

# **MANAGEMENT OF VACANT LAND IN INDIAN RAILWAYS**

[Action Taken by the Government on the Observations/Recommendations of the Committee contained in their 93<sup>rd</sup> Report (16<sup>th</sup> Lok Sabha)]

**MINISTRY OF RAILWAYS (RAILWAY BOARD)**

**PUBLIC ACCOUNTS COMMITTEE  
(2018-19)**

**ONE HUNDRED AND EIGHTH REPORT**

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**SIXTEENTH LOK SABHA**



**LOK SABHA SECRETARIAT  
NEW DELHI**

PAC NO. 2142

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## PUBLIC ACCOUNTS COMMITTEE (2018-19)

(SIXTEENTH LOK SABHA)

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[Action Taken by the Government on the Observations/Recommendations of the Committee contained in their 93<sup>rd</sup> Report (16<sup>th</sup> Lok Sabha)]

MINISTRY OF RAILWAYS  
(RAILWAY BOARD)



*Presented to Lok Sabha on:* .....

*Laid in Rajya Sabha on:* .....

LOK SABHA SECRETARIAT  
NEW DELHI

August, 2018 /Shravana, 1940 (Saka)

## CONTENTS

	<b>PAGE</b>
<b>COMPOSITION OF THE PUBLIC ACCOUNTS</b>	<b>(iii)</b>
<b>COMMITTEE (2018-19)</b>	
<b>INTRODUCTION</b> .....	<b>(iv)</b>
<b>CHAPTER I</b> Report .....	<b>1</b>
<b>C H A P T E R I I *</b> Observations/Recommendations which have been accepted by the Government .....	
<b>CHAPTER III*</b> Observations/Recommendations which the Committee do not desire to pursue in view of the replies received from the Government .....	
<b>CHAPTER IV*</b> Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration .....	
<b>CHAPTER V*</b> Observations/Recommendations in respect of which the Government have furnished interim replies .....	

## APPENDICES\*

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|----|--|
| I  | Minutes of the 10 <sup>th</sup> sitting of the Public Accounts Committee (2018-19) held on 30 <sup>th</sup> July, 2018.  |
| II | Analysis of the Action Taken by the Government on the Observations/Recommendations of the Public Accounts Committee contained in their Ninety-third Report (Sixteenth Lok Sabha) |

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*\*Not appended to the cyclostyled copy of the Report*

**COMPOSITION OF PUBLIC ACCOUNTS COMMITTEE**  
**(2018-19)**

	<u>M E M B E R S</u> <u>L O K   S A B H A</u>		
2.	Shri Subhash Chandra Baheria		
3.	Shri Sudip Bandyopadhyay		
4.	Shri Prem Singh Chandumajra		
5.	Shri Gajanan Chandrakant Kirtikar		
6.	Shri Bhartruhari Mahtab		
7.	Smt. Riti Pathak		
8.	Shri Ramesh Pokhriyal "Nishank"		
9.	Shri Janardan Singh Sigiwal		
10.	Shri Abhishek Singh		
11.	Shri Gopal Shetty		
12.	Dr. Kirit Somaiya		
13.	Shri Anurag Singh Thakur		
14.	Shri Shivkumar Chanabasappa Udasi		
15.	Dr. Ponnusamy Venugopal		
	<u>R A J Y A   S A B H A</u>		
16.	Prof. M. V. Rajeev Gowda		
17.	Shri Bhubaneswar Kalita		
18.	Shri Shwait Malik		
19.	Shri Narayan Lal Panchariya		
20.	Shri Sukhendu Sekhar Roy		
21.	Vacant		
22.	Vacant		
	SECRETARIAT		
1.	Shri A.K. Singh	-	Additional Secretary
2.	Shri Sanjeev Sharma	-	Additional Director
3.	Smt. Anju Kukreja	-	Under Secretary

## INTRODUCTION

I, the Chairperson, Public Accounts Committee (2018-19), having been authorised by the Committee, do present this One Hundred and Eighth Report (Sixteenth Lok Sabha) on Action Taken by the Government on the Observations/Recommendations of the Committee contained in their Ninety-third Report (Sixteenth Lok Sabha) on “**Management of Vacant Land in Indian Railways**” relating to Ministry of Railways (Railway Board).

2. The Ninety-third Report was presented to Lok Sabha/laid in Rajya Sabha on 28<sup>th</sup> March, 2018. Replies of the Government to all the Observations/Recommendations contained in the Report were received. The Public Accounts Committee considered and adopted the One Hundred and Eighth Report at their sitting held on 30<sup>th</sup> July, 2018. Minutes of the sitting are given at Appendix I.

3. For facility of reference and convenience, the Observations and Recommendations of the Committee have been printed in thick type in the body of the Report.

4. The Committee place on record their appreciation of the assistance rendered to them in the matter by the Office of the Comptroller and Auditor General of India.

5. An analysis of the action taken by the Government on the Observations/Recommendations contained in the Ninety-third Report (Sixteenth Lok Sabha) is given at *Appendix*.

NEW DELHI;  
1 August, 2018  
10 Shravana, 1940 (*Saka*)

MALLIKARJUN KHARGE  
Chairperson,  
Public Accounts Committee

## REPORT PART – I

This Report of the Committee deals with the Action Taken by the Government on the Observations and Recommendations contained in their 93<sup>rd</sup> Report (16<sup>th</sup> Lok Sabha) on the subject "**Management of Vacant land in Indian Railways**" based on Chapter – IV of C&AG Report No. 24 of 2015 (Volume - II) relating to the Ministry of Railways.

2. The Ninety-third Report (16<sup>th</sup> Lok Sabha) was presented to the Lok Sabha/laid in Rajya Sabha on 28<sup>th</sup> March, 2018. It contained eight Observations/Recommendations. Action taken Notes in respect of all the Observations/Recommendations have been received from the Ministry of Railways and these have been categorized as under:

- (i) Observations/Recommendations of the Committee which have been accepted by the Government:

Para Nos. 1, 2, 3, 4, 5, 6, 7 & 8

**Total: 08  
Chapter – II**

- (ii) Observations/Recommendations which the Committee do not desire to pursue in view of the replies received from the Government:

Para Nos. NIL

**Total: NIL  
Chapter – III**

- (iii) Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration:

Para Nos. NIL

**Total: NIL  
Chapter – IV**

- (iv) Observations/Recommendations in respect of which Government have furnished interim replies:

Para Nos. NIL

**Total: NIL**  
**Chapter – V**

3. In their 93<sup>rd</sup> Report (16<sup>th</sup> Lok Sabha), the Committee had found that Indian Railway owned of 4.59 lakh hectares of land (March 2014). Out of this, 47340 hectare of land had not been put to any use (vacant land- 46409 hectare and encroached land- 931 hectare). Indian Railways requires an efficient management to ensure safe and effective custody of land available with them and also the land encroached by ensuring clear title, prevention of encroachments and early removal of encroachment of vacant land. This requires maintenance of accurate Land Records. A review of the records of Indian Railways for the years 2011-14 revealed that out of 16 Zonal Railways, separate Land Management Cells (LMCs) to keep and maintain land records had not been set up in headquarter offices of three Zonal Railways and in 37 Divisions of 13 Zonal Railways. Only three Zonal Railways had LMCs in all of their Divisions. Most of the staff posted in LMCs in Divisions was neither trained to deal with land issues nor exclusively deployed on the job resulting in deficient maintenance of land data/ records besides improper monitoring of vacant land. Four per cent of total land plans were missing and out of available land plans (16 per cent) had not been authenticated by State Authorities and 20 per cent land plans had not been digitised. Out of 16 Zonal Railways, the records connected with land mutation were available in eight Zonal Railways only and there too, only 48 per cent land plans were mutated. In respect of basic records such as Land Record Register (LRR), Land Boundary Verification Register (LBVR) and Encroachment Inspection Register (EIR) to be maintained at Zonal headquarters/ Railway Divisions/ field units of Railway Divisions, it was observed that LRR were not being maintained in 37 out of 68 Divisions. The Committee also found that the maintenance of LBVR and EIR was also not proper in the Railways. Construction of boundary walls along vacant land to avoid encroachments was not well assessed and planned. Details of encroachments were not being maintained, the process for their removal was very slow

and efforts made for removing encroachments, under Public Premises (Eviction of Unauthorised Occupants) Act, 1971 were inadequate and ineffective as encroachment of Railway land was found to be a continuous process. The monitoring by IR and joint inspections by IR and State Authorities for managing encroachment was not found to be adequate.

3. The Committee in their 93<sup>rd</sup> Report (16<sup>th</sup> Lok Sabha) on the subject had made the following important observations/recommendations:

(i) The Committee had desired the Ministry of Railways to ensure setting up of Land Management Cells (LMCs) on priority basis and in a time bound manner in the remaining zonal Headquarters and Divisions. They had exhorted the Ministry to take adequate and sincere measures to strengthen its land Management system by deputing qualified and well trained staff in these cells.

(ii) The Committee had desired the Indian Railways

- a. To ensure maintenance of all essential land records at all Zonal Railways and Railway Divisions on priority basis and in a time bound manner.
- b. To ensure the safe custody of Railway land and prevention of the encroachments, MoR should evolve a strategy that such land records are regularly updated and verified as prescribed in the Manual.
- c. To ensure that the remaining land plans are uploaded on website, the outstanding land plans to be got authenticated in a timeline and court cases are vigorously pursued for its early verdicts.

(iii) The Committee had *inter-alia*, recommended the Ministry of Railways to take immediate steps to

- a. streamline the system of authentication and mutation of land plan by regular follow up with the concerned State Government authorities;



- b. Computerize/digitize land records on priority basis and in a time bound manner so as to ensure a robust and effective land management information system.

(iv) The Ministry of Railways should ensure demarcation of such land with adequate marking on all such vacant land on priority basis and in a time bound manner. The Committee had also desired that Railway should seek the assistance of Department of space for satellite mapping and monitoring of its vacant land.

(v) Ministry of Railways should hire/engage a PSU/private consultancy firm which can undertake a scientific study on different types of land available with Railways and submit proposal for use of vacant land, removal of encroachments and maintenance of various records of such land in a scientific manner as also its valuation and commercial exploitation.

(vi) The Committee had desired the Indian Railway to take up the issue of categorising encroached Railway land under various sub-categories and deal with each category of encroachment separately for its removal by making specific plan for such encroachment.

(vii) The Committee desired Ministry of Railways to vigorously pursue the matter regarding removal of existing old/ fresh encroachments through strict compliance to the provisions of Public Premises Eviction of unauthorized occupants Act 1971(PPE Act)/Railways Act and ensure the reclamation of encroached Railway land. The Committee had also desired MoR to pursue with the Ministry of Urban Development for amendment in the PPE Act, 1971 at the earliest.

4. The Action Taken Notes furnished by the Ministry of Railways to each of the Observations/Recommendations of the Committee contained in their Ninety-third Report have been reproduced in the relevant chapters of this Report. In the succeeding paragraphs, the Committee have dealt with the action taken by the Government on some of their Observations/Recommendations.

A. **Maintenance of land records**  
**(Recommendation Para No. 3)**

5. Having noticed that 4 per cent land plans were missing in 14 Zones, area was not indicated in land plans of 12 Zones, some land plans had not been got authenticated from State revenue authorities, records of mutation were not made available for review by Western Railway (WR), West Central Railway (WCR) & North Central Railway (NCR) and in six Zones no mutation of land had been done, the Committee had desired the Indian Railways:

- (i) To ensure maintenance of all essential land records at all Zonal Railways and Railway Divisions on priority basis and in a time bound manner.
- (ii) To ensure the safe custody of Railway land and prevention of the encroachments, MoR should evolve a strategy that such land records are regularly updated and verified as prescribed in the Manual.
- (iii) To ensure that the remaining land plans are uploaded on website, the outstanding land plans to be got authenticated in a timeline and court cases are vigorously pursued for its early verdicts.

6. The Ministry of Railways in their Action Taken Notes have stated as under:

“A web based application called Land Management Module integrated with Track Management System (TMS) of Indian Railways has been developed for maintaining details i.e. details of acquisition/area/usages and land plans of Land Bank of Indian Railways, now most of the data has been uploaded. However, it is a continuous process as Railways acquire and relinquish the land on regular basis. During the year up to Feb, 2018, 42037 land plans are uploaded and 38014 land plans are authenticated. Authentication of Land Plan is a continuous process. Railway is making all efforts to reconstruct/authenticate the missing land plans as most of such missing land plans are very old i.e. before Independence. However, during 2017-18, 111 such plans have been got authenticated. All Zonal Railways are advised time to time to expedite the authentication of remaining land plans, mutation of land record in favour of Railways and upload data on TMS on urgent basis. Zonal Railways are also advised from time to time to ensure proper maintenance of the Land Record Register, Land Boundary Verification Register and Encroachment Inspection Register by the SSEs and verification of the same by the higher officers as per the provision given in IRWM.”

7. **The Committee note that a web based application called Land Management Module integrated with Track Management System (TMS) has been developed by**

the Ministry of Railways for maintaining details regarding acquisition/area/usages and land plans of land Bank of Indian Railways. The Committee have also been informed that upto February 2018, 42037 land plans were uploaded and 38014 land plans were authenticated. While appreciating the efforts of the Ministry, the Committee would like to know about the details of land plans due for uploading. The Ministry of Railways further informed that they are making all efforts to reconstruct/authenticate the missing land plans as most of such plans pertaining to the independence period. The Committee desire the Ministry of Railways to take all necessary and effective measures to ensure reconstruction/authentication of missing land plans in a time bound manner. The Ministry has further noticed that all zonal Railways have been advised to expedite the authentication of remaining land plans, mutation of land records in favour of Railways and upload data on TMS on urgent basis. Zonal Railways were also advised to ensure proper maintenance of Land Record Register, Land Boundary verification Register and Encroachment Inspect Register by the SSEs and verification of the same by the higher officers. The Committee note the measures initiated in this regard nevertheless, they are of the view that mere advising the Zonal Railways will not suffice unless a proper monitoring mechanism is established to ensure effective implementation of the these measures. The Committee therefore, reiterate the Ministry to take all necessary and effective steps to ensure maintenance of all land records at all Zonal Railways on priority basis.

**(B) Prevention of encroachment  
(Recommendation Para No. 5)**

8. Having observed that there is requirement of about 3455km boundary wall costing about ` 2796 crore to protect railway land at vulnerable locations from encroachments, the Committee were of the considered view that in order to prevent encroachments of the remaining vacant land there should be come kind of marking around the land. The Committee had, therefore, desired the Ministry of Railway to ensure demarcation of such land with adequate marking on all such vacant land on

priority basis and in a time bound manner. The Committee had also desired that Railway should seek the assistance of Department of Space for satellite mapping and monitoring of its vacant land.

9. The Ministry of Railways in their Action Taken Notes have stated as under:

“Railway is making sustained efforts to evict railway land from encroachers as well as to avoid fresh encroachment in Railway land. Railway is carrying out regular surveys of encroachment on railways land. With this sustainable effort, railway is able to bring down the area under encroachment on its land from 930 Hectares in 2014-15 to 844 Ha as on Feb, 2018. Railway has also examined the option of construction of boundary wall in lieu of advertisement on wall, but due to poor response from bidders, the model has not worked out. However, Railway continues the effort to protect Railway land / property by providing boundary walls. The progress achieved of Boundary wall construction during 2013-14, 2014-15, 2015-16 & 2016-17 is 128, 102, 193 & 129 kms. respectively. To target the huge requirement of construction of boundary wall, Rashtriya Rail Sanraksha Kosh (RRSK) has been set up which has the provision to provide boundary wall to isolate track from surroundings. The part of 3455 kms will be constructed through this fund. Railways has allotted ` 200 Cr through this fund (RRSK) in this financial year i.e. 2018-19. A work costing ` 36.24 crore has been sanctioned for mapping of all fixed Railway assets on Geographical information System of Bhuvan Satellite Imagery of Indian Space Research Organization (ISRO) integrated with TMS of Indian Railways. This system is designed to provide the status of Railway land whether encroached or not and thus would be helpful in tackling the menace of encroachment.”

**10. The Committee note that with sustained effort, Indian Railways was able to bring down the area under encroachment on its land from 930 Hectares in 2014-15 to 844 Hectares as on February, 2018. Further as regards the protecting of Railway land by providing boundary walls, the Committee have been informed that the progress achieved in construction of boundary walls during 2013-14, 2014-15, 2015-16 and 2016-17 was 128, 102, 193 & 129 kms respectively. The Committee are concerned to note that the reply of the Ministry is silent about the targets fixed to free the land from encroachers and construction of boundary wall per year and whether those targets were achieved or not. The Committee, therefore, desire to be apprised of such details within one month of presentation**

of this Report to Parliament. In addition , the Committee would also like to know about the total length of the Railways land which requires to provide boundary wall to isolate track from surroundings. The Committee also desire the Ministry of Railways to improve upon their coordination with all the Zonal Railways by periodical joint meetings to speed up the work of eviction of land from encroachers and construction of boundary wall. Further, the Committee have been informed that to achieve the target of construction of boundary wall, Rashtriya Rail Sanraksha Kosh (RRSK) has been set up and the part of 3455 kms will be constructed through this fund. However, the Action taken note does not provide the details as to when RRSK was set up and target date by when 3455 km will be constructed through this fund. The Committee would also like to be apprised of the details of work done till 15 July, 2018 and expenditure incurred thereon out of ` 200 crore allotted from this fund.

**(C) Categorization of encroached Railway Land**  
**(Recommendation Para No. 7)**

11. In their 93<sup>rd</sup> Report (16<sup>th</sup> Lok Sabha) the Committee noted that as on 31.03.2017 the area of Railway under encroachment was 861.70 ha (0.18 per cent of total land). Out of this, 152.4 ha. land was under encroachment in six big cities (Delhi, Hyderabad & Secunderabad, Chennai, Bangalore, Mumbai and Kolkata) consisting of 81414 No. of encroachments where 363 court cases are undergoing for settlement. The Indian Railway had not bifurcated this encroached land into various categories such as land grabbing, land under court cases, land under unauthorised occupation of slums dwellers, land taken over by armed forces for their use, etc. The Committee were of the view that if encroached land of the IR is categorised under various groups/headings it would be helpful in removal of encroachment in a better way. The Committee had therefore, desired IR to take up the issue of categorising encroached Railway land under various sub-categories and deal with each category of encroachment separately for its removal by making specific plan for such encroachment.

12. The Ministry of Railways in their Action Taken Note have stated as under:

“Different types of encroachment on Railway land has already been categorized. As per present system, Encroachment on Railway land are of two Types, Soft encroachments and Hard encroachment. Soft and Hard Encroachments are categorized in four Categories A, B, C & D as per para 814 of Indian Railways Works Manual (IRWM). Soft Encroachments, if the encroachments are in shape of jhuggies, jhopries and squatters, the same got removed in consultation and with the assistance of Railway Protection Force and civil authorities. Category B, C&D are termed as soft encroachments. Hard encroachments are where permanent structures are built, and are generally old encroachments. Category A encroachment is of the hard type encroachments. For such hard encroachments where party is not amenable to persuasion, action is taken under Public Premises (Eviction of unauthorized occupants) Act, 1971 (PPE Act, 1971), as amended from time to time. However, the recommendation of Committee for further categorization of encroachment has been noted, the same will be examined and further action will be taken to categorize the encroachment to the extent possible.”

13. **The Committee are unhappy to note that the Ministry of Railways have not taken any action on their recommendation regarding further categorization of encroachment. The Ministry has simply stated that the recommendation has been noted, the same will be examined and further action will be taken to categorize the encroachment to the extent possible. The Committee view with disapproval the failure on the part of the Ministry of Railways in dealing the matter with firmness and promptitude it deserved. The Committee while reiterating their earlier recommendation, in unequivocal terms recommend the Ministry to take concrete action at the earliest and apprise the Committee of the action taken in this regard within two months of presentation of this report. Such propitious action would not only help Railways in deft management of their vacant land but would also obviate the encroachments in future.**

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**NEW DELHI;  
1 August, 2018  
10 Shravana, 1940 (Saka)**

**MALLIKARJUN KHARGE  
Chairperson,  
Public Accounts Committee**