

GOVERNMENT OF INDIA
MINISTRY OF DEFENCE
DEPARTMENT OF DEFENCE
LOK SABHA
UNSTARRED QUESTION NO. 929
TO BE ANSWERED ON 22nd July, 2022

CONSTRUCTION NEAR DEFENCE ESTABLISHMENTS

929. SHRI SANGAM LAL GUPTA:
SHRI P.P. CHAUDHARY:

Will the Minister of DEFENCE be pleased to state:

- (a) whether the Government has issued No Objection Certificate (NOC) guidelines for construction within 100m of defence establishments and if so, the details thereof;
- (b) whether the Government has taken steps to expedite the process of construction of colonies within 100m of defence establishments which are already more than 60 percent completed;
- (c) the steps taken for upcoming constructions in shadow or shield of buildings in the same area or line that have already been issued a NOC within 100m of defence establishments;
- (d) the designated authority for the application of request and approval of NOC to undertake construction within 100m of defence establishments;
- (e) whether the Government has set a timeframe within which the concerned authority must issue NOC and if so, the details thereof; and
- (f) whether the Government has defined the phrase 'defence establishments' with regards to the above issue and if so, the details thereof along with the details regarding NOCs issued in Pratapgarh and Jodhpur after 2011 guidelines?

A N S W E R

MINISTER OF STATE
IN THE MINISTRY OF DEFENCE

(SHRI AJAY BHATT)

(a): Government of India, Ministry of Defence issued guidelines regarding issue of NOCs by LMAs for construction in the vicinity of Defence Establishments, vide letter dated 18.05.2011 wherein it has been stipulated inter-alia that NOC of Station Commander is required for any construction coming up within a radius of 100 meters of any Defence Establishment. These guidelines were amended on 18.03.2015 & 17.11.2015 to insert a few provisions. Further amendment to these guidelines was carried out vide MoD letter dated 21.10.2016 wherein

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security restrictions around 193 Army installations was reduced to 10 meters and for 149 Army installations, the same was reduced to 50 + 50 meters (50 meters - no construction & 50-100 meters with height restriction of 3 meters subject to NoC from LMA). It has been decided to further review the guidelines issued vide MoD letter dated 21.10.2016

(b) & (c): The mandate of LMA is limited to issue of NOC or otherwise in respect of constructions in the vicinity of defence establishments.

(d): The Competent Authority authorized to issue NOC under MoD guidelines mentioned in (a) above is the Station Commander.

(e): As per NOC guidelines dated 18.05.2011, the Station Commander may convey his views/ NoC within four months of receipt of such requests or within the specified period, if any, required by law.

As per amendment made in NOC guidelines vide MoD letter dated 17.11.2015, wherever building/structure within 500 meters of the periphery of any Defence establishment is proposed for construction in the shadow or shield of existing building/structure, LMA shall give comments within a period of 30 days from the date of receipt of reference from the State Government/Municipal Corporation.

(f): The term 'defence establishment' is not defined in NoC guidelines. It has to be applied as a generic term. It has been reported by Service HQrs that no NOC has been granted in Pratapgarh and Jodhpur under the provisions of NOC guidelines.
