



कार्यालय अधीक्षण अभियन्ता
10वां रा0मा0वृत्त लो0नि0वि0,
16/4 तेग बहादुर मार्ग देहरादून



Website-<http://pwd.uk.gov.in>

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पत्रांक: 4268/8याता0 -रा0मा0-10/2016

दिनांक 9/12/2016

सेवा में,

अधिशाली अभियन्ता,
✓ राष्ट्रीय राजमार्ग खण्ड,
लोक निर्माण विभाग, बडकोट।

विषय:- राष्ट्रीय राजमार्ग संख्या-94(134) के कि0मी0 177.00 से 217.00 तक रोड़ कटिंग की अनुमति के सम्बन्ध में।

सन्दर्भ:- आपका पत्रांक 278/1सी0 दिनांक 30.11.2016।

उपरोक्त विषयक सन्दर्भित पत्र द्वारा राष्ट्रीय राजमार्ग संख्या-94(134) के कि0मी0 177.00 से 217.00 तक रिलाइस जियो इन्फोकॉम लि0, एन0सी0आर0 न्यू कैट रोड़ देहरादून को रोड़ कटिंग की अनुमति चाही गयी है।

अतः राष्ट्रीय राजमार्ग संख्या-94(134) के कि0मी0 177.00 से 217.00 तक रिलाइस जियो इन्फोकॉम लि0, को आपकी संस्तुति के आधार पर अनुमति प्रदान करते हुए अनुबन्ध हस्ताक्षरित करने के पश्चात् मूल में संलग्न कर इस आशय से प्रेषित है कि रोड़ कटिंग हेतु सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार, नई दिल्ली के पत्रांक RW/NH-33044/27/2005/S&(R)(PT) दिनांक 7.8.2016 में निहित दिशा निर्देशों का अनुपालन सुनिश्चित किया जाए।

संलग्न:-अनुबन्ध मूल में।

(इ0राजेश चन्द्र शास्त्री)
अधीक्षण अभियन्ता

प्रतिलिपि रिलाइस जियो इन्फोकॉम लि0, एन0सी0आर0 न्यू कैट रोड़ देहरादून को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।

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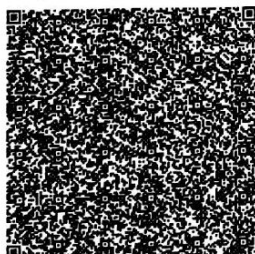


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GUIDELINES FOR GRANTING RIGHT OF WAY PERMISSIONS TO OFC/ DUCT SERVICE LICENSEES / INFRASTRUCTURE PROVIDERS FOR LAYING OF WITH OFC/DUCT ON NH LAND

Government has realized the need for creating a robust OFC/DUCT infrastructure to supply of broadband services, with affordable rates in order to promote development and.

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Proliferation of information, Technology, Electronic Governance, E-Commerce, convergence of Information, Communication and Entertainment sectors so as to improve the state of economy, enhance the quality of life of the citizens and to ensure development of urban and rural areas with equity throughout the country.

The Department of Telecom (M/S Reliance Jio Infocomm Ltd State Shop No. 14, 15, 16 II Floor, NCR Plaza, New Cantt Road, Hathibarkala, Dehradun.), Ministry of Communications, Government of India has issued the National Telecom Policy 2012 in the recent past which enunciates the need to review and simplify sectoral policy for granting Right of Way (ROW) for laying cable networks among others.

Keeping the above objectives in view, the following broad guidelines are being recommended by the Ministry of Road Transport & Highways (MoRTH), under which ROW permissions may be granted to licensed telecom operators and registered infrastructure providers for laying Underground OFC/ including Optical Fibre Cables (OFC)/Ducts under, over along, across, in or upon a property vested in or under the control or management of a local authority or of any other person including public authority, public corporation, autonomous body, State Govt. or Central Govt. in their respective licensed service area during the currency of their license.

In the line of the above following conditions are stipulated for granting the permission to RJIL to lay 8" dia underground OFC/Duct on the edge of the ROW of NH-94 (134) from176.....KM. to217.....KM Total Applied for ROW ofKM in the State of Uttarakhand.

1). Any authorized Licensee of M/S Reliance Jio Infocomm Ltd./Registered Infrastructure Provider is eligible to seek/avail ROW facility / Permission. However, enforceability of the permission so granted shall be restricted to the extent of provisions/scope of service contained / defined in the license agreement of that Licensee & for the purpose for which it is granted.

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2). Either by content or by intent, the purpose of extending ROW facility is not to enhance the scope of license of a Licensee and such ROW permissions are only enabling/facilitating in nature.

3). The cable shall always be laid at the edge of the ROW. In case of restricted width of ROW, which may be adequate only to accommodate the carriageways, central verge, shoulders, slopes of embankment and drains, the cables shall be laid beyond the toe line of the embankments and clear of the drain. In cases where cable ducts with sufficient space are already available along NH, the cables shall be laid in such ducts subject to technical requirements being fulfilled. Present policy of the MoRTH is to provide a 2.00 m wide utility corridor on either side of the extreme edge of ROW where required ROW of at least 45m is available, which includes provision for OFC/Ducts.

4). The facility of ROW shall be available to all Licensees (irrespective of exiting or future) and registered / licensed infrastructure providers, without discrimination and without payment of any compensatory charges/levy lease rentals/license fee/ etc. subject to the condition in their license agreements to Licensees to the extent of provisions contained in their license agreement and the reinstatement charges shall be born by such licensees.

5). A performance Bank Guarantee @Rs.100 pre route meter with a validity of one year initially (extendable if required till satisfactory completion of work) shall have to be furnished by each Licensee to the Authority / its designated agency as a security against improper restoration of ground in terms of filling/unsatisfactory compaction damages caused to other underground installations/utility services & interference, interruption, disruption or failure caused thereof to any services etc. The above charge of Rs.100/m is liable to be reviewed every 5 years. For clarification it is hereby mentioned that all required restoration work subsequent to laying of the underground OFC/Duct shall be required to be undertaken by the Licensee at its cost either by itself to through its authorized representative in consultation with the authority as per predetermined time schedule and quality standards. In case of the Licensee failing to discharge the obligation of making good of the excavated trench/other restoration work, the Authority shall have a right to make good the amount by forfeiture of the Bank Guarantee. In case, the Performance Bank Guarantee is invoked as mentioned above, the Licensee shall be required to replenish and reinstate the required performance Bank Guarantee within one month of such invoking.

In case the work contemplated herein is not completed to the satisfaction of the Authority, which has granted the permission, within a period of 11 months from the date of issue of the Bank Guarantee, the Licensee shall either furnish a fresh Guarantee or extend the guarantee for a further period of one year.

Notwithstanding this, the Licensee shall be liable to pay full compensation to the aggrieved Authority/its designated agency for any damage sustained by them by reason of the ROW/facility.

6). In order to expedite ROW clearances to the Licensees in a time-bound manner through an appropriate and effective approval Mechanism, a committee under the chairmanship of Chief Secretary to the respective State Govt. may act as single window to coordinate all

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activities in this regard. Each state Govt. may select a nodal person/Secretary of a Deptt. To function as Secretary to this Single Window Clearance committee. However, in case of NH land, Licensees would be required to take permission from the highway administration for laying of underground OFC/Duct. As regards NH routes executed by the State PWD. The concerned state Chief Engineer (NH) may act as Nodal point/single window to coordinate the activities whereas in respect of the NH routes held by NHAI & BRDB, the designated officers of NHAI & BRDB may be assigned this task.

For work invoking laying of cable along National Highways in different States or National Highway Project of length exceeding 500km. in one state, Chief Engineer (standards, Research & Technology) (R), MORTH shall be the approving authority under whom a single window. Facilitation committee will be created. Highway Administrator/nodal officer shall maintain a record of all ROW permissions granted in the Format given in Annexure-III including permission given at ministry level.

7). ROW permission may be granted by the said nodal officer to a Licensee within a period of four weeks from the date of submission of completed application subject to the Licensee's application being complete with route details (including authority/ownership of concerned sections of the route) and compliance to eligibility requirement, furnishing of requisite Bank Guarantee and execution of an Agreement having operational details. The above stated Single window Clearance Committee may be responsible to co-ordinate in case of any dispute for ownership of property and to expedite grant of ROW clearance thereof so as to adhere to the stipulated time frame.

8). In case any shifting or alteration in the position of the laid underground OFC/duct is required due to widening of highway and construction of flyovers or bridges, the Licensee shall do the same at their own cost at a later date within specified period indicated by the respective agency.

9). In order to avoid repeated digging on the same routes, in cases where underground OFC/Duct with sufficient space are already available along NH, laying of underground OFC/Duct shall be encouraged in such underground OFC/Ducts subject to technical requirements being fulfilled. In cases where such underground OFC/Duct are not available, the first incumbent shall be allowed to lay voluntarily extra underground OFC/Duct with extra capacity so as to take care of future needs. The capacity /excess capacity can be commercialized by the incumbent with suitable mutual agreement with the respective state govt./utility agencies. However, the creation of excess capacity by the first incumbent shall not be preconditioned for giving ROW clearance. The central / state roadways authorities may consider laying underground OFC/Duct at the time of construction of roads to facilitate laying underground OFC/Duct for which suitable charges could be imposed.

10). Licensee shall ensure safety and security of all underground installations /utilities /facilities and shall be solely responsible for compensation/ indemnification of concerned authority for damage caused/claims or replacements sought for at the cost and risk of Licensee.

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11). Licensee shall be liable to give a notice of 15 days with route details prior to trenching for fresh or maintenance/repair works. A separate performance Bank Guarantee for maintenance /repair works shall be furnished by Licensee.

12). The period of validity of Row Permission shall be co-terminus with the validity of License.

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