

**6.19 Information Technology - Communication Infrastructure - Use of public right of way for laying optic fibre cables - Consolidated policy guidelines for grant of permission - Issued.**

**INFORMATION TECHNOLOGY DEPARTMENT**

G.O.(Ms) No.7

Dated : 12-02-2001

Read:

- 1) G.O.Ms.No.10, Info.Tech. dated 4.5.2000
- 2) Govt.Lr.(Ms)No.23, Info.Tech. dated 08.09.2000
- 3) Govt.Lr.(Ms)No.28, Info.Tech. dated 03.11.2000
- 4) G.O.Ms.No.29, Info. Tech. dated 10-11-2000.
- 5) From the Chief Engineer, National Highways, Lr.No.172/Vs3/NH/2000 dated 21-12-2000.

**ORDER**

In the Government Order first read above, guidelines specifying the terms and conditions for the grant of centralised permission for the use of public right of way by any private or public sector applicant that proposes to lay Optic Fibre Cables (OFC) along the National and State Highways and other roads in the State of Tamil Nadu, were issued.

2. In the Government Letters (Ms) second and third read above, certain amendments were issued to the said guidelines and a set of consolidated general guidelines were later issued in the Govt.Order fourth read above, incorporating these amendments.

3. In his letter fifth read above, the Chief Engineer, National Highways has brought to the notice of the Government that the Ministry of Road Transport and Highways, Govt. of India has issued certain guidelines to be followed regarding laying of OFC in National Highways land and these guidelines are required to be incorporated in the general guidelines of this Government.

He has also sent a draft amendment in this regard for approval of the Government . The Government, after examination, have decided to incorporate suitable amendments to the existing consolidated guidelines in this regard and to issue a revised set of consolidated general guidelines for the sake of convenience.

4. Accordingly, the Government issue a revised consolidated general guidelines specifying the terms and conditions for the grant of centralised permission to use the public right of way for laying Optic Fibre Cables in the National and State Highways and other roads in Tamil Nadu, as in the Annexure to this order.

5. Applicants, who find acceptable to the general terms and conditions specified in the annexure will have to apply to the Government of Tamil Nadu in Information Technology Department. The Information Technology Department will process such applications in consultation with Municipal Administration & Water Supply, Highways and other relevant Government Departments, specify such other conditions as may be necessary in public interest, and accord centralised permission for use of the public right of way in the locations identified by the applicants.

6. These revised consolidated guidelines are also applicable to all applicants who have been accorded centralised permission so far.

(By order of the Governor)

**D.PRAKASH**

Secretary to Government

## ANNEXURE

REVISED CONSOLIDATED GUIDELINES FOR GRANT OF PERMISSION TO PRIVATE AND PUBLIC SECTOR ORGANISATIONS FOR USE OF PUBLIC RIGHT OF WAY FOR LAYING OPTIC FIBRE CABLES IN TAMIL NADU

## Scope

1. Permission will relate to the use of the public right of way along National Highways, State Highways, other roads under Highways Department, roads within urban areas in Town Panchayats, Municipalities and Municipal Corporations.

2. The permission will be on a non-exclusive basis.

## Annual Track Rent

3. For use of public right of way in para 1 above, the applicants have to pay **annual track rent** to the respective local bodies at the rates fixed by the Government in Revenue department from time to time. The latest rates prescribed in Revenue Department G.O.Ms.No.172, dated 28-3-2000 are as follows:

(i) Village Panchayats inclusive of local cess and local surcharge	Rs.4400 per km per year
(ii) Town Panchayats/ Municipalities	Rs.5500 per km per year
(iii) Corporations of Madurai, Salem, Coimbatore, Tiruchirappalli and Tirunelveli	Rs.6300 per km per year
(iv) Corporation of Chennai	Rs.9400 per km per year

The above rates are subject to revision once in three years.

## Urban Areas

4. (i) Any service provider has to, as per existing procedure, get the permission of the local body concerned for cutting the road surface. However, considering the importance of establishing the vital infrastructure of optic fibre cable communication in the State and with a view to expedite the process of applying each time to the local body for permission and obtaining the same, Government has decided to give centralised permission for cutting of roads of urban / local bodies for installation of optic fibre cables. However, the detailed guidelines indicated below must be followed by all individuals / associations or Companies intending to instal underground optic fibre cables in urban areas.

(ii) Trenchless excavation method shall be followed to the extent possible.

5. All restitution work within the urban areas including Town Panchayats, Municipalities and Municipal Corporations shall be carried out by the applicants at their own cost. Therefore, applicants are not required to pay any restitution charges to the urban authorities concerned. The restitution work should be carried out by the applicants as per the technical standards prescribed by

Corporation of Chennai. These standards should be followed by other local bodies also. The Commissioners of Municipal Administration and Town Panchayats will obtain the details of technical standards adopted by Corporation of Chennai for the restitution work and communicate them to all the local bodies under their control. The applicants are required to give 6 months guarantee for the restitution work done by them. If any damage is caused to the road so restituted, the applicants should carry out the work again at their cost to the satisfaction of the local bodies.

6. A guidance committee under the Chairmanship of the Commissioner of the local body concerned will be constituted with members comprising of an official from TWAD Board (or) CMWSSB, TNEB, Telecom department and a representative of the applicant for ensuring effective co-ordination at the field level. This Committee will meet once a month while the work is in progress, to discuss and solve the problems if any, in getting co-operation of various departments.

7. The applicant will submit a list of roads proposed for laying OFCs to the local bodies. The Commissioner of the local body concerned will examine the list, and if for any reason considers that any specific road is to be deleted from the list, the applicant will lay the OFC in the alternative road suggested.

8. The applicant should give prior information to the relevant Traffic and Transport department officials while undertaking the cable laying work on roads to enable diversion or regulation of traffic. During the progress of work, the Police department (Traffic) shall be consulted on a daily basis. Even before the work is started, 'Caution-cum-information' boards shall be positioned by the applicants on both ends of the road.

9. When OFC work is done on roads, the applicant should take preventive steps to ensure that no accidents take place. The applicant is liable to pay compensation amount to the departments/local bodies concerned for any accident that is caused.

10. In case of all excavations to a depth of more than 1.5 metres, the holes shall be covered appropriately on both sides to avoid soil erosion. Manholes shall be covered on all the four sides using corrugated sheets or equivalent product. These sheets shall be painted in red colour.

## **NATIONAL HIGHWAYS, STATE HIGHWAYS AND OTHER ROADS UNDER HIGHWAYS DEPARTMENT**

11. In respect of National Highways portion, the permission will be subject to approval by the Competent Authority in the Government of India, Ministry of Road Transport and National Highways Authority of India as stipulated in Ministry of Road Transport & Highways Letter No.RW/National Highways, 33044/17/2000-S&R, dated 29-9-2000.

12. (i) The State Government will grant permission to the access providers who are permitted to lay OFC network by trenching the roads under the control of Highways department, State Highways and other roads, to do the restoration work by themselves.

In case of National Highways, the access provider is to take permission from Regional Officer, Ministry of Road Transport & Highways or the Chairman, NHAI as detailed below :

Permission on National Highways roads maintained by MORT & H and the National Highways roads held by the NHAI shall be obtained as follows:

(A) National Highways-4,5,7,45,46 and 47-permission shall be obtained from GM/Planning, NHAI, New Delhi & Agreement shall be executed with designated officers of NHAI. Applications may be presented to the Project Director, NHAI, Chennai.

(B) Other National Highways viz., National Highways-7A, 45A, 45B, 49, 49 Extn.,66, 67 Extn., 68, 205, 207, 208, 209, 210, 219 and 220-permission shall be obtained from MORT & H, Chennai & Agreement shall be executed by the Chief Engineer, National Highways or by designated representative on behalf of MORT & H. Application may be presented to Chief Engineer (National Highways), Chennai. The State Chief Engineer (National Highways) will coordinate and assist the applicant access provider in obtaining permission in respect of the National Highways stretches held by NHAI and MORT.

In respect of laying OFC on National Highways land, the restoration of cutting of road across National Highways has to be done by the State Public Works Department in charge of National Highways or the NHAI as the case may be. In such cases, restoration charges at the rate of Rs.25,000/- per km have to be remitted in advance by the access provider to MORT & H or its designated agency or the NHAI as the case may be, before permission is granted. In respect of cutting / digging / trenching / refilling along National Highways, the restoration work may be done by the licencees themselves and performance bank guarantee @ Rs.25 per meter has to be furnished as a security against restorations.

(ii) Performance guarantee will be obtained from such access providers at the rate of Rs.25 per running meter in the form of a suitable Bank guarantee for a period of 1 year, commencing from the date of first excavation. In case of the access provider failing to discharge the obligation of restoring the excavated portion as per prescribed specifications, the Chief Engineer, (General), Highways Department will have the right to make good the damages at the cost of the access provider and recover the amount by forfeiting the Bank guarantee.

(iii) The access providers will be required to conform the standards and specifications to be prescribed by the State Highways Department / Ministry of Surface Transport in doing the restoration work.

(iv) The Highways Department will enter into a suitable agreement with the access provider before granting permission to the access provider.

(v) The restoration work will have to be done under the supervision the technical personnel of Highways Department.

(vi) Centralised permission will be granted by the Chief Engineer Highways, Chief Engineer (National Highways) as the case may be, to every applicant covering all the stretches of roads under Highways Department where OFC laying is proposed by the access provider.

**Bandwidth to State Government**

13. The applicant will be required to make available to the State Government, bandwidth of 2 Mbps for connecting the State Headquarter with each District in which the OFC is laid, free of cost, during the entire life of the project. This bandwidth will be dynamically allocated at State Headquarter among various Government users for Video Conferencing, Voice Communication, Internet Access, Data Communication etc. The bandwidth of 2 Mbps provided in the districts in which OFC is laid by the agency will also include all intra-district bandwidth requirements of Government Offices in taluks, blocks, revenue divisions and Government educational institutions.

**Period**

14. The terms and conditions of this permission will be applicable for an initial period of 20 years, after which it will be subject to review.

**D. PRAKASH,**  
SECRETARY TO GOVERNMENT.