

Policy for installation / laying of Telegraph Infrastructure in Industrial Areas of Corporation (including transferred industrial areas)

The Corporation is having its own policy, for installation / laying of Telegraph Infrastructure in Industrial Areas of Corporation (including transferred industrial areas) which is in existence from 04.03.2014. In this policy no provision was provided for installation of Telegraph Infrastructure within the premises of allottees in Industrial Areas. Department of Urban Development and Housing has also issued fresh policy for lying of Telegraph Infrastructure and installation of Ground Based Mast (GBM).

Accordingly, RIICO in its context, has also framed a new policy in lines with the provisions of the UDH policy / order dated 06.02.2017, as under :

- 1. Interpretations :** (1) In this Policy, unless the context otherwise requires -
 - (i) "Corporation and/or RIICO" mean Rajasthan State Industrial Development and Investment Corporation Limited.
 - (ii) "DoT" means the Department of Telecommunications, Government of India;
 - (iii) "ULC" means the Unit Level Committee as formed under para 15;
 - (iv) "Form" means the form appended in this Policy;
 - (v) "Infrastructure Provider (IP)" means and includes a person, firm, association of persons or company who is duly registered by the DoT and is duly authorized to install passive telecom infrastructure for the purpose of sharing with TSPs on non-discriminatory basis;
 - (vi) "Licensee" means any person holding a license granted under sub-section (1) of section 4 of Act and including infrastructure Provider (IP) and / or Telecom Service Provider duly registered/licensed respectively, by the DoT who seeks permission for installation of telegraph infrastructure, laying OFC, taking fibre to home and related infrastructure;
 - (vii) "Para" means the Para of this Policy;
 - (viii) "Rules" means the Indian Telegraph Right of Way Rules, 2016;
 - (ix) "HLC" means the Head Office Level Committee as formed under Para 15;


(Rajendra Singh)
GM (Civil)

- (x) "TERM Cell" means Telecom Enforcement, Resource and Monitoring Cell of the Department of Telecommunication (DoT), Government of India;
- (xi) "Telecom Service Provider" (TSP) means and includes a person, firm, association of persons or company who is duly licensed by the DoT under section 4 of the Indian Telegraph Act, 1885 for providing inter alia mobile phone service, internet and data transfer services etc.
- (xii) **Telegraph Infrastructure includes :**
- (a) Telecommunication Cell Site or Base Station (TCS/BS) or Telecom Tower or Mobile Tower, a place for tower, delta, single pole antenna, microwave antenna, telecom transceiver machinery, related civil works, requisite wire and cable, power supply equipment, Diesel Generator set, cabin or cupboard for housing any or all of the aforesaid items in necessary.
 - (b) Ground Based Tower (GBT), Ground Based Mast / monopole (GBM), Roof Top Tower (RTT), Roof Top Pole (RTP).
 - (c) Cell Phone Tower (CPT), Micro Cell tower (MCT), antenna fixtures, fabricated antenna, tower to install telephone lines and Wi-Fi antenna.
 - (d) Pre-fabricated or masonry structure shelters or installation of Base Transceiver Station (BTS) and other equipment.
 - (e) Duct, underground OFC.

Provided that the Telegraph infrastructure, for the purpose of this Order, shall not include Television Antennas or Dish Antennas installed for domestic purpose.

Provided further that Cell-on-Wheels (COW) and any temporary infrastructure for managing events / festivals / fares of short duration (maximum 30 days which may be further extended), or to give coverage to blank areas, shall not be included in Telegraph infrastructure for the purpose of this order and no formal permission is required for installation of such temporary infrastructure.

- (xiii) "SACFA" means Standing Advisory Committee on Frequency Allocation (SACFA) of the DoT.


(Rajendra Singh)
GM (Civil)

(2) The words and expressions used and not defined herein but defined in the Act or the Rules shall have the meanings assigned to them in the Act or Rules, as the case may be.

2. **Nodal Officer for the Corporation :** As required under Sub Rule (1) of Rule 4 of this Rule, the concerned Unit Head of RIICO shall be the Nodal Officer for industrial area(s) under his/her jurisdiction.

3. **Terms and Conditions for granting permission to establish over ground telegraph infrastructure (mobile towers etc.) :**

(i) The 'Radiation norms fixed by DoT' have to be strictly followed by the licensee. Any citizen can approach the TERM Cell with regard to grievance on any issue relating to radiation.

(ii) Sign boards and Warning Signs ("Danger", "Warning", : "Caution", etc.) shall be provided by the Licensee, as per guidelines of DoT at towers and antenna sites which are clearly visible and identifiable.

(iii) The licensee shall be permitted to erect/install telegraph infrastructure on open land including allotted land to allottees in the industrial areas by the Corporation, lands and buildings of RIICO or Govt. and Govt. owned / controlled, statutory or non-statutory/institutions/bodies or at other public/private locations including roads, parks, land earmarked for public utilities.

Provided that in view of decision of the Hon'ble High Court in DB PIL Petition No. 2774/2012 decided on 27.11.2012 (which is subject to outcome of appeals pending before the Hon'ble Supreme Court) mobile towers will not be installed within the premises of schools/colleges, hospitals, sports/play grounds, within 500 meters radius of Jail Campus and within distance of 100 meters from notified archaeological and heritage properties/sites.

(iv) In the area of heritage importance, the pole/mast shall be designed keeping in view the heritage character of the area.

(v) Installation of infrastructure shall not be permitted :

a. In right of way of entrance / approaches of plot, roundabouts and road islands.

b. Prior to commencement of production activity on the allotted plot.

c. In setbacks of allotted plots in industrial area.

(vi) The licensee shall be granted permission to install micro cells/Wi-Fi access points and other required services on Government/RIICO buildings.

(vii) The licensee shall fix the equipment's which cause minimum noise and environmental pollution for power back-up in the earmarked boundary adjacent to mobile tower/post.


(Rajendra Singh)
GM (Civil)

- (viii) The structural stability of the tower/posts and building in which it is erected, shall be ensured by the licensee and the towers/posts and their foundations shall be designed accordingly. Licensee shall be solely responsible for any mishap, if it takes during or after erection of towers.
- (ix) The permission shall be granted only in such cases where all outstanding dues of RIICO, if any, pertaining to concerned allotted plot have been fully paid by the respective allottee. The permission shall not be withheld due to existence of unauthorised construction in the allotted plot, however, an undertaking for removal of the same shall be taken from the concerned allottee.
- (x) Mobile towers/posts being a temporary structure and essential service in nature can be installed on any type of land/building regardless of its specified land use and will not require change of land use under any law. However, permission shall not be given in the areas / premises, restricted for the purpose, under the orders of any competent Court.

4. Terms and conditions for granting permission to lay underground telegraph infrastructure (OFC):

- (i) The licensee shall obtain necessary permission for laying optical fibre cable (OFC) network/underground telegraph infrastructure and taking fibre to home from Nodal Officer of the concerned unit office.
- (ii) The work shall be started from the outer areas of the industrial area and then to the core area.
- (iii) Damages of roads and filling up of pits caused during the laying of underground telegraph infrastructure and taking fibre to home will be repaired by RIICO and the entire expenses, for restoration of damaged road portion shall be charged by RIICO from the licensee. Charges for such expenses shall be calculated by the concerned Unit Office on the basis of applicable schedule of rates for works for similar nature. The prevalent BSR and guidelines issued by the PWD shall be followed for calculating the restoration charges. Such charges shall be deposited 100% in advance in the form of demand draft / e-transferred prior to issuance of permission and prior to commencement of work of laying the underground telegraph infrastructure. An amount equal to restoration charges as security shall be taken prior to the commencement of such work in the form of a Bank Guarantee valid for one year. The same shall be refunded after a period of


(Rajendra Singh)
GM (Civil)

one year to the licensee on satisfactory complying the conditions of the permission.

Provided that no other charges (except above-mentioned restoration charges and relevant administrative charges prescribed under Para 9 & 10), like User Charges etc. shall be levied on the licensee.

- (iv) Laying OFC through Micro-Trenching Method shall be allowed during monsoon, provided that the applicant takes all security measures and make arrangements for immediate restoration of the damage caused.
- (v) Supervision of the work: (a) The Nodal Officer, or any officer authorised by the Nodal Officer, may supervise the execution of work to ascertain if the conditions imposed under the rules and this Policy are observed by the licensee;
- (b) The Nodal Officer may, on the basis of such supervision, impose such other reasonable conditions as it may think fit;
- (c) If the Nodal Officer comes to the conclusion that the licensee has wilfully violated any of the conditions, it may forfeit, in full or in part, the Bank Guarantee submitted by the licensee and withdraw the permission, for reasons to be recorded in writing;

Provided that no action shall be taken under this clause unless the licensee has been given a reasonable opportunity of being heard.

- (vi) Only pits of approximate size 1.5mtr x 1.5mtr x 1.5mtr depth or as per requirement at site shall be excavated in the roads where optical fiber cables are to be laid, at the distance of not less than 100 meters. The pits shall be refilled only with granular material and shall be compacted as per the specifications by the licensee. **The pits/trenches shall be reinstated within 48 hours, repeat shall be reinstated within 48 hours**, after the work at that location is over failing which a penalty as detailed under shall be applicable besides the cancellation of permission etc.:
- (a) A penalty of Rs. 5,000/- per pit per day with maximum ceiling of Rs. 50,000/-
- (b) Rs. 5,000/- per 5 mtr length of trench or part thereof with maximum ceiling of Rs. 50,000/-
- (vii) No. of Ducts for which permission will be granted shall be as per the requirement of the licensee.


(Rajendra Singh)
GM (Civil)

- (viii) The licensee shall ensure provision of positional intelligence, through appropriate technology, of all underground telegraph infrastructure to enable RIICO to obtain real time information on its location.
- (ix) The licensee will carry out Ground Penetrating Radar (GPR) survey wherever necessary along the route where the ducts will be laid for detection of existing utilities. The data of utilities collection by the licensee through GPR survey should be unconditionally shared with RIICO, free of cost.
- (x) No damage shall be caused to any underground utilities while laying the duct by using Horizontal Directional Drilling (HDD) methodology. In case any utility is damaged, the damage so caused to the utilities, shall be rectified by the licensee at his own cost.
- (xi) Ducts shall be laid approximately 2 mtrs below the road curst. However, in case of Hard Rock Strata where HDD methodology is not possible, the depth of approx. 400mm shall be maintained with the duct installed inside G.I. Pipe covered with PCC 71.
- (xii) The cost of shifting conduits/OFC, wherever required, shall be borne by the licensee and instructions of RIICO in this respect shall be complied within the time frame fixed by RIICO.
- (xiii) RIICO shall not be responsible for any damage to OFC and resultant losses, if any due to any act of employee of Government or its agencies, RIICO, while performing official duties. However, prior written intimation will be given by RIICO to licensee, on best efforts basis.
- (xiv) The licensee shall make proper arrangement for access control of the chambers to avoid misuse/illegal use of ducts and the chambers.
- (xv) The licensee shall ensure that -
- (a) Prior to the commencement of work of laying the optical fibre and at all times during the execution of the work, the measures to mitigate public inconvenience and provide for public safety are implemented;
 - (b) Structural safety of over ground infrastructure are implemented, and
 - (c) The work of laying OFC/telegraph infrastructure is carried out in accordance with the conditions specified under the Rules and this Order.


(Rajendra Singh)
GM (Civil)

5. **Application for permission:**

1. Application (in duplicate) for permission for establishment of over ground telegraph infrastructure or for its renewal shall be submitted to the Nodal Officer in the Form-1 (annexed) along with following documents-

- (i) A copy of the license granted by the DoT.
- (ii) Locations Plan (Scale 1:1000) showing the site with reference to the surrounding existing development.
- (iii) The detailed technical design and drawings of the tower/post or other aboveground infrastructure including the specification of foundation. In case the tower/post etc. is in the vicinity or adjoining to high or low-tension line, then its distance from the same shall be clearly indicated in the drawings.
- (iv) Copy of Structural Stability Certificate for the building and tower/post obtained from any authorized Structural Engineer registered, such as from recognized institute (IIT/NIT/Govt. Engineering College) or a Structural Engineer registered or employed in Central or State Government Service or a Quasi-Government Organization or any other agencies authorized from time to time by the State Government.
- (v) Copy of No-objections Certificate issued by the Fire Safety Department in case of high rise building where fire clearance is mandatory.
- (vi) Copy of Standing Advisory Committee on Frequency Allocation (SACFA) clearance/copy of SACFA application for the said location submitted to Wireless Planning & Coordination (WPC) wing of DoT with registration number as WPC acknowledgement along with undertaking that in case of any objection/rejection, licensee will take corrective actions/remove the tower.

(Note: - the copy can be submitted to the Nodal Officer as soon as the location is finalized and the tower is installed).

- (vii) For forest/Protected Areas, the copy of clearance from State Environment & Forest Department, if applicable.
- (viii) Acknowledgement receipt issued by Telecom Enforcement Resources & Monitoring (TERM) Cell of the self-certificate submitted by licensee in respect of mobile tower/Base Transceiver Station (BTS) establishing / certifying that all general public areas around the tower will be within safe Electro Magnetic Radiation (EMR) exposure limit as per peak traffic measurement after the antennas starts radiating.


(Rajendra Singh)
GM (Civil)

(Note: - It can be submitted within 30 days after radiating the tower).

- (ix) Copy of the type test certificate issued by Automotive Research Association of India (ARAI) to the manufactures of the DG sets.
- (x) Ownership documents of the building/site (Attested Copy).
- (xi) Attested copy of Lease Agreement Deed/Consent Agreement Deed, signed by the applicant and the owner of the site/building.
- (xii) The Nodal Officer/RIICO may also seek the copy of No Objection Certificate (NOC) from building owners/entities having roof top rights in case of roof-based tower or from land owner in case of ground-based tower.
- (xiii) In case the permission is sought in the land/premises of any office of Central Government or a PSU of Central Government, the prior written consent or copy of agreement from the authority having legitimate right over the land/premises shall be attached with the application.

(2) Application for permission to lay underground telegraph infrastructure or taking fibre to home in the right of way shall be submitted to the Nodal Officer in Form-2 (annexed) along with following documents: -

- (i) A copy of relevant license granted by the DoT;
- (ii) The location map showing the proposed underground telegraph infrastructure including route planned, exact latitude and longitude, nature of land;
- (iii) The copy of consent of the owner of land/building where the OFC/telegraph infrastructure proposed to be laid;
- (iv) Certificate by a structural engineer (as mentioned in Para 5(1)(iv)) attesting to the structural safety of building where the post or other above-ground contrivances is proposed to be established on a building;
- (v) For Forest/Protected Areas, the copy of clearance from State Environment & Forest Department, if applicable.

(Note: - NOC of Forest Deptt. would not be required in areas not covered under Forest/Protected Areas).

- (3) The licensee shall submit a copy of receipt in proof of the payment of application fee and other charges as prescribed under this Policy.
- (4) The licensee shall furnish such other relevant information as may be required by the Nodal Officer.


(Rajendra Singh)
GM (Civil)

- (5) The licensee may also submit the soft copy of the application along with all the forms, statements and documents.
- (6) Application, if the licensee desires, may be submitted On-line in cases wherever there are proper arrangements for this purpose.
- (7) In cases where applications for permission for establishment of telegraph infrastructure has been submitted under erstwhile Orders of RIICO but permission has not been issued, then in such cases, there would be no need to submit fresh application. However, any documents required under this Order, but not submitted earlier, shall be submitted along with the fee/charges under this Order, the Nodal Officer shall issue the permission in accordance with the rules and this Order. The fees/charges paid earlier shall be adjusted. Such pending application should be disposed of within 30 days from the deposit of remaining fee/charges and submission of remaining documents.
- (8) All applications received by the Nodal Officer shall be entered in a Register in Form-3 (annexed).

6. Examination and scrutiny of applications:

- (1) The Nodal Officer, after the receipt of the application, will get it examined within a week in the unit office in respect of parameters as detailed in Para 7 below.
- (2) As soon as the Nodal Officer receives the application, he shall issue a public notice for seven days in Form-4 (annexed) calling upon objections of any interested person. The notice, giving details of all such applications in Form-4 (annexed), shall be exhibited by the Nodal Officer on the notice board of his office and a conspicuous place near the concerned site. The public notice shall also be published on website of RIICO.
- (3) The Nodal Officer also, shall scrutinize the applications and verify or cause to be verified the contents and facts envisaged in the application and in other supporting documents within 14 days of the receipt of application.
- (4) If after scrutiny of documents and other details under sub-para (3) the Nodal Officer is of the opinion that any additional relevant information


(Rajendra Singh)
GM (Civil)

on the subject matter required to be sought, he may require the licensee within a period of 21 days from the receipt of application to submit the same and the licensee shall be bound to submit such additional information within ten days, failing which the application may be disposed off ex-parte within the stipulated period as specified in Para-8.

7. Parameters for examination of application:

- (1) The application for establishment of aboveground telegraph infrastructure shall be examined with respect to the following parameters, namely:
 - (a) The extent of land required for such infrastructure;
 - (b) The location proposed;
 - (c) The mode of and time duration for execution of the work;
 - (d) The estimation of the expenses that the RIICO shall necessarily be put in consequence of the work proposed to be undertaken;
 - (e) Assessment of the inconvenience that the public is likely to be put to in consequence of the establishment or maintenance of the aboveground telegraph infrastructure, and the measures to mitigate such inconvenience indicated by the licensee;
 - (f) Certification / information indicated in the documents as required under Sub-Para (1) of Para 5 of this Order.

- (2) The application for laying of underground telegraph infrastructure shall be examined with respect to the following parameters, namely:
 - (a) The route planned for the proposed underground telegraph infrastructure and the possible interference, either in the establishment or maintenance of such telegraph, with any other public infrastructure that may have been laid along the proposed route;
 - (b) The mode of execution;
 - (c) The time duration for execution of the work and the time of day that the work is proposed to be executed;
 - (d) The estimation of the expenses that the RIICO shall necessarily be put in consequence of the work proposed to be undertaken;


(Rajendra Singh)
GM (Civil)

- (e) The responsibility of restoration of any change that the RIICO may necessarily may put in consequence of the work proposed to be undertaken;
- (f) Assessment of measures to ensure public safety and inconvenience that the public is likely to be put in consequence of the work proposed and the measures to mitigate such inconvenience indicated by the licensee;
- (g) Certification / information indicated in the documents as required under Sub-Para (2) of Para 5 of this Order.

8. Disposal of application:

- (1) The Nodal Officer shall be responsible for the clearance of the application made by the licensee.
- (2) **The Nodal Officer, examining and considering all the facts including facts mentioned in the application under Sub-Para (1) of Para 6 and objection / suggestions, if any, filed under Sub-Para (2) of Para 6, shall within a period not exceeding sixty days from the date of application received under Para 5 :**
 - (a) Grant permission on conditions as specified in Para 3 or 4, as the case may be, and conditions of time, mode of execution, measures to mitigate public inconvenience or enhance public safety as specified by the Nodal Officer subject to the provisions of the rules and this Policy. The permission shall be issued in Form-5 (annexed) or Form-6 (annexed), as the case may be,
 - (b) Reject the application for reasons to be recorded in writing. The permission may be refused only if the application is found to be against any of the provisions of the Rules and this Policy but shall not be refused on any extraneous ground.

Provided that no application shall be rejected unless the applicant-licensee has been given an opportunity of being heard on the reasons for such rejection.

Provided further that the permission shall deemed to have been granted if the Nodal Officer fails to either grant permission under (a) or reject the application under (b); and the same shall be communicated in


(Rajendra Singh)
GM (Civil)

writing (in the Form 5 or 6) to the applicant-licensee not later than 5 working days after permission is deemed to have been granted.

9. **Application fee and other charges:** - The licensee shall pay the following charges to RIICO :

- (a) (i) The application under Para 5(1) for establishment of aboveground telegraph infrastructure shall be accompanied with a fee of Rs. 10,000/- + Applicable Tax (non-refundable).
(ii) The application under Para 5(2) for laying of underground telegraph infrastructure shall be accompanied with a fee @Rs. 1,000/- + Applicable Tax per kilometre (non-refundable).

(b) The licensee shall deposit one-time user charges to RIICO for installation of Roof Top Tower (RTT)/Roof Top Pole (RTP)/Ground Based Tower(GBT)/Ground Based Mast (GBM) :-

- | | |
|--------------------------------------|---|
| (i) Category AA & A Industrial Areas | Rs. 1,00,000/- each
+ applicable taxes |
| (ii) Category B & C Industrial Areas | Rs. 50,000/- each +
applicable taxes |
| (iii) Category D Industrial Areas | Rs. 25,000/- each +
applicable taxes |

For Industrial Areas not categorised or likely to come in future shall be decided on case to case basis by Unit Head depending upon the likely categorization of the industrial area.

(c) RIICO shall not charge any other amount except the application fee and other charges specified as above.

10. **Fee and other charges in respect of installation/laying telegraph infrastructure on Corporations land and land allotted to Government and Government buildings:** -

- (1) The licensee shall deposit application fee and other charges as specified under Para 9 in respect of lands and buildings of Central/State Government or statutory or non-statutory bodies/institutions.
(2) The licensee shall also deposit following annual charges for using area of lands and buildings of Government or statutory or non-statutory bodies/institutions apart from the charges specified in sub-Para (1) above: -


(Rajendra Singh)
GM (Civil)

- (a) In case of lands and buildings belonging to Central Government or statutory or non-statutory bodies/institutions of the Central Government, rates of annual charges as may be determined by the Central Government, shall be deposited in the funds of the concerned Department of Central Government or statutory or non-statutory bodies/institutions, as the case may be.
- (b) In case of lands and buildings belonging to State Government or statutory or non-statutory bodies/institutions of the State Government, rates of annual charges @10% of prevailing rate of allotment of the industrial area concerned, shall be deposited in the funds of the concerned Department of State Government or statutory or non-statutory bodies/institutions, as the case may be.
- (c) In case of lands and buildings belonging to RIICO, annual charges @10% of prevailing rate of allotment of the industrial area concerned alongwith applicable taxes shall be deposited in the Unit Office of RIICO.
- (d) In case of each Wi-Fi antenna or Micro Cell unit with utility box attached to Micro Cell are installed on any land or building including bus shelters, light poles, public places, other Government premises, annual charges of Rs. 1,000/- shall be deposited by the licensee to RIICO.
- (e) The annual rent for putting up manhole/chamber on the OFC route shall be charged @10% of the prevailing rate of allotment of Ind. Area concerned taking actual number of chambers and their actual size into consideration. Any other charges shall not, however, be levied for putting up chambers.
- (f) The licensee may, if he so desires, deposit one-time charges under clause (c) or clause (d) or clause (e), as the case may be, which would be equal to eight times of such full annual charges. Such a payment would exempt the licensee from further liability of payment of aforesaid annual charges under clause (c) or clause (d), clause (e), as the case may be.
- (g) Restoration charges for laying underground OFC to RIICO shall be deposited as mentioned in clause (iii) of Para-4.


(Rajendra Singh)
GM (Civil)

- (h) No fee and charges shall be recovered from the Government Departments for establishing Telecommunication system including tower/poles for their use.

11. Tenure of permission and renewal: -

- (1) The permission accorded shall be valid from the date of its issuance and it shall be limited upto the periods of permission/licensee granted by the DoT. The licensee shall submit application for renewal of permission to the Nodal Officer at least sixty days before the expiry of the permission alongwith all the documents as required for new permission. The Nodal Officer shall renew the permission after charging fee and other charges as prescribed under Para 9 or Para 10, as the case may be.
- (2) The Nodal Officer shall renew the permission upto the period of the permission / license granted to the licensee by the DoT under the Indian Telegraph Act, 1885.
- (3) The Nodal Officer shall dispose of renewal application within one month. If application for renewal is submitted in time, the operation of the Mobile Tower etc. shall not be discontinued for any delay in disposal of application for clearance by the Nodal Officer.

12. Regularization of existing mobile towers etc: -

- (1) Wherever permission has already been granted under erstwhile policy / orders, the same shall hold good and no fresh permission will be required under this policy.
- (2) For all the existing mobile tower etc. wherein, formal permission has not been issued by the Nodal Officer, shall be regularized upon the submission of application in Form - 7 (annexed) along with information and documents as specified therein and after the payment of prescribed fee/charges under this Policy. Such application shall be submitted within six months of issue of this Policy, after which the said mobile towers etc. shall be deemed as unauthorized. Earlier fees paid, if any, by the licensee shall be adjusted. Once the application is submitted within due time, the operation of the Mobile Tower shall not be discontinued till disposal of the application by the Nodal Officer.
- (3) Telecom installation are lifeline installation and a critical infrastructure in mobile communication. In order to avoid disruption in mobile


(Rajendra Singh)
Civil

communication, an essential service, sealing of existing and operational Base Transceiver Station Towers or disconnection of electricity of such tower may not be resorted to without the consent of the respective TERM Cell in respect of EMF radiation related issues.

13. Seizure and removal of unauthorized telegraph infrastructure :-

- (1) If any person, after the issuance of this Order, installs or continues to install any tower or any other telegraph infrastructure without obtaining the prior permission and depositing the prescribed fee and charges then in such cases power/electricity connections shall not be provided. The Nodal Officer, through RIICO, may seize and remove such tower and the expenses by the RIICO for such removal or seizure shall be recovered from the licensee/person concerned.

Provided that before seizure or removal of tower etc. the Nodal Officer shall afford an opportunity of hearing to the concerned person/licensee by giving at least thirty days notice to him.

- (2) In case any Telecommunication system has been seized or removed under this Para, intimation shall be sent immediately to TERM Cell of DoT in the State.

14. Right of authorities to seek removal etc.

- (1) Where the Corporation or State Government or the Nodal Officer, having regard to circumstances which have arisen since the installation of any telecom tower or the establishment of any underground or over ground OFC/telegraph infrastructure under, over, along across, in or upon any immovable property vested in or under the control of State Government or RIICO, that is necessary and expedient to remove or alter such telecom tower or OFC/telegraph infrastructure, the Nodal Officer shall issue a notice to the applicant (licensee), being the owner of such telecom tower or OFC/telegraph infrastructure, to remove or alter its location.
- (2) On receipt of the notice under Sub-Para (1), the applicant (licensee) shall, forthwith and within a period of thirty days, proceed to submit, to the Nodal Officer, a detailed plan for removal or alteration of such telecom tower or OFC/telegraph infrastructure.


(Rajendra Singh)
GM (Civil)

- (3) The Nodal Officer shall, after examination of the detailed plan submitted by the applicant (licensee) under Sub-Para (2), pass such orders as it deems fit:

Provided that the Nodal Officer shall, having regard to emergent and expedient circumstances requiring the removal or alteration of such telecom tower or OFC/telegraph infrastructure, provide reasonable time to the applicant (licensee) for removal or alteration of such telecom tower or OFC/telegraph infrastructure.

Provided further that the responsibility and liability, including the cost thereof, for removal or alteration of such telecom tower or OFC / telegraph infrastructure shall be borne by the applicant (licensee).

15. Head Office and Unit Level Committees :

- (1) There shall be a Unit Level Committee (ULC) in each Unit Office and a Head Office Level Committee (HLC).

- (2) Unit Level Committee (ULC) : The ULC will comprise the members as mentioned below. However, the Chairman of ULC is authorised to co-opt any expert as necessitated :

- | | |
|--|--------------------|
| (a) Unit Head | - Chairman |
| (b) Second Senior Most Technical Officer in the Unit Office | - Member |
| (c) Technical Officer in-charge of the concerned industrial area | - Member Secretary |
| (d) Representative of Power Cell, nominated by SE (Power) | - Member |
| (e) Representative of the licensee | - Member |

3. Head Office Level Committee (HLC) : The HLC will comprise the following members. However, the Chairman of HLC is authorised to co-opt any expert as necessitated :

- | | |
|--|--------------------|
| (a) General Manager (Civil) (Head of Technical Cell) | - Chairman |
| (b) Cell in-charge of Technical Cell | - Member Secretary |
| (c) SE (Power) | - Member |
| (d) Sr. Town Planner | - Member |
| (e) Cell in-charge of the P&D Cell | - Member |
| (f) Representative of the licensee | - Member |

4. The ULC shall deal with the issues related to installation of telecom infrastructure including receiving the application, decision on the permission for installation of telecom infrastructure, renewal of


(Rajendra Singh)
GM (Civil)

