section of this Ministry.

4. If you are not satisfied with the information, you may prefer 1st appeal under the provision of Section 19 of the RTI Act, 2005 to the 1st Appellate Authority, i.e. Shri Surya Prakash, Director(L&C Room No.117, B Wing Sena Bhawan, New Delhi-110011.

Yours faithfully,


 (G.C. Srivastava)
 Dy. Director(Land)

*Wonus
 Bu NoC Hike
 [Handwritten initials and signatures]*

✓ Copy to: US(O-II) & CPIO, M/o Defence, Sena Bhawan - with request to furnish information, if any with them relating to application of better technique and safety measures in ammunition storage units; this matter does not pertain to D(Lands) Section.