

कार्यालय मुख्य अभियंता सार्वजनिक निर्माण विभाग, राजस्थान, जयपुर

एफ0 11 (1)/सीई/ओएफसी/2022-23/डी-3530

दिनांक 24/11/23

अतिरिक्त मुख्य अभियंता सार्वजनिक निर्माण विभाग संभाग:-	समस्त	अधीक्षण अभियंता सार्वजनिक निर्माण विभाग वृत:-	समस्त	अधिशायी अभियंता सार्वजनिक निर्माण विभाग खण्ड:-	समस्त
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विषय:-राज्य में 5G Telecommunication service हेतु Government Infrastructure Street Furniture का उपयोग तथा Telecom Infrastructure स्थापित करने के संबंध में दिए गए आदेश की पालना बाबत।

संदर्भ:- (1) नगरीय विकास विभाग का पत्र क्रमांक प.10 (147)नविवि/3/2008 पार्ट जयपुर दिनांक 22.11.2023 (2) नगरीय विकास विभाग का पत्र क्रमांक प. 10 (147)नविवि/3/2008 पार्ट जयपुर दिनांक 22.11.2023 (3) इस कार्यालय का पत्र क्रमांक-3378 दिनांक 05.01.2023

राज्य में 5G Telecommunication service हेतु Government Infrastructure /Street Furniture का उपयोग तथा टेलीकॉम इन्फ्रास्ट्रक्चर स्थापित किये जाने के संबंध में संचार मंत्रालय, भारत सरकार द्वारा दिनांक 17.08.2022 को जारी अधिसूचना भारतीय तारमार्ग के अधिकार (संशोधन) नियम 2022 {The Indian Telegraph Right of way (Amendment) Rules-2022} के अनुसार जारी समसंख्यक गाईड लाईन दिनांक 06.02.2017 में नगरीय विकास विभाग द्वारा जारी आदेश क्र. प. 10 (147) नविवि/3/2008 पार्ट दिनांक 13.1.2023 आदेश की प्रति संलग्न है नये प्रावधान जोड़े गए हैं।

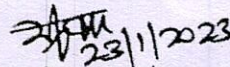
गाईड लाईन के वार्षिक उपयोग शुल्क में निम्नानुसार अनुसार ऑप्टिकल फाइबर केबल डालने हेतु निम्न संशोधन/प्रावधान किया गया है:-

1. One time annual user charges would be equal to five times of such full annual charge. Such a payment would exempt the licensee from further liability of payment of aforesaid annual charge.
2. No fee and charge shall be recovered from the Government Department for establishing Telecommunication system including towers Poles for their use.
3. Application fees shall not be deducted (Fully or partly) by agencies processing the application, in case of rejection of application on account of deficiency in the documents submitted by the applicants fee paid shall be adjusted on re submission of application after rectification for the same site.

इस क्रम में निर्देशित किया जाता है कि:-

1. आवेदन शुल्क इस कार्यालय द्वारा नामित नोडल अधिशायी अभियंता द्वारा तथा वार्षिक एकमुश्त मैनहोल/चैम्बर किराया संबंधित अधिशायी अभियंता द्वारा वसूल किया जाएगा।
2. अधिशायी अभियंता एकमुश्त राशि (वार्षिक शुल्क का 5 गुणा) वसूल करने हेतु प्रयास करेंगे।

संलग्न:- आदेश की प्रति

  
23/11/2023  
(संजीव माथुर)

मुख्य अभियंता एवं अति० सचिव,  
सार्वजनिक निर्माण विभाग जयपुर।

राजस्थान सरकार  
नगरीय विकास विभाग

13 JAN 2023

जयपुर, दिनांक

क्रमांक प. 10(147)नविवि/3/2008पार्ट

आदेश

राज्य में 5G Telecommunication Services हेतु Government Infrastructure/Street Furniture का उपयोग टेलीकॉम इन्फ्रास्ट्रक्चर स्थापित किये जाने के संबंध में संचार मंत्रालय, भारत सरकार द्वारा दिनांक 17.08.2022 को जारी अधिसूचना "भारतीय तारमार्ग के अधिकार (संशोधन) नियम-2022 (The Indian Telegraph Right of Way (Amendment) Rules-2022)" के अनुसार विभाग द्वारा जारी समसंख्यक गाईड लाईन दिनांक 06.02.2017 में निम्नानुसार नये प्रावधान जोड़े जाते हैं/विद्यमान प्रावधानों को प्रतिस्थापित किये जाते हैं:-

**Amendment in existing interpretations (xi), (xiii)(e) and adding new interpretations (xv), (xvi), (xvii), (xviii), (xix) & (xx) at para 1 of State Guidelines dated 06.02.2017 :-**

- 1.(xi) "Rajasthan LSA" means Rajasthan License Service Area (LSA) is field unit of Department of Telecommunication.
- 1.(xiii)(e) Ducts, Under Ground OFC, Cabling/OFC on poles or electric poles or on any of the street furniture.
- 1.(xv) "Mobile Tower" means any above-ground contrivance for carrying, suspending or supporting a telegraph and does not include pole.
- 1.(xvi) "Pole" means any above-ground contrivance of height not exceeding eight meters for carrying, suspending or supporting a telegraph and does not include Mobile Tower.
- 1.(xvii) "Small cell" means a low powered cellular radio access node that has coverage of distance from ten meters to two kilometers.
- 1.(xviii) "Street Furniture" means post/poles use for electricity, street light, traffic light, traffic sign, bus stop, tram stop, taxi stand, public lavatory, memorial, public sculpture, utility pole or any other structure or contrivance of such nature established over the property of an appropriate authority.
- 1.(xix) "Appropriate Authority" means the Central Government, respective State Government, Local Authority or such Authority/body/company/institution incorporated or established by Central Government/State Government in respect of property under/over/along/ across/ in /upon which underground or overground telegraph infrastructure is to be established or maintained, vested in, or under, the control or management of such appropriate authority.

- 1.(xx) **"Duct"** means a pipe, permanently lubricated or of any other kind, used as underground cable conduit for telegraph line.

**Adding new provision (xi) in para 3 of State Guidelines dated 06.02.2017 :-**

- 3(xi) The area of the overground telegraph infrastructure (mobile tower) proposed to be established shall be the area occupied by the mobile tower and the supporting infrastructures, such as base transceiver station, engine alternator, etc. at the ground.

**New para 3.1 added in State Guidelines dated 06.02.2017 :-**

**3.1 Establishment of Telegraph Infrastructure over Private Property :-**

Where the licensee proposes the establishment of overground telegraph infrastructure over any private property, the licensee shall not require any permission from the appropriate authority:

Provided that in case of establishment of mobile tower or pole over a private building or structure, the licensee shall submit an intimation, in writing, to the appropriate authority, prior to commencement of such establishment:

Provided further that along with the intimation, he shall also submit the details of the building or structure, where the establishment of mobile tower or pole is proposed, and a copy of certification by a structural engineer, authorised by the appropriate authority, attesting to the structural safety of the building or structure, where the mobile tower or pole is proposed to be established.

*Provided that along the intimation he shall deposit application/processing fees and annual user charges as prescribed under this order at para 9.*

**Amendment in existing provision at para 4(iii), (vii) & (x) of State Guidelines dated 06.02.2017 :-**

- 4(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 the concerned local body and the entire expenses, for restoration of damaged road portion shall be charged by the local body from the licensee.

Charges for such expenses (Restoration Charges) shall be fixed by the State Government from time to time, on the basis of applicable schedule of rates for works for similar nature in the respective area. If no rates has been decided by the State Government the restoration charges applicable shall not exceed the sum required to restore the immovable property as per the Central Public Works Department (CPWD)/State Public Work Department (SPWD) rates prevailing in the area.

Such charges shall be deposited in the advance in the form of 100% cash within period of 30 days from the date of grant of the permission and prior to the commencement of work of laying the underground telegraph infrastructure.

Provided that The Bank Guarantee shall be 20% of the sum required to restore immovable property as per the rates fixed by the State Government from time to time.

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

4(vii) Number of ducts under the roads for which permission will be granted shall be as per requirement of the licensee.

The area of the underground telegraph infrastructure proposed to be established shall be the length of duct multiplied by the diameter of the duct multiplied by the number of the ducts.

The appropriate authority shall be entitled to receive such compensation from the licensee, not exceeding the amount specified in Part-III of the para '9', for the use of the property under which the underground telegraph infrastructure is proposed to be established, as may be determined by the appropriate authority.

4.(x) No damage shall be caused to any underground utilities while laying the ducts 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

Provided that where Horizontal Directional Digging (HDD) technology is used for establishing underground telegraph lines, restoration charges shall be levied for pits only.

**Amendment in existing provision at para 5(6) of State Guidelines dated 06.02.2017 :-**

5(6) Every application for permission under these guidelines shall be made by the licensee on Online Portal developed by the State/ Central Government.

**Para 9 & 10 of State Guidelines dated 06.02.2017 are replaced as new para 9 :-**

9. **Application Fee and other charges:-** The licensee shall pay the following Charges

Item	Amount
Part-I Fee (Application/Processing Fees) For establishment of underground telegraph infrastructure	Rs.1000/- per kilometer.

For establishment of overground telegraph infrastructure	<p>(i) Rs. 10,000/- for establishment of mobile towers</p> <p>(ii) Rs. 1000/- per kilometer for establishment of overground telegraph line.</p> <p>(iii) Rs. 1000/- per pole for establishment of poles, for installation of small cells and telegraph line, on the immovable property vested in, or under control or management of appropriate authority, other than appropriate central authority.</p>
For installation of small cells and telegraph line using the street furniture	Rs. 1000/- per application.
<b>Part-II Charges for restoration</b>	
Establishment of underground telegraph infrastructure where undertaking is not given by the licensee to discharge the responsibility to restore the damages	<p>Restoration Charges shall be fixed by the State Government from time to time, on the basis of applicable schedule of rates for works for similar nature in the respective area.</p> <p>If no rates have been decided by the State Government, Sum required to restore immovable property shall be as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area, if no rate has been prescribed by central public works department for that area.</p>
Bank guarantee as security for performance in case of establishment of underground telegraph infrastructure where undertaking is given by the licensee to discharge the responsibility to restore the damages	<p>20% of the sum required to restore immovable property as per the rates fixed by the State Government from time to time.</p> <p>If no rates have been decided by the State Government, Sum required to restore immovable property shall be as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area, if no rate has been prescribed by central public works department for that area.</p>
Establishment of overground telegraph infrastructure	Sum required to restore immovable property as per the rate prescribed by central public works department for that area or as per the rate prescribed by state public works department for that area, if no rate has been prescribed by central public works department for that area. Further, licensee shall restore the damage incurred in case of establishment of poles for installation of Small Cells and telegraph line.

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Part-III Compensation / Annual Rent/Annual User Charges	
Establishment of underground telegraph infrastructure	<ul style="list-style-type: none"> <li>• Rs. 2000/- per manhole/chamber at district headquarters</li> <li>• Rs. 1000/- per manhole/chamber in other Towns</li> </ul>
For Establishment of overground Telegraph Infrastructure(Roof Top Tower (RTT))/Roof Top Pole (RTP)/ Ground Based Tower (GBT)/Ground Based Mast (GBM).	Rs. 10,000/- annually.
Establishment of overground Telegraph Infrastructure (Mobile Tower) on Government land.	<ul style="list-style-type: none"> <li>• Nagar Parishad / Development Authority/ UIT areas Rs.2,000/- annually.</li> <li>• Nagar Nigam areas Rs. 1500/- annually.</li> <li>• Nagar Palika areas Rs. 1000/- annually.</li> <li>• Panchayat areas Rs. 500/- annually.</li> </ul>
Establishment of poles for installation of small cells and telegraph line	Rs. 1000/- annually
Usage of street furniture for installation of small cells and telegraph line	Rs. 1000/- annually
<p>Note:-</p> <p>(i) One time annual user charges would be equal to five times of such full annual charges. Such a payment would exempt the licensee from further liability of payment of aforesaid annual charges.</p> <p>(ii) No fee and charges shall be recovered from the Government Departments for establishing Telecommunication system including towers/poles for their use.</p> <p>(iii) Application fees shall not be deducted (fully or partly) by agencies processing the application, in case of rejection of application on account of deficiency in the documents submitted by the applicants and the application fee paid shall be adjusted on re submission of application after rectification for the same site.</p>	

New para 10 added in State Guidelines dated 06.02.2017:-

10 **Usage of street furniture for installation of small cells and telegraph line:-**

(1) A licensee shall for the purpose of installation of small cell and telegraph line submit an application, along with details of street furniture and a copy of certification by a structural engineer authorised by appropriate authority, attesting to the structural safety of the street furniture where installation of small cells and telegraph line is proposed to be deployed, to the appropriate authority for permission to use street furniture for installation of small cells and telegraph line.

(2) The application under para 10(1), shall be accompanied with such fee as may be determined by the appropriate authority to meet administrative expenses for examination of the application, which shall not exceed the amount specified in Para-9 of this Order.

(3) The appropriate authority shall, within a period not exceeding sixty days from the date of application made, grant permission or reject the application for reasons to be recorded in writing.

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

Provided further that the permission shall be deemed to have been granted if the appropriate authority fails to either grant permission or reject the application.

(4) The appropriate authority shall be entitled to receive such compensation from the licensee, not exceeding the amount specified in Part-III of Para-9, for use of street furniture for installation of small cells and telegraph line, as may be determined by the appropriate authority.

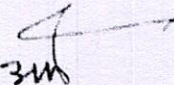
(5) The appropriate central authority may permit installation of small cells on their buildings and structures.

(6) For the purposes of para 10(5), the "appropriate central authority" means the Central Government or the authority, body, company or institution, incorporated or established by the Central Government, in respect of property, under, over, along, across, in or upon which underground or overground telegraph infrastructure, is to be established or maintained, vested in, or under, the control or management of such Government, authority, body, company or institution.

**Para 12(2) amended as per Departmental Order dated 20.02.2019:-**

12(2) For all the existing mobile towers etc. where in formal permission has not be issued by nodal officer shall be regularized as per provision in departmental order no F. 10(147) UDD/3/2008 Part-II dated 31.08.2012

उक्त आदेश सक्षम स्तर से अनुमोदित है।

  
31/10  
(अवधेश सिंह)

संयुक्त शासन सचिव-तृतीय