



## Secretariat for Information Technology सूचना प्रौद्योगिकी सचिवालय

### Government Order

No. KC/2/368/Vol-II/ 1229 Dated, the 13<sup>th</sup> March, 2014

**Subject: Grant of Free Right of Way to Bharat Broadband Network Limited for setting up of National Optical Fibre Network.**

The Government of India (GoI) has declared the National Optical Fiber Network (NOFN) as a national asset for providing Broadband connectivity to the Gram Panchayats. The stated objective is sought to be achieved by extending the existing Optical Fiber Network to Panchayats by utilizing Universal Services Obligation Fund (USOF) and creating an institutional mechanism for management and operation of NOFN for non-discriminatory access to all service providers. The project is envisaged to be implemented in the States through the Special Purpose Vehicle registered as M/s Bharat Broadband Network Limited (BBNL), fully owned by the GoI with equity participation from Bharat Sanchar Nigam Limited, RailTel and PowerGrid.

2. Government of Haryana (GoH) has signed a tripartite Memorandum of Understanding (MoU) with the DoT/GoI and the BBNL. As per this MoU, the State Government has agreed to provide free Right of Way for setting up of this network. Electricity transmission and distribution companies shall also give Right of Way on their transmission and distribution lines free of cost to BBNL.

3. BBNL shall inform the concerned Government Department/ Statutory Authority/ State Agency at least fifteen days before laying the Optical Fiber Cable (OFC). No prior approval of any Government Department/ Statutory Authority/ State Agency shall be required to be obtained by BBNL for this purpose. The work of reinstatement in a manner to bring the original position of the dug-up surfaces shall be done by BBNL and, therefore, no restoration charges will be levied.

4. BBNL shall further ensure that their work executing contractor shall restore the trenches dug up by him simultaneously in the defined stretches. In case the restoration work is not carried out within seven days of digging of such trenches, the work executing contractor shall be placed under the notice by the concerned Government Department/ Statutory Authority/ State Agency to do the needful within further seven days failing which, the Competent Authority of State Government Department/



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Statutory Authority/ State Agency would get the restoration work carried out at the contractor's risk and cost;

5. BBNL will shift the OFC at its own cost, if required at a later stage for widening of roads or laying of any services (water supplies, sewage or drainage networks etc.) for which the concerned Government Department/ Statutory Authority/ State Agency shall give a reasonable advance notice of no less than fifteen days. In case, the BBNL fails to shift the OFC within the prescribed time and any damage is caused to the OFC by the contractors of the concerned Government Department/ Statutory Authority/ State Agency in the process of undertaking such works after expiry of the notice period, the State will not compensate the BBNL for any damage caused to its OFC.

6. Route markers shall be fixed by BBNL, preferably in steel or concrete, along the route at an interval of 300 mtrs with clear marking of the ownership and depth of the cable laid.

7. The permission to lay the OFC is further subject to the conditions mentioned in the **Annexure** enclosed with this Government Order. However, prior permission for laying the OFC within the National Parks and Sanctuaries, as well as in case of any deviation from the conditions mentioned in the **Annexure**, shall have to be obtained by BBNL.

8. BBNL shall also submit the route alignment details and technical parameters such as depth at which cable would be laid etc. to the concerned authority of the State Government Department/ Statutory Authority/ State Agency. The concerned authority will be competent to effect modification/ alterations in the site plan/ route, if necessary, in the interest of public safety.

9. The Development & Panchayat Department, Haryana shall provide built-up space in Panchayat Ghars or at any other suitable location to BBNL for keeping the equipment for this purpose. Development of the site for making it suitable for installation of the equipment and obtaining a power connection shall be the responsibility of BBNL. The lease rentals for the space provided and the charges for the power consumed for the purpose shall be borne by BBNL. The Development & Panchayat Department, in consultation with BBNL, and under intimation to Department of Electronics & Information Technology Haryana, shall fix such lease rentals for the





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space provided to BBNL. Further, unhindered access shall be provided to BBNL's staff or its representatives in such Panchayat Ghar or any other suitable location for the operation/maintenance of the equipment installed under NOFN.

10. In case of any dispute, the matter will be referred to the concerned Deputy Commissioner, who will coordinate with all relevant Government Department/ Statutory Authority/ State Agency and get the issues resolved.

11. This order shall be applicable to all State Government Departments/ Statutory Authorities/ State Agencies like PWD (B&R), Forest, Irrigation, Public Health, Revenue, Urban Local Bodies, Development & Panchayats, Town & Country Planning, HUDA, HSIIDC, and Government/ Private Electricity Transmission and Distribution Companies. All concerned State Government Departments/ Statutory Authorities/ State Agencies are thus required to comply with the above decisions. Any issue requiring any clarifications during the implementation of this Government order may be referred to Electronics & Information Technology Department, Haryana.

(S.C. Chaudhary)

Chief Secretary to Govt. of Haryana



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### Annexure

#### General terms & conditions applicable for grant of free Right of Way to BBNL

##### **A. For the area under Public Works Department:**

- As far as possible, BBNL shall carry out the work by using micro Trenching/ Horizontal Directional Digging (HDD)/ Horizontal Boring methods so as to minimize damage to the surface and cause least inconvenience to public;
- BBNL shall have to provide barricading, danger lights and caution boards at the work sites to ensure public safety;
- BBNL is also expected to execute the works during off-peak times so as to cause minimum inconvenience to the public traffic;
- Any traffic diversion from PWD roads required during the execution of work shall be provided by the work executing contractor at the cost of BBNL;
- BBNL shall lay the cable at the edge of the ROW or at a minimum distance of 15 mtrs from the centre of road and at least 1.5 mtrs below the road surface subject to at least 0.3 mtrs below the drain inverts;
- BBNL shall ensure the safety of existing cables and shall be responsible for any damage to existing cables;
- BBNL shall make its own arrangement for crossing crossed drainage structure/ rivers, etc;
- In case the BBNL wants shifting/repair or alteration of OFC, they will have to inform in writing to the concerned EE of PWD at least fifteen days in advance before starting the actual work;
- In case of any damage to the essential services i.e. water supply, sewerage system and telecommunication lines, electricity supply etc, it will be the responsibility of the BBNL to get the services restored to their original and satisfactory condition at its own cost;
- BBNL shall not sell or trade on the area/ space available in the ducts without specific permission of GoH;

##### **B. For area under Irrigation & Water Resources Department**

- The canal crossing should be undertaken using the Horizontal Directional Drilling (HDD)/ Horizontal Boring method only. No open cuts will be allowed;
- The pipeline crossing the existing river/ nallah should be kept at sufficient depth preferably at least 1.5 mtrs below the scour level;
- Pipe should be laid at least 2 mtrs below the Natural Surface Level (NSL) in filling reaches of canal and 2 mtrs below the bed-level of canal in cutting reaches;
- The pipeline should not be laid in rainy season during floods;
- During crossing, neither the canal will be closed nor will the service road be blocked;





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- The restoration work of river along the alignment of pipeline should be made simultaneously;
- In case of any damage occurring to the canal/ river/ structure during laying of pipeline, it will have to be restored in original position by the BBNL.

C. For area under Forest Department

- The laying of OFC should not involve felling of trees;
- The area where OFC is laid should be outside National Parks and Wildlife sanctuaries;
- OFC should be laid along the roads and within the exiting right of way and the maximum size of the trench should be 2.00 mtrs deep and 1.00 mtrs wide;
- Land surface should be made good/ restored to its original condition with proper compaction after use/maintenance;
- Any loss to forest/environment should be made good by BBNL;
- In case any permission is required qua the Forest or other restricted areas, the BBNL shall obtain the permission for the same from the competent authority.

D. For area under other Government Departments/ Statutory Authorities/ State Agencies

As per the prevalent conditions/rules/policy at the time of laying the OFC.