



सत्यमेव जयते

रक्षा मंत्री
भारत
MINISTER OF DEFENCE
INDIA

4 April, 2016

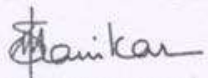
Dear Shri Devendra Fadnavis,

This has reference to your letter No.TPS-1215/1093/CR-40/15/UD-12, dated 19th January, 2016 seeking clarifications in connection guidelines dated 17th Nov, 2015 for issue of No Objection Certificate (NOC) for building constructions near Defence establishments. The point-wise clarifications are as under:

- i) The phrases "in line with or behind" and "by the shadow or shielded of" is meant to indicate construction proposed which is in line with or in shadow or shield of existing structure within 500 metres radius of the Defence establishments. Therefore there appears to be no ambiguity. However, I have directed the Department to examine the matter to remove ambiguities if any.
- ii) The timeframe of 30 days is stipulated so as to cast duty on LMA to respond with his comments within the timeframe. In case no comments are received within the time limit it is to be assumed that he has no comments to offer. Similarly where LMA gives negative remarks it is for the State Government or Municipal Authority to take a considered decision in the matter.
- iii) In such cases the comments of LMA are required to be obtained if the permission is granted after 18.5.2011. However, in view of the clarifications given at (ii) above I see no difficulty in asking such NOC.
- iv) The height of the structure may be as per the applicable municipal laws.
- v) The issue of LMA issuing comprehensive guidelines for specific areas instead of giving cases by case approvals as suggested by you, will be examined separately.

With regards,

Yours sincerely,


(Manohar Parrikar)

Shri Devendra Fadnavis
Chief Minister
Govt of Maharashtra
Sachivalaya
Mumbai